

May 2023

To the Tel Aviv University community,

Students, senior and junior staff members, members of the administration,

RE: **Handling sexual harassment at the university, and a summary of complaints lodged in the 2021-22 academic year**

Complaints regarding sexual harassments

By law, a person complaining about sexual harassment can approach three parties, or only some of them, simultaneously or one after the other. **The Commissioner for the Prevention of Sexual Harassment**, in order to open an inquiry by the Commissioner, at the end of which it will be decided whether to take **disciplinary actions** against the harasser; **Labor Court** when it is a case of sexual harassment as part of labor relations, it is possible to sue the harasser and employer, as well as sue for monetary compensation, **or Civilian Court** - if it is not a case of sexual harassment as part of labor relations; **the Police** to file a complaint.

Investigation of sexual harassments in the university

After receiving a complaint, the Commissioner will explain to the complainant the options available to them, as detailed above.

The Commissioner will summon the defendant (the person against whom the complaint was lodged) and collect evidence and testimonies as much as possible.

Following the investigation, the Commissioner will summarize the case in a summary and recommendations report. The report will be submitted to the relevant employer: the Rector, in the event the defendant is a member of the academic staff; the Director of Human Resources, in the event the defendant is an administrative employee; the Academic Secretary, in the event the defendant is a student.

The employer is required, within 7 business days, to decide whether to adopt the Commissioner's recommendations.

Following the employer's decision, a detailed letter regarding the decision is sent to the complainant and the defendant.

The Commissioner may recommend that the employer implement interim relief aimed mainly at separating the complainant and the defendant. Interim relief necessitates providing the defendant with the right to counter the claim prior to the

employer reaching a decision on this matter. The defendant will also be informed in writing regarding the decision to implement interim relief.

In the event of a decision to reject the complaint, the complainant has the right to file an appeal with the University President within 15 days of receiving the employer's decision.

In the event the employer has decided to bring the defendant to trial, the defendant will be brought before the relevant disciplinary court (academic staff, administrative staff, or students). It is hereby clarified that the disciplinary courts are independent entities and they decide what punishment will be levied in each case. The list of punishments is detailed in the various disciplinary regulations (academic staff, administrative staff, and students) published on the University's website.

Please note that in disciplinary procedures TAU itself is the plaintiff, demanding punishment as it sees fit, but the final decision regarding punishment is made by the court following conviction.

Following is a link to the **Prevention of Sexual Harassment Law**:

https://www.nevo.co.il/law_html/Law01/245_001.htm

Following is a link to the **Prevention of Sexual Harassment Regulations at Tel Aviv University**:

https://www.tau.ac.il/sites/default/files/media_server/General/yoets/01-015.pdf

Summary of complaints and petitions received and handled by the commissioner in the 2021-22 academic year:

Against academic staff:

1. A female student claimed inappropriate comments by a lecturer. While examining teaching evaluation reports, the unit head discovered that students reported inappropriate expressions made by the lecturer. It wasn't possible to determine conclusively that the expressions constitute sexual harassment according to the Sexual Harassment Prevention Law. The lecturer was summoned for a talk with the faculty dean.
2. A head of a unit claimed that she saw in the teaching evaluations disturbing reports regarding statements made by a senior academic staff member. It was claimed that there were descriptions of objectification of women, without any specific description, description of cases not relevant to the study material,

inappropriate jokes. Following an inquiry, it was decided that the complaint cannot be considered sexual harassment and it is doubtful whether the descriptions could be considered as a disrespectful environment. The staff member was summoned for a talk with the faculty dean.

3. Claims of suspected sexual harassment between a female student and a teaching assistant. The student had an intimate, romantic relationship with the teaching assistant. There were further claims of emotional manipulations against the student once the romantic relationship has ended. It was found there was no sexual harassment according to the law. That said, it was found that the teaching assistant violated the duty to report intimate relations between an authority figure and a subordinate, and did not use necessary caution in relations between a teaching assistant and a student. Therefore, he was summoned to a hearing before the Rector of the University.
4. A complaint from someone in the university regarding an anonymous complaint that was received regarding alleged offensive sexual behavior of an academic staff member in the university towards a female participant in a conference, who is not a student, after the conference ended. The event took place outside the university, after they exited the conference that took place within the university. A senior member of the university held a warning talk with the staff member.
5. A complaint about exposing students in at least two lessons to pornographic pictures saved on the lecturer's desktop during a Zoom session. The Commissioner found that the lecturer's behavior meets the criteria of sexual harassment - the surrounding sexual harassment type, and inappropriate behavior, and recommended a disciplinary hearing. The Rector decided to summon the lecturer to a hearing, where he gave him a severe reprimand regarding his said behavior. In addition, the Rector warned the lecturer that if he gets another disciplinary violation of any kind, his employment will be terminated immediately.

