

Regulations for the Prevention of Sexual Harassment at the Technion¹

Updated on November 24, 2020

The current document is an English language translation of the original Hebrew language version. In case of any discrepancies, the Hebrew version shall prevail.

The following Regulations apply to all genders. The use of masculine or feminine pronouns is for convenience only.

Part A: Introduction

1. General

- 1.1. Sexual harassment and any intimidation or retaliation that accommodates sexual harassment, hereinafter “prejudicial treatment,” violate a person’s dignity, liberty and privacy, as well as infringe on gender equality.
- 1.2. Sexual harassment and prejudicial treatment constitute illegal behavior and are prohibited by law.
- 1.3. Sexual harassment and prejudicial treatment constitute a civil tort and a criminal offence and, in accordance with these Regulations, they constitute a disciplinary offense.
- 1.4. Sexual harassment and prejudicial treatment harm working relationships and are contrary to Technion policy.
- 1.5. These Regulations apply alongside, and in addition to, the procedure entitled “Prohibition of Intimate Relations between those in Authority Positions and Subordinates at the Technion,” which was approved by the Technion Senate on January 10, 2010.

2. Objectives

- 2.1. The Technion has established very important objectives for itself:
 - (a) Ensure a work and learning environment free of sexual harassment and related prejudicial treatment;

¹ The Technion, as defined in section 4.1 below.

(b) Ensure a work and learning environment that embodies a culture of speech and behavior that respects each person, and prevents the formation of a “harassing environment.”

2.2. These Regulations will detail and clarify the manner in which the Technion operates in order to prevent sexual harassment and prejudicial treatment so as to prevent the formation of a “harassing environment,” including informational activities. In addition, the regulations shall stipulate and specify the procedures for handling sexual harassment or prejudicial treatment claims, or behavior or speech of a sexual nature that disrespects another person. These Regulations are intended to add to what is stated in the Law and regulations and not to derogate from them.

3. **Applicability and Validity**

3.1. These Regulations shall apply to all matters related to sexual harassment, prejudicial treatment, or disrespectful behavior, attributed to a person of the Technion towards a complainant, as defined below.

3.2. These Regulations are valid from the day of approval and replace any regulation or procedure that preceded it and which concerns the prevention of sexual harassment.

4. **Definitions**

4.1. “**The Technion**” – refers to the following bodies: The Technion – Israel Institute of Technology; Technion Research and Development Foundation (hereinafter: “**Technion R&D Foundation**”); any corporation that is under the authority of the Technion and/or Technion Foundation and which has adopted these Regulations, with the approval of the Technion Administration and/or the Technion Foundation, respectively.

4.2. “**Person of the Technion**” – any of the people listed below. For the avoidance of doubt, these descriptions are solely for the purposes of these Regulations:

A student at the Technion, as defined in the Student Disciplinary Regulations; an academic faculty member and anyone who is subject to the Academic Regulations, including an academic guest or postdoctoral fellow; a research team member; an administrative staff employee²; anyone with a consulting

² Includes: an engineer, practical engineer, technician, an administrative employee, microbiologist, an employee who is in the Association of Academics in Social Sciences and Humanities, etc.

contract; a pensioner; a service provider employee, including a contract employee or a service provider employee; a volunteer.

4.3. **“Disrespectful Behavior”** – behavior or speech or jokes of a sexual or gendered nature that is disrespectful of others. For example: a joke such as “All women love it,” when it is said in the context of a sexual behavior.

4.4. **“Sexual Harassment”** – as defined in Section 3(A) of the Law for the Prevention of Sexual Harassment 5758-1998, and in Section 7 of the Equal Employment Opportunity Law 5748-1988, which is updated periodically. Without derogating from the above, sexual harassment also includes any of the following six behaviors, when committed by a person of the Technion, as defined above, towards a complainant, as defined below:

4.4.1. **Blackmailing a person to commit an act of a sexual nature.** For example: a supervisor who threatens to fire an employee if she refuses to have sexual relations with him;

4.4.2. **Indecent act** – an act for the purpose of sexual arousal, gratification or humiliation. For example: an employee or supervisor who touches an employee for the purpose of sexual arousal or exposes himself to her, without her consent;

4.4.3. **A repeated proposition of a sexual nature, directed to a person who has shown the harasser that he is not interested in said propositions.** For example: a student offers another student to watch porn with him and repeats his proposition, despite receiving a negative response the first time;

In the case of a person who is in a position of power or authority – any proposition of a sexual nature, even if no lack of interest or objection has been expressed and even if it is not a recurring proposition; for example: an advisor who offers his advisee to stay with him in the same room when going to a conference together.

4.4.4. **Repeated references to a person’s sexuality, when that person has shown the harasser that he is not interested in said references.** In the case of a person who is in a position of power or authority, any repeated references, even if no lack of interest or objection has been expressed. For example: repeated compliments from one employee to another in regard to appearance, even after the employee has indicated that she feels uncomfortable with the compliments;

- 4.4.5. **Intimidating or humiliating references to a person’s gender, sexuality, or sexual orientation.** For example: an employee who publicly gives “scores” to another employee’s penis size or another employee’s breast size;
- 4.4.6. **Publication of a photograph, video, or recording of a person in bad faith, focusing on his sexuality, in which the circumstances of the publication may be degrading to him and when his consent to its publication has not been given.** For example: distributing a nude or intimate photo(s) of a co-worker, even if you did not take the photo yourself.

