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Sexual Harassment Prevention Policy

Afeka, the Academic College of Engineering in Tel Aviv [hereinafter: Afeka College, the college] strives for a learning and work environment that is free of sexual harassment.

Afeka College views with utmost severity any sexual harassment and pestering resulting from sexual harassment, and shall strive to the fullest to prevent these within the college's activities. Sexual harassment and sexually-related pestering harm individual dignity, liberty, and privacy and gender equality.

On the day of September 20, 1998, the Prevention of Sexual Harassment Law, 5758-1998 entered into force.

This policy is designed to clarify the key provisions of the law and the regulations for preventing sexual harassment. In any conflict between this policy and the law and regulations, the law and regulations shall prevail.

Those responsible on behalf of Afeka College to handle complaints relating to sexual harassment are:

Commissioner of Sexual Harassment Prevention – Adv. Karen Ben Haim (head of Ofek)

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Deputy Commissioner of Sexual Harassment Prevention – Ms. Michal Nakash (HR manager)

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1. Purpose

The purpose of this policy is to ensure that Afeka – the Academic College of Engineering in Tel Aviv shall constitute a safe work and study environment, free of instances of sexual harassment or pestering resulting from sexual harassment. The college considers itself responsible for maintaining a safe work environment for all present in it, including outsourced employees and personnel, and shall act to address every case of sexual harassment even if the victim is not its direct employee.

2. Definitions

In this policy:

- 2.1 **“Disciplinary tribunal”**- The disciplinary tribunal for hearing complaints regarding sexual harassment and/or pestering.
- 2.2 **“Appellate tribunal”**- The appellate tribunal for verdicts in complaints regarding sexual harassment and/or pestering.
- 2.3 **“The law”**- The Prevention of Sexual Harassment Law, 5758-1998 and the Equal Opportunities at Work Law, 5748-1988.
- 2.4 **“The college”**- Afeka, the Academic College of Engineering in Tel Aviv.
- 2.5 **“Sexual harassment”**- As defined in Section 3A of the Prevention of Sexual Harassment Law and/or Section 7 of the Equal Opportunities at Work Law, when carried out by a member of academic faculty, a member of administrative staff, or another student against one of these, within the place of work or study.
- 2.6 **“Pestering”**- As defined in Section 3A of the Prevention of Sexual Harassment Law and/or Section 7 of the Equal Opportunities at Work Law, when carried out by a member of academic faculty, a member of administrative staff, or another student against one of these, within the place of work or study.
- 2.7 **“Complainant”**- The person claiming to have experienced sexual harassment and/or pestering.
- 2.8 **“Panel”**- Three members of the disciplinary tribunal who shall be appointed to hear the complaint regarding sexual harassment and/or pestering.
- 2.9 **“Service requester” and “Service contractor”** – As defined in Section 20a(d) of the Hours of Work and Rest Law, 1951.
- 2.10 **“Place of work or study”** – The college’s facilities and any other place in which activity on its behalf takes place, and as pertaining to sexual harassment and/or pestering done through abuse of authority in a work or study relationship, any place whatsoever.
- 2.11 **“Complainee”, “Object of complaint”** – The person claimed by the complainant to have perpetrated the sexual harassment or pestering.
- 2.12 **“College employee”**- A member of academic or administrative staff or an outsourced worker employed at the college.

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2.13 **“Student”**- Anyone who on the day of the event is any of the following:

- Enrolled for studies in the college and has been admitted by it as a student. From the time of enrollment and for as long as he or she was enrolled as a student, including during academic holidays.
- Graduated but has yet to receive a diploma.
- Student of a preparatory program.

2.14 **“Commissioner of Sexual Harassment Prevention”**- The person appointed on behalf of Afeka College to oversee the prevention of sexual harassment and/or pestering, including their Deputy Commissioner.

2.15 **“Manpower contractor”**- As defined in Section 1 of the Employment of Employees by Manpower Contractors Law 5756-1996.

2.16 **“Prosecutor”**- The official appointed to serve as prosecutor in matters of sexual harassment and/or pestering.

3. Policy Applicability

3.1 This policy is applicable to all college employees, including permanent employees, temporary employees, students, volunteers, outsourced employees, and manpower contractor workers. Outsourced employees and manpower contractor workers may appeal, on any issue within this policy, both to the Commissioner of Sexual Harassment Prevention listed in this policy, and to the commissioner of sexual harassment prevention on behalf of their employer.

