

Badr University in Cairo (BUC)

Non-Discrimination and Anti- Harassment Policy and Complaint Procedures for Employees

Approvals

Approval	Name	Date	Signature
BUC President	Prof.Dr. Mostafa Kamal	10/03/2019	
VP for Student's Affairs	Prof.Dr. Ibrahim El Kalla	10/03/2019	
The Secretary General	Dr. Mohamed Suliman	10/03/2019	
Edited By			
Quality Assurance Manager	Pro.Dr. Abdellatif Ahmed	30/01/2019	

Purpose for the policy :

Badr University in Cairo ("BUC" or the "University") is committed to maintaining an environment that encourages and fosters appropriate conduct among all persons and respect for individual values.

Accordingly, the University is committed to enforcing this Non-Discrimination and Anti-Harassment Policy and Complaint Procedures at all levels to create an environment free from discrimination, harassment, retaliation and/or sexual assault.

Discrimination or harassment based on race, gender and/or gender identity or expression, color, creed, religion, age, ethnicity, disability, military status, sex, pregnancy, marital status, or on any other legally prohibited basis is unlawful and undermines the character and purpose of the University.

Such discrimination or harassment violates University policy and will not be tolerated.

The University prohibits discrimination, harassment, sexual assault and retaliation against employees, interns, contractors and other third parties conducting business with the University.

These are considered forms of employee misconduct and sanctions will be enforced against individuals engaged in such misconduct. While this Policy applies to all employees of the University, the University specifically expects management level personnel to serve as models of appropriate conduct for other employees and will hold them to a higher standard of accountability. Management personnel must not only refrain from actions that violate this Policy, but also refrain from any activity that would give the appearance of impropriety or convey a casual approach to the enforcement of the Policy.

Any form of retaliation against anyone who has complained of or reported discrimination, harassment (including sexual/gender harassment), or sexual assault, or has participated in an investigation

of such a complaint, regardless of whether the complaint relates to the complaining person or someone else, will not be tolerated, violates both this Policy and applicable law, and may result in discipline.

To Whom This Policy Applies

This Policy applies to all employees of the University and applies regardless of whether the alleged wrongdoer is an employee.

The Policy demonstrates the University's strong commitment to prevent discrimination and harassment and reflects the requirements of the various local laws which govern these important matters.

This Policy must be read and understood in conjunction with related University policies and procedures., such as the codes of conduct governing employee behavior and ethical standards for professional behavior.

Policy and Procedures

I. DEFINITIONS

A. Discrimination is adverse treatment of any employee based on the employee's actual or perceived membership in a protected class or category of persons to whom he/she belongs, rather than on the basis of his/her individual merit with respect to the terms, conditions, or privileges of employment including, but not limited to hiring, firing, promoting, disciplining, scheduling, training, evaluating, or deciding how to compensate that employee.

B. Harassment prohibited by applicable discrimination laws is unwelcome verbal or physical conduct directed toward, or differential treatment of, an employee because of his/her race, gender and/or gender identity or expression, color, creed, religion, age, national origin, disability, sex, pregnancy or marital status).

The harasser can be the employee's supervisor, a supervisor in another area, a coworker, or someone who is not an employee of the University, such as a client or customer.

Examples of such conduct include, but are not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking or degrading another person or group.
- Derogatory remarks about a person's accent, or display of racially offensive symbols.
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes or demands.
- Physical assault or stalking.

Sexual/gender harassment is a specific form of discriminatory harassment and constitutes employee misconduct.

Sexual/gender harassment includes harassment on the basis of sex, gender expression, gender identity and occurs under this Policy and under the law when an employee is being treated “less well” than other employees because of his or her sex/gender by being subjected to unwelcome verbal or physical conduct of a sexual nature.

Generally, sexual/gender harassment is described as “hostile environment”. Sexual/gender harassment which creates a “hostile environment” consists of words, signs, jokes, intimidation or physical conduct, which are of a sexual nature, or which are directed at an individual because of that individual’s sex/gender.

Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone in the workplace, which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient’s job performance.

Sexual/gender harassment is not limited to the physical workplace and can occur at related University activities off premises and while traveling on University business. Activity by cell phone, emails, text messages and social media, for example, even if they occur away from the workplace premises, not during work hours or involve personal devices, can also constitute harassment prohibited by this Policy.

Examples of Sexual/Gender Harassment

Sexual/gender harassment is unwelcome verbal or physical behavior based on a person’s gender; it can include unwanted touching; offensive and suggestive gestures or comments or making sexualized remarks about a person’s appearance or telling sexual jokes.

C. Sexual assault is a sexual act against the will and without the consent of the employee-complainant or where the employee-complainant is incapable of giving consent.

