

12th December 2022

NOTIFICATION

Subject: **COMPLIANCE OF ACT IV OF 2010 REGARDING CONSTITUTION OF INQUIRY COMMITTEE**

In pursuance of Section 3 of The Protection Against Harassment of Women at the Workplace Act 2010 and Section 14 of the HEC Policy Guidelines against Sexual Harassment in Institutions of Higher Learning, and in continuation of 02nd September 2020 notification a revised Inquiry Committee comprising the following members has been constituted:

1. Dr. Amir Manzoor (Associate Professor)
2. Mr. Qazi Muhammad Salman (Director QEC – Focal Person)
3. Ms. Aisha A. Khan (Head of HR)
4. Ms. Faiza Khan (AM – HR)



Dr. Farooq-E-Azam Cheema
Provost

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1. Dr. Tariq Basheer (Professor)
2. Mr. Qazi Muhammad Salman (Director QEC – Focal Person)
3. Ms. Bushra Zaidi – Senior Manager Financial Aid & Claims



Dr. Farooq-E-Azam Cheema
Provost

September 02, 2020

See Distribution:

NOTIFICATION

Subject: **COMPLIANCE OF ACT IV OF 2010 REGARDING CONSTITUTION OF INQUIRY COMMITTEE**

1. In pursuance of Section 3 of The Protection Against Harassment of Women at the Workplace Act 2010 and Section 14 of the HEC Policy Guidelines against Sexual Harassment in Institutions of Higher Learning, an Inquiry Committee comprising the following members has been constituted:
 - (a) Dr. Tariq Basheer, Registrar
 - (b) Dr. Talha Salam, Assistant Professor
 - (c) Ms. Bushra Zaidi, Head of Department IRC
2. The Inquiry Committee shall be reconstituted as and when the need arises to do so.
3. If a complaint is made against one of the members of the Inquiry Committee, that member will be replaced for that particular case.
4. The Inquiry Committee will conduct the inquiry per the procedure laid down under Section 4 of the Protection Against Harassment of Women at the Workplace Act 2010 and exercise powers under Section 5 of the Act.
5. Rector KSBL is designated as a Competent Authority under the Act. Therefore, the Inquiry Committee will put the inquiry's findings before the Competent Authority for decision after conducting the inquiry.
6. The code of conduct for protection against harassment of women at the workplace laid down in the Schedule of the Act is appended with this notification as Annexure A for the perusal of all stakeholders. This code of conduct shall also be posted on the notice board of the Institute.



Dr. Farooq-E-Azam Cheema
Provost



Distribution:

- Rector Secretariat
- Registrar Office
- Dean Office
- All faculty members
- All staff members
- All students

CODE OF CONDUCT FOR PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE

(Section 11 of the Protection against Harassment of Women at Workplace Act 2010)

- i. The Code provides a guideline for the behavior of all employees, including management and the owners of an organization, to ensure a work environment free of harassment and intimidation;
- ii. "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 for employment; The above is unacceptable behavior in the organization and at the workplace, including in any interaction or situation that is linked to official work or official activity outside the office.

Explanation:

There are three significant manifestations of harassment in the work environment:

(a) Abuse of Authority

A demand by a person in Authority, such as a supervisor, for sexual favors for the complainant to keep or obtain certain job benefits, be it a wage increase, a promotion, a training opportunity, a transfer, or the job itself.

(b) Creating a hostile environment

Any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature which interferes with an individual's work performance or creates an intimidating, hostile, abusive, or offensive work environment.

The typical "hostile environment" claim generally requires finding a pattern of offensive conduct. However, in cases where the harassment is particularly severe, such as in cases involving physical contact, a single offensive incident will constitute a violation.

(c) Retaliation

The refusal to grant a sexual favor can result in retaliation, which may include limiting the employee's options for future promotions or training, distorting the evaluation reports, generating gossip against the employee, or limiting access to his/her rights. Such behavior is also a part of the harassment.



- iii. An informal approach to resolve a complaint of harassment may be through mediation between the parties involved and by providing advice and counseling on a strictly confidential basis;
- iv. A complainant or a staff member designated by the complainant for the purpose may report an incident of harassment informally to her supervisor, or a member of the Inquiry Committee, in which case the supervisor or the Committee member may address the issue at her discretion in the spirit of this Code. The request may be made orally or in writing;
- v. If the case is taken up for investigation at an informal level, a senior manager from the office or the head office will investigate confidentially. The alleged accused will be approached to resolve the matter confidentially;
- vi. If the incident or the case reported does constitute harassment of a higher degree and the officer or a member reviewing the case feels that it needs to be pursued formally for disciplinary action, with the consent of the complainant, the case can be taken as a formal complaint;
- vii. A complainant does not necessarily have to take a complaint of harassment through the informal channel. She can launch a formal complaint at any time;
- viii. The complainant may make a formal complaint through her in charge, supervisor, CBA nominee, or worker's representative, as the case may be, or directly to any member of the Inquiry Committee. The Committee member approached is obligated to initiate the process of investigation. The supervisor shall facilitate the process and is obligated not to cover up or obstruct the inquiry;
- ix. Assistance in the inquiry procedure can be sought from any member of the organization who should be contacted to assist in such a case;
- x. The employer shall do its best to temporarily make adjustments so that the accused and the complainant do not have to interact for official purposes during the investigation period. This would include temporarily changing the office, in case both sit in one office, or taking away any extra charge over and above their contract, which may give one party excessive powers over the other's job conditions. The employer can also decide to send the accused on leave or suspend the accused per the applicable procedures for dealing with cases of misconduct if required;
- xi. Retaliation from either party should be strictly monitored. During the process of the investigation work, evaluation, daily duties, reporting structure, and any parallel inquiries initiated should be strictly monitored to avoid any retaliation from either side;
- xii. The harassment usually occurs between colleagues when they are alone. Therefore usually, it isn't easy to produce evidence. It is strongly recommended that staff should report offensive behavior immediately to someone they trust, even if they do not wish to make a formal complaint at the time. Although not reporting immediately shall not affect the merits of the case; and



- xiii. The Code lays down the minimum standards of behavior regarding protecting women from harassment in the workplace etc. Still, it will not affect any better arrangement that an organization may have developed, nor will it bar the grant of protection that employees working in an institute may secure from their employers through negotiation.

