

REGULATIONS FOR PREVENTION OF SEXUAL HARASSMENT



Sexual harassment of any kind is strictly prohibited by law. The harasser may be sentenced to imprisonment. ZIM acts in accordance to the Law and the regulations below shall apply. Any language in the feminine gender also relates to the masculine gender and vice versa.

Prohibited acts:

- Blackmailing someone into performing an act of a sexual nature
- Indecent act or act that exploits a relationship of subordination or authority
- Repeated proposals of a sexual nature (where the harassed individual expresses his/her disinterest)
- Repeated references to one's sexuality (where the harassed individual expresses his/her disinterest)
- Degrading reference to one's gender or sexual inclination (even if the harassed individual does not express his/her contempt)
- Harassment.

Example of sexual harassment: An employer or employee who touches an employee for the purpose of sexual stimulation or exposes a private part of his body without her consent, an employer or employee who threatens (explicitly or implicitly) to fire an employee or to violate her rights if she refuses to spend.

Acts that are not considered sexual harassment: Courting that is conducted in a good faith, with mutual consent and free will.

Prohibited harassment: Any harm caused to an employee or employment candidate as a result of sexual harassment or a sexual harassment complaint. Any harm to anyone who assisted or testified on behalf of another employee in a sexual harassment complaint. The harasser may be sentenced to imprisonment.

What is considered an employment relationship? The location where work activity takes place, or any place where work is executed on behalf of the employer, where an employer-employee relationship exists.

The employer's obligations: The employer must take reasonable action to prevent sexual harassment within the framework of the employment relationship. The company may be sued for harassment conducted by its employees if no preventative measures are taken.

- The company hereby demands of all its employees to abstain from harassment of other employees or of clients
- The company hereby appoints Revital Banai (details below) as supervisor in charge of preventing harassment in the workplace. The supervisor shall act decisively to prevent harassment or sexual harassment in the workplace and where an employment relationship exists.
- Every employee has the right to receive a copy of the law and regulations regarding prevention of sexual harassment.
- The company shall conduct educational and instructional activities in which each employee must participate.
- The company shall formulate an effective procedure for submitting a complaint.

When should a complaint of harassment or sexual harassment be filed? A harassment or sexual harassment complaint should be submitted when it occurs, up to seven years after the incident. It is advisable to document the incident in a detailed manner and to involve witnesses where possible, i.e. tell a friend or family member.

What are your courses of action of the harassed employee? There are four possible options. All or some of them may be utilized, simultaneously or one after the other:

- Internal disciplinary hearing – A complaint of harassment can be lodged with the employer or with the supervisor of sexual harassment issues in the workplace, for the purpose of commencing internal disciplinary proceedings.
- Labor Court – A harasser and his/her employer can be sued and monetary damages can be claimed.
- Civil Court – A claim for damages can be filed against the harasser.
- Police complaint – For the purpose of commencing criminal proceedings.

Harassment complaint handling procedures:

- The complaint may be submitted directly by the harassed employee, a person who claims that the employee has been harassed, or any other person how as been appointed by the harassed party.
- In the case that the alleged harasser is the person in charge of the harassed employee or is personally connected to the complaint or people in it, the complaint should be submitted to the person filling in for the alleged harasser. In the case that no one is filling in the position, the complaint should be filed directly with the company manager.
- In the case that the alleged harasser is employed by an external contractor, the complaint should be filed with the person directly in charge in the contracting company or in the employing company.
- The complaint shall include a description of the incident(s), the identity of those involved, the location where the incident took place, whether the complainant showed signs of being harassed, and whether an employee-employer relationship of any kind exists between the parties involved.
- The complaint can be submitted in writing or verbally and the person in charge must put it in writing. The complainant must sign the written complaint and receive a copy of it.
- The person in charge must inform the complainant about the procedures involved in dealing with harassment and sexual harassment complaints, and must investigate the charges and listen to all the witnesses and the parties involved in the complaint. The inquiry should be efficient and with no delay, while preserving the privacy and dignity of all parties involved.
- Throughout the inquiry period, the employer must act to protect the complainant's work status and to distance the alleged harasser from the complainant.
- At the end of the inquiry, the supervisor will submit a summary of the complaint with recommendations as to how proceed.
- Within seven days after receiving the supervisor's summary and recommendations, the employer must decide to implement one of the following actions and to inform of its decision in writing to the complainant, alleged harasser and supervisor:
 - Instruct the parties involved about proper behavior at work
 - Separate the alleged harasser from the complainant without harming the employment terms and conditions.
 - Take measures to prevent a recurrence of the act and to rectify the harm done to the complainant.
 - Implement disciplinary measures in accordance with the disciplinary provisions applicable in the work place.

The obligation to prevent sexual harassment is designed to protect human dignity and freedom and to promote equality between the sexes.

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