Clarifications:

- a. Courtship and interactions that occur in good faith, with mutual consent and free will, are not considered sexual harassment.
 - b. Although, in most cases, sexual harassment occurs by a man towards a woman, sexual harassment can occur by both a man and a woman towards a man or a woman, and can harm anyone who identifies in one way or another in regard to gender. The Law, regulations, and these Regulations similarly apply to all the aforementioned circumstances.
 - c. A lack of interest can be understood via behavior alone, and does not necessitate a verbal indication of objection.
 - d. “References” may be written or oral, may occur through visual or auditory means, including via a computer or computerized material, or by way of conduct.
- 4.5. **“Prejudicial Treatment”** – As defined in Section 3(b) of the Law for the Prevention of Sexual Harassment, which is periodically updated. Without detracting from the above, prejudicial treatment also refers to harm of any kind to the complainant, a witness or a third party, when that harm occurred in connection with sexual harassment, a sexual harassment complaint.

Examples:

- a. A supervisor prevents the promotion of an employee or violates the terms of her employment, due to her refusal to accept his offer (even a one-time offer) of sexual contact.

- b. A supervisor refuses to approve an employee’s request because he assisted another employee to file a sexual harassment complaint or reporting on sexual harassment that occurred to him.
- 4.6. **“The Law”** – Law for the Prevention of Sexual Harassment 5758-1998.
- 4.7. **“Prohibition of Intimate Relations Procedure”** – Regulations concerning the topic of “Prohibition of Intimate Relations between those in Authority Positions and Subordinates at the Technion,” as approved by the Senate on January 10, 2010, and published on the Technion’s website for the prevention of sexual harassment.
- 4.8. **“Service Provider”** – A contractor personnel or employee of a corporation, who does not work for the Technion but acts on behalf of the Technion and/or provides it service including, but not limited to, the provision of cleaning, security, computing, consulting, or monitoring services.
- 4.9. **“Defendant”** – a person who is alleged to have committed an act of sexual harassment or prejudicial treatment against a complainant as defined below, provided that on the day of the incident he was a person of the Technion.
- 4.10. **“Complainant”** – one of the following:
 - 4.10.1. A person of the Technion who is alleged to have been sexually harassed or the recipient of prejudicial treatment, as defined in sections 4.4 and 4.5 above, or that a suspicion has arisen that he has been sexually harassed or the recipient of prejudicial treatment, including outside of the Technion or outside the framework of his activities, and that it occurred by the defendant, as defined above.
 - 4.10.2. An individual who is not a person of the Technion who is alleged to have been sexually harassed and/or the recipient of prejudicial treatment, as defined in sections 4.4 and 4.5 above, or that a suspicion has arisen that he was sexually harassed and/or the recipient of prejudicial treatment within the areas of the Technion or within the context of his activities, and that it occurred by the defendant, as defined above.
- 4.11. **“Commissioner/Commissioners for the Prevention of Sexual Harassment”** – responsible persons appointed by the President of the Technion to the position of “Commissioner for the Prevention of Sexual Harassment,” such that the term “responsible persons” in section 4 and section 9(a1)(3) of the regulations specified in section 4.21 below, includes at least

- one member of the academic staff and at least one member of the administrative staff.
- 4.12. **“Commissioner for the Prevention of Sexual Harassment in the Faculty of Medicine at the Technion”** – a person who has been appointed by the President of the Technion to the position of Commissioner for the Prevention of Sexual Harassment, as defined above, for the purpose of handling instructional activities and complaints for the Faculty of Medicine only.
- 4.13. **“Coordinating Commissioner”** – one of the Commissioners appointed by the President of the Technion to coordinate the Technion’s activities for the prevention of sexual harassment, whose position and authority exceed the role obligations of the responsible persons, as per the Regulations, as specified in section 11 of these Regulations.
- 4.14. **“Claim,” “Report,” “Complaint”** – any complaint, report, or consultation with the Commissioner concerning sexual harassment and its prevention, prejudicial treatment, a harassing environment or respectful culture at the Technion.
- 4.15. **“Claimant”** – the person who filed the complaint of sexual harassment or prejudicial treatment against a person of the Technion, regardless of whether his complaint concerns harm that occurred to himself or to another complainant.
- 4.16. **“Technion Activity” / “Activity”** – an activity, including those of an academic, research, educational, experiential, administrative, operational, cultural, social, or community nature, conducted by the Technion or a unit of the Technion by or for Technion personnel or part thereof, even if conducted by others or activities that have taken place outside of Technion property or through virtual or online means.
- 4.17. **“Coordinators”** – those appointed by the Coordinating Commissioner, as stated in section 13 below.
- 4.18. **“The Employer”** – the Technion, as defined above, which functions through the competent authorities as specified below.
- 4.19. **“The Competent Authorities at the Technion”** –
The competent authority is determined in accordance with the type of defendant, as specified below:

Regarding employees of the administrative staff at the Technion – Vice President of Human Resources or Director of Human Resources at the Technion, as applicable;

Regarding academic staff at the Technion – Vice President of Academic Affairs

Regarding students of any kind – Senior Vice President of the Technion

Regarding employees of service providers – Vice President of Operations

Regarding any other defendant – Vice President of Human Resources

- 4.20. “**Disciplinary Regulations**” – the disciplinary regulations that apply to the complainant as per his affiliation.
- 4.21. “**Regulations**” – Regulations for the Prevention of Sexual Harassment (Employer Obligations) 5748 – 1988.

