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## Regulation for Prevention of Sexual Harassment Policy

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Afeka, the College of Engineering in Tel-Aviv is acting to ensure learning and employment environments devoid of sexual harassment.

Afeka College sees any kind of sexual harassment and abuse on the bases of sexual harassment very harshly and will do everything within its power to prevent them within the framework of the College activity.

Sexual harassment and harassment based on sex are violating human dignity, liberty, privacy and equality of the sexes.

The Law for Prevention of Sexual Harassment is effective from September 20th, 1998.

This procedure clarifies the essence of the law and regulations of preventing sexual harassment. In case of conflict between this procedure and the law and regulations thereunder, the law and regulations take precedence.

The representatives responsible for handling sexual harassment complaints on behalf of Afeka College are:

**1. Commissioner of Complaints**

(Dean) Adv. Karen Ben-Haim  
Tel: 03- 7688684 / email: karen@afeka.ac.il

**2. Vice Commissioner of Complaints**

Mrs. Liat Katriel (HR)  
Tel: 03- 7688622 / email [liatk@afeka.ac.il](mailto:liatk@afeka.ac.il)

For further details please visit the college website

[http://www.afeka.ac.il/Multimedia/upl\\_doc%5Cdoc\\_200612\\_117968.pdf](http://www.afeka.ac.il/Multimedia/upl_doc%5Cdoc_200612_117968.pdf)

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### 1. Aim

The aim of this procedure is to ensure that the academic College of Engineering in Tel-Aviv will serve as a place of employment and of learning, devoid of sexual harassment or pestering out of sexual harassment.

### 2. Definitions

In this provision:

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| 2.1. "The College"  | The academic College of Engineering in Tel-Aviv  |
| 2.2. "The Law" the  | The Law for the Prevention of Sexual Harassment -1998 and Equality of Employment Opportunities Law -1998   |
| 2.3. "Sexual Harassment"  | As defined in section 3(a) to the Law for the Prevention of Sexual Harassment and / or in section 7 of the Equality of Employment Opportunities Law (attached as an appendix to this document), as it is performed by faculty member, administrative staff member or student towards one of them or towards any other person within the framework of the place of work or studies. |
| 2.4. "Pestering" Sexual   | As defined in section 3(b) to the Law for the Prevention of Harassment and / or pestering and in section 7 of the Equality of Employment Opportunities Law, as it is performed by faculty member, administrative staff member or student towards one of them or towards any other person within the framework of the place of work or studies.                                     |
| 2.5. "Within the framework of the place of work pestering or studies" | College facilities and any other place where its activity is conducted and regarding sexual harassment and / or carried out while exploiting authority in relationship of employment, any other place.   |
| 2.6. "Harmed" whom an   | Faculty member, administrative staff member or student act of sexual harassment and / or pestering was committed or suspected to have been committed towards him.  |
| 2.7. "Suspect" a  | Faculty member, administrative staff member or students who complaint of sexual harassment and / or pestering was filed against him.   |

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- 2.8. **"Faculty member"** Whoever at the date of the event had with the College an employer / employee relationship and is one of the College academic staff members.
- 2.9. **"Administrative staff"** Whoever at the date of the event had with the College an employer / employee relationship and is one of the College administrative staff members.
- 2.10. **"Student following:"** Whoever at the date of the event was among one of the
- Had registered for studies at a College and was accepted by it as a student, from the time of submitting the registration application to the College and as long as he is registered as a student, including during College vacations.
  - Completed his studies but has not yet received a certificate.
- 2.11. **"Commissioner of Complaints" his** A person who will be nominated as a commissioner of for matters of sexual harassment and/or pestering including deputy.
- 2.12. **"Claimant"** A person who will be appointed to serve a claimant for matters of sexual harassment and/or pestering.
- 2.13. **"Disciplinary sexual Tribunal"** Disciplinary Tribunal for discussing admissibility matters of harassment and / or pestering.
- 2.14. **"Panel"** Three Disciplinary Tribunal members that will be appointed to discuss a complaint on matters of sexual harassment and / or pestering.
- 2.15. **"Appealing Tribunal"** A tribunal for appealing on verdicts regarding admissibility on matters of sexual harassment and / or pestering.

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### 3. **Appointing a Commissioner of Complaints:**

- 3.1. A Commissioner of Complaints and a Vice Commissioner of Complaints will be appointed by the President of the College for a period to be determined by him and with accordance to the rules prescribed by the Minister of Justice for the employer's obligations under the law and virtue thereof
- 3.2. The Commissioner and his deputy will be, one, a full-time college senior faculty member and the other a senior administrative staff member.
- 3.3. The President will appoint a woman for the Commissioner of Complaints and or Vice Commissioner of Complaints position.

