



# TRAINING WORKSHOP “HARRESSEMENT PROTECTION ACT 2010”

**Know Your Rights - Create Safe Spaces**

**Organized By**



**HUMAN RESOURCE DEVELOPMENT NETWORK**

**June 18, 2025**



# Introduction

In response to the directives of the Federal Ombudsperson under the Protection Against Harassment of Women at the Workplace Act, 2010 (Amended 2020), CBM Pakistan collaborated with the Human Resource Development Network (HRDN) to conduct a dedicated capacity-building workshop on workplace harassment prevention and response. This initiative reflects the shared vision of both organizations: to ensure workplaces are not only safe and compliant but also inclusive and respectful spaces where every individual can thrive.

The training was developed with a focus on strengthening organizational systems and building the skills of CBM's newly reconstituted Internal Inquiry Committee. By combining legal knowledge with practical tools, the workshop aimed to empower participants to confidently address and prevent harassment, fostering a culture of mutual respect, dignity, and accountability.

## About HRDN

The Human Resource Development Network (HRDN) is a leading platform that has, for over two decades, championed professional development, institutional strengthening, and knowledge sharing across Pakistan's development sector. With its extensive network of government agencies, NGOs, and international partners, HRDN is known for designing impactful capacity-building programs and championing rights-based approaches.

Through innovative learning initiatives and evidence-based practices, HRDN has played a key role in mainstreaming gender, promoting equality, and strengthening organizational systems to meet the evolving needs of development practitioners and institutions.

## About CBM Pakistan

CBM Pakistan, a country office of CBM Global Disability Inclusion, works to create a more inclusive world by advancing the rights and opportunities of persons with disabilities and other marginalized groups. CBM's programs focus on ensuring access to education, healthcare, and livelihoods while embedding a strong culture of equity and accountability within partner organizations.

This training is an extension of CBM's broader commitment to safeguarding its staff and strengthening workplace practices to ensure that gender-sensitive and rights-based principles are at the heart of its organizational culture.

## Rationale for the Training

Workplace harassment undermines employee well-being, organizational integrity, and productivity, making its prevention not just a legal necessity but a moral obligation. The Protection Against Harassment of Women at the Workplace Act, 2010 (Amended 2020) emphasizes the need for every organization to establish strong mechanisms for prevention, reporting, and redressal.

To fulfill these requirements and strengthen its internal systems, CBM Pakistan requested HRDN's technical expertise to design a tailored training for its staff and Internal Inquiry Committee members. The program aimed to equip participants with:

- **A thorough understanding of the Act and its application;**
- **The ability to lead sensitive and impartial investigations;**
- **Practical strategies for creating a safe, inclusive workplace;**

Tools to cascade training to implementing partners, extending the reach of this important initiative. By investing in this training, CBM demonstrates its proactive approach to building organizational trust, accountability, and a harassment-free culture.

## Training Objectives

- The training was designed to meet both immediate and long-term organizational needs. Specifically, it aimed to:
- Develop a strong conceptual understanding of gender and related issues;
- Deepen knowledge of workplace harassment, its dynamics, and its organizational implications;
- Provide clear guidance on the Protection Against Harassment of Women at the Workplace Act, 2010 (Amended 2020);
- Strengthen the capacity of the Internal Inquiry Committee to handle cases with sensitivity and fairness;
- Empower staff to lead by example in promoting safe, respectful, and inclusive work environments.


## Training Methodology

The workshop was designed using an experiential learning approach to ensure maximum participation and practical understanding. Sessions were interactive and activity-driven, featuring case studies, role plays, group discussions, and scenario-based exercises. This hands-on approach allowed participants to not only understand the legal framework but also apply it to real-world contexts within CBM's operational settings.

The methodology created a supportive learning environment where participants could share experiences, reflect on challenges, and collaboratively develop solutions. The use of visual tools, multimedia content, and structured activities kept engagement levels high, and feedback from participants highlighted the value of this participatory style.

## Workshop Proceedings

The training was held on June 18, 2025, at the HRDN Secretariat in Islamabad. The day began with the recitation of the Holy Quran, followed by opening remarks and a warm welcome to participants. The facilitator introduced the objectives and structure of the training, emphasizing the shared responsibility of organizations in creating safe and harassment-free workspaces.




The opening session also featured a brief presentation on HRDN's mission and expertise in organizational capacity building, followed by reflections on CBM Pakistan's strong commitment to safeguarding its employees and integrating gender-sensitive policies.

Throughout the day, participants engaged in a range of activities, including:

- In-depth discussions on the provisions of the Protection Against Harassment of Women at the Workplace Act;
- Role-play exercises to strengthen investigative skills and decision-making;
- Group work to develop actionable strategies for prevention and awareness;
- Reflection sessions to contextualize learning within CBM's organizational framework.

By the end of the workshop, participants demonstrated a clearer understanding of their roles and responsibilities in addressing workplace harassment, as well as renewed confidence in contributing to a culture of dignity, accountability, and respect across the organization.



# Welcome & Opening Remarks

The workshop began with a warm welcome from the CEO of HRDN, who expressed appreciation for the participants' commitment to creating safer, more inclusive workplaces. She emphasized that respect and dignity must be central to every organization's culture and that preventing harassment requires both awareness and action at every level. Addressing the Internal Inquiry Committee members directly, she spoke about their vital role in ensuring fairness, transparency, and trust in handling complaints, while also serving as advocates for positive change.

Her opening remarks created a tone of trust and collaboration, inviting participants to share their experiences, ask questions, and engage meaningfully throughout the training. She also commended CBM Pakistan's leadership for their commitment to strengthening organizational mechanisms and fostering a safe and supportive work environment.



**Robeela Bangash**

CEO Human Resource Development Network

# Session 1: Introduction of Participants

During the introductory session of the workshop, participants were asked to introduce themselves using a label that they had either been given by others or had experienced in the workplace. This exercise served as an icebreaker and opened a reflective discussion on how labeling influence's professional identity. Many participants shared that men are often introduced or referred to with labels such as "strong," "confident," or "decision-maker," whereas women are more frequently described as "emotional," "caring," or "sensitive." While some labels were viewed as positive, participants acknowledged that they can also reinforce stereotypes and, at times, become tools of exclusion or subtle harassment. The group further observed that repeated use of such labels may create unequal perceptions, limit opportunities, and contribute to a hostile or intimidating environment. The activity set the tone for deeper dialogue on the importance of valuing individuals for their competencies rather than gendered assumptions.



**Fehmida Hassan**

Country Representative CBM

# Session 2: Interactive Quiz:

## Protection Against Harassment of Women at the Workplace Act, 2020

As part of the training workshop, an interactive quiz session was conducted to reinforce participants' understanding of the Protection Against Harassment of Women at the Workplace Act, 2010 (Amended 2020). The activity served both as a learning tool and an engaging method to assess participants' grasp of the key provisions of the Act.