5. Maintaining Privacy and Confidentiality

- 5.1. In order to properly and effectively handle sexual harassment and prejudicial treatment cases or suspicion of harassment/prejudicial treatment, including the investigation of a report or complaint concerning sexual harassment or prejudicial treatment, it is crucial to protect the privacy and confidentiality of all involved – complainant, defendant, and any other Technion person, including those who contacted or provided information to the Commissioner or any other body.
- 5.2. A person of the Technion shall not provide any other person with information, data, facts, documents, documentation etc. related to the investigation of a case of sexual harassment and/or prejudicial treatment, or suspicion of sexual harassment/prejudicial treatment (in this section – “**information**”), except in the following circumstances:
 - 5.2.1. When he is legally obligated to do so.
 - 5.2.2. Submission of information to the Commissioner.
 - 5.2.3. When the information is shared for the purpose of handling a complaint or report, while ensuring that no information is passed on to anyone for whom it is not essential that they be involved in the matter.
- 5.3. Without derogating from the above, the Commissioner and all other officials shall keep all information confidential, as specified in section 5.2 above,

concerning any claim made to the Commissioner, except when they are required to divulge information by law and/or these Regulations.

- 5.4. The decision regarding the publicizing of information, including identifying details about a case that has been closed out, is at the discretion of the competent authority, after consulting with the Commissioner handling the case. Nothing in this section shall derogate from the provisions of section 24.9 of these Regulations or section 25.4 of these Regulations, which concern the publication of general information without identifying details.

Part B: Authority, Responsibilities, and Roles

6. Responsibilities of the President of the Technion

- 6.1. To appoint at least three Commissioners for the Prevention of Sexual Harassment, who meet the requirements and conditions specified in Section 11 of these Regulations.
- 6.2. In collaboration with the Coordinating Commissioner, to ensure that activities are conducted at the Technion to prevent sexual harassment and prejudicial treatment related to it.
- 6.3. To receive periodic reports from the Coordinating Commissioner.
- 6.4. To serve as the deciding body in the case of the Commissioner's objection regarding its recommendations not being accepted by the competent authorities at the Technion, as specified in section 4.19 above. It is hereby clarified that, with regard to the competent authorities at the Technion Foundation, the President will act as the Chairperson of the Board of Directors of the Technion Foundation.
- 6.5. To come to a decision regarding an appeal of the decisions of the competent authorities pursuant to the provisions of these Regulations.

7. Responsibilities of the Competent Authorities

- 7.1. In coordination with the Coordinating Commissioner, a competent authority shall ensure that the employees and students under its responsibility receive appropriate training on sexual harassment matters, including partaking in a computerized tutorial for the prevention of sexual harassment.
- 7.2. In light of the recommendations of the Commissioner handling the case, a competent authority will make decisions regarding implementing temporary or permanent measures, within a reasonable amount of time and in accordance with the dates set forth in the Regulations.
- 7.3. A competent authority shall notify the complainant, the defendant, and the Commissioner, in writing, of its decisions, and will allow the complainant and the defendant to review the Commissioner's summary and recommendations. The competent authority will also inform the parties of their right to appeal the decision to the President.

8. Responsibilities of the Dean and Unit Heads

- 8.1. Deans and unit heads are responsible for reporting to one of the Commissioners, immediately, on any case of suspected sexual harassment or prejudicial treatment that they have become aware of, and to extend any assistance that is requested to the Commissioner in regard to handling of the information, all of which is subject to the confidentiality clause specified in section 5 of these Regulations.
- 8.2. Deans and unit heads, including officials or officers, shall not handle cases of sexual harassment or prejudicial treatment themselves, unless requested to do so by one of the Commissioners or by the decision of a competent authority, after the claim has been handled.
- 8.3. Deans and unit heads will allow those whom they appoint to participate in training and informational activities during working hours.
- 8.4. Deans and unit heads will allow officials – Commissioners and Coordinators – to attend seminars and meetings by virtue of their role.

9. Responsibilities of the Human Resources Department at the Technion and the Technion Foundation

- 9.1. The Vice President of Human Resources and the Director of the Human Resources Department at the Technion's R&D Foundation, each within his own purview, will be responsible – in coordination with the Coordinating Commissioner and the Dean of Students – to prepare an annual plan for informational activities and awareness-raising, including organizing seminar days and disseminating information on the topic of preventing sexual harassment and promoting a respectful culture at the Technion.
- 9.2. The Human Resources Department at the Technion is responsible for coordinating informational and training activities, for the budget needed for the trainings required by the Commissioners and Coordinators, as well as for producing marketing material and distributing it throughout the Technion, including computer-based tutorials, in coordination with the Commissioner and Coordinators.
- 9.3. The Human Resources Division of the Technion will present the Commission with options for consulting with experts, as noted in sections 19.1 and 19.4 of these Regulations, including funding the salaries for these experts.

10. Responsibilities of the Technion’s Security Unit

- 10.1. The employees of the Security Unit are responsible for immediately reporting, to one of the Commissioners, on any case of suspected sexual harassment or prejudicial treatment that they have become aware of, and to extend any assistance that is requested to the Commissioner in regard to handling of the information, all of which is subject to the confidentiality clause specified in section 5 of these Regulations.
- 10.2. Employees of the Security Unit shall not handle cases of sexual harassment or prejudicial treatment themselves, unless requested to do so by one of the Commissioners or by the decision of a competent authority, after the claim has been handled.
- 10.3. The employees of the unit will undergo training and informational activities in regard to their duties, responsibilities, and requirements for confidentiality in accordance with the procedure that will be determined for this matter.