3.2 In order to implement this policy and the Prevention of Sexual Harassment Law for all employees at the place of work, including outsourced employees and manpower contractor workers, the college shall act in collaboration with these workers’ outside employer.

This collaboration shall include, among other things:

- Coordination between the college’s representative and the outside employer in any case of petition, complaint, or information regarding sexual harassment.
- Allowing outsourced employees the opportunity to contact the college’s Commissioner of Sexual Harassment Prevention and receive full response from the commissioner.
- Obtaining a commitment on behalf of the outside employer to act in accordance with the Prevention of Sexual Harassment Law.
- Implementing recommendations agreed upon by the college administration and an outside employer, and if necessary, taking steps by the college against the employer, including terminating the contract with it, should it fail to meet its obligation to prevent and handle sexual harassment.

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4. Appointing the Commissioner of Sexual Harassment Prevention

- 4.1 The president of the college shall appoint the Commissioner of Sexual Harassment Prevention and the Deputy Commissioner, for a period determined by the president, this as per the rules set forth by the Minister of Justice for the execution of the employer's duties by and per the law. All college employees, including outsourced employees and manpower contractor workers shall be allowed to contact the Commissioner of Sexual Harassment Prevention or the Deputy Commissioner, as per the terms of this policy.
- 4.2 The Commissioner of Sexual Harassment Prevention and the Deputy Commissioner shall one of them be a senior member of academic faculty serving in a full-time position at the college, and the other a senior member of administrative staff.
- 4.3 The president shall appoint a woman to the role of Commissioner of Sexual Harassment Prevention and/or Deputy Commissioner of Sexual Harassment Prevention.

5. Appointing a prosecutor

- 5.1 The prosecutor shall be appointed by the college president for a term of three years. A person completing a term as prosecutor may be appointed for one additional term.
- 5.2 The prosecutor shall be a member of the college's academic or administrative staff.
- 5.3 The prosecutor shall continue his or her term for as long as another prosecutor is not appointed in his or her stead.
- 5.4 The prosecutor will be allowed to appoint – at any stage of the petition's hearing – a jurist to serve as a special prosecutor under him or her.

6. Appointing the tribunals

- 6.1 The president of the college and the chairman of its executive council shall jointly appoint six members to serve in the plenum of the disciplinary tribunal, and three additional members to serve in the appellate tribunal.
- 6.2 The members appointed by the president of the college and the chairman of its executive council to serve in the disciplinary tribunal and appellate tribunal shall include public persons who are not members of college staff.
- 6.3 The members appointed by the president of the college and the chairman of its executive council to serve in the disciplinary tribunal and appellate tribunal shall include men and women, and it is preferred that both tribunals also include members with legal education.
- 6.4 The members of the disciplinary tribunal and appellate tribunal shall be appointed for terms of three years, and may be reappointed for additional terms without term limits.
- 6.5 The president of the college and the chairman of its executive council shall appoint one member of the disciplinary tribunal and one member of the appellate tribunal to serve as presidents of these tribunals.

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7. Secretariat

The college's secretariat shall provide the Commissioner of Sexual Harassment Prevention, the prosecutor, the disciplinary tribunal, and the appellate tribunal with the secretarial and administrative services they require.

8. Duties of the Commissioner of Sexual Harassment Prevention

- 8.1 To consult on the subject of preventing sexual harassment and/or pestering at the college, and to handle these phenomena.
- 8.2 To ensure that the terms of this policy are published among college employees and students, and brought to the knowledge of outsourced employees and manpower contractor workers.
- 8.3 To receive complaints and reports pertaining to sexual harassment or pestering.
- 8.4 To investigate and handle each complaint on the aforesaid issues.
- 8.5 To remit the complaint to a disciplinary proceeding once a suitable basis thereto has been established.
- 8.6 To order interim remedies as detailed in Section 13 of this policy.
- 8.7 To refer the victim, as necessary, to receive medical or other assistance.