The quiz covered essential aspects of the legislation, including:

- The objectives of the Act and its scope of application in both public and private sectors.
- Eligibility to file complaints, with an emphasis that any employee, regardless of gender, may do so.
- Timeframe for filing complaints (30 days from the incident) and the duration for inquiry completion (30 days).
- The role of the Head of Organization and responsibilities of the Internal Inquiry Committee, including its composition and requirement of at least one female member.
- The powers of the Ombudsperson, particularly in appeals and enforcement of decisions.
- Recognition of verbal, online, and digital harassment as offenses under the Act.
- The importance of displaying the Code of Conduct and ensuring preventive training in organizations.
- The actions and penalties applicable against proven cases of harassment.

Participants responded actively to the quiz, with discussions sparked around workplace realities and practical challenges in enforcing the Act. Many appreciated how the quiz clarified critical timelines, appeal mechanisms, and protections against retaliation or victimization. The session concluded with participants expressing greater confidence in identifying responsibilities, procedures, and preventive measures under the Act.

This engaging exercise not only deepened knowledge but also fostered dialogue, ensuring that participants were better prepared to contribute to a safe and respectful work environment within CBM Pakistan.



### Interactive Quiz

Zaheem Ullah & Sabir Dad Khan

# Session3: Key Elements of the Act and Practical Implementation

## a. Defining Gender

This was quite interactive session facilitated by Ms. Asma Ejaz .Firstly, the participants were asked to brainstorm what they conceptualize as gender. The facilitator appreciated that the participants were well aware of the basics of gender. However, she then not only explained what does the term gender means, but also enlightened the difference between sex and gender. Mostly people confuse these two terminologies.

She shared that the gender is the differences between women and men within the same household and within and between cultures that are socially and culturally constructed and change over time. Thus, gender is not a synonym for women, but considers both women and men and their interdependent relationships. Sex is what you are born with. You are born a boy or a girl, thus sex is biological and it cannot be changed. Gender is what becomes of you as a result of your upbringing or your socialization, it can be changed though. She reinforced those cultural and social norms very strongly defines the differences among the roles and responsibilities of men, women and transgender; this is gender in short. Gender roles are therefore socially determined and can change over time, since social values and norms are not static



## Defining Gender Concepts

Dr. Zahid Awan

After brainstorming on gender definitions and role the facilitator conducted a comprehensive session on the Protection Against Harassment of Women at the Workplace Act, 2010 (Amended 2022), focusing on both the legal framework and its practical application within organizations. The session was structured to provide participants with clarity on the law, their rights, and the mechanisms for ensuring compliance. The session began with an overview of the 2010 Act and the 2022 Amendment, explaining how the legislation has evolved to strengthen protection measures, broaden the definition of harassment, and enhance accountability mechanisms. Participants were informed about the expanded scope of the law, which now explicitly includes digital and online harassment, as well as provisions for stronger penalties and faster inquiry processes.

### **b. History of Anti-Sexual Harassment Laws in Pakistan and Workplace Harassment Law**

The Facilitator gave a comprehensive review of history of anti-sexual harassment laws in Pakistan and discussed Anti-sexual Harassment Laws in Pakistan through a participatory way. She said that the Government of Pakistan has passed two laws to curb sexual harassment in 2010.


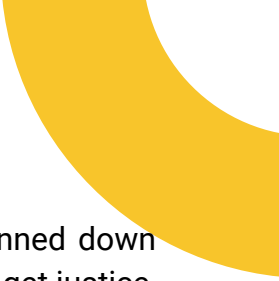
- Protection Against Harassment of Women at Workplace, Act 2010 (annexed to the report)
- Amended Section 509 of the Pakistan Penal Code

She explained that under the law, workplace sexual harassment is a civil and a criminal offence. Also, she said that the Protection Against Harassment of Women at the Workplace Act (2010) provides a framework of civil remedies and furthermore the Section 509 of the Pakistan Penal Code, after amendments in 2009, categorizes workplace sexual harassment as a crime.

She expressed that this is an extremely effective legislation made in the Constitution of Pakistan. It's main intend is to protect the women workers from sexual harassment. But she said that in reality until now many of the women are not knowledgeable regarding how they can use it to protect themselves from sexual harassment at workplaces.



**Defining Harassment Laws**  
**Asma Ejaz (PM HRDN)**



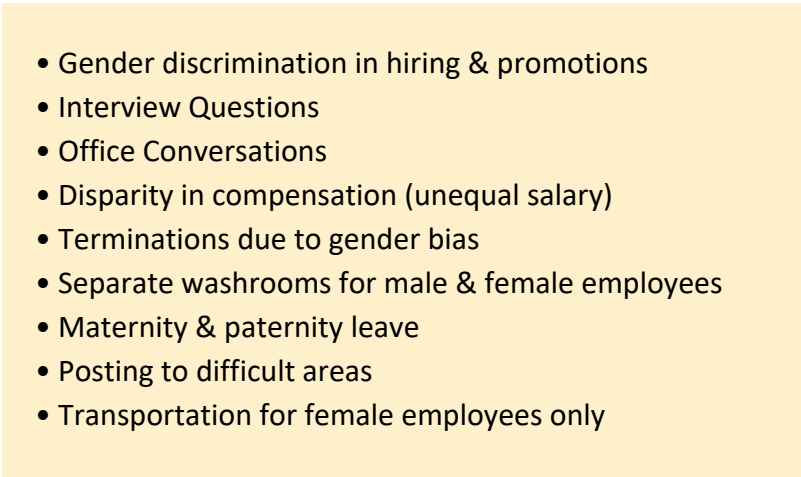

She informed that the under this legislation the guidelines are manifestly pinned down and she further highlighted that the best part is that in this case the in order to get justice, the victim need not go to the police or to the court of law. She mentioned that ever since this legislation has been approved and the amendment in the Pakistan penal Code has taken place the numbers of reported cases of sexual harassment at workplaces have increased to hundreds. At the end of the session, question and answer session held in which the training participants asked questions and answered by the facilitator related to various aspects of these laws and remedial procedures.

A key part of the discussion centered on the definitions of “harassment” and “workplace” under the Act. The facilitator highlighted that harassment is not limited to physical or verbal misconduct but also encompasses emotional, psychological, and cyber-related forms. Similarly, the workplace was explained as any environment connected to professional duties, whether on-site, off-site, or virtual.

Compliance requirements were discussed in detail, including the mandatory formation of three-member Inquiry Committees (with at least one woman), proper documentation of proceedings, and timely resolution of complaints within 30 days. The importance of prominently displaying the law and Code of Conduct in the workplace was reinforced as a visible commitment to creating safe spaces.

The facilitator then elaborated on the rights and responsibilities of both employers and employees. Employers are legally obligated to ensure a harassment-free workplace, constitute an Internal Inquiry Committee, and display the Code of Conduct prominently. Employees, on the other hand, were reminded of their responsibility to respect professional boundaries and to report any cases of harassment promptly and in good faith.

