

# CODE OF CONDUCT



**NATIONAL INSURANCE COMPANY LIMITED**

March 2017



## Contents

APPROVAL OF THE CODE OF CONDUCT .....	3
Preamble.....	4
Application of this Code: .....	4
1. Ethics and Acceptable Behavior.....	5
2. Dress Code .....	7
3. Protection against Harassment at Workplace.....	7
4. Punctuality .....	7
5. Confidentiality.....	8
6. Gifts, Favors etc. ....	9
7. Borrowing Money .....	11
8. Declaration of Assets / Income Tax Return.....	11
9. Conflicts of Interest.....	11
9.1 What constitutes a Conflict of Interest? .....	11
9.2 Our Responsibilities.....	12
9.3 Types of Conflict to Avoid.....	12
9.4 After we leave the Company.....	13
10. Independence .....	14
11. Ethical Responsibilities.....	15
12. Misconduct.....	15
Appendix A.....	18
Appendix B.....	19



## **APPROVAL OF THE CODE OF CONDUCT**

### **APPROVAL OF THE BOARD OF DIRECTORS**

*The Board of Directors, in its 93rd Meeting held on March 04, 2017,  
approved this Code of Conduct.*



## Preamble

As a captive public sector non-life insurer, entrusted to insure national and provincial assets / risks including assets of strategic nature in terms of Section 166 of the Insurance Ordinance, 2000 (Ordinance No. XXXIX of 2000), it becomes a foremost obligation of National Insurance Company Limited (hereinafter referred to as “the Company”) to ensure effective and proper internal controls with adequate level of ethical standards set across the Company to complement its objectives.

We, the members of the Board and employees of the Company, are committed to the highest standards of honesty and integrity in all our activities ensuring our exemplary conduct. Our actions will always reflect the Company’s values, and promote a working environment that upholds and demonstrates our commitment to our core values.

This Code of Conduct (Code) is a statement of values and principles that will guide us in our day-to-day activities. Our continued commitment and uncompromising adherence to this “Code of Conduct” is core to the effectiveness of the Company, ensuring our continued growth as a dependable, trusted and respected organization.

This Code is framed in terms of the requirements as stipulated under Clause (xi)(a) of the Code of Corporate Governance for Insurers, 2016 [Notified vide S.R.O.1045(I)/2016 dated November 9, 2016].

## Application of this Code:

Except where explicitly stated, all provisions of this Code shall apply to:

- Members of the Board of Directors of the Company;
- Senior Management of the Company (including the Chief Executive Officer, Chief Financial Officer, Company Secretary and all departmental heads); and
- All Other Employees (including permanent regular employees, permanent employees under monetized salary package and contract employees).

Violations of this Code will be taken as serious misconduct and shall result in disciplinary action, including where appropriate suspension, or dismissal from employment or ceasing of appointment or initiation of criminal proceedings.

Every person to whom this Code applies is expected to be aware of, and comply with, this Code. Any report of possible breaches of this Code by the Chief Executive Officer and/or any of the Board members should be made to the whole Board; the Senior Management of the Company to the Chief Executive Officer; and all other employees to the Head of the Human Resource Department.



Every person to whom this Code applies shall be required to forward his/her acceptance of this Code, or any subsequent variant thereof as approved by the Board of the Company from time to time, at the time of joining the service of the Company and thereafter annually by signing the declaration in Appendix A, as his/her acceptance to the provisions of this Code.