11. Commissioners for the Prevention of Sexual Harassment – Their Status, Responsibilities, and Roles

- 11.1. At least three Commissioners will serve at the Technion, in accordance with the following specifications:
 - 11.1.1. A Commissioner who is a full-time, full professor at the Technion or a Professor Emeritus; under special circumstances, the President may appoint a faculty member with the rank of Associate Professor to this position, provided that he believes that she will be able to be independent in her actions.
 - 11.1.2. A Commissioner from among the administrative staff.
 - 11.1.3. A Commissioner from among the academic staff of the Faculty of Medicine who will hold all authority granted to the Commission for the Prevention of Sexual Harassment, however, only in matters concerning the Faculty of Medicine. The Commissioner of the Faculty of Medicine will also be entrusted with outreach and training within the Faculty of Medicine, including coordinating with the relevant hospitals.
- 11.2. When appointing Commissioners, it shall be ensured that they are suitable for the position, in terms of their professional status, which allows for

- independence in exercising their discretion, as well in regard to their people skills, abilities, and experience.
- 11.3. Each Commissioner is appointed for a fixed term of no less than three years, with the possibility of extending the appointment for additional fixed time periods without restriction.
 - 11.4. The Commissioner shall operate independently.
 - 11.5. The Commissioners shall not be identified and shall not act on behalf of either of the parties for which the claim/complaint concerns (complainant/defendant).
 - 11.6. The Commissioners shall act in accordance with the provisions of the law, including the Law and Regulations for the Prevention of Sexual Harassment, the provisions of these Regulations, as well in accordance with their discretion.
 - 11.7. To the extent that it is possible and is subject to the law, the Commissioners shall ensure the privacy of all parties involved.
 - 11.8. The Commissioners shall not provide anyone with details concerning their actions or role, except when the Commissioner deems it necessary for the purpose of performing her duties or when obligated to do so by law.
 - 11.9. **Authority and Obligations of the Commissioner**
 - 11.9.1. Shortly after her appointment, to participate in advanced training with respect to the scope and content required by the Regulations. To continuously participate in training, learning, and refresher training procedures related to her field of activity.
 - 11.9.2. To provide information, guidance, direction, and advice to those who contact her, as well as to those whom she believes need guidance or advice in matters within her purview.
 - 11.9.3. To receive claims/inquiries regarding sexual harassment and its prevention, prejudicial treatment, or the creation of a “harassing environment,” to investigate and handle those matters, in accordance with the provisions of these Regulations and in accordance with her discretion.
 - 11.9.4. To take steps to address the complaint, as specified in these Regulations.

- 11.9.5. To recommend to the competent authorities at the Technion, at her discretion, to take temporary and/or permanent actions or measures, as necessary, to prevent sexual harassment and to handle cases of sexual harassment.
- 11.9.6. Notwithstanding the provisions of section 23.1 below, in minor cases, in which she believes that the damage that would ensue from sharing information about the defendant with the competent authority outweighs its benefits, the Commissioner has the authority to warn the defendant and close out the investigation of the claim without passing along any recommendation to the competent authority, unless the defendant has requested that his case be examined by the competent authority. The details of the case shall remain in the hands of the Commissioner as stated in section 25.2 of these Regulations.
- 11.9.7. To assist to the extent that she can in investigating complaints and responding to claims regarding sexual harassment in circumstances in which the defendant is not a person of the Technion, and therefore it is not possible to conduct a formal investigation in accordance with the provisions of these Regulations.
- 11.9.8. To submit to the Coordinating Commissioner detailed and periodic reports, in regard to matters within her purview.
- 11.9.9. To take any further action necessary, at her discretion, for the purpose of fulfilling her duties, subject to the law.
- 11.10. A termination of a Commissioner's term prior to the end of the fixed term period shall be made by the President only after consulting with the Chairman of the Board.

12. The Authority of the Coordinator Commissioner, Her Responsibilities and Role

- 12.1. All of the Commissioner's authorities, as specified in section 11.9 above, as well as:
- 12.2. To be the contact person for any matter concerning or related to sexual harassment, prevention of sexual harassment or prejudicial treatment at the Technion, and to respond to claims/inquiries from parties outside of the Technion in regard to these matters.

- 12.3. To advise Technion authorities, officials, and unit heads regarding appropriate ways to maintain a respectful and safe learning and work environment that is free from sexual harassment and prejudicial treatment.
- 12.4. To coordinate all outreach and training activities at the Technion in regard to sexual harassment, including providing recommendations to various Technion officials regarding informational and training activities that must take place, as applicable; to participate in preparing annual work plans for outreach, awareness raising, and training on sexual harassment matters, and to assist in their coordination.
- 12.5. To participate in updating these regulations, as necessary.
- 12.6. To appoint Coordinators, in consultation with the relevant competent authorities.
- 12.7. To specify the area of activities for the Coordinators, who are professionally subordinate to the Commissioner, as well as to guide them and ensure the implementation of training activities for the Coordinators.
- 12.8. To submit annual reports to the President of the Technion, in accordance with Technion's obligations, as per the Regulations. This includes submitting reports to the Council of Higher Education, the Authority for the Advancement of the Status of Women, and the Committee on the Status of Women and Gender Equality in the Knesset.

