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OFFICE OF THE REGISTRAR

Subj: **SOP - Protection against Women Harassment at Work Place**

Ref: MOM -12<sup>th</sup> meeting of NDU Syndicate, dated: 14 Feb, 2020.

Enclosed please find the approved SOP regarding Protection against Women Harassment at Work Place for information and implementation, please.



Assistant Registrar  
(Muhammad Sabtain Khan)

No. 213 /818/NDU/REG/2020 Dated 04 Mar 2020

To: A Div  
B Div  
AOD  
ISSRA  
A Branch  
GS (Trg)  
GS (SD)  
Q Branch  
SYK Lib  
GE NDU  
FCS  
All HoDs  
Admin Office  
QEC  
Exams Branch  
PR&SA  
Fin Branch

Info: Advisor to President, NDU  
SO to President, NDU  
GSO-1 (Coord) to Dy President, NDU  
PA to COS

## STANDARD OPERATING PROCEDURE PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE

### General

1. Government of Pakistan has approved the Act titled, "Protection against Harassment of Women at the Workplace Act, 2010". The purpose of this Act is to provide safe and secure working environment to working women in the public and private sector offices/ workplaces. Based upon this Act, HEC issued a detailed "POLICY GUIDELINES AGAINST SEXUAL HARASSMENT IN INSTITUTIONS OF HIGHER LEARNING". NDU has constituted an Inquiry Committee to implement the said policy under the given guidelines, and to create a gender friendly and respectful working/ learning environment. This SOP will be followed in conjunction with the Policy and Procedures given in HEC Guidelines at all levels, however, in addition to the given policy procedures, internal mechanism will also be adopted.

### Policy Parameters

2 NDU affirms the right of every member of its constituencies to live, study and work in an environment that is free from sexual harassment in that;

- a. Sexual harassment is prohibited at the university and constitutes a punishable offence.
- b. It will not tolerate the sexual harassment of any member of its community and will strive through education and deterrence to create an environment free from such behavior on its premises.
- c. It will maintain an environment in which students and teaching/ non-teaching staff can engage in free enquiry and open discussion of all issues without intimidation and harassment of others.
- d. All persons entrusted with authority by the NDU have a particular obligation to ensure that there is no misuse of that authority in any action or relationship.
- e. The university recognizes its legal and moral responsibility to protect all of its members from sexual harassment and to take action if such harassment occurs.
- f. It will prohibit reprisal or threats of reprisal against any member of NDU community who makes use of this policy or participate in proceedings held under its jurisdiction. Any individual or body found making such reprisals or threats will be subjected to disciplinary action.
- g. It will act upon complaints of sexual harassment *promptly, fairly, judiciously and with due regard to confidentiality for all parties concerned.***

### Definition of Sexual Harassment

3. Unwanted sexual advances; unwelcome requests for sexual favors; and other behavior of a sexual nature. This also involves treating others unequally on the basis of gender in work-related or academic duties or programs and not providing female students with the same academic opportunities as male students or vice versa; this is also applicable to same sex harassment (male-male, female-female). This act may be:-

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in a university sponsored educational program/ activity.
- b. Submission to or rejection of such conduct by an individual is used as a basis

for academic or employment decisions affecting that individual.

- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or of creating an intimidating, hostile, or offensive educational or working environment.

#### **Listing of Sexual Harassment in University**

4. Nature of such acts/ actions may be:-
  - a. Asking female students to visit personal offices of their supervisors/ authorities' in-charge after office hours to discuss their grades and assignments.
  - b. Asking female students to meet supervisors/ authorities in-charge out of the university premises with the promise of improvement in grades.
  - c. *Repeated requests for interaction on social / high frequency media.*
  - d. *Sending improper or indecent messages on phone or any othe mode of communication.*
  - e. *Making abusive/ indecent calls or repeated calls to someone hitout her/ his permission.*
  - f. Financial and sexual gratification from students (PhD, MPhil, Masters, BS) or their supervisors.
  - g. Intimidation of faculty/ staff by students/ colleagues in order to tarnish the reputation (character assassination) of faculty/ staff.
  - h. Harassment by senior students to the junior students, female students, transgender or minority students.
  - i. Unwelcome sexual advances whether they involve physical touching or otherwise.
  - j. Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life.
  - k. Comment on an individual's body, comment about an individual's sexual activity, deficiencies, prowess, displaying sexually suggestive objects, pictures, or cartoons etc.
  - l. Unwelcome staring, whistling, brushing against the body, sexual gestures, or suggestive or insulting comments.
  - m. Inquiries into one's sexual experiences.
  - n. Discussion of one's sexual activities (even if males are discussing this, it is done deliberately in front of female students or colleagues).
  - o. Using derogatory abuses which refer to mother's or sister's bodies.
  - p. Acts of sexual connotation, as a common usage in conversation.