## 1. Ethics and Acceptable Behavior

The employees of the Company shall:

- a. Have an obligation to carry out work professionally, impartially, with integrity, and without any fear or influence, in strict compliance with all laws and in the best interests of the Company and its policyholders;
- b. Abide by all applicable statutes, rules, regulations, directives, circulars, orders and directions of the Securities and Exchange Commission of Pakistan, in letter and spirit;
- c. Protect and conserve/safeguard the Company's assets, property, funds, information and documents, which shall not be used for any purpose other than authorized activities;
- d. Not Participate in, influence or attempt to influence an official decision or administrative action in violation of the Company's policies and procedures particularly in which, they have a personal interest, or from which, they can potentially benefit personally;
- e. Neither accept directorship or any other position in any company, association, body corporate or any organization, except in the circumstances where the Company nominates an employee as a director on the board of a company, association, body corporate or any organization, which is a subsidiary of the Company;
- f. Comply with the relevant rules governing their respective professional bodies including but not limited to chartered accountants, lawyers, cost and management accountants, CFAs, etc.
- g. Be allowed entering into any arrangement as the visiting faculty/teachers with the ICAP/ICMAP/ACCA or other similar professional bodies, universities, colleges or other institutions imparting professional or other education or teaching the students registered with ICAP/ICMAP/ACCA or similar professional bodies, universities, colleges and other institutions, provided that:
  - i. Such activity can be done only after office hours or on holidays;



- ii. Office work assigned to employee will not be affected;
- iii. Employee will be available after office hours or on holidays when so required;
- iv. Employee will not share with any other person / entity any information, which they are supposed to keep confidential;
- v. The engagement in the aforesaid activity by an employee shall be subject to getting the permission in writing from the Board, in case of the Chief Executive Officer, from the Chief Executive Officer, in case of Departmental Heads, the Chief Financial Officer and the Company Secretary, and from his/her Departmental Head in case of any other employee, and the same shall be communicated to Head of the Human Resource Department for record purposes;
- h. Not participate in any function organized by a subsidiary of the Company or supplier of the Company. No employee shall invite any person belonging to a subsidiary of the Company or any supplier of the Company in his / her private function;
- i. Not be posted to a position where his/her relative occupies a line manager position of the related job;
- j. Abstain / refrain from any sort of abuse which could be physical, sexual, and emotional and in neglect forms. Violence against any person, property or organization in any form including, but not limited to, assault or battering, is prohibited;
- k. Maintain a work environment free from the harmful effects of alcohol and drugs. In recognition of the serious consequences to the Company, all its employees are subject to the following:
  - i. Any employee who unlawfully manufactures, distributes, dispenses, possesses, uses or is impaired by a controlled/prohibited substance or who manufactures, distributes, dispenses, possesses, uses or is impaired by alcohol on the job, whether on or off the Company's property, will be subject to disciplinary action, up to and including immediate termination;
  - ii. All employees, as a condition of employment, are required to notify HR or HOD of any criminal drug statute conviction for a violation involving a controlled/prohibited substance, as per laws of Pakistan, occurring on the job immediately on such conviction. The Company intends to vigorously enforce



this Alcohol and Drug Abuse Policy. The Company reserves sole right to conduct a drug test of any employee suspected of violation of this policy.

## 2. Dress Code

The dress code approved by the Board shall be adhered to by all employees of the Company except where exemption is given by the Board to any employee or any class or cadre of employees.

## 3. Protection against Harassment at Workplace

- a. The Board shall form an inquiry Committee in accordance with Clause 3 of the Protection against Harassment of Women at Workplace Act, 2010 to investigate incidents of Harassment against employees. The Committee shall consist of three members of whom at least one member shall be a woman, if available. One member shall be from senior management and one shall be a senior representative of the employees or a senior employee. One or more members can be co-opted from outside the organization where the requirement cannot be met from within the Commission. A Chairperson shall be designated from among them from the organization.
- b. The Code of Conduct appended herewith as **Appendix B** has been incorporated as part of this Code in terms of Clause 11 of the Protection against Harassment of Women at Workplace Act, 2010.

## 4. Punctuality

- a. All employees at the Commission must report to work on time and shall be present in the office throughout the working hours except for official outside engagements. Absenteeism and lack of punctuality must be avoided. If an employee is unable to report for work, he/ she should notify his/ her immediate line manager prior to the start of the workday.
- b. It is the duty of all the Departmental Heads to monitor and ensure the attendance, in and out record of their employees.
- c. Accordingly, disciplinary action may be taken for habitual late attendance.
- d. Non-compliance shall be treated as delinquency on part of supervisory officer.



