**Sexual Harassment Prevention By-Laws**

**Sexual harassment is an affront to human dignity, liberty, privacy, and gender equality; It is also a criminal offence, and a cause of action in tort, since the Sexual Harassment Prevention Act 1998-5758** (hereinafter: the “**Act**”)**, became effective on the 26th of *Elul* 5758 (September 20, 1998).**

**Sexual harassment adversely affects the employment relationship, and contradicts the policies established by the Holon Institute of Technology (Reg. Soc.)** (hereinafter: the“**Institute**”)**; the Institute will not tolerate such behaviour.**

**These By-Laws are intended to clarify the main provisions of the Act and the Prevention of Sexual Harassment (Employer Obligations) Regulations 1998-5758** (hereinafter: the “**Regulations**”)**; In the event of any conflict between the provisions hereof and those of the Act or the Regulations promulgated thereunder, the Act and Regulations shall be determinative of the matter, and they can be perused as set forth in Section 10 of these By-Laws.**

**Part A: What Is Sexual Harassment?**

1. **What is Sexual Harassment?**
   1. Although in most instances of sexual harassment, it is a man who is harassing a woman, both men and women may be the sexual harassers, and harassment can be directed against both women and men; The Act envisages all the aforementioned options. The provisions hereof employing the masculine grammatical form, and/or the feminine form, should be construed as applicable to both genders.
   2. Under the Sexual Harassment Prevention Act 1998-5758, sexual harassment is one of six forbidden forms of behaviour, as follows:
      1. Extorting a person with threats, to pressure them into performing a sexual act; For example: a manager threatening to dismiss a female employee if she refuses to have sex with him;
      2. Indecent act; For example: An employee or supervisor touching a female worker for sexual gratification, or who exposes himself to her without her consent, or a supervisor who performs such acts towards his female subordinate, taking advantage of his authority in the setting of the employment relationship;
      3. Repeated sexual offers, despite the woman to whom the offers are directed having indicated to the harasser that she is not interested in the advances; However, there is no need to prove “lack of interest” in the instances listed in Section 1.3 below for such behaviour to be considered sexual harassment;
      4. Repeated remarks focusing on the sex or sexuality of a woman, despite the woman to whom the behaviour being directed having indicated that she is not interested in being the subject of such comment; For example: Repeated behaviour relating to the sexual aspect of a woman’s looks, despite her clarifications that this behaviour disturbs her; However, there is no need to prove “lack of interest” in the instances listed in Section 1.3 below for such behaviour to be considered sexual harassment;
      5. Degrading or humiliating remarks directed at a woman’s sex or sexuality, including the sexual orientation of a man or woman, whether they indicated that this disturbs them or not;
      6. The publication of a photograph, film, or recording of a person that focuses on his or her sexuality, in circumstances in which the publication may humiliate or degrade the person, and his or her consent to the publication was never given; However, in criminal or civil proceedings under this paragraph, it shall be a good defence for the publisher to prove that the publication was done in good faith, or for a lawful purpose, or is an honest publication in which the public has a genuine interest, and which did not exceed the boundaries of what is reasonable in the circumstances to obtain its purpose;

On this point, it is clarified, that “Photograph, Film, or Recording” – Also include editing or combining a photograph, film, or recording in a way that enables a person to be identified;

For example:

* + - 1. Distributing a video on websites accessible by the public, that documents sexual intercourse, without the consent of all parties documented in the video, and in circumstances in which the defences set forth above have not been established;
      2. The publication of a graphic editing in which an identifiable person’s head appears in combination with a naked image, without the consent of the identifiable person, in a manner that may humiliate or degrade that person, and in circumstances in which the defences set forth above have not been established;
  1. If the acts described to Sections 1.2.3 and 1.2.4 above: Repeated sexual offers and repeated remarks focusing on a person’s sex or sexuality, are directed at the persons listed in the paragraphs hereinafter, such acts shall constitute sexual harassment, even without said person indicating his or her lack of interest:
     1. To an employee – In the setting of an employment relationship, and to service personnel in the setting of the service – in abuse of a position of authority in an employment or service relationship;
     2. To a student or pupil who attends an institution that provides theoretical, religious, or vocational education to adults – in abuse of a position of authority in a scholarly relationship;
     3. To a minor or helpless person – in abuse of a position of authority, dependence, education or care, and if the minor is not yet 15 years old – even absent abuse of such a relationship, provided that the harasser is not a minor him or herself;
     4. With respect to a patient – In the setting of mental health care, health care, medical or para-medical treatment – in abuse of the patient’s dependence on the therapist; In this paragraph, “mental health care” – as defined in section 347A of the Penal Code;
     5. With respect to a student in the 12th, 13th, or 14th grades, who is not a minor – in abuse of a position of authority in a scholarly relationship;
     6. With respect to a person undergoing rehabilitation, as defined in the Persons with Disabilities Employed as Undergoing Rehabilitation (Temporary Provision) Act 2007-5767, in the setting of employment – in abuse of a position of authority in an employment relationships or abuse of authority;
     7. For any person – in abuse of a position of authority or dependence, in the setting of guidance or counselling by a member of the clergy, or a person impersonating as a member of the clergy, or a person who is known to have, or presents himself as having, special spiritual attributes;
     8. For any person, on the part of a civil servant in fulfilment of his role, or in connection therewith, and in abuse of his authority – in exploitation of the authority relationship or the person’s dependence on the civil servant; In this paragraph, “Civil Servant” – As defined in Section 34X of the Penal Code;
     9. For a disabled person employed in a protected factory – in exploitation of a relationship of authority or dependence;