#### **Jurisdiction**

***5. For the purpose of this policy, members of the university are defined as all administrative, research, teaching and non-teaching employees of the NDU as well as students (including interns and residents). It is mandatory to treat all complaints and identity of complainants as highly confidential where high confidentiality shall be maintained throughout the process.***

6. *This policy applies to all members of the university community, to those with whom the university does business and to any person on university property (including contractors who are involved in any business (catering, hostels, or construction etc).*
7. **The SOP applies to all areas of the university in general and classrooms, offices, research labs, library, cafeteria, hostel and mosques in particular.**
8. Nothing in this policy is meant to supersede the terms and conditions of any collective agreement, or any other contractual agreement, entered into by the university and its employees.
9. The following individuals or bodies may initiate a complaint:-
  - a. Any member of the university, on his or her own behalf.
  - b. The university, on behalf of one of its members.
  - c. Persons seeking to become members of the university in circumstances directly affecting their application to become a member.
  - d. Former members of the university in circumstances directly affecting their dismissal or withdrawal from the university.
  - e. Individuals employed by companies holding contracts with the university while fulfilling the terms of the contract.
  - f. Invited Visitors, Visiting Faculty, Resource Persons, External Evaluators and External Members of the university's committees.
10. Students engaged in NDU-sanctioned academic activities on premises off-campus (placement, internship, practicum, research) will have access to the provisions of the policies of the hiring or supervisory agencies, where such policies exist, and/or of the HEC. Students at off-campus placements may seek advice from the university harassment complaint cell.

### **General Procedure**

11. Generally following procedure will be adopted:-
  - a. All persons who allege gender discrimination or sexual harassment under the provisions of this policy are advised to contact the designated Harassment Monitoring Officer (HMO).
  - b. In the event that a complainant is reluctant to contact the HMO, the complainant may contact the Dean/ HoD,/ Director/ Head of the branch/ employment supervisor/ Manager.
  - c. If a complainant chooses not to consult the Officer, but wishes a formal hearing, the complainant shall be directed to file a written request to the HMO.
  - d. The HMO is an employee of the university. He/she will be appointed by the Deputy President NDU where he/she is responsible for the application of this policy and will carry out complaint resolution.
  - e. Confidentiality shall be kept by the HMO, and his/ her concerned office staff working with the HMO. The HMO and his/ her office staff will be subjected to administrative disciplinary action for inappropriate breaches of confidentiality on their part.
  - f. During the informal stages of complaint resolution, if the HMO determines that the complaint is frivolous, vexatious or entirely without factual basis, the Officer will advise the complainant of this fact, in writing, and will provide reasons for this conclusion. The Officer will also sensitize the complainant about disciplinary

actions under this policy.

### **Implementation Mechanism**

12. **Establishment of Harassment Complaint Cell.** The primary purpose of this office/ cell 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 dedicated Desk, under PR&SA Centre, consisting of a trained professional (Gender sensitized, with strong counseling skills), who would follow up the documentation through relevant offices, and also act as a link between the complainant and the Inquiry Committee. The Centre may provide secretarial support for the following:-

- a. Sensitization of all university faculty, staff, students to sexual harassment through workshops/ lectures duly assisted by HMO.
- b. Complaint Registration.
- c. Tracking System of the complaints.
- d. Record Keeping and documentation.
- e. Implementation of the policy with the assistance of HMO and Dean.

