

POLICY NAME	PROTECTION AGAINST HARASSMENT OF WOMEN AT WORKPLACE POLICY (Anti-Harassment Policy)
POLICY NO.	22
APPROVED BY	
DATE OF ORIGINAL APPROVAL	01-July-2015
DATE OF REVIEW	03-July-2023

1.0. PURPOSE:

To disseminate information among its students, faculty and employee/staff on recognizing and preventing harassment at the institute. Any complaints and concerns related to harassment will be dealt through a stringent grievance mechanism. It's the responsibility of every member of the institute or those associated with it, to build mutual respect and dignity by familiarizing themselves with this policy and refraining from any conduct that contradicts this policy.

2.0. SCOPE:

This policy applies to anyone participating in institute's activities both academic and non-academic including but not limited to students enrolled in graduate, undergraduate, post-graduate, diplomas and degree programmes, faculty, staff, deans/HODs, directors, administrators, security personnel, visitors or vendors associated with the Institute.

3.0. POLICY:

3.1. Our Harassment Policy is consistent with provisions of the Government of Pakistan Act 2010 called as "The Protection against Harassment of Women at the Workplace" and HEC Sexual Harassment Policy for Higher Education Institutes, July 1, 2020.

3.2. Institute practices zero tolerance for sexual or any other kind of harassment.

3.3. Ensures that all complaints against harassment are dealt seriously, confidentially and are investigated amid strict compliance while ensuring that appropriate steps are taken.

3.4. Harassment of any kind directed towards anyone at the institute is strictly prohibited and will subject the offender to possible disciplinary action ranging from a verbal warning to a written reprimand which may further lead to termination from employment after a thorough investigation process as mentioned under section 7 of this policy.

3.5. Promote a culture of inclusiveness, with no fear of retaliation either as a victim or a "whistle-blower".

3.6. Important Timeline for Reporting:

➤ All written complaints (soft/hard copy) concerning harassment shall be communicated to the Focal Persons-who will be members of the Institute's administration-atleast one of whom shall be a woman, to offer support and immediate assistance to those who have experienced harassment. Anyone, who either believe that they have become the victim of harassment or have witnessed harassment, should immediately report their concerns through any of the following routes:

- Dean of the College
- Vice Chancellor
- Registrar
- Concerned HODs
- HR

- The Focal Person shall inform Inquiry Committee within 24 hours of receiving complaint regarding harassment.
- The Inquiry Committee within three (3) days of receipt of a written complaint (soft/hard copy) will start its investigation process (as mentioned under 4.2).
- From the day the charge is communicated to the accused person, he/she can submit a written defense within seven (7) days. On his/her failure to do so without reasonable cause, the Committee shall proceed its findings without such defense.
- The Inquiry Committee works to resolve the cases as quickly as possible, and ideally within thirty 30 days to complete the inquiry and recommend its final decision to the Competent Authority i.e. Vice Chancellor/Chairman.
- Both the complainant and the respondent shall have a right to appeal the decision of the Inquiry Committee within a period of thirty (30) days from the date of notification of the decision.
- Recommendation of the Inquiry Committee should be implemented within seven (7) days.

4.0. RESPONSIBILITY:

4.1 Departmental Heads, Deans and Senior Management:

The primary responsibility for maintaining high standards of conduct resides with Departmental Heads, Deans and Senior Management, since they exercise significant level of authority and power above others. It is also the responsibility of every member of the institute to play their role in making our working environment harassment-free.

4.2 Inquiry Committee:

The inquiry committee shall be responsible for the investigation and adjudication of any complaint received in connection with the violation of this policy.

The Inquiry Committee shall be constituted in the following manner:

- a) The committee shall consist of three members, at least one of whom shall be a woman and one of the members shall be a member of the senior management of the institute.
- b) Members of the committee shall be employees of institute and will be appointed by the Vice Chancellor (ref. HEC Harassment Policy 2020).
- c) Members of the Committee shall be individuals who are known for being principled, credible, fair, gender-sensitive and have a strong character (someone who will not change their decision due to pressure from friends, colleagues or seniors). They will have not conflict of interest in particular cases, and will be impartial and unbiased.

- d) Members of the Committee shall be appointed for a term of two year. No member shall serve for more than two consecutive terms. Former members will be eligible for reappointment after a lapse of two years.
- e) One of the members of the committee shall be appointed as the Chair by the VC, whose duties shall include, but are not limited to: maintaining order during hearings, answering procedural questions, granting or denying adjournments, maintaining proper documentation of the proceedings, which shall constitute the official record and reporting recommendations of the Committee to the VC. All these duties shall be undertaken in consultation with the Committee members (ref. HEC Harassment Policy 2020)
- f) In case a complaint is made against one of the members of the committee, that member shall be replaced by another (impartial member) for that particular case.

4.3. The institute shall endeavour to provide training to members of the Inquiry Committee in investigation and adjudication of conduct prohibited under this policy.

