

## **SEXUAL HARRASSMENT POLICY**

Government of Pakistan has approved the Act titled, "Protection against Harassment of Women at the workplace Act, 2010. The purpose is to provide safe and secure working environment to the working women in the public and private sector. The intention is to provide an opportunity to all organizations, institutions, public, private and civil society to develop a self-regulatory mechanism whereby organizations/institutions can handle the problems related to sexual harassment internally.

To ensure implementation of this Act in its true spirit Government has made it mandatory for all public and private sectors including educational institutions to adopt a "code of conduct" in their institutions.

GIK Institute believes in fostering safe and secure working environment free from intimidation, specifically for working women and female students, and has, therefore, adopted a Code of Conduct and constituted a Harassment Complaint Cell in the Institute.

The salient features of the Code and composition of the Cell and its functioning are given below.

### **Policy Statement**

The Code is for all employees, students, women and men and puts the responsibility on the management to make the organizational environment safe and secure and free of sexual harassment. According to the law the institutions can deal with sexual harassment cases within the institution.

1. Sexual harassment is prohibited at Ghulam Ishaq Khan Institute of Engineering Sciences and Technology (GIK Institute) and constitutes a punishable offence under the sexual harassment policy.
2. Sexual harassment is a serious human rights issue. It can be exacerbated by discrimination on other grounds of vulnerability such as gender, poverty, disability, race, religion, ethnic origin or sexual orientation.
3. Sexual harassment subverts the mission of the GIK Institute and threatens the careers, educational experience, and well-being of students, faculty, and staff. The institute will not tolerate sexual harassment, nor will it tolerate unwelcome behavior of a sexual nature towards members of the community at when that behavior creates an intimidating or hostile environment for employment, education, on-campus living, or participation in activity of any nature within the premises of the Institute.
4. Sexual harassment is especially serious when an instructor harasses a student or a supervisor harasses a subordinate. In such situations, sexual harassment unfairly exploits the power inherent in an instructor's or supervisor's position. However, while sexual harassment often takes place in situations where there is an abuse of a power differential between the persons involved, the Institute recognizes that sexual harassment is not limited to such situations. Sexual harassment can occur when a student harasses an instructor, when a subordinate harasses a supervisor, or between persons of the same status.

5. All the actions categorized as sexual harassment when done physically or verbally would also be considered as sexual harassment when done using electronic media such as computers, mobiles, internet, e-mails, etc.

### ***What is Sexual Harassment?***

Sexual harassment means persistent, repetitive, or egregious conduct directed at a specific individual or group of individuals that a reasonable person would interpret, in the full context in which the conduct occurs, as harassment of a sexual nature, when:

- a) Submission to such conduct is made or threatened to be made explicitly or implicitly a term or condition of employment, education, on-campus living environment, or participation in the Institute activities; or
- b) Submission to or rejection of such conduct is used or threatened to be used as a basis for a decision affecting employment, education, on-campus living environment, or participation in the Institute activities; or
- c) Such conduct has the purpose or effect of unreasonably interfering with work or educational performance, or of creating an intimidating or hostile environment for employment, education, on-campus living, or participation in the Institute activities.

### ***Examples of Harassment***

Behavior that may constitute, or be evidence of, prohibited sexual harassment includes, but is not limited to, the following:

- a) Physical assault;
- b) Direct or implied threats that submission to sexual advances will be a condition of, or that failure to submit to such advances will adversely affect, employment, work status, promotion, grades, letters of recommendation, or participation in the Institute's activity;
- c) Direct propositions of a sexual nature or persistent unwelcome efforts to pursue a romantic or sexual relationship, including subtle pressure for sexual activity, an element of which may be repeated staring;
- d) A pattern of unwelcome sexually explicit gestures, statements, questions, jokes, or anecdotes, whether made physically, orally, in writing, or through electronic media;
- e) A pattern of unwelcome conduct involving:
  - Unnecessary touching;
  - Remarks of a sexual nature about a person's clothing or body;
  - Remarks relating to sexual activity or speculations concerning previous sexual experience; or
  - Stalking another person who reasonably perceives the stalker is pursuing a romantic and/or sexual relationship. Stalking of a sexual nature that is directed at a specific person that would cause a reasonable person to feel fear.

f) A display of graphic sexual material (not legitimately related to the subject matter of a course, if one is involved, or to job requirements) in a context where others are not free to avoid the display because of an employment or educational requirement or without surrendering a privilege or opportunity that others may reasonably expect to enjoy in that location;

g) Domestic/dating violence, which constitutes coercive, abusive, and/or threatening behavior toward a current or former intimate or romantic partner. These behaviors may include physical, sexual, emotional, economic, or psychological actions or threats of actions that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, or injure the victim/survivor.

### ***Who Can Experience Sexual Harassment?***

Direct targets

- Students
- Employees
- Volunteers/interns

Indirect targets

- Bystanders
- Witnesses

### **Harassment Complaint Cell**

To ensure that the workplace is free from all forms of harassment and the work environment is more professional and dignified, GIK Institute has established a Harassment Complaint Cell (HCC).