After that the following gender related issues at the workplace were discussed in detail:

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- Gender discrimination in hiring & promotions
  - Interview Questions
  - Office Conversations
  - Disparity in compensation (unequal salary)
  - Terminations due to gender bias
  - Separate washrooms for male & female employees
  - Maternity & paternity leave
  - Posting to difficult areas
  - Transportation for female employees only
- 

The participants not only shared the general issues but also narrated their own experiences.

Finally, the session explored challenges and gaps in implementation, drawing from practical examples. These included lack of awareness, hesitation in reporting cases due to fear of retaliation, insufficient training of committee members, and cultural barriers that may prevent open dialogue. Participants were encouraged to reflect on these challenges and propose solutions relevant to their organizational contexts.

The session concluded with an interactive discussion, during which participants shared experiences, asked clarifying questions, and acknowledged the significance of their role in ensuring both compliance and the promotion of a safe, respectful, and inclusive organizational culture.

## **Group Activity: Understanding Responsibilities**

As part of the workshop, a group activity using Role Cards was conducted to help participants better understand the responsibilities of different stakeholders under the Protection Against Harassment of Women at the Workplace Act, 2010 (Amended 2020). The facilitator assigned a specific role card representing one of the key stakeholders: Complainant, Respondent, Inquiry Committee, Employer, and Ombudsperson.

Each participant was tasked with reviewing their assigned role, discussing its responsibilities, and then presenting back to the larger group. This collaborative process encouraged participants to engage deeply with the content and relate the legal provisions to practical workplace situations.

- The participant representing the Complainant highlighted the right of any employee, regardless of gender, to file a complaint, and the responsibilities of submitting it in writing within three months, providing details and evidence, and cooperating during the inquiry.
- The Respondent participant explained their role in responding in writing, appearing before the Inquiry Committee, and avoiding retaliation or interference.
- The Inquiry Committee participant emphasized its duty to investigate complaints fairly, maintain confidentiality, conclude inquiries within 30 days, and recommend appropriate actions.
- The Participant as Employer stressed the responsibility of forming and notifying the Inquiry Committee, displaying the Code of Conduct, implementing recommendations within 30 days, and ensuring a safe work environment.
- The participant as Ombudsperson presented on the authority to hear appeals, review committee processes, uphold justice, and summon witnesses or evidence where necessary.

The group presentations created a lively exchange of ideas and cleared misconceptions about the roles. Participants reflected that the activity provided clarity on accountability mechanisms and reinforced the importance of collective responsibility in ensuring effective implementation of the Act within organizations.

# Session 4: Role and Responsibilities of the Internal Inquiry Committee

A dedicated session was conducted to enhance participants' understanding of the Internal Inquiry Committee (IIC), which serves as the central body responsible for handling workplace harassment complaints under the Protection Against Harassment of Women at the Workplace Act, 2010 (Amended 2020). The facilitator emphasized that the effectiveness of this committee is crucial for ensuring both compliance with the law and the creation of a safe and respectful workplace.

The session began with an overview of the formation of the Inquiry Committee, highlighting the legal requirement for three members, including at least one woman, appointed by the Head of the Organization. The importance of gender balance, neutrality, and professional competence in the committee's composition was underlined as essential for credibility and fairness.

The facilitator then detailed the core responsibilities of the Committee, including:

- Receiving and formally registering complaints.
- Conducting investigations promptly and fairly.
- Completing inquiries within 30 days as mandated by law.
- Ensuring confidentiality throughout the process to protect both the complainant and the respondent.
- Providing equal opportunity to both parties to present their case, evidence, and witnesses.
- Preparing written findings and submitting recommendations for penalties or corrective measures to the Head of the Organization.

In addition to the procedural duties, the facilitator stressed the Committee's preventive role, which includes raising awareness among staff, promoting a harassment-free culture, and ensuring that the Code of Conduct is visible and understood by all employees.

The session also addressed challenges faced by Inquiry Committees, such as reluctance of employees to report cases due to stigma or fear of retaliation, lack of proper training for committee members, and organizational resistance to implementing recommendations. Strategies for overcoming these challenges, including capacity-building, transparency, and leadership support, were discussed with participants.

The session concluded with an interactive discussion, where participants reflected on how the Internal Inquiry Committee can serve not only as a redressal mechanism but also as a catalyst for organizational change in promoting dignity, accountability, and respect at the workplace.

# Session 5: Code of Conduct and Its Implementation

The facilitator conducted an informative session on the Code of Conduct as outlined in the Protection Against Harassment of Women at the Workplace Act, 2010 (Amended 2020). The session highlighted that the Code of Conduct is not just a compliance requirement but a cornerstone for fostering a culture of dignity, respect, and accountability within organizations.

The session began with an explanation of the purpose of the Code of Conduct, emphasizing its role in:

- Defining acceptable workplace behavior.
- Preventing harassment and misconduct through clear guidance.
- Informing employees of their rights and responsibilities.
- Providing a framework for disciplinary actions in case of violations.

The facilitator then outlined the key components of an effective workplace Code of Conduct, including:

- A clear definition of harassment and examples of unacceptable behavior.
- Procedures for filing complaints and seeking redress.
- The role and authority of the Internal Inquiry Committee.
- Assurance of confidentiality and protection against retaliation.
- Responsibilities of employers and employees in upholding a safe and respectful environment.

Participants were also briefed on the implementation process, which includes:

- Displaying the Code of Conduct prominently in the workplace, as required by law.
- Ensuring that all employees are aware of and trained on its contents.
- Providing accessible complaint channels for employees.
- Regularly reviewing and updating the Code to align with evolving organizational and legal requirements.

An interactive discussion followed, where participants shared challenges, their organizations might face in effectively implementing the Code, such as lack of awareness, cultural sensitivities, and reluctance to report incidents. The facilitator encouraged practical solutions, including periodic awareness sessions, visible leadership commitment, and continuous monitoring of workplace practices.

The session concluded by reinforcing that the Code of Conduct is not a static document but a living tool that requires commitment from all staff members to create and sustain a harassment-free workplace.

# Session6: Referral Pathways and Directory

A focused session was delivered on Referral Pathways and Support Services, aimed at equipping participants with knowledge of the internal and external mechanisms available for addressing workplace harassment cases. The facilitator explained that having clear referral pathways ensures timely redressal, prevents victimization, and provides holistic support to survivors.

The discussion began with an overview of internal mechanisms, emphasizing the role of Human Resources, grievance committees, and particularly the Internal Inquiry Committee as the primary body responsible for receiving and investigating complaints. Participants were reminded of the importance of confidentiality, impartiality, and adherence to the timelines specified under the Act.