9. Handling the complaint

9.1 THE INVESTIGATION

- 9.1.1 Complaints or reports of suspected perpetration of sexual harassment or pestering at the college shall be referred to the Commissioner of Sexual Harassment Prevention.
- 9.1.2 A complaint of sexual harassment or pestering must be filed with the Commissioner of Sexual Harassment Prevention within three years of the date on which the sexual harassment or pestering was committed, or in case of an ongoing event, within three years of the date on which the actions constituting sexual harassment or pestering ceased.
- 9.1.3 The complaint may be filed in writing or verbally. If a complaint is filed verbally, its contents shall be recorded in writing by the Commissioner of Sexual Harassment Prevention, and the complainant shall sign the written account to verify its content. The records of the Commissioner of Sexual Harassment Prevention are internal and shall not be made available to others (with the exception of the prosecutor).
- 9.1.4 If the Commissioner of Sexual Harassment Prevention receives a complaint regarding suspected perpetration of sexual harassment or pestering, or is informed of sexual harassment or pestering, the Commissioner shall initiate an investigation of the complaint.
- 9.1.5 During the investigation of the complaint, the Commissioner of Sexual Harassment Prevention shall summon the person suspected of sexual harassment or pestering (the complainee), present to him or her the details of the complaint, and request his or her response.

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- 9.1.6 If the complaint is filed by a complainant who is not the victim, the victim's consent shall be required prior to the Commissioner of Sexual Harassment Prevention's contacting the complaine.
- 9.1.7 In order to investigate the complaint, the Commissioner of Sexual Harassment Prevention shall be authorized to summon any employee, including a member of academic faculty, a member of administrative staff, an outsourced employee, or a student, and to demand of him or her any information and/or document that pertains to or may assist in investigating the complaint.
- 9.1.8 Withholding assistance from the Commissioner of Sexual Harassment Prevention will be deemed a disciplinary offense.
- 9.1.9 The Commissioner of Sexual Harassment Prevention shall conduct the investigation continuously until it is concluded.
- 9.1.10 Should the Commissioner of Sexual Harassment Prevention believe that the circumstances of the case warrant outside assistance, he or she shall be permitted to enlist a professional such as a psychologist, social worker, member of faculty, lawyer, retired judge, etc., in order for them to help him or her to understand the circumstances of the case under complaint.

9.2 THE DECISION

At the end of the investigation, the Commissioner of Sexual Harassment Prevention shall choose one of the following options:

- 9.2.1 Dismissing the complaint:
 - Should the Commissioner of Sexual Harassment Prevention believe that the complaint is of no real substance, he or she may order the complaint dismissed.
 - Should the Commissioner of Sexual Harassment Prevention believe that the complaint was filed in bad faith, he or she may recommend that the complainant face charges.
 - The Commissioner of Sexual Harassment Prevention shall send the complainant a written notification on his or her decision to dismiss the complaint.
- 9.2.2 The Commissioner of Sexual Harassment Prevention's decision to dismiss the complaint may be appealed within 15 days, before the college president.
- 9.2.3 Remit the handling of the complaint to a disciplinary proceeding, or in case of an outsourced employee, refer it to the employee's employer and demand that the employer address it.

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- 9.2.4 Should the Commissioner of Sexual Harassment Prevention decide to remit the complaint to a disciplinary proceeding, he or she will provide the prosecutor with all relevant materials, including:
- The complaint and its addenda, if submitted in writing; and if submitted verbally, the record of its contents as drafted by the commissioner.
 - The complainee's response to the complaint.
 - Any records written by the Commissioner of Sexual Harassment Prevention during the investigation.
 - Any additional details relevant to the investigation.
 - A list of the interim measures taken, if taken.
- 9.2.5 The Commissioner of Sexual Harassment Prevention shall assist the prosecutor in preparing the disciplinary complaint as needed.
- 9.2.6 Should the Commissioner of Sexual Harassment Prevention find that the complaint is well-founded, yet the college's disciplinary policies do not apply to the complainee, the Commissioner of Sexual Harassment Prevention shall recommend relevant actions in consultation with the college's legal advisor.

10. Appointing a panel

- 10.1 When a disciplinary complaint on sexual harassment and/or pestering is filed, the president of the disciplinary tribunal shall appoint a panel, comprising three members of the disciplinary tribunal's plenum, to hear the complaint.
- 10.2 The panel appointed by the president of the disciplinary tribunal shall be composed so as to include representatives of the complainant and complainee's sexes.
- 10.3 The president of the disciplinary tribunal shall appoint one member of the panel to serve as head of the disciplinary tribunal.