Against administrative staff/ contractors/ various employees:

1. A salesman in a store in the dorms area said something that made a female student feel unsafe. Handling of the complaint was transferred to the person in charge of sexual harassment prevention at Shikun U'Binui, who decided that in this case there was no basis for taking any actions. The case was dismissed.
2. A cleaning person, employed by a subcontractor, harassed a security guard. Handling of the complaint was transferred to the subcontractor, who fired the worker.
3. Ads were put up around campus that could have been interpreted as soliciting for prostitution. Ads that were found were removed. A multi-person consultation was held with relevant parties at the university. The Commissioner filed a complaint with the police. After a while the police responded that they would not investigate the complaint or bring it to trial. The case was dismissed.

4. A female student approached the Commissioner because she believed she was being discriminated against following a previous complaint to the Commissioner and she's not being allowed to stay in the dorms. The Commissioner investigated and it was discovered there was no malice towards the student, and the student is not eligible for the dorms.
5. A complaint from the student union following an inappropriate atmosphere in one of the university's dining areas. The Commissioner investigated. The manager of the place took notice and will clarify to his staff proper behavior. The complaint was dismissed.
6. A female student approached different parties in the university regarding abusive behavior at work from an administrative staff member, including inappropriate statements of his. This was brought to the Commissioner's attention many months after different parties had begun looking into it. Even before the Commissioner could launch an investigation, the student and the defendant were separated. The Commissioner found that the defendant's statements constituted sexual harassment under section 3(a)(4) of the Sexual Harassment Prevention Law 5758 - 1998 "repeated references to a person that focus on their sexuality." It was decided that the separation that was made will continue; in light of the nature of the offenses and since the defendant was going to retire from the university within 3 weeks, it was recommended not to take any disciplinary actions against the defendant since they would not have any practical implication anyway; it was further decided that any future employment of the defendant by the university, should that come up, will be considered by the Director of Human Resources.
7. A complaint regarding sexual harassment of a male administrative staff employee against a female administrative staff employee. Interim relief was taken to separate the complainant from the defendant, so that the defendant was transferred to a different position. Treatment of the case is still ongoing.

Against students/ among students:

1. Report of a male participant in a summer youth program who harassed a female participant. Following an investigation, it was reported to the Education Ministry for their care. The case in the university was dismissed.
2. An anonymous complaint about objectification of male students in a WhatsApp group through blatant statements/ posting pictures. It was found that some of the statements are blatant or tasteless but for the most part they do not refer to students and/or staff members and so the Commissioner recommended not taking any steps. Preventative action was taken regarding sexual harassment among students in the faculty.
3. A female student complained that a male student attacked her in the dorms. The female student filed a complaint with the police. She was given psychological support at the university's expense and given a companion around campus. The State Attorney decided to close the case. Following a

legal inquiry, it was decided it wasn't sexual harassment and there was no need for disciplinary hearing for inappropriate conduct.

4. A male student complained that a female student studying with him is harassing him. When talking with the male student he clarified that his complaint is not about sexual harassment. Following consultation, the students were academically separated.
5. A female student complained that a male student from the same study program in behaving inappropriately including making sexist statements. The male student sent an apology letter and was directed to further counseling with the Academic Counselor in the faculty, and for psychological consultation.
6. A male student sent harassing messages over WhatsApp to a female student. The female student refused to provide the details of the male student. The Academic Counselor at the faculty offered assistance to the female student. The case was dismissed.
7. Female students claimed that a male student is trying to get to know them and date them, and does not back up even after they clarified they were not interested. They wished to remain anonymous. The Commissioner spoke with the male student and clarified the rules of behavior.
8. A female student from the LGBTQ+ community complained of harassment by a female student from the same community. No evidence was presented, and cooperation was stopped. The complaint was dismissed.
9. A female student complained that a male student harassed her in the dorms. Following an inquiry with the sides, it couldn't be determined that it was harassment. That said, it was decided that the defendant will refrain from contacting the complainant.
10. It was brought to the Commissioner's attention that in the dorms, a female student experienced sexual behavior from a male student that she did not consent to. The female student was separated from the defendant. She was given psychological support and offered support to file a complaint with the police. The female student refused to go to the police or file a complaint with the Commissioner.

Complaints requiring minimal treatment/ various petitions

1. An anonymous complaint from a female student claiming that a lecturer in the college corresponded with her and coerced her into a relationship. The lecturer also works in the university. Despite repeated requests, the complainant did not make any contact. No details could be identified for the complainant or the defendant. The complaint was dismissed.
2. A petition from the heads of a faculty following a letter from a male student claiming he experienced humiliating, abusive and sexual treatment from a female teaching assistant. The complainant's details were not disclosed to the Commissioner. Repeated attempts to contact the complainant through the faculty heads were unsuccessful. The complaint was dismissed.

