



## **Guidelines for workers and employers**

# ***Harassment at Workplace***



**Labour & Human Resource Department  
Government of the Punjab**



## **What is work place harassment?**

Any unwelcome verbal, written or physical conduct that shows hostility or hatred towards a person on the basis of his race, sex, colour, national origin, religion, sexual orientation, age, veteran status, political affiliation, or disability.

## **What is sexual harassment?**

Any unwelcome sexual advance, request for sexual favours, or verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-workers or the third party. Sexual harassment is one of the most common problems faced by the women of Pakistan.

## **What are kinds of sexual harassment at the work place?**

There are two kinds of sexual harassment at the work place: i) Abuse of authority. It is a demand by a person in authority, such as a supervisor, for sexual favours in order for the victim to keep or obtain certain job benefits. These benefits may be a wage increase, a promotion, training opportunity, a transfer or the job itself.

ii) Creating 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.

## **Which law talks about this menace and defines ways to discourage it?**

The Protection Against Harassment of Women At The Workplace Act 2010, signed on 11th March, 2010, is the relevant law that tackles this issue. How can a complaint be registered against harassment at work place?

A complaint can be submitted with the inquiry committee, constituted by the organizations within thirty days of occurrence of such conduct.

## **How many members the enquiry committee has according to the enactment of this Act.**

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.



## **What is the procedure for holding an inquiry?**

a) The Inquiry Committee, within three days of receipt of a written complaint, shall issue charge-sheet against the accused and seek reply from him within seven days. It shall also collect evidence and statement and cross-examine the parties involved to ascertain facts. 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 penalties defined by law: These penalties can be categorised as minor and major.

## **What are minor and major penalties?**

Minor penalties include censure, withholding, for a specific period, promotion or increment stoppage for a specific period, recovery of the compensation payable to the complainant from pay or any other source of the accused; Major penalties include reduction to a lower post or time-scale, or to a lower stage in a time-scale, compulsory retirement, removal from service, dismissal from service and fine. A part of the fine can be used as compensation for the complainant. In case the culprit is the owner, the fine shall be payable to the complainant.

## **Can the accused or the complainant appeal against the decision of the inquiry committee?**

Any party aggrieved by the decision of the Competent Authority on whom minor or major penalty is imposed may, within 30 days of the written communication of the decision, prefer appeal to an Ombudsman established under section 7 of the Act. A complainant aggrieved by the decision of the Competent Authority may also prefer appeal within thirty days of the decision to the Ombudsman. 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.



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