D. Retaliation is any adverse action taken against an individual (applicant or employee) because he or she filed a charge of discrimination or harassment (including sexual/gender harassment), complained to the University about discrimination or harassment (including sexual/gender harassment) on the job, or participated in an employment discrimination proceeding (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived discrimination, such as a family member.

Examples of retaliation include termination, demotion, refusal to promote, or any other adverse action that would discourage a reasonable person from opposing perceived discrimination.

II. REPORTING DISCRIMINATION, HARASSMENT, RETALIATION, OR SEXUAL ASSAULT TO THE UNIVERSITY

Any employee who believes that they have been subjected to discrimination, harassment (including sexual/gender harassment), retaliation or sexual assault prohibited by this Policy, or any employee who has witnessed such discrimination, harassment (including sexual/gender harassment), retaliation or sexual assault, should immediately report the circumstances in accordance with the procedure set forth below.

The University may investigate any conduct that violates this Policy, even in the absence of a complaint, and take remedial action where appropriate.

An employee may make a complaint to any of the offices or individuals listed below:

- a) The Human Resources Office.
- b) If the alleged respondent is a faculty member, the Dean of the appropriate School or Faculty or the Dean's designee.
- c) The Director/ Manager of Administrative Department.
- d) The Secretary General Office.
- e) The University President Office.

All complaints under this Policy will be referred for investigation and resolution, in consultation with University Human Resources as necessary and appropriate.

N.B.

The University encourages prompt reporting of complaints so that it may respond appropriately and conduct an investigation while the matter is freshest in witnesses' memory and other evidence is most likely to be available.

Responsibilities of Faculty Deans & Managers

It is imperative that Deans & Managers not only adhere to but enforce this Policy. Deans & Managers have a special obligation not to engage in discrimination, harassment, retaliation or sexual assault.

III. UNIVERSITY INVESTIGATION AND DISPOSITION OF COMPLAINTS

(a) The Investigation

The University will conduct a prompt, thorough and impartial investigation of a complaint as necessary and appropriate.

The University will make every effort to complete its investigation within forty-five (45) days of a report of discrimination or harassment and will keep the investigation confidential to the extent possible.

Where a complaint alleges a potential violation of the Policy, the investigation will include an interview with both parties, as well as the person who made the initial report, if different than one of the parties, and/or any other person who may have information regarding the incident, each of whom is expected to cooperate with any investigation. The investigator may also review relevant documents. Both parties will have an opportunity to be heard and present information.

The investigation process is strictly internal to BUC.

(b) Findings and Recommendations

The investigator will report his findings to both parties and relevant managers as may be appropriate.

Where the investigator concludes that a violation of this Policy has occurred, BUC management will take prompt and appropriate remedial action, including disciplinary action.

Depending on the circumstances, disciplinary action may include (but is not limited to): reprimand/verbal counseling, removal of privileges, letters of warning or suspension, and dismissal depending on the nature and severity of the conduct.

(c) Responsibilities of Management

In cases where an investigation confirms a violation of this Policy, management in the relevant School or Department must ensure that appropriate remedial action, which may include disciplinary action, is implemented.

Management is also responsible for regular monitoring to ensure that all remedial and/or disciplinary steps are completed, and no further discrimination or harassment occurs in the work environment.

(d) The Investigatory File

Every complaint will trigger the creation of an investigatory file. The investigatory file will consist of the initial complaint, the final investigative report, including a record of the remedial action to be taken, if any, and any documents created or used during the investigation.

IV. CONFIDENTIALITY

The University will maintain the confidentiality of the complaint, and the privacy of the persons involved, to the greatest extent possible, consistent with its goal of conducting a thorough and complete investigation and to the extent permitted by law.

V. NON-RETALIATION

The University will not in any way retaliate against an individual who reports a perceived violation of this Policy, participates in any investigation, or otherwise opposes perceived discrimination, harassment (including sexual/gender harassment), or retaliation, including as a witness.

It will also not retaliate against anyone associated with the individual who engages in such protected conduct, such as a family member.

BUC further will not tolerate retaliation by any employee. Retaliation against anyone who complains of, testifies in, or assists in an investigation or proceeding involving discrimination, harassment (including sexual/gender harassment), sexual assault, or retaliation is a serious violation of this Policy.

Anyone who believes they have been subjected to retaliation should report the matter immediately according to the same procedure provided in this Policy for making complaints of discrimination,

harassment (including sexual/gender harassment), or sexual assault. Any person found to have retaliated against another individual will be subject to the same disciplinary action provided under this Policy for other violations.

Revision History

Version	Date	Modified Areas
0.2	May, 2020	