The facilitator then introduced participants to external support systems, including the Office of the Ombudsperson at provincial and federal levels, which serves as the appellate body. Additional external resources such as legal aid services and the police were highlighted as critical avenues when complaints escalate beyond the organization or involve criminal offenses.

Recognizing the emotional and psychological impact of harassment, the session also addressed the availability of psychological and counseling services. Participants discussed how access to professional counseling can help complainants cope with stress, rebuild confidence, and pursue cases without fear of stigma or isolation.

To make the learning practical, the facilitator demonstrated how to develop a Referral Directory that maps both internal and external resources, complete with contact details, processes, and accessibility options. Participants agreed that such a directory should be readily available to all staff and periodically updated to remain effective.

The session concluded with reflections from participants, who acknowledged that clear referral pathways not only strengthen compliance with the law but also reinforce an organizational culture of care, accountability, and zero tolerance towards harassment.



## Addressing SDGs

SDG 5, SDG8, SDG10, SDG16, SDG17

# Wrap-Up Session

The workshop concluded with a summary of key takeaways, reinforcing participants' understanding of the Protection Against Harassment of Women at the Workplace Act, 2010 (Amended 2020). Core themes highlighted included the role of the Internal Inquiry Committee, compliance requirements for employers, the importance of the Code of Conduct, and the need for clear referral pathways and support services.

Participants shared feedback on the training, noting that the sessions enhanced their legal awareness, clarified roles and responsibilities, and provided practical strategies for fostering a safe and respectful workplace. Many appreciated the interactive methods—such as role cards, group activities, and quizzes—which encouraged dialogue and made the learning more relatable.

The wrap-up emphasized that ensuring a harassment-free workplace is a shared responsibility, requiring continuous awareness, commitment, and implementation of preventive measures across all levels of the organization.



## Wrap-Up Session

# Certificate Distribution and Closing Remarks

The workshop concluded with a certificate distribution ceremony, where participants were formally recognized for their active engagement and contributions throughout the training. Certificates were presented as an acknowledgment of their commitment to fostering a safe, inclusive, and respectful workplace environment.

In his closing remarks, the CEO of HRDN extended heartfelt thanks to all stakeholders involved in making the workshop a success. She appreciated the dedication of the facilitator for delivering insightful and practical sessions, the participants for their active involvement and openness in discussions, and the organizing team for their efforts in ensuring smooth execution of the event.

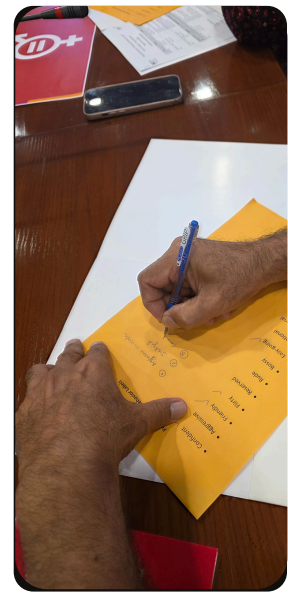
The CEO emphasized that this training was not just a compliance exercise but an important step toward building an organizational culture rooted in dignity, respect, and accountability. He encouraged participants to apply their learnings in their respective roles and to continue championing the principles of equality and non-discrimination in the workplace.

The session ended on a note of gratitude and collective commitment to creating harassment-free workplaces, with all participants joining in appreciation of the initiative.



**Certificate Distribution**


# Gallery




# Annex 1: Agenda of Workshop

**Training Workshop on “Harassment Protection Act 2010”**  
**Know Your Rights – Create Safe Spaces**  
**Dated: June 18,2025**  
**At HRDN Secretariat-Islamabad**

| Time                | Session   | Details   |
|---------------------|---|---|
| 09:30 AM            | Registration of Participants  | · Welcome participants and provide registration materials   |
| 10:00 AM – 11:00 AM | Welcome and Introduction  | · Brief introduction of participants and facilitators<br>· Overview of workshop objectives and structure<br>· <b>Opening Remarks by CEO, HRDN</b>   |
| 11:00 AM – 11:30 AM | Quiz on Harassment at Workplace Act, 2010   | · Interactive quiz on the <i>Protection against Harassment of Women at the Workplace (Amendment) Act, 2020</i>  |
| 11:30 AM – 11:45 AM | Tea Break   | Refreshments and networking   |
| 11:45 AM – 12:45 PM | Key Elements of the Act and Practical Implementation<br><br><b>Group Activity: Role Cards –</b> | · Overview of the 2010 Act and 2022 Amendment<br>· Definitions of harassment & workplace<br>· Rights/responsibilities of employers & employees<br>· Compliance requirements (e.g., displaying law, Inquiry Committees)<br>· Challenges and gaps in implementation<br><br>· <b>Protection Against Harassment Act</b> |
| 12:45 PM – 01:15 PM | Role and Responsibilities of the Internal Inquiry Committee<br><b>Group Activity</b>            | · Formation and composition (gender balance)<br>· Roles: complaint handling, inquiry, confidentiality<br>· Due process: timelines, evidence, fair hearing<br>· <b>Inquiry Committee Role Play</b>   |



|                            |  |  |
|----------------------------|--|--|
| <b>01:15 PM – 01:40 PM</b> | Code of Conduct and Its Implementation       | · Purpose and key components of a workplace Code of Conduct  |
| <b>01:40 PM – 02:00 PM</b> | Referral Pathways and Directory              | · Internal mechanisms: HR, grievance committees, Inquiry Committee<br>· External support: Ombudsperson, legal aid, police<br>· Psychological/counseling services |
| <b>02:00 PM</b>            | Wrap-up Session                              | · Summary of key takeaways and participant feedback  |
| <b>02:15 PM</b>            | Certificate Distribution and Closing Remarks | · Certificates awarded and official closing remarks  |
| <b>02:30 PM</b>            | <b>Lunch</b>                                 | <b>Lunch and informal networking</b>   |



# Annex 2: Presentations



TRAINING WORKSHOP  
ON  
"PROTECTION AGAINST HARASSMENT OF WOMEN AT THE  
WORKPLACE ACT 2010"  
KNOW YOUR RIGHTS-CREATE SAFE SPACES

18<sup>TH</sup> JUNE, 2025  
HRD Network Secretariat



## Objectives of the Training

- Understand the legal framework on harassment in Pakistan
- Learn about rights and responsibilities at the workplace
- Complaint and redressal mechanism
- Promote a culture of dignity, respect, and accountability



## Legal Foundation

- Act Passed: March 2010
- Covers: All public & private institutions, including NGOs
- Based on: Constitution, ILO conventions, UN treaties, and Islamic values



## Definition of Harassment

- "Unwelcome sexual advance, request for sexual favors or other verbal, written or physical conduct of a sexual nature..."
- **Includes:**
  - Abuse of authority
  - Hostile environment
  - Retaliation



## Who Is Protected?

- All employees (contractual, temporary, permanent)
- Interns, volunteers, daily wagers
- Both women and men



