

### **How do I know that I've been sexually harassed?**

While Israeli law includes a legal definition of sexual harassment, in real life the answer to this question can be complicated. Therefore, the first test is whether you feel that any lines – social, physical, or emotional – have been crossed. Did the act make you feel uncomfortable? Did it make your work/learning environment uncomfortable and/or unsafe?

Exactly because identifying sexual harassment can be complicated, we invite you to consult with us at TAU's Commission for the Prevention of Sexual Harassment. If you prefer, this can be done anonymously.

### **Can I come to the Commission with an escort?**

Yes, you can come to the meeting with a friend, a family member, or a representative of the Faculty Union, Student Union, Crisis Center, etc.

### **What is an authority relationship and why are intimate relations forbidden in these situations?**

An authority relationship exists when one party possesses a higher status and greater power within the relevant organization, in a way that might deprive the other party of the ability to take a stand, refuse, or freely agree to take part in an intimate relationship. Authority relationships can exist in academic or professional contexts, when one party is the direct or indirect subordinate of the other.

It should be emphasized that the responsibility for preventing an authority relationship lies with the party holding the higher status. This party must avoid forming such a relationship in the first place, or alternately bring it to an end as soon as possible.

If an intimate relationship has already been formed, the party in authority must report it to their academic/administrative superior and to the Commission for the Prevention of Sexual Harassment - so that they may act to terminate or minimize this undesirable situation. The Commissioner will send her recommendations to the employer, who will ultimately make the decision and take the necessary steps to terminate the authority relationship.

### **Can I contact the Commission anonymously?**

Yes. You can choose whether or not to provide us with identifying details.

### **When contacting the Commission, do I have to file a complaint?**

No. The decision on whether to file a complaint and give the details of the alleged harasser is yours. Please note that if the Commissioner finds that your account indicates a likelihood of sexual harassment, she will have to investigate further without exposing you.

### **I believe I know of someone who is sexually harassing others. What should I do?**

In this matter, a distinction must be made between faculty and students. When faculty members learn about an incident of sexual harassment, they are required to report this to the Commission. Not doing so is a disciplinary offense.

We advise faculty members to also ask for our guidance in cases that are not quite clear-cut. Together we can act to eliminate the problem.

Students who learn of incidents of sexual harassment are not obligated to report them to the Commission. Nevertheless, we encourage them to do so. We will listen to their account and help them find the best way to handle the situation and put an end to the harassment.

We'd like to emphasize that reporting cases of sexual harassment to the Commission is an act of social responsibility. We all wish to work and study in a safe and pleasant environment. To achieve this, we must all take responsibility for things that happen around us or are brought to our attention.

### **A friend of mine has suffered sexual harassment. How can I help?**

Being sexually harassed can be an excruciating experience, and anyone who has gone through it needs emotional support and a sympathetic ear. And yet, not everyone can help. For exactly this purpose several services have been established, both on and off campus, to help both victims and those who wish to assist them.

The main service to be contacted in cases of sexual harassment is the Commission. You can reach us by either email or WhatsApp, and we will respond as soon as we can. In addition, most faculties on campus employ academic counselors who can help victims of sexual harassment and refer them to suitable services.

In addition, you can call the hotlines of the Crisis Centers for victims of rape and sexual assault:

1202 Main hotline

1203 Hotline for men

04-6566813 Hotline for Arab victims of violence and sexual assault

02-6730002 Hotline for religious women and girls

02-5328000 Hotline for religious men and boys

KolMila Chat for anonymous support

**I fear that contacting the commission and/or filing a complaint might hinder my advancement or bring the respondent to retaliate.**

The fact that you have suffered sexual harassment is not your fault. It is always the responsibility of the harasser. Contacting the Commission does not necessarily mean filing a complaint. We urge you to ask for our advice, even without providing details of the respondent.

It must also be emphasized that retaliating or maltreating someone because they have complained about sexual harassment is a disciplinary offense and TAU severely condemns such behavior.

Whenever there is reason to fear such retaliation from any party the Commissioner does everything in her power to prevent or minimize any harm to the complainant. To this end she can implement various remedies or assist in providing academic adaptations as needed.

We are aware that filing a complaint about sexual harassment can be difficult and will do whatever we can to make the process easier.

**What happens when the Commissioner conducts an inquiry procedure?**

A detailed flowchart can be found on our website, outlining the process by which the Commission handles the accounts and complaints it receives. It must be noted that not every account ultimately turns into a complaint and not every complaint leads to an inquiry.