13. Coordinators for the Prevention of Sexual Harassment, Their Responsibilities and Authority

- 13.1. The Coordinating Commissioner, in consultation with the relevant competent authorities, shall appoint Sexual Harassment Prevention Coordinators to assist in handling relevant matters among special populations or in units in which it is necessary, due to the different nature or location of the units or for any other reason.
- 13.2. Inter alia, Coordinators will be appointed for the Technion's administrative staff, the Technion's R&D foundation, students, the Bat Galim School of Medicine at the Technion's branch in Tel Aviv, as well as for any other or additional campus of the Technion.
- 13.3. The Coordinators will undergo professional training upon entering their position, as well as periodically throughout their position.

- 13.4. The Coordinators will be subordinate to the Coordinating Commissioner and will be required to report to the Commissioner who is handling the complaint.
- 13.5. The provisions of these Regulations regarding confidentiality, privacy, and the Disciplinary Tribunal that apply to the Commission will also apply to the Coordinators.
- 13.6. **Authority of the Coordinators and their Responsibilities**
 - 13.6.1. The Coordinators will assist in the distribution of material for the purpose of raising awareness and training, as well as for implementing outreach and training activities, each within his specific area of responsibility. They must ensure – in coordination with the heads of the administration in each faculty – that the Technion’s announcements in regard to these Regulations and the manner in which to request consultation and to submit a complaint will be posted and will remain posted for areas within their purview.
 - 13.6.2. The Coordinators will serve as the contact persons who are available to receive inquiries/claims, reports, or complaints, as specified in section 15 below, and will assist the Commissioner in handling matters related to sexual harassment or prejudicial treatment.
 - 13.6.3. Coordinators are responsible for immediately reporting any case of suspected sexual harassment or prejudicial treatment that they have become aware of. This will be reported to a Commissioner of the claimant/complainant’s choosing and the Coordinator will provide this Commissioner with any assistance required to handle the claim.
 - 13.6.4. The Coordinators will not inquire into, and will not handle, the sexual harassment or prejudicial treatment allegations themselves, unless one of the Commissioners requests that they take action.
 - 13.6.5. For each claim that the Coordinator receives, the Coordinator will inform the claimant, prior to hearing the details of the claim, of her duty to inform one of the Commissioners, of the claimant’s choosing, of her receipt of the claim.

Part C: Method

14. Informational and Training Activities

- 14.1. The Technion will conduct informational, training, and awareness-raising activities on the matter of sexual harassment and ways to prevent it, including computer-based training, among the various target audiences – employees, faculty members, students, contractors, and other service providers – with an emphasis on new students and staff. These activities will be part of the annual budget, as noted in section 9 above.
- 14.2. The Technion will appoint a salaried Outreach and Training Coordinator, in coordination with the Coordinating Commissioner. The Coordinator will be subordinate to the Coordinating Commissioner.
- 14.3. This set of regulations, its abstract, and the Arabic and English translations of the abstract, the Law, regulations, procedures, the Prohibition of Intimate Relations Procedure, the names of the Commissioners and the Coordinators and ways to contact them are published on the Technion’s websites.
- 14.4. The Regulations for the Prevention of Sexual Harassment, as well as the names of the Commissioners and ways of contacting them will be posted in all the faculties and buildings of the Technion for public knowledge.

15. Submitting a Claim (Report or Complaint)

- 15.1. A Technion official who has suspected that sexual harassment or prejudicial treatment by a person of the Technion against a complainant has taken place, as defined in section 4 above, shall immediately report it to one of the Commissioners of his choosing, either directly or through any one of the Coordinators (see above and below: **Reporting**).
- 15.2. Anyone who feels that he or she has experienced sexual harassment or prejudicial treatment is invited to contact one of the Commissioners of his or her choosing, for a consultation or to file a complaint on the matter (hereinafter: “**complaint**”). The complainant himself, or an individual acting on his behalf, may contact the Commissioner directly or through any one of the Coordinators.
- 15.3. A report or complaint (above, and hereinafter referred to collectively as: a **claim**) can be made in writing or by phone, either by electronic means or in person.

- 15.4. The claim will include, inter alia and if possible, the names of those involved in the matter, the authority relations between them, a description of the acts of harassment or prejudicial treatment (including dates and locations) and names of witnesses.
- 15.5. The Commissioner shall prepare written documentation of the claim that she received, in accordance with the requirements specified in the Regulations.
- 15.6. If the claimant requests that the Commissioner or Coordinator confirm the receipt of his inquiry in writing, the Commission or Coordinator shall provide this confirmation.

16. Investigating a Claim (Complaint or Report)

- 16.1. If a claim is made to one of the Commissioners regarding the possibility of a suspicion of sexual harassment or prejudicial treatment, either via a report or via a complaint, the Commissioner will immediately open an independent investigation of the claim. The Commissioner to whom the complaint was directed will coordinate the handling of the claim and the recommendation for how to handle the complaint following the conclusion of the investigation.
- 16.2. The Commissioners may consult with each other during the handling of the claim, without detracting from the Commissioners' exercise of discretion and independent judgment.
- 16.3. The Commissioner handling the case will inform the complainant of his rights and will inform him of the possible courses of actions available to him, and that he has the right to all or part thereof the courses of action, as per his choosing:
 - A. Submit a claim to the Commissioner and have his complaint handled within the context of the Technion;
 - B. File a complaint with the police;
 - C. File a civil lawsuit.
- 16.4. Notwithstanding the aforesaid, the Commissioner may delay the investigation of the claim due to legal proceedings or in circumstances in which the complainant has filed a complaint with the police regarding matters that are related to the complaint. The Commissioner may:
 - 16.4.1. Notify the competent authority that the handling of the complaint has been paused;