4.4 Institute's HR will assist the Inquiry Committee. This work shall include responsibilities such as organizing meetings, acting as a liaison between the committee and the other parties involved, record keeping, making and updating a database to track the processing of complaints, and ensuring appropriate awareness raising about the issue of harassment at the institute.

4.5 Those who have experienced harassment may also contact members of the Inquiry Committee for support and advice.

5. DENFINITIONS

No policy can give full description and definition of behaviors that fall within the ambit of harassment. It may be overt or subtle, and can range from visual signals or gestures to verbal abuse to physical contact along with hand or sign language to denote sexual activity, persistent and unwelcome flirting.

5.1 "Designated Resources/Focal Persons means at least two members of the institute's administration, at least one of whom shall be a woman, to offer support and immediate assistance to those who have experienced harassment. Anyone, who either believe that they have become the victim of harassment or have witnessed harassment, should immediately report their concerns through any of the following routes:

- A) Dean of the College
- B) Vice Chancellor
- C) Registrar
- D) Concerned HODs
- E) HR

5.2 “Inquiry Committee” means the Committee comprising of persons responsible for the investigation and adjudication of any complaints received in connection with the violation of this policy.

5.3 Harassment

5.2.1Quote: ‘Harassment’ means any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, causing interference with work performance or creating an intimidating hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition of employment (Ref. Sindh Government Act 2010 and Federal Ombudsman) *Unquote*

Some examples of harassment include but are not limited to below:

- Ridicule, abuse/criticize and use derogatory comments, jokes and insults.
- Unwarranted behavior that is shown towards anyone that has the impact of making that person feel that her/his respect and dignity has been violated.
- Display or circulation of materials and/or pictures, physically or electronically e.g. via email or social media etc which is defaming, sexually promiscuous and intimidating in nature.

5.4 Sexual Harassment:

- 5.4.1 Sexual harassment refers to conduct of sexual nature that is unwanted and unwelcomed. Sexual harassment includes inappropriate gazing at a person’s body, touching, patting or pinching or any other unsolicited physical contact.
- 5.4.2 Verbal conduct of a sexual nature may include unwelcome verbal advances, sexually oriented comments about physical appearance, requests for sexual favors and continued suggestions for private social activity after it has been made clear that such requests and suggestions are unwelcome. Offensive verbal conduct could also include jokes of a sexual nature, offensive flirtation or lewd remarks of a sexual nature, such as expressions of sexual interest that are addressed directly towards anyone at the institute.
- 5.4.3 Non-verbal conduct of a sexual nature may include the display of sexually suggestive pictures or work, objects or written material, or sexually suggestive gestures. Verbal or non-verbal conduct that creates a sexually-offensive environment also comes under sexual harassment.

- 5.4.4 Demanding sexual favors or sexually directed remarks/ behavior constitutes sexual harassment, or an attempt to punish the complainant for a refusal to comply to such a request also comes under sexual harassment.
- 5.4.5 It is not necessary that there should be an actual physical contact for a behavior to be categorized as sexual harassment. Other unwelcome behaviors are prohibited if (i) they are based on an individual's gender or one's sexual orientation (ii) are persistent or highly serious and (iii) creates an atmosphere which is intimidating or hostile. These include but are not limited to lewd remarks or gestures, highly offensive jokes of sexual nature, commenting inappropriately about someone's body, and stalking that person in public or private.
- 5.4.6 Demonstrating sexually demeaning attitude.
- 5.4.7 Making it a condition for employment for anyone at the institute.

5.5 Bullying/ Ragging/ Hazing

- a. Bullying means offensive, abusive, intimidating or insulting behavior, abuse of power and/ or unfair punitive sanctions which makes an individual feel upset, threatened, humiliated and/or vulnerable, which undermines individual's performance and negatively impact their self-confidence and/or create a feeling of low-self-esteem and low self-worth, which may cause the anyone to suffer undue stress.
- b. Ragging and/or hazing means the practice of using rituals and any other acts, conduct or practices by which the dominant power of senior anyone, former anyone, or alumni, is brought to bear on anyone who are in any way considered junior by other anyone. Ragging and/ or hazing include individual or collective acts or practices which includes but not limited to:
- Involvement in physical or psychological assault or threat or use of force or wrongful confinement or restraint
 - Violating the status, dignity and honor of such anyone
 - Exposing anyone to ridicule and contempt and affect their self-esteem;
 - Verbal abuse and aggression, indecent gestures and indecent behavior.
 - Ridiculing/defaming anyone on the basis of their cultural background, ethnic origin, gender identity, sexual orientation, spoken language and religion.

5.6 Online/Mobile/ bullying

5.5.1 Cyberstalking refers to the use of the internet and other technologies to harass or stalk another person online, and is potentially a crime in most of the countries. This online harassment, which is an extension of cyberbullying and in-person stalking, can take the form of e-mails, text messages, social media posts, and more and is often methodical, deliberate, and persistent to harass, humiliate, intimidate, and control their targets.