## Employer Responsibilities

- Adopt & display Code of Conduct
- Form Inquiry Committee (at least 1 woman)
- Appoint a Competent Authority
- Ensure confidentiality & non-retaliation
- Provide counseling if needed



### Code of Conduct (Key Points)

- Workplace behavior standards
- Informal & formal complaint mechanisms
- Avoiding Retaliation
- Protecting complainant's dignity and job security



### Complaint Mechanism

1. Informal Resolution - Mediation, advice
2. Formal Inquiry Committee - 3 members (1 woman), 30 days to complete inquiry
3. Appeals - To Ombudsman or Court



### Penalties for Harassment

- Minor: Censure, promotion/increment hold, recovery
- Major: Demotion, dismissal, fine, compulsory retirement



### Role of Ombudsman

- Independent authority at federal/provincial level
- Can:
- Hear appeals
  - Impose penalties
  - Access premises, summon people, enforce decisions



### NGO Sector Specific Challenges

- Fieldwork dynamics
- Power imbalances
- Mixed-gender teams in close proximity
- Unstructured complaint systems



### How to Prevent Harassment

- Clear policies and orientation
- Safe reporting spaces
- Continuous training & awareness



## Amendments to the Protection Against Harassment Act

Comparison of 2010 Act with Amendments in 2020 and 2022



### Clause-wise Comparison: 2010 vs Amendments

| Clause / Provision       | 2010 Act                         | 2020 & 2022 Amendments                                 |
|--------------------------|----------------------------------|--|
| Scope of Protection      | Focused on women                 | Gender-neutral – includes men & transgender persons    |
| Definition of Workplace  | Limited to physical offices      | Includes remote work, field sites, and digital space   |
| Definition of Harassment | Limited to sexual harassment     | Expanded to cover psychological and digital harassment |
| Complaint Mechanism      | Basic internal committee process | Strengthened with clear timelines, appeal process      |
| Retaliation Protection   | Not clearly defined              | Explicit protection against retaliation                |



## Role and Responsibilities of the Internal Inquiry Committee

As per the Protection Against Harassment of Women at the Workplace Act, 2010



## Introduction to Amendments

- Original Act: Protection Against Harassment of Women at the Workplace Act, 2010.
- Amendments introduced in 2020 and 2022.
- Aim: Broaden protection, strengthen implementation, and ensure gender-neutrality.



## Implications for NGOs & Employers

- Update internal policies and Code of Conduct.
- Train staff on new definitions and procedures.
- Ensure access to complaint and referral systems for all genders.
- Submit compliance reports as required.
- Partner with legal experts to interpret expanded definitions.



## Establishment of Inquiry Committee

- Every organization must constitute a 3-member committee.
- At least one member must be a woman.
- Members include senior management and employee representatives.
- Chairperson must be designated among members.



## Inquiry Process and Timeline

- Committee must complete inquiry within 30 days.
- Findings must be submitted in writing with reasons.
- Recommendations are forwarded to the Competent Authority.
- Competent Authority imposes penalties within 1 week.



## Core Functions of the Committee

- Receive written complaints of harassment.
- Communicate charges to the accused within 3 days.
- Seek written response within 7 days.
- Conduct inquiry: examine evidence and allow cross-examination.
- Maintain confidentiality throughout the process.



## Complaint Types and Reporting Channels/Platforms

- Physical violence/ abuse and harm during the implementation of the project activities at workplace or project sites
- Sexual violence/sexual contact or bullying from the male/female/Transgender person colleagues of project/contractors/IPs/Consultants at workplace or project sites.
- Economic abuse e.g. un-equal wages and controlling financial resources to exploit or limit financial benefits of women workers of all categories hired under the project.
- Abuse of power for sexual purposes at workplace and project sites



## Complaint Types and Reporting Channels/Platforms

- Engaging in sexual activity without clear and voluntary consent.
- Exchanging goods, services, or favors for sexual acts.
- Retaliation for rejection in the workplace as result of rejecting sexual advances or reporting harassment.
- Unfair treatment, including biased decision-making, unequal pay or denial of opportunities.
- Display of sexually explicit material.
- Online harassment through electronic communication channels, including emails, social media or other digital platforms.



## Penalties the Committee Can Recommend

- Censure
- Withholding promotion/increment
- Recovery of compensation
- **Major Penalties:**
- Demotion
- Compulsory retirement
- Dismissal from service
- Fine (can be awarded to complainant)



## Follow-Up and Monitoring

- Committee must monitor compliance with its recommendations.
- Must ensure the complainant is not subjected to victimization.
- Regular meetings until full implementation.
- Documentation and confidentiality must be preserved.



## Code of Conduct and Its Implementation

Under the Protection Against Harassment of Women at the Workplace Act, 2010



### Key Components of the Code

- Defines harassment and unacceptable behaviors.
- Emphasizes respectful workplace interactions.
- Provides options for informal and formal complaints.
- Ensures protection and confidentiality for complainants.
- Outlines disciplinary actions against violators.



### Introductory Exercise



1. Have you ever been labeled this way at work?
2. Did that label make you feel seen, judged, or misunderstood?
3. How did it affect your confidence or behavior at work?



### What is the Code of Conduct?

- A set of behavioral guidelines to prevent workplace harassment.
- Developed under Section 11 of the 2010 Act.
- Must be integrated into organizational policies.
- Applies to all staff regardless of position or contract type.



### Implementation Responsibilities

- Employers must adopt and communicate the Code widely.
- Display copies at visible locations in both English and local language.
- Train employees and management regularly.
- Include Code in HR and operational manuals.
- Take disciplinary action as per prescribed procedures.



### Introductory Exercise

1. Which labels are often used for men vs. women vice versa at work?
2. Why do some labels become tools for exclusion or harassment?
3. Can labeling contribute to a hostile or intimidating environment?



## Introductory Exercise

1. Which labels are often used for men vs. women at work?
2. Why do some labels become tools for exclusion or harassment?
3. Can labeling contribute to a hostile or intimidating environment?



## Introductory Exercise

1. The Harassment Act protects us from behaviors that stem from bias, assumptions, and abuse of power.
2. Respect is not just about words — it's also about not putting people into boxes based on gender, appearance, or personality.
3. Emphasize that workplace dignity means being treated for who you are — not how others label you.



## Introductory Exercise



1. Have you ever been labeled this way at work?
2. Did that label make you feel seen, judged, or misunderstood?
3. How did it affect your confidence or behavior at work?



## Introductory Exercise

1. Which labels are often used for men vs. women vice versa at work?
2. Why do some labels become tools for exclusion or harassment?
3. Can labeling contribute to a hostile or intimidating environment?



## Introductory Exercise

1. Which labels are often used for men vs. women at work?
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## Introductory Exercise

1. The Harassment Act protects us from behaviors that stem from bias, assumptions, and abuse of power.
2. Respect is not just about words — it's also about not putting people into boxes based on gender, appearance, or personality.
3. Emphasize that workplace dignity means being treated for who you are — not how others label you.