- 16.4.2. Act in accordance with police directives regarding the further handling of the complaint, as given;
- 16.4.3. Recommend the provision of psychological, academic, or social assistance to the complainant, concurrently with the police's handling of the case;
- 16.4.4. Take urgent interim measures or recommend to the competent authority to take interim measures, in accordance with section 20 below, concurrently with the police's handling of the case.
- 16.5. The complainant may demand that his personal details be kept confidential. In this case, it is the duty of the Commissioner to draw his attention to the implications of this request, including the possibility of a reduced punishment for the defendant.
- 16.6. Subject to the provisions of sections 18.1, 18.2, and 21.1 below, after the receipt of the claim, the Commissioner handling the case will summon the defendant to provide him with the details of the claim and will ask for his response. The Commissioner will record the contents of the defendant's response.
- 16.7. The Commissioner may summon the complainant and the defendant a second time for the purpose of hearing additional details from them that, in her opinion, are required to clarify the matter, as well as may summon any other person who, in the Commissioner's opinion, can shed light on the investigation of the complaint. The Commissioner will prepare a written summary of everything that she has heard.
- 16.8. The Commissioner will not record or videotape her meetings or conversations with a person of the Technion, including the complainant, the defendant and the witness, neither on her own nor via others, unless she has obtained the prior consent of all participants of the conversation.
- 16.9. For the purpose of examining the claim, the Commissioner handling the case will be entitled to require any person of the Technion to submit any document or piece of information that might relate to the claim.
- 16.10. Every person of the Technion will fully and immediately cooperate with the Commissioners and will assist them as much as possible to fulfill their role. Failure to cooperate with a Commissioner, as well as deliberately failing to provide information or providing false information will constitute a disciplinary offense, unless it is done in accordance with the law.

- 16.11. The Commissioner will conduct the investigation efficiently and continuously until its completion and will operate with the aim of completing it as quickly as possible.
- 16.12. A Commissioner shall not handle a claim if she is personally connected to the matter of the claim or those involved in it. If the Commissioner is unable to handle the claim, it will be handled by a corresponding Commissioner. The transfer of the investigation of the case will be indicated in the report written by the Commissioner handling the matter.
- 16.13. The Commissioner handling the case may determine that the investigation of the claim will be conducted in the presence of additional people, if she deems it necessary as per the circumstances of the case, and may comply with such a request from one of the parties involved in the proceeding. Notwithstanding the aforesaid, as a general rule, the parties will not appear before the Commissioner accompanied by a lawyer, except in exceptional circumstances which are to be approved by the Commissioner.
- 16.14. In addition to the activities specified above, during the investigation of the complaint, the Commissioner may take any further action, at her discretion and subject to the law, in order to perform her role.

17. False/Groundless Complaint

- 17.1. Filing a groundless complaint, providing false information in support of a groundless complaint or providing any other assistance in support of a false complaint constitutes a disciplinary offense.
- 17.2. In this regard, a groundless complaint constitutes a false complaint, if found to have been filed knowingly or with the understanding that it is a false complaint.
- 17.3. If the Commissioner is under the impression that the complaint submitted to her is a false complaint – in her recommendations she will also reference the sanctions regarding filing such a complaint in the circumstances of the case.

18. Exceptional Cases

- 18.1. In exceptional cases, due to a request of the complainant to the Commissioner, the Commission may, at her discretion, decide not to contact the defendant to receive his response prior to continuing to handle the claim.
- 18.2. If a claim is submitted regarding alleged harassment experienced by another person, the Commissioner will clarify the facts included in the claim with the

alleged victim prior to approaching the defendant. The Commissioner shall not approach the defendant unless the alleged victim has agreed to it, except under exceptional circumstances, as per her judgement.

- 18.3. It is hereby clarified that no sanctions shall be taken against the defendant in cases in which no clarification with him has taken place, including in the circumstances specified in sections 18.1, 18.2, and 21.1 above and below.
- 18.4. The withdrawal of a complaint by a complainant will not itself constitute grounds for terminating the investigation. The Commissioner shall ascertain the reason for the withdrawal of the complaint and whether withdrawal of the report or complaint was made voluntarily, without coercion or undue influence. In any case, notwithstanding the withdrawal of the complaint, the Commissioner may proceed in the investigation if she deems it appropriate.
- 18.5. The aforesaid shall apply, mutatis mutandis, to an anonymous claim. The Commissioners will carefully ascertain an anonymous claim, while providing their opinions on the possible reasons for a filing an anonymous complaint and the problematic nature and danger inherent in anonymous complaints.

19. Utilization of Outside Assistance During the Investigation of a Complaint

- 19.1. If the Commissioner deems, during her investigation of the claim, that the circumstances of the case require an expert in a field that requires expertise – she may be assisted by such an expert, such as a legal advisor, social worker, mediator, psychologist, psychiatrist, etc. while ensuring that the privacy and dignity of all those involved in the matter is maintained.
- 19.2. During the investigation of the claim, the Commissioner may offer the complainant and defendant a referral to mediation.
- 19.3. The Commissioner may conduct mediation proceedings herself, in the event that the complainant and defendant agree to such proceedings, and provided that she has reached the conclusion that due to the circumstances of the case, it is the correct course of action. As a general rule, the proceeding with the Commissioner will take place without the presence of an attorney. The content of the mediation proceeding, as well as any proceeding prior to mediation, such as a conversation, correspondence or meeting, will be kept confidential and will not be presented in any courts, including the Disciplinary Tribunal.
- 19.4. The Commissioner handling the case may offer the complainant psychological counseling, which is to be provided by a professional and which will be covered by the Technion, subject to budgetary constraints.