Lack of interest can be indicated either in words or by conduct that makes it clear to the person making the advances that said advances are unwelcome.

1. **What is harassment?**

Harassment is a harm of any kind originating from sexual harassment, or from a complaint or legal action filed on account of sexual harassment, or other harassment. Examples:

* 1. Harm originating in sexual harassment – An employer who dismisses or obstructs the promotion of a female employee due to her rejection of repeated sexual offers from an employee;
  2. Harm originating in a complaint or legal action on account of sexual harassment or other harassment – An employer or supervisor harms the working conditions of a female employee who filed a complaint pertaining to humiliating or degrading behaviour in relation to her sexuality;
  3. Harm originating from assisting an employee in connection with a complaint or a legal action for sexual harassment or other harassment – For instance, an employee testifies in connection with the harassment of another employee, and the employer or supervisor harms him for this reason.

1. **What are “Employment Relations”?**

At law, sexual harassment in the setting of “Employment Relations” occurs in each one of the following 4 instances:

* 1. At the workplace;
  2. At a different location, in which operations are conducted on behalf of the employer;

Examples:

* + 1. A conference hall in which the employer and his employees are presenting an exhibition of the employer’s products;
    2. A training institute in which courses are conducted on behalf of the employer;
    3. A restaurant where the employer is holding a party for his employees;
  1. In the course of work;

For example: A trip taken during work, and as part of the work, including for a work meeting outside the workplace;

* 1. In abuse of authority in an employment relationship wherever it may occur (including at the supervisor’s home).

**Part B: The Consequences of Sexual Harassment**

1. **Sexual Harassment is Illegal**

Sexual harassment constitutes –

* 1. A criminal offense, for which the stipulated sentence may be incarceration or a fine, and on account of which a complaint may be filed with the police;
  2. A tort, on account of which legal action may be taken; In such legal action, one can sue for financial compensation and other, permanent or interlocutory, remedies from the harasser, and in some instances – also from the employer on account of the foregoing.

1. **Sexual Harassment Constitutes Grounds for Disciplinary Action**

Sexual harassment constitutes a disciplinary offense, for which the harasser may be liable to disciplinary punitive measures.

**Part C: The Institute’s Policy and Responsibility for Sexual Harassment**

1. **Sexual harassment constitutes illegal conduct that violates a person’s basic human dignity, liberty, privacy, and gender equality; Sexual harassment is strictly contrary to the Institute’s policy; Sexual harassment adversely affect the employment relationship, and contradicts the Institute’s policy, and such behaviour will not be tolerated.**
2. **The Institute’s Responsibility as an Employer and as an Establishment of Higher Education** 
   1. In addition to the prohibition incumbent on the Institute as on any entity against actual harassment, the law imposes on the Institute special responsibilities for the actions of its employees and managers in the setting of the employment relationship; The Institute as an employer, and as an institution of higher education, should take reasonable measures, as set forth herein these By-Laws, of the following three types:
      1. Sexual harassment prevention, as described in this segment;
      2. Effective treatment of sexual harassment incidents of which the Institute becomes aware (Sections 12 through 16 hereinafter);
      3. Rectification of the harm due to sexual harassment, or due to a complaint or legal action in respect of these (Sections 12 through 16 hereinafter).
   2. Under the Act, an employer who fails to institute the aforementioned measures in this section, is responsible and liable for the sexual harassment committed by his employee or any manager on his behalf, in the setting of the employment relationship, and the employer can be sued in a civil action on account of such conduct.
3. **Preventative Measures**
   1. The Institute demands that each and every manager appointed by it, every employee, and every student, refrain from acts of sexual harassment, and do everything possible to prevent such action, and all to create, together with the Institute, a working and scholarly environment which is free from sexual harassment.
   2. The Institute demands that each and every manager appointed by it as well as every student, take an active and leading role in preventing sexual harassment in the setting of the employment and scholarly relations at the Institute.
   3. Information and Training Actions: The Institute requires every supervisor, every employee, and every student, to participate in training and information exercises regarding the prohibition of sexual harassment and its prevention; Alternatively, the Institute allows its employees to participate, during working hours, in such training and information exercises, organised in reasonable intervals by other parties, such as an employee union, or rights’ organisation, provided that this does not harm the ordinary course of work.
   4. The Institute will be entitled to impose sanctions on students and employees who do not participate in the training sessions (Section 23 hereinafter).
4. **Collaboration with Employee Unions**

