Regulations on the structural unit

Company standard

Reviewed and approved at a

Board meeting

dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Minutes No.\_\_\_\_\_\_\_\_\_\_

**Zero-tolerance harassment policy**

Non-profit joint-stock company "Toraighyrov University"

Pavlodar

2023

**Introduction**

**1 Developed** by the Working Group.

**2 Creators**

2.1 Head of the working group: Matenova Zh.N. – Compliance – officer -

Head of Compliance Service.

2.2 Akhmetova G.G. – Compliance – academic officer

**3 Contributed** the Compliance Service.

**4 Approved** by the decision of the Board meeting dated \_\_\_ \_\_\_\_\_\_ 20\_\_\_,

protocol No.\_\_\_\_\_

**5 Implemented** in November 09, 2023

**6 INTRODUCED FOR THE FIRST TIME**

**7 Frequency of regulations checks**: 1 time in 3 years

**1. General Provisions**

The non-profit joint-stock University “Toraighyrov University” (hereinafter referred to as the University) aims to introduce modern practices into its daily operating activities. The University expects its staff, faculty and students to maintain high standards behavior and professional ethics.

The University is committed to providing a supportive environment for employees, faculty and students, free from discrimination on any basis and from harassment in the workplace and educational process, including sexual harassment.

The University accepts that harassment in the field of work and education degrades human dignity and violates universal international legal norms and standards.

**2. Policy Objectives**

This Policy describes the measures that “Toraighyrov University” NJSC takes to ensure a safe environment free from harassment and discrimination. The University recognizes the inherent need to reject any manifestations of harassment and discrimination based on gender in the educational environment of the University and its departments.

This Policy mandates strict adherence to the University's standards regarding harassment and gender-based discrimination and applies to all employees, faculty and students at all levels of education (college, undergraduate, graduate, doctoral) and to persons hired and retained by the University as consultants, experts, temporary workers and partners.

This Policy establishes clear obligations for the management of “Toraighyrov University” in preventing and responding to harassment and discrimination. The Policy may extend beyond the University’s workplace and normal business hours, including behavior of employees, teachers, students at various events, seminars, trainings and on social networks.

**3. Terms**

**Bachelor's degree** – higher education, educational programs of which are aimed at training personnel with the award of a “bachelor” degree in the relevant specialty;

**Higher College** is an educational institution that implements integrated modular educational programs of general secondary, technical and vocational, post-secondary education;

**Gender discrimination** is a set of prejudices and prejudicial attitudes towards people or discrimination against people on the basis of sex or gender; prejudice, negative attitude or antipathy towards people of a certain gender.

**Doctoral studies** are postgraduate education, educational programs of which are aimed at training personnel for scientific, pedagogical and (or) professional activities, with the award of the degree of Doctor of Philosophy (PhD), doctor by profile;

**Complaint or Message** – an appeal from the Complainant or Informant about an act of harassment committed in the world of work or an assumption that such an act has been committed, or about an impending act of harassment in the world of work by an employee University in relation to an individual University;

**Complainant** – a person reporting to the University allegations of sexual harassment, violence or discrimination of any nature;

**Informant** – a University employee who reported the fact of harassment in the world of work;

**The Commission** is a University body that considers the results of investigations into requests, complaints, monitors, and also prepares reports on the implementation of this Policy for the University Management, the University Board, and the University’s Sole Shareholder;

**False or malicious statement** - an inaccurate or misleading statement made recklessly, knowingly or intentionally to obtain an undue advantage;

**Master's degree is** postgraduate education, the educational programs of which are aimed at training personnel with the award of a master's degree;

**Violator** – a person suspected of committing harassment in the world of work or having committed harassment in the world of work;

**Victim** – a person who has been or is being exposed to discrimination, violence or harassment, including gender, sexual;

**University employee** is an employee of the University who carries out activities within the framework of an employment contract;

**Sexual harassment** - unwanted offers of provision of sexual services or other verbal, non-verbal or physical behavior of a sexual nature that interferes with the work and educational process; is a condition of employment, admission to educational programs of college, bachelor's degree, master's, doctoral studies; successful training, passing the current, midterm control, examination session, defense of the final work; or creates an intimidating, hostile or offensive environment in connection with University-related activities. Sexual harassment can occur between people of different sexes or genders, or the same sex, and can be initiated by either gender;

**Sexual violence -** actual or threatened physical force of a sexual nature, using force, under unequal or coercive conditions**;**

**Social research** is a way for the University to monitor the situation with harassment in the world of work and learning in a team;

**Student** – a person studying in an educational organization that implements educational programs of technical and vocational, post-secondary and higher education;

**University** is an organization of higher and (or) postgraduate education, carrying out scientific and pedagogical activities in various fields, personnel training, fundamental and (or) applied scientific research and being a leading scientific and methodological center;

**Harassment** is unacceptable forms of behavior and practices, or threats thereof, whether isolated or repeated, that have the purpose, effect or potential consequence of causing physical, psychological, sexual, reputational, economic or other harm, including gender-based violence and harassment, and creating frightening, aggressive, hostile, humiliating, offensive environment. Examples of harassment: humiliating demands, coercion to take actions outside the scope of work or educational process, manifestations of intrusiveness that do not correspond to a person’s comfort

**4. Policy Principles**

The University categorically does not accept harassment in the field of work and education in its activities. The University will take all available measures to prevent, investigate and eliminate harassment in the world of work and education in its activities.

The University will endeavor to raise awareness of the Principles of Labor Policy and Training to University staff, faculty and students, persons hired as consultants, experts, temporary workers and partners.

The University reserves the right to terminate contractual relationships with University employees, faculty and students, persons hired as consultants, experts, temporary workers and partners, or take other corrective measures in the event of a violation of this Policy in accordance with the legislation of the Republic of Kazakhstan.