Objectives of HCC

The primary purpose of the HCC is to facilitate the policy implementation in letter and spirit where complaints of sexual harassment or any other forms of harassment could be lodged. This would require a team consisting of a full time, designated Harassment Monitoring Officer – HMO -- (gender sensitized, with strong professional and counseling skills), and an assistant who could follow up the documentation through relevant offices.

The HMO shall be an employee of the GIK Institute. He/She will be appointed by Rector where he/she is responsible for the application of this policy as herein defined. To this end, the Officer will, in consultation with the Institute's authorities, promote awareness of sexual harassment, foster an environment free of sexual harassment in the Institute's community, and will help carry out complaint resolution. He/She will have a minimum experience of 10 years of service within the Institute and bear sound reputation. The details regarding the general procedures for action by HMO are described in the Policy Guidelines against Sexual Harassment in Institutions of Higher Learning, page 11.

Confidentiality shall be enjoined on the HCC members. This does not preclude the discrete disclosure of information in order to elicit the facts of the case, or to implement and monitor properly the terms of any resolution.

Furthermore, it is the responsibility of the HCC members, to respond fairly to the complainant, the respondent, and any other parties to proceeding, under this policy.

The HCC shall have the following members:

1. A senior female faculty member to be appointed by the Rector
2. A female faculty member of the rank of Research Associate or Asst. Professor to be appointed by the Rector in consultation with the Pro Rector (Academics)
3. A female non-faculty employee of the rank of Assistant Director or above, to be appointed by the Rector in consultation with Pro Rector (Administration and Finance)
4. Harassment Monitoring Officer (HMO)
5. Director HR or his/her nominee not below the rank of Assistant Director (Where a female nominee is not available, a male substitute may be appointed till such time that a female nominee becomes available)

## HOW TO REGISTER A COMPLAINT

### Informal Complaint

The steps of launching an informal complaint are as follows:

1. An Employee/student can lodge a verbal complaint either to his/her Supervisor/ head of the department or any one of the HCC members.
2. The person receiving the complaint can take an informal action to resolve the issue.

### Formal Complaint

The steps of launching a formal complaint are as follows:

1. Employee/student can lodge a written complaint directly to any of the HCC members OR they can submit a written complaint to his/her supervisor/head of the department who will forward it to HCC
2. Acknowledgement by the person receiving the complaint
3. HCC shall communicate an allegation statement to the accused in writing within 3 days
4. Accused to respond in writing within 7 days
5. Ex-parte decision by committee if no response from accused

### HCC Proceedings

The HCC should proceed with the complaint as follows:

1. Completion of process within 30 days.
2. Submission of recommendations to Competent Authority. Implementation of the decision, within 7 days of receipt of the recommendations, by the Competent Authority. In case the Competent Authority disagrees with the recommendations, he/she shall record his her reasons.

Confidentiality shall be enjoined on the HCC members. This does not preclude the discrete disclosure of information in order to elicit the facts of the case, or to implement and monitor properly the terms of any resolution.

## False Allegation

Allegations of sexual harassment made out of malice or intent to hurt the reputation of the persons against whom the complaint is filed are to be dealt with as serious offences. Making mala fide allegation of sexual harassment, knowing it to be false, whether in a formal or informal context, is a serious offense under this policy and action would be taken under the Institute's disciplinary regulations.

Any charge found to have been intentionally dishonest or made in willful disregard of the truth, and to malign or damage the reputation however, will subject the complainant (student, staff or faculty) to severe disciplinary action.

Withdrawal of a false complaint after a wide dissemination of, or publicity of the purported offense, carried out intentionally to malign the character of the person accused, and done with willful intent to cause physical, psychological or mental harm or stress, has to be dealt with more serious penalties **and a complainant should be entitled for the same punishment as for the accused.** This will ensure that no injustice is meted out.

## Education for Prevention of Sexual Harassment

To ensure prevention of sexual harassment on campus the GIK Institute will develop programs to educate and counsel its staff, faculty and students as well as provide written material for reference. Education is essential to sensitizing the Institute's faculty, staff and students in order to eliminate sexual harassment on campus. GIK Institute will develop an ongoing training program in this regard. Completion and participation of the training program is to be made a requirement for all those who enter employment or services. Further, notices be placed by the authorities regarding its policies. The Student Advisor in each faculty/department may disseminate information about these programs, what constitutes sexual harassment, how to respond to it and what to do when someone asks for advice about sexual harassment.

*(Attention is also invited to the*

*"Policy Guidelines Against Sexual Harassment In Institutions of Higher Learning".*

<https://www.mueta.edu.pk/sites/default/files/Large%20Book.pdf>

*and*

*"Harassment Act 2010 At Work Place", [http://www.na.gov.pk/uploads/documents/1399368475\\_218.pdf](http://www.na.gov.pk/uploads/documents/1399368475_218.pdf)*

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