13. **Actions by HMO.** Following actions will be taken by the HMO:-

- a. If the HMO receives repeated allegations of offenses against the same person but each of the person making allegations is unwilling to file a written complaint and appears as complainant, then concrete evidence should be asked from the complainant.
- b. The HMO shall communicate with persons drawn from the pertinent notes/records, who might provide evidence of discrimination or harassment, to determine their willingness to provide testimony. The Officer shall not communicate the contents of the notes to such persons in either written or verbal form.
- c. The HMO will assist in determining if the reported events constitute discrimination or harassment under the provisions of this policy, and delineate options for action available to that individual.
- d. He/ she will keep confidential records of all consultations.
- e. He/ she may investigate allegations made in order to assist in the resolution of the matter at the informal stage and decide to proceed by way of fact-finding investigation.
- f. Where complaints fall outside the jurisdiction of this policy (e.g. placement, internship, participation in a event outside the university), the HMO will direct the complainant to the appropriate resolution process and will remain available as an Adviser.
- g. He/ she will assist the Inquiry Committee of the university during hearing stage and provide essential evidence, if collected earlier.

14. **Inquiry Committee (Hearing Panel).** NDU has constituted a standing Inquiry Committee for the purpose with the following composition:-

- a. Col Muhammad Munir Akhtar Butt (Retd), Dir PR&SA - Chairperson
- b. Dr. Shaheen Akhter, Prof. - Member
- c. Dr. Arshi Saleem Hashmi, Prof. - Member
- d. Dr. Riffat Haque, Asst Prof. - Member

*In case of such complaint against any member of the Inquiry Committee then the competent authority will nominate any other member to address the conflict of interest.*

15. **Sanctions, Remedies and Penalties.** The following penalties, singly or in combination, may be imposed upon any respondent who is a member of the teaching, research or non-teaching staff in any case where sexual harassment is found to have occurred:-

- a. Oral or written reprimand.
- b. Inclusion of the decision in a specified personnel file(s) of the respondent.
- c. Exclusion of the respondent from a designated portion(s) of the university buildings or grounds, or from one or more designated university activities, where such penalty is appropriate to the offence and where the penalty does not prevent the respondent from carrying out her/his professional duties.
- d. Imposition of conditions as decided by the Committee.
- e. Imposition of a Fine, as decided by the Committee.
- f. Recommendation for suspension of the respondent without pay.
- g. Prohibition of the respondent from attendance in a course(s), a program, or a teaching division or unit, for a period of not more than one year.
- h. Suspension or dismissal may only be recommended, and such recommendations shall be dealt with in accordance with the established policies and procedures and by the terms or existing contracts of employment or collective agreements.
- i. Other, as deemed appropriate.

16. **Handling Mechanism of a Complaint.** Following procedure and action will be taken on receipt of complaint:-

- a. Complaint may be launched/ initiated by the complainant to the HMO or to the concerned HoD/ Head of the Br.
- b. The complaint, due to its extreme confidentiality in nature, shall be treated as "CONFIDENTIAL/ PERSONAL" at all tiers of processing.
- c. Received complaint by the HoD/ Head of the Br will be referred to the HMO.
- d. The HMO will timely inform the Chairperson about the complaint received at his/ her end.
- e. HMO will address the complaint as per the procedure given in the policy and if need arises then Chairperson shall call the Inquiry Committee (Hearing Panel) meeting.
- f. The chairperson shall apprise to President/ Dy President about nature of the received complaint.
- g. The committee, while addressing the complaint, shall consult the HEC policy and may critically consider Clause 7.0 (Jurisdiction), Clause 8.0 (Assurance of fair Treatment) and follow Clause 9.0 (Procedures) of the HEC Policy.
- h. The committee will process the proceedings of the case for perusal/ decision of President/ Deputy President NDU in both categories of complaints (INFORMAL OR FORMAL).
- i. Final decision of the Competent Authority will be communicated to the complainant in writing by the HMO.
- j. Harassment Complaint Cell shall keep all record of the complaint (s)/ proceedings of Inquiry Committee (Hearing Panel),
- k. The decision, if affecting the academic profiling of the Complainant (if student)

or Respondent (if student), will also be communicated to Examination and Registration Branches.

This SOP will come into effect after approval of the President/ Deputy President NDU and will be taken as orders.