# Annex 3: Role of Inquiry Committee

## Powers, Roles, and Procedure of the Inquiry Committee

### Composition of Inquiry Committee (IC)

Each organization shall constitute an Inquiry Committee within thirty days of the enactment of this Act to enquire into complaints under this Act.

(2) The Committee shall consist of three members of whom at least one member shall be a woman. One member shall be from senior management and one shall be a senior representative of the employees or a senior employee where there is no CBA. One or more members can be co-opted from outside the organization if the organization is unable to designate three members from within as described above. A Chairperson shall be designated from amongst them.

### Powers of the Inquiry Committee

The Inquiry Committee has the authority to:

- Summon and enforce attendance of any person and examine them under oath.
- Require the discovery and production of any document.
- Receive evidence on affidavits.
- Record evidence formally.
- Conduct medical examination of the complainant or the accused through an authorized doctor, if necessary.
- Inquire into harassment matters under the Act and recommend appropriate penalties.
- Recommend action against complainant (to the Ombudsman) if the complaint is proven false and made with mala fide intentions.
- Direct confidentiality of the inquiry proceedings.

### Responsibilities of IC




The objective of IC is to provide a safe and conducive environment for workers/ co-workers to be hired directly by the project or either by contractors/survey firms/ IPs and community workers.

The committee has the following responsibilities.

- Receive and acknowledge written complaints.
- Communicate charges and allegations to the accused within 3 days of receipt.
- Seek written defense from the accused within 7 days.
- Proceed ex-parte if the accused fails to respond without reasonable cause.
- Conduct inquiry by:
  - a. Examining oral and documentary evidence,
  - b. Allowing cross-examination of witnesses by both parties.
- Regulate its own procedures including scheduling meetings.
- Ensure confidentiality of all statements and evidence.
- Ensure fair representation for both parties (e.g., friend, colleague, or CBA representative).
- Protect complainant and witnesses from adverse actions or a hostile environment.
- Provide written findings with reasons.
- Submit findings and recommendations to the Competent Authority within 30 days.
- Recommend appropriate penalties (minor or major) if the accused is found guilty.
- Monitor implementation of its recommendations until satisfied.
- Ensure trauma support by recommending psycho-social counseling or medical leave.
- Recommend compensation in case of salary loss or other damages.

## Procedure for Handling a Complaint

- **Complaint Submission: Complainant submits a written complaint.**
- **Communication of Charges:**
  - Within 3 days, the Inquiry Committee communicates allegations to the accused and obtains formal acknowledgment.
- **Defense Submission:**
  - Accused must submit a written defense within 7 days.
  - If no defense is submitted without a valid reason, the inquiry proceeds ex-parte.
- **Inquiry Process:**
  - Examination of witnesses and documents.
  - Both parties allowed cross-examination.
- **Confidentiality Maintained: All statements and evidence are confidential.**
- **Right to Representation:**
  - Both parties may be accompanied by a friend, colleague, or union representative.

- 
- 
- **Protection During Inquiry:**
    - No retaliation against complainant or witnesses.
    - No creation of a hostile environment by the employer or accused.
  - **Findings & Recommendations:**
    - Findings must be recorded in writing with reasons.
    - Recommendations submitted to the Competent Authority within 30 days.
  - **Penalties (if found guilty):**
    - Minor: censure, withholding promotion/increment, stoppage at efficiency bar, recovery of compensation.
    - Major: demotion, compulsory retirement, removal/dismissal, fine (payable to complainant).
  - **Action by Competent Authority:**
    - Penalty to be imposed within 1 week of receiving recommendations.
  - **Monitoring:**
    - Inquiry Committee monitors implementation of recommendations.
  - **Support to Complainant:**
    - Psycho-social or medical support in case of trauma.
    - Additional medical leave and possible compensation for damages or salary loss.
    -
  - **Defense Submission:**
    - Accused must submit a written defense within 7 days.
    - If no defense is submitted without a valid reason, the inquiry proceeds ex-parte.
  - **Inquiry Process:**
    - Examination of witnesses and documents.
    - Both parties allowed cross-examination.
  - **Confidentiality Maintained: All statements and evidence are confidential.**
  - **Right to Representation:**
    - Both parties may be accompanied by a friend, colleague, or union representative.
- 

# Annex 4: Code of Conduct

## Code of Conduct

This Code of Conduct identifies the behavior that we require from all projects/Contractor/IPs/Consulting Firms Personnel hired under the PULSE project. Our workplace is an environment where unsafe, offensive, abusive, or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

## REQUIRED CONDUCT

### Project staff shall:

- 1. Carry out his/her duties competently and diligently.
- 2. Comply with this Code of Conduct and all applicable laws, regulations, and other requirements, including requirements to protect the health, safety, and well-being of project staff.
- 3. Report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation that he/she reasonably believes presents an imminent danger to his/her life or health.
- 4. Treat other staff with respect, and not discriminate against specific groups such as women, people with disabilities, minorities, transgender and migrant workers under the PULSE project
- 5. Not engage in any form of sexual harassment including unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature with other
- Contractor's or Employer's Personnel under the PULSE project.
- 7. Not engage in Sexual Exploitation, which means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another.
- 8. Complete relevant training courses under the project that will be provided related to the
- environmental and social aspects of the Contract, including health and safety matters, Sexual
- Exploitation, and Sexual Abuse (SEA).
- 9. Report violations of this Code of Conduct; and
- 10. Not retaliate against any staff member who reports violations of this Code of Conduct, whether to project management or any other channel

# RAISING CONCERNS

If any staff observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

- a. Contact the concerned individual, or another individual designated by the project to handle these matters in writing or by email, telephone, or call a hotline.
- b. The person's identity will be kept confidential unless reporting of allegations is mandated by provincial law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. The project takes seriously all reports of possible misconduct and will investigate and take appropriate action. The project will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

There will be no retaliation against any staff/ person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct under the project.

## CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

Any violation of this Code of Conduct by staff may result in serious consequences, up to and including termination and possible referral to legal authorities.

# FOR PROJECT STAFF:

I have received a copy of this Code of Conduct written in a language that I understand. I understand that if I have any questions about this Code of Conduct, I can contact the GBV/GS project requesting an explanation.