- 19.5. The Commissioner handling the case may offer the complainant academic counseling, with the assistance of relevant advisors in the Dean of Students Office.
- 19.6. The Commissioner handling the case may, if she deems it necessary, request that the complainant receive academic relief, which will be limited – apart from exceptional circumstances – to the postponement of a project deadline or an exam.

20. Interim Measures

- 20.1. At each stage of the process of handling the claim, the competent authority at the Technion is authorized to take interim measures following the receipt of the Commissioner's recommendations, including separating between the complainant and the defendant, issuing a temporary suspension from one's studies and/or work and/or a temporary transfer from one's position and/or unit and/or a ban of the defendant from the premises of the Technion, including the dormitories. Interim measures will be taken only if necessary and for the purpose of, inter alia, preventing or reducing harm, or damage resulting from the harassment or prejudicial treatment to any of the parties, and/or ensuring that no harm is caused to the complainant's academic or professional progress and/or preventing further harassment and/or prejudicial treatment from the defendant.
- 20.2. In urgent cases, the Commissioner may order the taking of interim measures, as stated in section 20.1 above, for a period that does not exceed 14 days (hereinafter: **urgent suspension**). The competent authority may extend or shorten the said period of time at its discretion.
- 20.3. Decisions about all matters related to the payment of wages to the defendant during a period of urgent suspension, in accordance with the decision of Commissioner, is within the authority of the competent authority.
- 20.4. Before the competent authority of the Commissioner decides on the adoption of an interim measure, the defendant and any other individual who may be harmed from the adoption of the interim measures, will be provided with an opportunity to make their arguments. Notwithstanding the aforesaid, in urgent and special cases in which the measures are necessary to protect the victim or any other persons, the competent authority or Commissioner may order that the interim measure be taken even before the defendant or any other relevant party is given an opportunity to state his position, provided that the opportunity is given as soon as possible given the circumstances of the case.

20.5. Without prejudice to the powers of the competent authorities in the matter at hand, in the event of the initiation of a disciplinary proceeding, authorities are granted to tribunal panel members for the ordering of interim measures.

21. A Complaint that Does Not Amount to Sexual Harassment

21.1. If the Commissioner handing the complaint found that, whether or not all of the details of the complaint were proven, the circumstances of the case do not amount to sexual harassment, she has the authority to not contact the defendant and/or to transfer the complaint to another competent body at the Technion, all at her discretion and on the basis of the circumstances of the matter.

21.2. Such a decision will be communicated in writing to the claimant and/or the complainant. The decision will also be communicated to the defendant unless the defendant has not been contacted at all, as stated in sections 18.1, 18.2, and 21.1 above.

21.3. All which has been stated here does not detract from the Technion's authority to address the complaint on other levels.

21.4. The Commissioner shall report her decision, in accordance with this section, to the competent authority.

22. Rights of the Parties During the Investigation Process

22.1. The process carried out by the Commissioner shall protect, as much as possible, the rights of the complainant and the defendant (hereinafter: **the parties**), including ensuring that confidentiality is maintained, and that the names of the complainant and the defendant are not disclosed.

22.2. In accordance with section 11.5 of these Regulations, it is hereby clarified that the Commissioner must act in a neutral manner and must not identify with any party involved in the complaint.

22.3. If the Commissioner summons individuals for the purpose of further investigation of the complaint, she may, at her discretion, allow the parties to be present to hear what is said by those she has summoned and ask them questions.

22.4. The Commissioner and/or the competent authority, depending on the case, will report to the complainant on significant events that have occurred in connection with her complaint, such as transferring the handling of the complaint to another Commissioner, adopting interim measures, closing out the handling of the claim, etc.

23. Completion of the Investigation, Decisions, and Reporting

23.1. The Commissioner shall submit to the competent authority a report on the investigation conducted and her recommendations regarding one or more of the following steps to be taken as a result or on account of the investigation procedure that was conducted:

23.1.1. Closing out the complaint without further action;

23.1.2. Providing training on the topics of a respectful organizational culture and the prevention of sexual harassment;

23.1.3. Disciplinary warning or reprimand;

23.1.4. Imposition of another sanction on the defendant by the competent authority;

23.1.5. Disciplinary hearing;

23.1.6. Any other recommendation, at her sole discretion.

The Commissioner will indicate, in the summary of the investigation, any additional relevant information, including her opinion regarding the publication of the defendant's name and the filing of the summary in the defendant's personal file.

23.2. It is up to the discretion of the Commissioner whether to forward to the competent body, a summary of the investigation which does not include the name of the defendant or details that can lead to his identification if all the following conditions are met:

23.2.1. The Commissioner believes that the behavior attributed to the defendant is, at most, low-level harassment or conduct that is mildly disrespectful.

23.2.2. To the best of the Commissioner's knowledge, no previous complaints have been filed in the past for conduct attributed to the defendant that amounted to sexual harassment.

23.3. If the Commissioner submitted, to the competent authority, the summary of her recommendations without identifying details, in accordance with section 23.2 above, and the competent authority believes that, in light of the circumstances of the case, the details of the defendant should be disclosed, the matter will be brought to the decision of the Technion President.