The Institute cooperates with unions at the workplace, in training and information sessions with respect to guidance on the prohibition of sexual harassment and the preventions thereof.

Employee unions pertaining to this in the setting of the workplace are:

* 1. The Senior Academic Staff Union, Holon Institute of Technology
  2. The External Lecturer Association, Holon Institute of Technology
  3. The Administrative Employees Union, Holon Institute of Technology

1. **Receipt of Information, and from Whom**
   1. Every employee and student is eligible –
      1. To peruse each and every one of the following, and receive photocopies of them:
         1. The Sexual Harassment Prevention Act 1998-5758;
         2. The Sexual Harassment Prevention (Employer Obligations) Regulations 1998-5758;
         3. The workplace’s disciplinary directives regarding sexual harassment;
      2. To receive information about the Institute’s information and guidance activities regarding the prohibition of sexual harassment and its prevention.
   2. An employee / student may demand such materials and information from those in responsible for the prevention of sexual harassment on behalf of the Institute (hereinafter: the “**Coordinators**”), who are:
      1. Ms. / Mr. \_\_\_\_\_\_ whose role is \_\_\_\_\_\_ Phone Number at work \_\_\_\_\_\_
      2. Ms. / Mr. \_\_\_\_\_\_ whose role is \_\_\_\_\_\_ Phone Number at work \_\_\_\_\_\_

**Part D: What You do if Sexually Harassed?**

1. **If a woman believes that she has been sexually harassed, she has three options open to her under the Act – the woman may choose whether to institute one or more of said options:**
   1. Handling the Matter inside the Institute: If the harassment was carried out “in the setting of an employment relationship” or “in the setting of a scholarly relationship”, the victim can file a complaint with the Institute, in accordance with the procedure set forth in Sections 12 through 16 hereinafter;
   2. Criminal Proceedings: The victim can file a complaint with the Israel Police Force;
   3. Civil Proceedings: The victim can file a lawsuit in court (most usually – the regional employment tribunal) –
      1. Personally against the harasser;
      2. In the event that she claims that the Institute is liable, also against the Institute (Section 7 above).

**Part E: The Procedures to File a Complaint with the Institute and Handling the Complaint by the Institute**

1. **Who can file a complaint, and under what circumstances?**

Anyone of the following can file a complaint:

* 1. An employee or student who claims to have been sexually harassed, in the setting of the employment or scholarly relationships at the Institute;
  2. Any woman who claims that an employee of the Institute or a supervisor appointed by it or a student at the Institute has sexually harassed her, in the setting of the employment or scholarly relationships at the Institute;
  3. Another person on behalf of the victim aforementioned in Sections 12.1 or 12.2 above.