## 5. Confidentiality

- a. Confidential information is any information that:
  - i. is not available with either the public at large, or in certain cases, with another department of the Company, the dissemination of which in any form could result in harm to the Company and/or its image;
  - ii. possession or access to which could give the person to whom it is disclosed an advantage; or
  - iii. the information is marked as “confidential”.
- b. If there is a question of whether certain information is considered confidential, the employees are advised to first check with their concerned Departmental Head for an appropriate advice;
- c. In no circumstance, shall an employee use information related to the Company and its clients for any gain for his/her own or any other person;
- d. We are responsible to safeguard the confidentiality of information that is in our possession or we have access to. The heads of the departments shall be responsible to classify each type of information/letter/document as either “confidential” or “non-confidential”.
- e. We shall not use confidential information:
  - i. to directly or indirectly benefit us or anyone else; or
  - ii. in a business or for other activities outside our appointment with the Company.
- f. We shall not disclose confidential information outside the Company unless authorized to do so by law or the Board. We may disclose confidential information to others at the Company only when it is required to properly perform our duties or by law. We must avoid discussion of a matter with any person outside the Company while that matter is pending. We must also avoid discussion of a sensitive matter (i.e. matter appertaining to any information which has been classified as “confidential”) with any person within the Company, who is not directly or indirectly involved in dealing with that particular matter;
- g. We shall not accept a gift or financial reward, directly or indirectly, in exchange for disclosing confidential information;



- h. Any leakage of confidential information would be dealt with as an act of serious misconduct aimed at maligning the reputation of the Company and could attract disciplinary actions;
- i. The disclosures made under this Code to the Company will be kept confidential and will not be disclosed except where there is:
  - i. a requirement for disclosure for the purpose of managing potential or actual conflicts or for disciplinary proceedings; or
  - ii. any legal or regulatory obligation to disclose the information.
- j. All employees, both during and after their employment, must respect the confidentiality of internal information of the Company, including but not limited to, the profile of assets / risks or the organization(s) as a whole, being the client(s) of the Company;
- k. The employees shall not:
  - i. Disclose to third parties any non-public information involving the Company;
  - ii. Use, store, disclose or copy any proprietary or sensitive information related to the Company for unauthorized purposes;
  - iii. Attempt to access or possess any of the Company's confidential and proprietary information, activities or processes to which they are not authorized or entitled in their course of work;
  - iv. Participate in any activity that may lead to or result in inappropriate disclosures of sensitive information;
  - v. Use the identification issued to employees (including without limitation, computer passwords, systems' login which are allowed to them) except as required in their performance of the Company's activities. Employees shall ensure that these identifications are not given or divulged by them to any other person;

## **6. Gifts, Favors etc.**

- a. As a general rule, any employee of the Company shall not solicit any gift or other item of monetary value from any person or entity seeking administrative action from, doing business with, or conducting activities required by the Company, or



whose interests may be substantially affected by the performance or non-performance of his/ her duties. Exceptions include:

- i. Advertising or promotional material of nominal value;
  - ii. Public service awards and awards in connection with the employees' appearance in seminars / conference;
- b. Employee of the Company shall not solicit or accept anything of value, in return for advice or assistance on matters concerning official work including gifts to/ from any public official, another employee or person holding a political office or any of their relatives, unless there is a verifiable personal relationship between them;
- c. If an employee is offered a gift, the worth of which is more than Rupees five thousand [Rs.5,000] by any person, organization or any other body/ institute with whom the Company has an official relationship as a client/customer or a supplier, the employee concerned shall avoid acceptance of such a gift, if he/she can do so without causing offence;
- d. If this cannot be done then the employee may accept the gift and shall report and deposit the same to Head of the Human Resource Department, in writing, within two working days, along with the following disclosure:
- i. The name of the person or organization who offered the gift of value;
  - ii. The reason for the offer and the circumstances under which it was offered;
  - iii. A description/specification of the gift and its estimated value;
  - iv. The occasion/event and date of the offer; and
  - v. Portion regarding Acknowledgement of Receipt of Gift;
- e. Head of the Human Resource Department shall maintain details of all such gifts/articles received and disposed off the same as per the policy approved by the Board in its meeting;
- f. All proceeds collected from disposal of the gifts will be deposited in the Company's bank account with a report, in writing, to the Investment as well as Audit Committees of the Board;
- g. In case gifts are of intrinsic historical/artistic value i.e. antiques/paintings etc., Head of the Human Resource shall retain these for display at any prominent/proper place in the Company's office premises.



