



ANHANG ZU DER IUL-/COLSIBA- UND CHIQUITA-VEREINBARUNG GEMEINSAME VEREINBARUNG ÜBER SEXUELLE BELÄSTIGUNG

Chiquita-Betriebe werden sich weiterhin für ein sicheres Umfeld für weibliche Beschäftigte einsetzen, damit sie ihre Tätigkeit in einem Raum verrichten können, der frei von allen Formen von Belästigung, Einschüchterung oder Diskriminierung aufgrund ihres Zustands oder Geschlechts ist.

Chiquita, IUL und COLSIBA kommen überein, eine gemeinsame Vereinbarung über sexuelle Belästigung auszuarbeiten, damit diese Art von Belästigung in der Arbeitsstätte nicht geduldet wird. Diese gemeinsame Arbeit umfasst die einvernehmliche Festlegung von Ausbildungsstrategien und den Austausch von Beispielen für bewährte Praktiken für das Personal im Hinblick auf die Vermeidung von Situationen sexueller Belästigung.

Zu diesem Zweck muss jede Arbeitsstätte die erforderlichen Maßnahmen ergreifen, um sicherzustellen, dass männliche und weibliche Beschäftigte Zugang zu Informationen über ihre Rechte am Arbeitsplatz haben. Die Maßnahmen müssen den Gesetzen (und den jeweiligen Besonderheiten jedes Lands, in dem Chiquita tätig ist) Rechnung tragen. Gesetze stellen gewöhnlich Mindest-, nicht Maximalstandards dar. Soweit die Bestimmungen des Gesetzes und diese Vereinbarung den gleichen Gegenstand betreffen, sollte der Standard angewendet werden, der den besten Schutz für die Beschäftigten bietet.

Eine Musterbestimmung, die als Richtschnur für Kollektivvereinbarungen dienen könnte, findet sich in Anhang VII des „Code of practice - Safety and health in agriculture“ des IAA, 2011. Eine Kopie in Englisch ist beigefügt.

Im Namen der Parteien, 27. März 2013:

Ron Oswald
Generalsekretär

Iris Munguia
COLSIBA

Manuel Rodriguez
Chiquita Brands
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Sample sexual harassment policy

1. Company X prohibits sexual harassment of its employees and applicants for employment by any employee, non-employee or applicant. Such conduct may result in disciplinary action up to and including dismissal.
2. This policy covers all employees. The company will not tolerate, condone or allow sexual harassment, whether engaged in by fellow employees, supervisors, or other non-employees who conduct business with the company.
3. Sexual harassment is any behaviour that includes unwelcome sexual advances and other verbal or physical conduct of a sexual nature when:
 - submission to, or rejection of, such conduct is used as the basis for promotions or other employment decisions;
 - the conduct unreasonably interferes with an individual's job performance or creates an intimidating, hostile or offensive work environment.

Company X employees are entitled to work in an environment free from sexual harassment and a hostile or offensive working environment. We recognize sexual harassment as unlawful discrimination, as is conduct that belittles or demeans any individual on the basis of race, religion, national origin, sexual preference, age, disability, or other similar characteristics or circumstances.

No manager or supervisor shall threaten or imply that an employee's refusal to submit to sexual advances will adversely affect that person's employment, compensation, advancement, assigned duties, or any other term or condition of employment or career development. Sexual joking, lewd pictures and any conduct that tends to make employees of one gender sex objects are prohibited.

4. Employees who have complaints of sexual harassment should (and are encouraged to) report such complaints to their supervisor. If this person is the cause of the offending conduct, the employee may report this matter directly to [specify various officials (e.g. Director of Human Resources, designated contact manager, etc)]. Your complaint will be promptly and thoroughly investigated. Confidentiality of reports and investigations of sexual harassment will be maintained to the greatest extent possible.
5. Any manager, supervisor or employee who, after appropriate investigation, is found to have engaged in sexual harassment of another employee will be subject to disciplinary action, up to and including dismissal.
6. If any party directly involved in a sexual harassment investigation is dissatisfied with the outcome or resolution, that individual has the right to appeal the decision. The

dissatisfied party should submit his or her written comments to [specify official (e.g. Gender Committee, contact manager)].

7. The Company will not in any way retaliate against any individual who makes a report of sexual harassment nor permit any employee to do so. Retaliation is a serious violation of this sexual harassment policy and should be reported immediately. Any person found to have retaliated against another individual for reporting sexual harassment will be subject to appropriate disciplinary action, up to and including dismissal.

Source: This guidance was developed by the Ethical Trading Initiative in consultation with its tripartite membership. It is extracted from a training manual for supervisors and managers which aims to assist employers and unions in tackling sexual harassment in agriculture. <http://www.ethicaltrade.org/in-action/projects/eti-supervisor-training-project>. These training materials can be accessed freely at www.ethicaltrade.org/resources/key-eti-resources/supervisor-training-programme-materials#downloads