1. **Who Does One Complain To?**
   1. A complaint needs to be filed with the Sexual Harassment Prevention Coordinators at the Institute, as set forth in Section 10.2 above.
   2. If one of the Coordinators is the subject matter of the complaint being made (hereinafter: the “**Accused**”) or has a personal interest in the subject of the complaint, or those involved in it, the complaint will be filed with the other Coordinator, and in her absence – with Institute management (in such event, management will act in accordance with this part in the same manner in which the Coordinator is supposed to act).
   3. If the Accused is an employee of a manpower company actually employed by the Institute:
      1. The complaint will be filed with the manpower company’s Sexual Harassment Prevention Coordinator, or with the Institute’s Coordinator;
      2. If a complaint is filed with the manpower company’s Coordinator, said Coordinator is permitted to transfer the processing of the complaint to the Institute’s Coordinator, and if such processing has in fact been thus transferred – the manpower company’s Coordinator will notify the Complainant thereof.
2. **How Does One File a Complaint**
   1. A complaint may be submitted in writing or verbally.
   2. If the complaint is submitted verbally -
      1. The Coordinator will record the details of the complaint, and if possible, specify the following:
         1. The identity of the parties involved and whether there is any relationship of dependence, authority, etc., as well as the identity of any witnesses, if any;
         2. The incident’s location;
         3. The date of the incident;
         4. A description of the incident, including whether the victim indicated to the harasser that the behaviour disturbs her;
      2. The Complainant, or anyone who filed the complaint on her behalf, will be asked to sign the Coordinator’s record to confirm its contents;
      3. The Coordinator will provide the Complainant with a copy of the signed record.
3. **Investigating the Complaint**
   1. If a complaint is received, the Coordinators will do the following –
      1. Inform the Complainant regarding the manner in which sexual harassment is handled under the Act (as stated in Section 11 above);
      2. They will investigate the complaint, and, *inter alia*, hear the Complainant, the Accused, and the witnesses, if any, and verify any information that has reached them regarding the complaint.
   2. The Coordinators will not process a complaint if they have a personal affiliation to it, or to those involved in it.
   3. A Coordinator that has such personal affiliation, will transfer the investigation to another Coordinator, or such persons as were appointed therefore by the Institute in her stead, and in the absence of one of the foregoing – to the Institute’s management; If the Coordinator has transferred processing to the Institute’s management as aforementioned, the Institute’s management will act in the same manner as the Sexual Harassment Prevention Coordinator was supposed to act when investigating a complaint under this section.
   4. Investigating the complaint will be done efficiently and without delay.
   5. Investigating a complaint will be done with the greatest possible protections for the dignity and privacy of the Complainant, the Accused, and any other witnesses, and *inter alia* –
      1. The Coordinators will not reveal information that reached them in the course of investigating the complaint, unless they are required to do so for the sake of the investigation itself, or pursuant to any applicable law;
      2. The Coordinators will not ask questions about the Complainant’s sexual history, if said history is not related to the Accused, and will not take such information about the Complainant’s sexual past into consideration; This paragraph will not apply if the Coordinators believe that failure to ask such questions, or to consider such information, shall result in an irreparable injustice to the Accused;
      3. The Coordinators will guide all those involved with investigating the complaint to safeguard the dignity and privacy of all involved parties, and not to disclose any information that has reached them during the investigation of the complaint, other than in accordance with any applicable law.
   6. The Institute will protect the Complainant during the investigation of the complaint from any harm to her employment interests as a result of the filing of the complaint, or from other harm in the setting of the employment relationship that may disrupt the investigation of the complaint; *Inter alia*, the Institute will act to distance the Accused from the Complainant, to the extent possible, and as the Institute shall deem to be right and proper in the circumstances.
   7. After concluding the investigation of the complaint, the Coordinators will present the Institute’s president and CEO, without delay, with a written summary of the complaint’s investigation, together with their reasoned recommendations concerning the manner in which the complaint’s handling should proceed further, including with respect to any of the matters detailed in Section 16 hereinafter.
   8. In the event that the Accused is an employee of a manpower company who actually works for the Institute, the Coordinators will also present their summary to the manpower company.
   9. If the Institute is informed of a case of sexual harassment in the setting of an employment or scholarly relationship, but no complaint was filed, or the Complainant retracted her Complainant, the Institute will transfer the case to the Institute’s Sexual Harassment Prevention Coordinators for investigation; In this regard, the Institute directs all its supervisors to convey any and all information about sexual harassment that has come to their attention to the Sexual Harassment Prevention Coordinators; If such an instance was transferred to the investigation of the Sexual Harassment Prevention Coordinators, or the Coordinators became aware of such a case, the Coordinators, as far as possible, will conduct an investigation of the incident in accordance with all the provisions of this section, *mutatis mutandis*, and if the Complainant retracts her complaint, the cause of the complaint’s retraction will also be investigated.
4. **The Institute’s Handling of an Incident of Sexual Harassment**
   1. If and when the Institute’s president and/or CEO receive any summaries and/or recommendations from the Sexual Harassment Prevention Coordinators under Section 15.7 above, the CEO shall decide, without delay, and within a period not exceeding 7 working days, to exercise his powers and authorities in each one of the following:
      1. To instruct the employees involved in the incident with respect to the rules of proper behaviour in the setting of the employment relationship; To distance the Accused from the Complainant; to institute work-related measures; and all to prevent a recurrence of any act of sexual harassment, or to rectify the harm caused to the Complainant due to such harassment;
      2. To institute disciplinary action under the disciplinary regulations applicable at the Institute with respect to sexual harassment;
      3. To refrain from taking any action.
   2. The Institute’s CEO will act, without delay, to implement his decision under Section 16.1 above, and will provide a written and reasoned notice of his decision to the Complainant, the Accused, and the Sexual Harassment Prevention Coordinators; Moreover, the CEO will enable the Complainant and the Accused to peruse the Sexual Harassment Prevention Coordinators’ summary and recommendations.
   3. The Institute’s CEO may, due to any change in circumstances, change his decision under Section 16.1 above, or stay the execution thereof, and will provide reasoned notice thereof, in writing, to the Complainant, the Accused, and the Sexual Harassment Prevention Coordinators.
   4. The provisions of this Section notwithstanding, the Institute’s CEO may postpone his decision, postpone the implementation thereof, or change it, due to any disciplinary or legal proceedings relating to the incident subject matter of the decision; If the CEO acted in the foregoing manner –
      1. He will provide a written, reasoned notice thereof to the Complainant, the Accused, and the Coordinators;
      2. As long as the aforementioned proceedings have not yet concluded, the Institute’s CEO shall act in accordance with the provisions of Section 15.6 above;
      3. At the conclusion of any proceedings, the Institute’s CEO will take an appropriate decision under Section 16.1 above.
   5. If the Accused is an employee of a manpower company who actually works at the Institute, the Institute and the manpower company may come to an agreement between them on the question of which one of them will implement the provisions of this Section, in whole or in part.