**5. Commitments**

The University must be guided by the principles of this Policy and contribute to the creation and maintenance of an environment that prevents harassment in the field of work and education. Employees, teachers and students of the University are required to report any suspicions of harassment in the field of work, education to the HR service, Compliance service and cooperate in investigations and other internal procedures.

**6. Procedures**

Each University employee can inform the HR service and Compliance service about any actual or suspected acts of harassment in the field of labor or education.

Reports of actual or suspected acts of harassment in the field of labor and training can be sent to the HR service and the Compliance service.

The message must contain:

- Full name, name of the structural unit and position of the person or persons allegedly committing harassment in the world of work;

- description of the incident(s), including date(s), location and names of witnesses (if any);

- the impact of the incident(s) on the Applicant/Informant's ability to perform his or her job or on other conditions of his or her employment;

- any other information that the Complainant/Informant considers relevant to the complaint.

Anonymous complaints and messages may be considered for the purpose of situation analysis and monitoring.

Individuals or organizations reporting actual or suspected activities must be aware of their responsibilities.

Based on a written application, a Commission is created to clarify the circumstances by order of the Chairman of the Board.

The commission must:

- ensure that Informants/Complainants and alleged Violators are aware of the seriousness of complaints about harassment in the field of work and education;

- ensure that this Policy and review procedures are explained to all parties involved;

- decide whether an internal investigation will be carried out. The consideration of a case of harassment in the field of work and education should take place according to the algorithm established by the University.

Following any investigation, HR, Compliance, the Commission will take steps to monitor the situation regarding the status of the Victim and the alleged offenders to ensure that they are protected from reprisals as a result of the investigation, and will ensure that any disciplinary action taken as a result of the investigation is properly implemented.

Upon completion of the review, the Commission conducting the review will provide the University Management with a protocol (decision) on the results of the review. If it is determined that a violation of this Policy has occurred, the Commission will recommend appropriate disciplinary action.

Recommendations will depend on the following factors:

- degree, frequency and prevalence of behavior;

- presence of previous complaints filed by the Applicant;

- presence of previous complaints against the Violator, including anonymous ones;

- quality of evidence (for example, reliable confirmation from witness testimony, audio/video/photo materials, correspondence, etc.).

If the review is unsuccessful, or if it is determined that there was no violation of the Policy, but potentially problematic behavior may have occurred, the Commission may recommend appropriate preventive measures in accordance with the labor legislation of the Republic of Kazakhstan:

- recommend to the Chairman of the Board to impose disciplinary sanctions on the violator in the form of a reprimand, reprimand or severe reprimand;

- recommend to the Chairman of the Management Board to impose disciplinary sanctions on the violator in the form of termination of the employment contract at the initiative of the employer.

If one of the parties does not agree with the results of the investigation, the Commission informs the parties of their right to go to court.

The commission, in case of suspicion of criminal or administrative offenses, must transfer the materials to the police or an authorized body, recommend that the victim submit an application to law enforcement agencies or file a claim in court.

**7. Degrees**

Degree 1. The appeal contains accusations of rape, coercion into intimate relationships, threats, blackmail, etc., in this case, the Commission must recommend that the applicant contact law enforcement authorities immediately.

Degree 2. The treatment describes actions against employees, teachers in the performance of their official duties, students in the educational process, expressed in obscene language, demonstration of indecent gestures (signs) and objects, including using the media or telecommunications networks, obscene behavior, offensive harassment, in this case the Commission must recommend that the applicant contact law enforcement authorities.

Degree 3. The appeal describes actions against any employee, teachers in the performance of their official duties, students in the educational process, manifested in the form of insults, offensive harassment and any other actions that humiliate the honor and dignity of another person, in this case the Commission must recommend to the applicant contact law enforcement agencies.

**8. Legal remedies**

Any person who reports or attempts to report suspected or actual harassment in a work, study or University-related activity will be entitled to full protections (which include anonymity and confidentiality, as well as protection from retaliation) and legal remedies. protections afforded to whistleblowers.

Any person who is a victim of workplace harassment committed on University property or during an event sponsored or facilitated by the University may request that the University provide the protections provided in this Policy.

Any person who makes a false or malicious report may be subject to disciplinary action in accordance with University policy or other action in accordance with the laws of the Republic of Kazakhstan.

All complaints and messages are treated in complete confidentiality, information is disclosed strictly on a need-to-know basis. The identity of the complainant is disclosed to parties involved in the investigation, as appropriate, and the University takes appropriate measures to ensure that the Complainant or Whistleblower is protected from retaliation during and after the investigation. All information related to a complaint or investigation under this Policy will be maintained in secure files within the Compliance Department.

In order to maintain confidentiality, members of the Commission, as part of the consideration of the Complaint, sign an agreement on non-disclosure of confidential information.

**9. Policy implementation, prevention and monitoring**

The HR and Compliance Service will prepare a plan for implementing this Policy and raising awareness at the University about the problem of harassment in the field of work and education.

The plan will include:

- posting this Policy on the University website;

- development and provision of information materials for employees, teachers and students of the University, persons hired as consultants, experts, temporary workers and partners in order to raise awareness and support the implementation of this Policy;

The HR department is responsible for monitoring and effectively fulfillment of obligations in accordance with this Policy.

The compliance service will maintain a register of messages and complaints about harassment in the field of work and education.

**10. Final Provisions**

This Policy comes into force from the moment of its adoption by the University Board.

**Appendix 1**

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| **ACKNOWLEDGEMENT FORM** |
| Full name of the person who has read the document | Date of acquaintance with the document | Signature |
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