**Name of Project staff** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date: (day month year):** \_\_\_\_\_

**Countersignature of an authorized representative of the Project:**

**Signature:** \_\_\_\_\_

**Date: (day month year):** \_\_\_\_\_

# Attendance Sheet



## TRAINING WORKSHOP

On

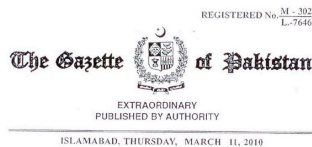
"PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE ACT 2010"

KNOW YOUR RIGHTS-CREATE SAFE SPACES

HRDN Secretariat Islamabad- June 5, 2025

| S# | Name            | Designation            | Organization | Gender | Contact number | Email                  | Signature |
|----|-----------------|------------------------|--------------|--------|----------------|------------------------|-----------|
| 1  | Dr. Zahid Anwar | Sr. Program Manager    | CBM          | M      | 0300-236872    | Zahid.anwar@cbm.org    |           |
| 2  | Fehmida Hassan  | Country Representative | CBM          | F      | 0345-470700    | Fehmida.hassan@cbm.org |           |
| 3  | Sajid ul Karim  | PO                     | CBM          | M      | 03009147786    | Sajid.ul-karim@cbm.org |           |
| 4  | Zaheer ullah    | Sr. Program Officer    | "            | Male   | 0333-9254922   | Zaheer.ullah@cbm.org   |           |
| 5  |                 |                        |              |        |                |                        |           |
| 6  |                 |                        |              |        |                |                        |           |

# Annex 5: Harassment Act 2010



## [THE PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE ACT 2010]

### PART I Acts, Ordinance, President's Orders and Regulations

SENATE SECRETARIAT  
Islamabad, the 11<sup>th</sup> March, 2010

No. F. 9 (5)/2009- Legis. The following Acts of Majlis-e-Shoora (Parliament) received the assent of the President on 9<sup>th</sup> March, 2010, are hereby published for general information:—

Act No. IV of 2010

*An Act to make provisions for the protection against harassment of women at the workplace*

WHEREAS the constitution of the Islamic Republic of Pakistan recognizes the fundamental rights of citizens to dignity of person;

AND WHEREAS it is expedient to make this provision for the protection of women from harassment at the workplace;

- management and control of the management;
- (iii) the authority, in relation to an organization or a group of organization run by or under the authority of any Ministry or department of the Federal Government or a Provincial government, appointed in this behalf or, where no authority is appointed, the head of the Ministry or department as the case may be;
- (iv) the office bearer, in relation to an organization run by or on behalf of the local authority, appointed in this behalf, or where no officer is so appointed, the chief executive officer bearer of that authority;
- (v) the proprietor, in relation to any other organization, of such organization and every director, manager, secretary, agent or office bearer or person concerned with the management of the affairs thereof;
- (vi) a contractor or an organization of a contractor who or which undertakes to procure the labour or services of employees for use by another person or in another organization for any purpose whatsoever and for payment in any form and on any basis whatsoever; and
- (vi) office bearers of a department of a Division of a Federal or a Provincial or local authority who belong to the managerial, secretarial or directional cadre or categories of supervisors or agents and those who have been notified for this purpose in the official Gazette;
- (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;
- (i) "Inquiry Committee" means the Inquiry Committee established under

It is hereby enacted as follows:

1. **Short title, extent and commencement.** - (1) This Act may be called the Protection against Harassment of women at the Workplace Act, 2010.

- (2) It extends to the whole of Pakistan.
- (3) It shall come into force at once.

2. **Definitions.** - In this Act, unless there is anything repugnant in the subject or context,—

- (a) "accused" means an employee or employer of an organization against whom complaint has been made under this Act;
- (b) "CBA" means Collective Bargaining Agent as provided in the Industrial Relations Act 2008, (IV of 2008) or any other law for the time being in force.
- (c) "Code" means the Code of Conduct as mentioned in the Schedule to this Act;
- (d) "Competent Authority" means the authority as may be designated by the management for the purposes of this Act;
- (e) "Complainant" means a woman or man who has made a complaint to the Ombudsman or to the Inquiry Committee on being aggrieved by an act of harassment;
- (f) "Employee" means a regular or contractual employee whether employed on daily, weekly, or monthly or hourly basis, and includes an intern or an apprentice;
- (g) "Employer" in relation to an organization, means any person or body of persons whether incorporated or not, who or which employs workers in an organization under a contract of employment or in any other manner whatsoever and includes —
- (i) an heir, successor or assign, as the case may be, of such person or, body as aforesaid;
- (ii) any person responsible for the direction, administration,

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- sub-section (1) of section 3;
- (j) "management" means a person or body of persons responsible for the management of the affairs of an organization and includes an employer;
- (k) "Ombudsman" means the Ombudsman appointed under section 7
- (l) "organization" means a Federal or Provincial Government Ministry, Division or department, a corporation or any autonomous or semi-autonomous body, Educational Institutes, Medical facilities established or controlled by the Federal or Provincial Government or District Government or registered civil society associations or privately managed a commercial or an industrial establishment or institution, a company as defined in the Companies Ordinance, 1984 (XLVII of 1984) and includes any other registered private sector organization or institution;
- (m) "Schedule" means Schedule annexed to this Act;
- (n) "workplace" means the place of work or the premises where an organization or employer operates and includes building, factory, open area or a larger geographical area where the activities of the organization or of employer are carried out and including any situation that is linked to official work or official activity outside the office.

3. **Inquiry Committee.** - (1) Each organization shall constitute an Inquiry Committee within thirty days of the enactment of this Act to enquire into complaints under this Act.

(2) The Committee shall consist of three members of whom at least one member shall be a woman. One member shall be from senior management and one shall be a senior representative of the employees or a senior employee where there is no CBA. One or more members can be co-opted from outside the organization if the organization is unable to designate three members from within as described above. A Chairperson shall be designated from amongst them.

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- (3) In case a complaint is made against one of the members of the Inquiry Committee that member should be replaced by another for that particular case. Such member may be from within or outside the organization.
- (4) In case where no competent authority is designated the organization shall within thirty days of the enactment of this Act designate a competent authority

**4. Procedure for holding inquiry.**— (1) The Inquiry Committee, within three days of receipt of a written complaint, shall—

- (a) communicate to the accused the charges and statement of allegations leveled against him, the formal written receipt of which will be given;
  - (b) require the accused within seven days from the day the charge is communicated to him to submit a written defense and on his failure to do so without reasonable cause, the Committee shall proceed ex-parte; and
  - (c) enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defense of the accused as the Committee may consider necessary and each party shall be entitled to cross-examine the witnesses against him.
- (2) Subject to the provisions of this Act and any rules made thereunder the Inquiry Committee shall have power to regulate its own procedure for conducting inquiry and for the fixing place and time of its sitting.
- (3) The following provisions *inter alia* shall be followed by the Committee in relation to inquiry:
- (a) The statements and other evidence acquired in the inquiry process shall be considered as confidential;
  - (b) An officer in an organization, if considered necessary, may be nominated to provide advice and assistance to each party;
  - (c) Both parties, the complainant and the accused, shall have the right to be represented or accompanied by a Collective Bargaining Agent representative, a friend or a colleague;

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Inquiry Committee under sub-section (4) within one week of the receipt of the recommendations of the Inquiry Committee

(6) The Inquiry Committee shall meet on regular basis and monitor the situation regularly until they are satisfied that their recommendations subject to decision, if any of Competent Authority and Appellate Authority have been implemented.