All complaints and testimonies, whether anonymous or named, are heard and fully documented by the Commissioner. At the end of the meeting complainants are asked to sign the complaint, thereby confirming its content. The Commissioner then meets with the respondent and any other party on campus whom she believes can shed light on the case. Following the inquiry, she writes a detailed report including the testimonies she has collected, her conclusions from this evidence, and her recommendations.

The Commissioner sends the report to the relevant employer – the Students' Secretary when the complaint is against a student, the Vice General Director of Human Resources when the complaint is against an administrative personnel, or the Rector in case of a complaint against an academic personnel.

After reading the Commissioner's report the employer can accept her recommendations, fully or partially, or reject them. It must be noted that the

employer's decision, and not the Commissioner's recommendations, determines the outcome.

When the employer has made a decision, the complainant is informed by letter. The complainant can also review the Commissioner's report at the Commission.

In addition to this procedure, the Commissioner can recommend to the employer intermediate remedies to protect the complainant. If the employer accepts these recommendations the remedies remain in place until the inquiry is completed or the court makes a different decision, in accordance with the specific circumstances of the case.

The Commissioner's role in the inquiry procedure ends when the employer makes a final decision.

### **What steps can the Commissioner recommend?**

The Commissioner can recommend disciplinary procedures, administrative measures such as a warning or reprimand, or educational measures such as prevention workshops or relevant training. If the Commissioner finds that sexual harassment cannot be determined the complaint is set aside, and when appropriate, educational measures are recommended.

### **Is there a time limit for reporting or filing a complaint?**

There is no time limit for filing complaints about sexual harassment. You can file your complaint when you no longer work or study at TAU. However, if the alleged harasser no longer works or studies at TAU, we cannot implement any measures against them.

### **How long do the Commission's procedures take?**

The length of the inquiry depends on the complaint's complexity and the cooperation of the parties involved. The Commissioners make an effort to complete the inquiry as soon as they can. Once the inquiry has been completed the Commissioner prepares the report with her recommendations and sends it to the employer, who is required to give a decision within seven workdays.

Once the employer's decision has been given, the formal procedure at the Commission is at an end. If disciplinary measures are recommended, the case is passed on for further handling outside the Commission.

### **Can I appeal or complain about the inquiry's results?**

If the employer has rejected your complaint you can appeal to the President of TAU within 15 days of receiving the decision.

### **What is the disciplinary procedure?**

It must be clarified that the disciplinary proceedings are not under the Commission's responsibility. They are handled by TAU's disciplinary court system, which includes three courts:

The disciplinary court for academic faculty – handling complaints against academic personal.

The disciplinary court for administrative personnel – handling complaints against administrative personnel.

The disciplinary court for students – handling complaints against students.

All courts operate according to similar principles: a prosecutor representing the university presents the complaints and evidence, and summons witnesses. The complainant appears as a witness and receives updates and support throughout the process.

The genders of both the complainant and defendant are represented in the panel of judges.

The discussions of the disciplinary courts are held behind closed doors. Complainants may ask for a representative of the relevant union (faculty, administrative personnel, students) to serve as an observer at the disciplinary proceedings.

### **Who are the judges/participants in the disciplinary court?**

When a disciplinary court addresses a case of sexual harassment the genders of both defendant and complainant must be represented in the elected panel of judges.

The court for academic faculty is presided over by three judges: the President of the Court who is a full professor, at least one faculty member who is a legal expert, and one volunteer public representative who is also a legal expert or lawyer.

The court for administrative staff is also presided over by three judges, at least one of whom is a public representative, preferably a lawyer/legal expert.

The students' court is presided over by the disciplinary supervisor or his/her deputies, all lawyers/legal experts chosen by the Rector and approved by the Coordinating Committee.

### **Can the complainant be represented at the disciplinary court?**

Disciplinary proceedings are conducted between TAU and the alleged offender, who therefore has the right to be represented. The complainant has no official standing in the disciplinary procedure. The prosecutor will inform the complainant about the contents of the disciplinary indictment. The judges can allow a representative of the relevant union (faculty, administrative personnel, students) to which the complainant belongs to sit as an observer in the court's discussions, after signing a confidentiality commitment statement.

### **What happens after the disciplinary proceedings?**

The court's verdict and sentence are made public, omitting details that might reveal the identities of the complainant or witnesses. The judges decide whether the verdict and sentence should be published with or without the name of the defendant. The decision on whether to publish the defendant's name is made after they have been given the chance to present their standpoint.