### 4. **Appointing a Claimant:**

- 4.1. The Claimant will be appointed by the President of the College for a period of three (3) years. A Claimant who ended term of office could be appointed for another different term of office.
- 4.2. The Claimant will be part of the College faculty or Administrative members
- 4.3. A Claimant will continue to serve as long as no other Claimant was elected to replace him.
- 4.4. A Claimant may appoint - at any stage of the hearing - a jurist to serve as a special Claimant seated.

### 5. **Appointing a Tribunal:**

- 5.1 The President of the College and the Chairman of its Executive Committee will jointly appoint 6 members to serve on the Disciplinary Tribunal plenum and another 3 members to serve in the Court of Appeals.
- 5.2 Members appointed by the President of the College and the Chairman of its Executive Committee to serve at the Court of Appeals and at the Court of Discipline will include Public figures who are not college faculty.
- 5.3 Members appointed by the President of the College and the Chairman of its Executive Committee to serve at the Court of Appeals and at the Court of Discipline will include men, and women, and preferably each of which would have a representative with legal education.
- 5.4 Members of the Disciplinary Tribunal and the Court of Appeal shall be appointed for a term of 3 years and may be re- appointed for another term without restriction.

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5.5 The President of the College and the Chairman of its Executive Committee shall appoint one of the members of the Disciplinary Tribunal and One of the members of the Appellate Tribunal member to serve as presidents of these courts.

### 6. Secretariat:

The secretariat of the College will provide the Commissioner of Complaints, Claimant, Disciplinary Court and the Court of Appeals the required secretariat and administration services.

### 7. The Functions of the Commissioner of Complaints:

7.1 To serve as a consulting factor in the matter of preventing the phenomena of sexual Harassment and / or pestering in the College and handling them.

7.2 To receive complaints and reports regarding sexual harassment or pestering.

7.3 To inquire each compliant and take care of it.

7.4 To transfer the complaint to a disciplinary proceeding, once a proper basis for it has been found.

7.5 To instruct on taking relevant interim relief as mentioned in section 12.1 of this proceeding.

7.6 To refer the harmed party, if necessary, for medical or other assistance.

### 8. Handling the Complaints:

#### 8.1 The investigation

8.1.1 Complaints or reports of a suspicion of sexual harassment or pestering in the College should be referred to the Commissioner of Complaints.

8.1.2 A Complaint of sexual harassment or pestering should be submitted to the Commissioner of Complaints within three years from the date of harassment or pestering and if it is a continuing event, from the date the acts of harassment or pestering were on stopped.

8.1.3 The complaint can be submitted in writing or verbally. If a complaint was submitted verbally, its contents shall be written by the Commissioner of Complaints and the complaining party shall sign the recorded document for

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verifying its contents. The Commissioner of Complaints records are internal and will not be transferred to others (a part from the Claimant.)

8.1.4 Upon receiving a report of a suspicion of a case of sexual harassment or Pestering or a complaint on a suspicion of a case of sexual harassment or pestering the Commissioner of Complaints shall institute clarification proceedings of the complaint.

8.1.5 During the investigation of the complaint the Commissioner of Complaints shall summons the suspect, of sexual harassment or pestering, will present the details of the complaint before him and request his response.

In case of filing a complaint by a complainant who is not the victim, the victim's consent will be required before the Commissioner of Complaints will apply the suspect.

8.1.6 For complaint investigation matters the Commissioner of Complaints is entitled To summons any faculty member, administrative staff member or student requiring information and/or document regarding or that could be regarded to the complaint.

A refusal to provide the Commissioner of Complaints with the requested assistance as mentioned shall be considered a disciplinary offense.

8.1.7 The Commissioner of Complaints shall run the investigation continuously until Its completion.

8.1.8 In case the Commissioner of Complaints thinks that circumstances of the case require assistance, he shall be entitled to be assisted by a factor such as a psychologist, social worker, faculty member, a lawyer, a former judge, etc., in order to help him clarify the complaint case circumstances.