(7) In case the complainant is in trauma the organization will arrange for *psycho-social counseling or medical treatment* and for additional medical leave.

(8) The organization may also offer compensation to the complainant in case of loss of salary or other damages.

**5. Powers of the Inquiry Committee.**— (1) The Inquiry Committee shall have power—

- (a) to summon and enforce attendance of any person and examine him on oath;
  - (b) to require the discovery and production of any document;
  - (c) to receive evidence on affidavits; and
  - (d) to record evidence.
- (2) The Inquiry Committee shall have the power to inquire into the matters of harassment under this Act, to get the complainant or the accused medically examined by an authorized doctor, if necessary, and may recommend appropriate penalty against the accused within the meaning of sub-section (4) of section 4.
- (3) The Inquiry Committee may recommend to Ombudsman for appropriate action against the complainant if allegations leveled against the accused found to be false and made with mala fide intentions.
- (4) The Inquiry Committee can instruct to treat the proceedings confidential.

**6. Appeal against minor and major penalties.**— (1) Any party aggrieved by

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- (d) Adverse action shall not be taken against the complainant or the witnesses;
- (e) The inquiry Committee shall ensure that the employer or accused shall in no case create any hostile environment for the complainant so as to pressurize her from freely pursuing her complaint; and
- (f) The Inquiry Committee shall give its findings in writing by recording reasons thereof.

(4) The Inquiry Committee shall submit its findings and recommendations to the Competent Authority within thirty days of the initiation of inquiry. If the Inquiry Committee finds the accused to be guilty it shall recommend to the Competent Authority for imposing one or more of the following penalties:

**(i) Minor penalties:**

- (a) censure;
- (b) withholding, for a specific period, promotion or increment;
- (c) stoppage, for a specific period, at an efficiency bar in the time-scale, otherwise than for unfitness to cross such bar; and
- (d) recovery of the compensation payable to the complainant from pay or any other source of the accused;

**(ii) Major penalties:**

- (a) reduction to a lower post or time-scale, or to a lower stage in a time-scale;
- (b) compulsory retirement;
- (c) removal from service;
- (d) dismissal from service; and
- (e) Fine. A part of the fine can be used as compensation for the complainant. In case of the owner, the fine shall be payable to the complainant.

(5) The Competent Authority shall impose the penalty recommended by the

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decision of the Competent Authority on whom minor or major penalty is imposed may within thirty days of written communication of decision prefer an appeal to an Ombudsman established under section 7.

(2) A complainant aggrieved by the decision of the Competent Authority may also prefer appeal within thirty days of the decision to the Ombudsman.

(3) The Appellate Authority may, on consideration of the appeal and any other relevant material, confirm, set aside, vary or modify the decision within thirty days in respect of which such appeal is made. It shall communicate the decision to both the parties and the employer.

(4) Until such a time that the ombudsman is appointed the District Court shall have the jurisdiction to hear appeals against the decisions of Competent Authority and the provisions of sub-sections (1) to (3) shall *mutatis mutandis* apply

(5) On the appointment of Ombudsman all appeals pending before the District Court shall stand transferred to Ombudsman who may proceed with the case from the stage at which it was pending immediately before such transfer.

**7. Ombudsman:**— (1) The respective Governments shall appoint an ombudsman at the Federal and provincial levels.

(2) A person shall be qualified to be appointed as an Ombudsman who has been a judge of high court or qualified to be appointed as a judge of high court. The Ombudsman may recruit such staff as required to achieve the purposes of this Act and the finances will be provided by the respective Governments

**8. Ombudsman to enquire into complaint.**— (1) Any employee shall have the option to prefer a complaint either to the Ombudsman or the Inquiry Committee. <sup>4</sup>

(2) The Ombudsman shall within 3 days of receiving a complaint issue a written show cause notice to the accused. The accused after the receipt of written notice, shall submit written defense to the Ombudsman within five days and his failure to do so without reasonable cause the Ombudsman may proceed *ex parte*. Both the parties can represent themselves

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before the Ombudsman.

(3) The Ombudsman shall conduct an inquiry into the matter according to the rules made under this Act and conduct proceedings as the Ombudsman deems proper.

(4) For the purposes of an investigation under this Act, the Ombudsman may require any office or member of an organization concerned to furnish any information or to produce any document which in the opinion of the Ombudsman is relevant and helpful in the conduct of the investigation.

(5) The Ombudsman shall record his decision and inform both parties and the management of the concerned organization for implementation of the orders.

**9. Representation to President or Governor:-** Any person aggrieved by a decision of Ombudsman under sub-section (5) of section 8, may, within thirty days of decision, make a representation to the President or Governor, as the case may be, who may pass such order thereon as he may deem fit.

**10. Powers of the Ombudsman**

The Ombudsman shall for the purpose of this Act have the same powers as are vested in a Civil Court under the Code of Civil Procedures, 1908 (Act V of 1908), in respect of the following matters, namely:

- i. Summoning and enforcing the attendance of any person and examining him on oath;
- ii. Compelling the production of evidence;
- iii. Receiving evidence on affidavits;
- iv. Issuing commission for the examination of witnesses
- v. entering any premises for the purpose of making any inspection or investigation, enter any premises where the Ombudsman has a reason to believe that any information relevant to the case may be found; and
- vi. The Ombudsman shall have the same powers as the High Court has to punish any person for its contempt.

(2) Ombudsman shall while making the decision on the complaint may impose any of the

minor or major penalties specified in sub-section (4) of section 4.

**11. Responsibility of employer:-** (1) It shall be the responsibility of the employer to ensure implementation of this Act, including but not limited to incorporate the Code of Conduct for protection *against* harassment *at the workplace* as a part of their management policy and to form Inquiry Committee referred to in section 3 and designate a competent authority referred to in section 4.

(2) The management shall display copies of the Code in English as well as in language understood by the majority of employees at conspicuous place in the organization and the work place within six months of the commencement of this Act.

(3) On failure of an employer to comply with the provisions of this section any employee of an organization may file a *petition before the District Court* and on having been found guilty the employer shall be liable to fine which may extend to one hundred thousand rupees but shall not be less than twenty-five thousand rupees.

**12. Provisions of the Act in addition to and not in derogation of any other law.-** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

**13. Power to make rules.-** The Federal Government may make rules to carryout the purposes of this Act.

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**Schedule**  
**[See sections 2(c) and 11]**

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

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 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 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.

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**(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, 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 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 other ways of 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;

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- (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 incharge, 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 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 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.

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#### 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 fulfillment 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.

#### MINISTER-IN-CHARGE

**YOUSAF RAZA GILLANI**  
**PRIME MINISTER**  
**ISLAMIC REPUBLIC OF PAKISTAN**



# Human Resource Development Network

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