**Part F: Miscellaneous**

1. **A Manpower Company Employee Actually Employed at the Institute**
   1. Under the Act and Regulations, in the event that a manpower company employee actually employed at the Institute (the “**Actual Employer**”) –
      1. All the provisions hereof regarding “Employee,” shall also include the manpower company’s employee;
      2. All the provisions hereof regarding “Employer” shall also includes the Institute;

Therefore, the Institute shall bear the same responsibilities and liabilities that an ordinary employer bears (see Section 7 above) on account of sexual harassment perpetrated by an employee of a manpower company employed by the Institute.

* 1. Special instructions are to be found in Sections 13.3, 15.8 & 16.5 of these By-Laws.

**Part G: Highlights of the Institute’s Disciplinary Provisions Regarding Sexual Harassment**

1. **Disciplinary Proceedings:**
   1. If and when the Institute’s CEO makes a decision to institute disciplinary action under the provisions of Section 16.1.2 of these By-Laws, the proceedings shall be conducted in accordance with the disciplinary rules applicable to the Accused.
   2. In the absence of a suitable disciplinary committee to hear the complaint, the Institute’s CEO will appoint, within 15 days, an *ad hoc* Committee specifically to hear the complaint.
   3. A Disciplinary Committee in any sexual harassment proceedings, will be comprised in a manner that will afford representation to the respective genders of both Accused and Complainant.
   4. The Disciplinary Committee’s disciplinary action hearings will be held behind closed doors.
   5. No identifying personal information revealed in the course of the disciplinary proceedings shall be publicised, including the ruling, unless the Disciplinary Committee shall instruct otherwise. Any student or employee who publishes, or allows such publication otherwise than in accordance with the Disciplinary Committee’s decisions, may be a subjected to disciplinary action.
   6. The Disciplinary Committee, in coordination with the Institute’s competent authorities, may order interim remedies, until a final ruling is rendered.
2. **Concluding the Processing of any Complaint Following a Disciplinary Hearing:**
   1. A ruling by a Disciplinary Committee that hears a complaint will be conveyed to the Institute’s Sexual Harassment Prevention Coordinators, in writing, within a week, at the latest, from the date of the aforementioned decision.
   2. The Institute’s Sexual Harassment Prevention Coordinators will summarise the complaint, including details of the independent investigation proceedings they conducted, any Disciplinary Proceedings, intermediate steps, if any, that were taken, as well as the Disciplinary Committee’s decision. The Coordinators will convey the summary to the Institute’s president and CEO, with copies to the parties (the Complainant and the Accused).
   3. The Institute will act in accordance with the Disciplinary Committee’s decisions.
   4. The Institute’s Sexual Harassment Prevention Coordinators will monitor implementation of the decisions taken by the Disciplinary Committee.