- 23.4. Once the Commissioner has submitted her summary and recommendations to the competent authority, the competent authority will decide whether to exercise its powers, which include:
 - 23.4.1. Providing instructions to those involved regarding proper codes of conduct;
 - 23.4.2. Separating between the defendant and the complainant;
 - 23.4.3. Adopting necessary steps to prevent the recurrence of the incidence and/or to rectify the harm caused by the act of sexual harassment and/or prejudicial treatment, as much as possible;
 - 23.4.4. Issuing a reprimand;
 - 23.4.5. Issuing a warning;
 - 23.4.6. Imposing another punishment on the defendant, with the exception of the following punishments which require a disciplinary hearing: dismissal, termination of studies.
 - 23.4.7. Disciplinary hearing;
 - 23.4.8. Any other action, in accordance with the Law, the Regulations for the Prevention of Sexual Harassment, and these Regulations.
- 23.5. It is hereby clarified that, since the competent authorities are the bodies that execute the authorities of the employer, as stated in section 4.19 of these Regulations, their authority derives from the Law, Regulations and By-Laws, and are in addition to any other authority provided to any competent authority by virtue of its status at the Technion.
- 23.6. The competent authority shall notify the Commissioner handling the case, in writing, of the acceptance of the Commissioner's recommendations, in whole or in part. In the event that the Commissioner's recommendations are rejected, the competent authority shall provide the reasons for its decision.
- 23.7. The competent authority will act without delay to implement its decision, in accordance with section 23.4 above, will provide a reasoned explanation of its decision to the claimant and to the defendant, and will allow them to review the Commissioner's summary. A copy of the explanation will be forwarded to the Commissioner. The parties will also be notified of their right to appeal the decision to the President.

24. The Disciplinary Procedure for Sexual Harassment and/or Prejudicial Treatment

- 24.1. Subject to the decisions of the competent authority, the Technion will handle sexual harassment and prejudicial treatment offenses within the framework of the Disciplinary Tribunal, in accordance with the Disciplinary Regulations that apply to the defendant, as set forth in section 20.4 above.
- 24.2. In the event of a contradiction between these Regulations and the Disciplinary Regulations, the provisions of these Regulations shall prevail.
- 24.3. The composition of the tribunal handling sexual harassment or prejudicial treatment offenses shall be composed in such a way as to represent the gender of the defendant and the complainant. To ensure the aforesaid, if necessary, judges will be appointed ad hoc.
- 24.4. The hearing will be held behind closed doors. No identifying details concerning the defendant, witness or complainant will be published, unless the tribunal has instructed otherwise, for special reasons which will be recorded, and after hearing the positions of the complainant and the defendant.
- 24.5. The plaintiff and the defendant will be entitled to be represented by an attorney at the disciplinary hearing. The tribunal will be entitled to be assisted by legal counsel in the hearing of such offenses.
- 24.6. As a general rule, a Commissioner will not be summoned to testify and will not testify in the Disciplinary Tribunal about the investigation that took place. In any case, the Commissioner will not be invited to testify about the evidence that was presented to her.
- 24.7. Evidence that was provided to the Commissioner as part of the investigation procedure will not constitute as evidence in a disciplinary proceeding. The tribunal has the authority to allow independent witnesses, who provided information during the investigation procedure conducted by the Commissioner, to testify in court.
- 24.8. If the defendant is convicted of committing a sexual harassment and/or prejudicial treatment offense, one or more penalties set forth in the Disciplinary Regulations will be imposed on him.
- 24.9. The tribunal's conviction ruling concerning sexual harassment or prejudicial treatment will be published without mentioning the name of the complainant and the witnesses who testified on his behalf, unless the Disciplinary Tribunal

has decided, for special reasons which will be recorded, and after hearing the opinion of the Commissioner who handled the case and obtaining the opinion of the legal advisor that, in the circumstances of the case, it is proper or right to publish them, in whole or in part. The Disciplinary Tribunal may decide on additional publication restrictions.

24.10. The Disciplinary Tribunal is not bound by procedures that are not specified in these Regulations and will, in all matters, act in a manner that it deems best for the sake of conducting a fair trial.

25. Reporting, Maintaining Transparency, and Retaining Archival Material

25.1. A summary of the investigation of the complaint, which is found by the competent authority to be justified, and which is not found to be below the threshold of an allegation of sexual harassment or disrespectful culture, will be filed in the personal file of the defendant (without the Commissioner's summary).

25.2. All complaints will be consolidated and retained by the Commissioners in an organized database in a manner that allows for the convenient retrieval of relevant data.

25.3. The database of cases handled by the Commission shall be kept by the Commission and shall be kept confidential, except in the case where inspection of it is required by law.

25.4. The Coordinating Commissioner will prepare reports periodically, typically once a year, describing its activities and the Technion's activities regarding the prevention of sexual harassment and the promotion of a respectful culture at the Technion. The report shall include data and details that the Commissioner appropriate to publish, including general information and data on the number of cases handled by the Commissioner in accordance with her authority under section 11.9.6 of these Regulations. The report will be submitted to the President of the Technion and to all those that the Technion has an obligation to report to in accordance with the Regulations, and will be available for the public to review.

25.5. Each Commissioner shall keep in her possession, all material, documents, and records relating to the cases that she is handling and shall not pass the information along to anyone other than her replacement, or to those who are entitled to receive them by law.

- 25.6. If the investigation of a sexual harassment or prejudicial treatment case is transferred to a disciplinary proceeding, the material of the hearing will be retained in accordance with accepted practices, and the Technion will ensure its confidentiality.