Office Order No. 428/14 

Dated 09.12.2014

With view to implement the provisions of The Protection against Harassment of Women at the Workplace Act 2010 & address the complaints of harassment of Women within the premises of BISE Kohat, the worthy Chairman BISE Kohat, as provided in the Section-3 of the said Act: is pleased to constitute an inquiry committee comprising the following staff members:

1. Secretary BISE Kohat Chairman (Ex officio)
2. Mr. Dildar Khan, ADA(R&E) BISE Kohat Member
3. Mst. Yasmin Akhtar, PS to Chairman BISE Kohat Member

The Inquiry Committee will be bound to submit its findings & recommendations to the worthy Chairman, the Competent Authority for the purpose of the said Act in BISE Kohat.

Enclosed: Copy of The Protection against Harassment of Women at the Workplace Act 2010

No: 3402-10/Estt/BISEK 

Copy to:
1. PS for information of the Chairman
2. The Audit Officer BISE Kohat
3. The Accounts Officer BISE Kohat
4. In Charge Complaint Cell BISE Kohat
5. All the Section Officers/ In charges to also inform staff working under their control
6. Admin Officer for displaying the same on Notice Board
7. Computer Programmer BISE Kohat for displaying the same on the official website
8. Employees concerned
9. Office Order File

ABDUR-RAQIQB 
(SECRETARY) 
BISE, Kohat
With view to acquaint the staff of BISE Kohat with the Code of Conduct for protection against harassment of Women at the Workplace Act, 2010 as provided in the Section-11 of the said Act, the same is reproduced below for the information/awareness of the staff of BISE Kohat with the directives to strictly observe/follow the Code of conduct.

**CODE OF CONDUCT FOR PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE ACT 2010**

Whereas it is expedient to make the Code of Conduct at the Workplace etc to provide protection and safety to women against harassment it is hereby provided as under:

(i) The Code provides a guideline for behaviour 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 favours 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 behaviour 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 favours in order for the complainant to keep or obtain certain job benefits, be it a wage increase, a promotion, training opportunity, a transfer or the job itself.

(b) Creating a hostile environment

Any unwelcome sexual advance, request for sexual favours 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, in general, requires finding of 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 favour 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 other ways of limiting access to his/her rights. Such behaviour 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 counselling 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 conduct the investigation in a confidential manner. The alleged accused will be approached with the intention of resolving the matter in a confidential manner;

(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 a 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 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 in accordance with the applicable procedures for dealing with the 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 is difficult to produce evidence. It is strongly recommended that staff should report an offensive behaviour 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 behaviour regarding protection of women from harassment at workplace etc but 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.

STATEMENT OF OBJECTS AND REASONS

The objective of this Act is to create a safe working environment for women, which is free of harassment, abuse and intimidation with a view toward fulfilment of their right to work with dignity. It will also enable higher productivity and a better quality of life at work. Harassment is one of the biggest hurdles faced by working women preventing many who want to work to get themselves and their families out of poverty. This Act will open the path for women to participate more fully in the development of this country at all levels.

This Act builds on the principles of equal opportunity for men and women and their right to earn a livelihood without fear of discrimination as stipulated in the Constitution. This Act complies with the Government’s commitment to high international labour standards and empowerment of women. It also adheres to the Human Rights Declaration, the United Nation’s Convention for Elimination of all forms of Discrimination Against Women and ILO’s convention 100 and 111 on workers’ rights. It adheres to the principles of Islam and all other religions in our country which assure women’s dignity.

This Act requires all public and private organizations to adopt an internal Code of Conduct and a complain/appeals mechanism aimed at establishing a safe working environment, free of intimidation and abuse, for all working women. It shall also establish an Ombudsman at Federal and provincial levels.

...Sd/…

(CHAIRMAN)

Dated: 09.12.2014

No. 3411-15/Estt/BISEK

Copy to:
1. PS for information of the Chairman
2. The Audit Officer
3. The Accounts/Admin Officer with the directives to display the same on Notice Board
4. The Computer Programmer with the directive to display/upload on the official website
5. Office Order File

ABDUR RAQIB
(SECRETARY)
BISE, Kohat