### 8.2 The Decision:

At the end of the investigation the Commissioner of Complaints shall decide to act as follows:

#### 8.2.1 Archiving the complaint:

- In the event the Commissioner of Complaints thinks that the complaint is not worthy he is entitled to instruct on archiving the complaint
- In case that during the investigation or as a result from it the complaining party or harmed party will be convinced that there is no place for filing a complaint and will decide to cancel it

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- If the Commissioner of Complaints is of the opinion that the complaint was submitted in bad faith, he may recommend submitting disciplinary action against the complaining party.
- The Commissioner of Complaints shall send the harmed party and / or the complaining party a written notice of his decision to archive the complaint.
- The complaining party and the harmed party may appeal the decision of the Commissioner of Complaints to archive the complaint within 15 days, before the President of the College

### 8.2.2 Transferring the handling of the complaint to a disciplinary proceeding:

In case the Commissioner of Complaints decided to transfer the handling of the complaint to a disciplinary proceeding, he shall transfer to the claimant all the relevant material regarding the complaint, including:

- The written complaint and its appendixes - whether submitted in writing or verbally.
- The suspect's response
- Every note taken by the Commissioner of complaints during the investigation
- Specification of the interim means taken - if taken.

The Commissioner of Complaints will assist the claimant in preparing the complaint file, if necessary.

## 9. Appointing panel:

9.1. Upon submission of a complaint of sexual harassment and / or pestering the Disciplinary Tribunal President will appoint a panel of three Disciplinary Tribunal plenary members for discussing the complaint.

9.2. The panel appointed by the Disciplinary Tribunal President shall be composed in a way that will represent the gender of both the victim and the accused.

9.3. The President of the Disciplinary Tribunal shall appoint one of the panel members as its Chairman.

## 10. Procedures:

10.1. Procedures for filing a complaint regarding sexual harassment and / or pestering, hearing the complaint and appeal are listed in the Appendix "Procedures for filing a

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complaint regarding sexual harassment and / or pestering and discussion" Appendix that is attached to this procedure and is an integral part of it.

10.2. Hearing a complaint about sexual harassment and / or pestering will be held behind closed doors.

Any detail that might lead to the identification of the victim will not be published under any circumstances and any detail that might lead to the identification of the defendant, including the verdict, will not be published under any circumstances, unless the Court decides otherwise

### 11. Penalties:

11.1 A student who is convicted of sexual harassment and / or pestering, the panel discussed his matter is authorized to impose one or more of the penalties detailed in section 22 of the Disciplinary Regulation Students (\_\_\_\_\_) Provision No. (\_\_\_\_\_).

All provisions of sections 25, 24 and 26 of the above regulations shall apply with respect to the punishment imposed on the defendant as stated.

11.2 Administrative staff member who is convicted of sexual harassment and / or pestering, the panel discussed his matter is authorized to impose one or other of the following penalties:

11.2.1 Reprimand

11.2.2 Salary reduction for a specified period

11.2.3 Permanent salary reduction

11.2.4 Suspension on part-pay, or without pay, for up to six months

11.2.5 Dismissal with severance pay

11.2.6 Dismissal without severance pay

11.2 Faculty member who is Convicted of sexual harassment and / or pestering, the panel discussed his matter is authorized to impose one or more of the following penalties:

11.3.1 Reprimand

11.3.2 Transferring from academic role (if carried such a role)



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11.3.3 Delay in promotion for a period of up to two years

11.3.4 Suspension on part-pay, or without pay, for up to six months

11.3.5 Eliminating tenure

11.3.6 Dismissal with severance pay

11.3.7 Dismissal without severance pay

### 12. Interim Remedies:

12.1 The Commissioner of Complaints, in coordination with the authorized authorities of The College, is certified to order interim remedies in order to separate between the defendant and the harmed party, in a manner that on the one hand, protection will be given to the victim and on the other hand the work relationship and/or studies at the College will not be effected.

Commissioner jurisdiction covers the period from the date of opening the investigation to the date of passing a complaint to the Disciplinary Tribunal.

12.2 Upon instituting a disciplinary proceeding, authority is granted to the Presiding Judge To order interim remedies.

### 13. Information and Education:

The College will hold informational activities, including seminars, discussion groups and distribution of information on handling sexual harassment and the ways of preventing it.

### 14. Maintaining Confidentiality:

The College will honor, as far as possible, the privacy of complainants, victims, suspects and defendants while taking into account legal requirements and the need to protect other interests relating to the case, including the College duty of investigating cases of sexual harassment and pestering and to take measures against those responsible for them, as well as the obligation to operate effective measures in order to eradicate the phenomenon of sexual harassment.

### 15. Annual Report:

The Commissioner of Complaints will submit to the President of the College (as the data will justify it) an annual report concerning the scope of the sexual harassment and pestering phenomenon in the college.

Effective from: February 3, 2003  
Procedure no. 01.04.039  
Recently update 22<sup>nd</sup> July, 2008

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16. This procedure is intended to add to the provisions of law and not detract from them.
17. The beginning of this procedure will be effective from the later dates of its approval by the Executive Board and Academic Council on 22<sup>nd</sup> July, 2008