11. Proceedings

- 11.1 The hearing of a complaint on sexual harassment and/or pestering shall be done behind closed doors.
- 11.2 In no way, shape, or form shall any detail be made public identifying the complainant or complainee, except as determined by the tribunal and as part of its handling of the complaint.

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12. Penalties

- 12.1 If a defendant who is a student is found guilty of sexual harassment and/or pestering, the panel hearing his or her case will be authorized to impose on him or her one or more of the penalties listed in Section 22 of the Student Disciplinary Guidelines (01-00-2-003).
The terms of Sections 24, 25, and 26 of the Student Disciplinary Guidelines shall be applicable as pertains to the penalties imposed on a defendant as stated above.
- 12.2 If a defendant who is a member of administrative staff is found guilty of sexual harassment and/or pestering, the panel hearing his or her case will be authorized to impose on him or her one or more of the following penalties:
 - 12.2.1 Reprimand.
 - 12.2.2 Pay decrease for a limited period.
 - 12.2.3 Permanent pay decrease.
 - 12.2.4 Suspension with partial pay, or without pay, for a period not exceeding 6 months.
 - 12.2.5 Dismissal with severance pay.
 - 12.2.6 Dismissal without severance pay.
- 12.3 If a defendant who is a member of academic faculty is found guilty of sexual harassment and/or pestering, the panel hearing his or her case will be authorized to impose on him or her one or more of the following penalties:
 - 12.3.1 Reprimand.
 - 12.3.2 Termination of academic role (if he or she holds one).
 - 12.3.3 Withholding of promotion in rank for a period not exceeding two years.
 - 12.3.4 Suspension with partial pay, or without pay, for a period not exceeding 6 months.
 - 12.3.5 Termination of tenure.
 - 12.3.6 Dismissal with severance pay.
 - 12.3.7 Dismissal without severance pay.

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13. Interim remedies

- 13.1 The Commissioner of Sexual Harassment Prevention, in coordination with the qualified authorities at the college, shall be authorized to order interim remedies designed to separate the complainant and complaine, such that on one hand the complainant will be accorded protection and on the other hand the work and/or study relations at the college will not be impacted.

The authority of the Commissioner of Sexual Harassment Prevention spans the period from the date of the investigation's launch to the remittance of the complaint to the disciplinary tribunal.

- 13.2 When the disciplinary proceedings are launched, the authority to order interim remedies shall be conferred upon the panel hearing the case.

14. Explanatory and educational activities

Under the direction of the Commissioner of Sexual Harassment Prevention, the college shall hold explanatory activities, including seminars, discussion groups, and publishing of information on the handling of sexual harassment and ways of preventing it.

15. Nondisclosure

The college shall respect, as much as possible, the privacy of complainants and complainees and will maintain secrecy, all within the strictures of the law's requirements and the need to protect other interests relevant to the matter, including the college's duty to investigate cases of sexual harassment and pestering and to take measures against their perpetrators, and the duty to apply effective measures in order to eradicate the phenomenon of sexual harassment.

16. Annual report

The Commissioner of Sexual Harassment Prevention shall submit to the college president an annual report on the scope of the sexual harassment and pestering phenomenon at the college.

17. Observance of the law

The terms of this policy are designed to supplement rather than detract from the letter of the law. In any contradiction between the law and the terms of this policy, the letter of the law shall prevail.

18. Applicability

This policy shall apply on the latest of the dates of its ratification by the executive council, as listed in the revision table.

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19. Revision table

Section	Nature of revision	Date of revision	Revision approved by
	Policy ratification	22/Jul/08	Executive council and academic council
11	Number for Student Disciplinary Guidelines	27/Jun/23	HR manager, Lilach Sade
	Updating the role of Commissioner of Sexual Harassment Prevention	11/Jul/23	
	Updating Deputy Commissioner of Sexual Harassment Prevention	11/Jul/23	
	Updating Deputy Commissioner of Sexual Harassment Prevention	29/Sep/24	HR manager, Michal Nakash
4.1	Proofreading error corrected	12/Jan/25	
	Updating office holders, replacing the appendices with references to the laws	23/Jul/25	Legal advisor, Sharona Levy

20. Documents and references

Document/Reference
Student Disciplinary Guidelines
Employment of Employees by Manpower Contractors Law 5756-1996
Prevention of Sexual Harassment Law, 5758-1998
Equal Opportunities at Work Law, 5748-1988
Hours of Work and Rest Law, 1951