5.5.2 Cyber-harassment pertains to unconsented conduct such as threatening or harassing email messages, instant messages, or to social media and blog entries or websites dedicated solely to tormenting an individual. Cyber-harassment differs from cyber-stalking in that it is generally defined as not involving a credible threat.

7.0 COMPLAINT RESOLUTION PROCEDURE

7.1 Informal Resolution:

Informal resolution is aimed at bringing together the parties to discuss and resolve the complaint. A person who alleges the other person on harassment charges can choose to discuss the matter in-person with the accused who has been engaged in this kind of behavior and/ or request that a member of his/her academic entity, concerned department head, HR or Registrar office to act as a liaison for an informal discussion, so as to resolve the matter, without furnishing a written complaint against the accused. Counselling can also be effective at this stage.

7.2 Formal /Written Complaint Resolution:

7.2.1 Any formal written complaints (soft/hard copy) will be resolved in following steps:

Step: 1 All complaints in written (soft/hard copy) concerning harassment shall be forwarded to the Focal Persons within **24 hour**.

Step 2: After receiving a written complaint (soft/hardcopy) from Focal Persons, the Inquiry Committee shall determine whether the harassment charges fall within the ambit of Harassment as mentioned in definitions section 5.

Step 3: Once determined, the Inquiry Committee within **three (3) days** of receipt of a *written complaint* (soft/hardcopy) will take following steps:

a) Communicate to the accused about the charges and statement of allegations leveled against him/her, the formal written receipt of which will be given.

b) Require the accused within **seven (7) days** from the day the charge is communicated to him/her to submit a written defense and on his/her failure to do so without reasonable cause, the Committee shall proceed without such defense.

- c) Enquire into the charge and may acquire and examine such oral or documentary evidence in support of the charge or in defense of the accused as the Committee may consider necessary (including by summoning potential witnesses) and each party shall be entitled to cross-examine the witnesses against him/her.

The Inquiry Committee will complete the inquiry and recommend its final decision within a period of *thirty days (30)* of the initiation of inquiry. It will then send its decision to the Vice Chancellor for further endorsement and action.

Recommendation of the Inquiry Committee should be implemented within **seven (7) days**.

7.2.2 Resolution in the absence of a formal written complaint:

In the absence of a formal complaint (soft/hard copy), if a serious violation of this policy is reported to the Inquiry Committee, or a series of allegations against the same person are received, the Inquiry Committee may determine by majority vote to initiate proceedings itself after notifying the Vice Chancellor.

8. CONFIDENTIALITY:

8.1 Confidentiality will be enjoined on the Focal Persons, the Inquiry Committee and all others involved in the investigation process. This does not prevent reasonable and discreet disclosure of information needed during the investigation process, or to implement and monitor properly the terms of any decision.

8.2 The Focal Persons, members of the Inquiry Committee and their support staff shall be subject to administrative disciplinary action for inappropriate breaches of confidentiality on their part.

8.3 All notes and records compiled in connection with an investigation will be maintained in a confidential file as per institute's policy.

9. PENALTIES:

9.1 In cases in which the guilty party is a student, the following sanctions may be imposed:

- a) The student may be issued a warning or reprimand.
- b) In case of more serious violations, the following formal sanctions may be imposed: disciplinary probation, withholding of degree for a period of time, suspension or expulsion
- c) Other serious offence sanctions may include relocation from campus hostel; exclusion of the student from a designated portion(s) of institute buildings or grounds.

9.2 In cases in which the guilty party is member of the faculty, researcher or employee/staff of the institute, the following sanctions may be imposed:

- a) Verbal/ written reprimand
- b) Counselling or training;
- c) Inclusion of the decision in a specified personnel file(s) of the concerned person
- d) The imposition of a fine

- e) Recommendation for suspension without pay
- f) Other penalties, as deemed appropriate, in accordance with the terms of the institute’s policy

10. RIGHT OF APPEAL:

Both the complainant and the respondent shall have a right to appeal the decision of the Inquiry Committee within a period of 30 days from the date of notification of the decision.

11. FALSE ALLEGATIONS:

Making mala fide allegations of sexual harassment knowing it to be false, whether in a formal or informal context, is a serious offense under this policy. If proven as false allegation, the Inquiry Committee may send its findings to to Vice Chancellor for appropriate action against the complainant.

The institute does not allow Reprisal or threats of reprisal against any member of the institute who may become part of the proceedings held under its jurisdiction

12. EDUCATION FOR PREVENTION:

Safety disclosure details:

Intranet Portal: <https://local.jmc.edu.pk:84/login.aspx>

Weblink: <https://medicarehospital.pk/> and <https://jmc.edu.pk/>

Policy Document link: <https://jmc.edu.pk/policy>

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APPROVALS

	Initiated by	Reviewed by	Approved by
Signature			
Name			
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