**Part H: General Provisions**

1. **Appointing Sexual Harassment Prevention Coordinators**
   1. The Institute’s president will appoint two Sexual Harassment Prevention Coordinators, once every academic year (see Section 10.2 above). The Coordinators can be any of the following:
      1. A member of (senior or junior) academic staff, or full-time managers at the Institute;
      2. Retired academic or administrative staff;
      3. A student at the Institute.
   2. As far as possible, the president will appoint at least one woman as a Coordinator.
   3. Proximately to the time of appointment, each Coordinator will undergo no less than 18 hours of sexual harassment prevention training, which shall deal with the essence of the role, familiarity with the law, prevention methods, and complaint processing.
2. **The Functions of the Institute’s Sexual Harassment Prevention Coordinators** 
   1. To serve as an advisory entity on preventing sexual harassment phenomena at the Institute, and the manner of dealing with any such incident.
   2. To update both the student-body and the employees, of the Coordinators’ activities, including the Coordinators’ identities, ways of appealing to them, updating relevant content on the Institute’s website, ensuring that throughout the Institute copies of these By-Laws are posted, including in the form of translations into English and Arabic.
   3. Receiving complaints and reports that concern sexual harassment, investigating such complaints, and updating the Institute’s management on a regular basis with respect to the proceedings to investigate such complaints.
   4. Present the Institute’s President with an annual report.
   5. Present an annual report to the Authority for the Advancement of the Status of Women, and to further convey same report to the Higher Education Council.
   6. Assist the victims, if necessary, to receive medical, mental, or legal aid.
3. **Annual Report to the Institute’s President**
   1. Once a year the Institute’s Sexual Harassment Prevention Coordinators will present the President of the Institute with a report, which will include all of the following:
      1. Complaints processed over the course of the reported year – The report will include descriptions of any complaints, descriptions of the relevant investigations, processing durations, from the date of receipt of the complaint to the completion of the investigation and the submission of any relevant report to the Institute’s President and the parties.
      2. Provision of any information and activities that the Coordinators conducted in the course of the year to employees and students.
      3. Confirmation that manpower companies at the Institute provided their employees who work at the Institute with information and training.
      4. Acknowledgement of sending the annual report to the Authority for the Advancement of the Status of Women and the Higher Education Council.
   2. The Coordinators will keep an orderly digital file of all the materials related to the investigation of complaints (including materials with respect to disciplinary action, if any).
   3. The Coordinators will keep the reports submitted to the Authority for the Advancement of the Status of Women and the Higher Education Council and the Institute’s President.
4. **Information and Education Actions:**
   1. The Sexual Harassment Prevention Coordinators at the Institute will conduct training and information sessions, including seminars, discussion groups, and distribution of information leaflets pertaining to the treatment of the phenomenon of sexual harassment, and any methods to prevent it.
   2. The Coordinators may conduct the information provision activities by means of digital learning, provided that every employee and student are required, once a year, to complete a training session.
      1. The Institute may impose sanctions on any student who has not complied with his duty to attend such annual instruction, including to prevent his access to registration for elective classes, or prevent his access to exam results.
      2. The Institute may impose sanctions on an employee, whether s/he be a member of (senior or junior) academic staff, or a member of administrative staff, who fails to complete the annual training session, which shall include the possibility of recording a note on the record of his or her personal file, or institute disciplinary action.
      3. The Coordinators will, once a year, address the manpower companies at the Institute, and will receive an update in writing from each one them, that they have instructed their employees.
5. **General Instructions:**
   1. Disrupting the Sexual Harassment Prevention Coordinators in performance of their role under these By-Laws, in particular when investigating a complaint, is a disciplinary offense.
   2. The Sexual Harassment Prevention Coordinators may be assisted by professional parties, including legal counsel, in order to investigate a complaint presented to them.
   3. The Institute will respect the privacy of Complainants, victims, and the Accused, as much as possible, and paying attention to the requirements of the law, as well as to protect other interests related to the matter, such as: the Institute’s duty to investigate sexual harassment and institute measures against those responsible, as well as the necessity to implement preventative measures to eradicate the phenomenon of sexual harassment.
   4. In the event of any contradiction between the provisions of these By-Laws and the provisions of the disciplinary standards that apply to the Institute’s students or employees, the provisions of these By-Laws shall prevail.
   5. These By-Laws are intended to add to and augment the provisions of the Act and the Regulations promulgated thereunder, and not to detract from them.