3. A report that in one of the faculties a female student was once again harassing a staff member. The issue is being handled by the university with the staff member and the female student's legal representative.
4. It was claimed that a male student was harassing a former female student. The issue is under police investigation. The complaint was dismissed.
5. A female doctorate student complained of a humiliating attitude from her mentor due to her sexual orientation. The doctoral student decided that at this stage she is not interested in filing a complaint and retains the right to do so at a later date. The complaint was dismissed.
6. An anonymous complaint against an academic staff member for using inappropriate pictures during a scientific conference. In a talk with the Commissioner, the staff member claimed that the pictures were relevant to the research subject. The need to be sensitive and not use pictures that are potentially hurtful was explained to the lecturer.
7. An anonymous complaint about a stalker at the Check Point building plaza. The issue was referred to the university security department. The complainant could not be located, nor any details regarding the stalker. The complaint was dismissed.
8. A female student claimed that a worker doing construction work in the building where she studies harassed her with inappropriate conversation. No description or name of the alleged harasser was provided. The complaint was dismissed.
9. A female student claimed that a female exam supervisor touched her inappropriately. The issue was referred to the company employing the supervisor for further investigation. The regulations were made clearer to the supervisors. The student was updated about the process and its conclusion.
10. A female employee from the administrative staff complained against a female contract worker that she touched her in a harassing manner. The complaint was referred to the contractor. The contractor investigated the incident, but in light of the fact that the employee left the workplace it was not possible to continue the inquiry. The contractor sent a letter to the university, and it was passed on to the student.
11. A petition for advice regarding staring at a female student in one of the labs. The petition did not reach inquiry as the complainant did not wish to pursue the matter. The petition was dismissed.
12. A complaint regarding screening inappropriate student movies at the student movies festival. The issue was referred to the chairman of the student union. The complaint was dismissed.
13. A complaint from a woman not related to the university that a male student is harassing her and sending her pornographic clips. The issue is not within university jurisdiction. It was suggested that the complainant go to the police. The complaint was dismissed.
14. A complaint about a university worker who harassed a woman not connected to the university on a social network. It was found that the defendant does not work/ study in the university. The complaint was dismissed.

15. Information transferred from an extracurricular program regarding a female student in the program who believes that a male student behaved inappropriately. It was suggested that the female student approach the Commissioner for the Prevention of Sexual Harassment. The student opted not to pursue this matter. The complaint was dismissed.
16. A female student felt threatened by a male student working with her in the same lab. This does not involve sexual harassment or abuse. The female student's concerns were answered. The male student apologized and understood the meaning of the complaint. The complaint was dismissed.
17. A course coordinator reported that a male student from another university said some inappropriate things to a female student participating in the class. The course coordinator was instructed to clarify to course participants the demand for a respectful and safe study environment and that they can approach the Commissioner for Prevention of Sexual Harassment.
18. A male student petitioned for help in getting leniencies in studies following a sexual assault that took place off campus. He was offered psychological support and directed to the faculty's academic consultant for further processing of his request.
19. A female student complained that even though she is not interested a male student wishes to get to know her and is contacting her. A clarification talk was held with both parties. The complaint was dismissed.
20. A head of an academic unit filed an anonymous complaint regarding a female student who experienced sexist remarks, probably from a male student. The unit head was requested to refer the female student to the Commissioner or provide details that will enable investigating of the complaint. No complaint was filed. The complaint was dismissed.

General complaints

1. Student union reported that a disabled female student approached them feeling unsafe, not related to sexual harassment.
2. A female student petitioned to be exempt from the prevention of sexual harassment tutorial. Her claims were examined, and the exemption granted.

Finishing handling cases from the 2020-2021 academic year:

1. A complaint from a female student about sexual harassment by an outside lecturer. It was found that the lecturer behaved inappropriately and even sexually harassed the female student (the event that was found to be sexual harassment took place after the authority relationship ended). The lecturer was summoned to a hearing before the Rector. The Rector decided to reprimand the lecturer and issue him a warning. One faculty held a hearing for the lecturer and it was decided not to employ him for the 2022-2023 and 2023-2024 academic years. In another faculty, the lecturer announced that he

would not teach in the summer semester program. His future employment is subject to a hearing at the faculty and the subsequent decision.

2. An academic staff member was put on trial for sexual harassment and behavior not fitting an academic staff member, in relation to three events as part of the staff member's behavior towards a student he mentored. The court found the staff member not guilty in two of the events, and in addition found him not guilty of sexual harassment in the third event, but convicted him of behavior inappropriate for a staff member in the third event, where the staff member made hurtful comments towards the student in a conversation between them. The court ruled the staff member be reprimanded.

In addition, over the course of the year, one case of suspected affair under authority relations was investigated. It turned out there were no authority relations.

We hereby guarantee that we, the commissioners, and other parties involved in handling sexual harassment are doing all we can to treat each and every complaint in the best possible way.

Cooperation, setting a personal example, as well as faith in the authorities and filing complaints when necessary, are critical for maintaining a value-based, respectful and safe community.

In the hope for a continued fruitful academic year

Prof. Tamar Brosh

Dr. Naama Scheftelowitz

Commissioners for the Prevention of Sexual Harassment