## 7. Borrowing Money

No employee shall borrow money from any person or entity with which he/she has any official dealings except from a banking company or financial institution. However, this shall not apply to authorized dealings carried out on behalf of the Company in the ordinary course of business with a financial institution.

## 8. Declaration of Assets / Income Tax Return

- a. All employees shall be required to submit the following declaration/statement/documents pertaining to that financial year by the 31st of December of each year to the Head of the Human Resource Department in a sealed envelope:
  - i. Copy of income tax return and wealth statement as submitted in FBR;
  - ii. CDC account statement (for those Employees who hold shares).
- b. A declaration will also be required if an investment is made on behalf of any of the dependent family members;
- c. Declaration of assets shall be reviewed by Ethics, Human Resource & Remuneration Committee constituted by the Board. The Committee shall report any findings in this regard to the Board.

## 9. Conflicts of Interest

### 9.1 What constitutes a Conflict of Interest?

A conflict of interest arises when any person to whom this Code applies has an interest, pecuniary or otherwise, which can be regarded as a conflict of interest between his/herr duty to perform his/her functions and such interest which could impair his/her ability to consider and decide any question impartially or create bias in his/her advice. Conflicts of interest may arise in various ways, for example, as the result of:

- a direct or indirect financial interest, including an interest held by a commercial undertaking that we have connections with;
- a personal association or relationship with those affected, or likely to be affected, by the matter;
- an expectation of a future interest;
- a previous association with a matter; or
- an interest with a common interest group, such as a public or private entity.



This list is not exhaustive and the situations noted above will not necessarily give rise to a significant conflict of interest in all cases.

## 9.2 Our Responsibilities

- a. We must carry out our work in an environment that is free from any suggestion of improper influence and take all reasonable steps to avoid being in an actual, apparent or potential conflict of interest.
- b. All of us must take steps to ensure that any conflict of interest to which we may be subject does not affect, or reasonably appear to affect, a decision taken. It is our responsibility to disclose potential or actual conflicts of interest with our duties, as soon as they arise or we become aware of them.
- c. None of us must exploit, or reasonably appear to exploit, to our personal advantage any personal or professional relationships with any person, entity or any organization with which the Company may have contractual or business relationship, or an officer or employee of such entity or organizations.

## 9.3 Types of Conflict to Avoid

- a. We shall not participate in making any decisions at the Company if we could benefit from the decision. If we are a member of a body or group, we may not, in the course of our duties at the Company, participate in, or attempt to influence, any decision-making of that body or group if:
  - i. we could benefit from the decision; or
  - ii. as a result of the decision, the interests of the body or group could conflict with the interests of the Company;
- b. We shall not accept the services of a person or an entity dealing with the Company as a supplier of products and/or services, or as a debtor/creditor by any means or mode whatsoever, on terms that we know are more favorable than any such person or entity normally offers;
- c. During the course of our appointment with the Company, we must not give preferential treatment, or the appearance that we are giving preferential treatment, to any person or entity or any former employee or Board member at the Company, or even to any renowned person unless he/she is serving as a Board member at the prevalent time;
- d. During the course of our appointment with the Company, we may not offer assistance to any person or entity dealing with the Company other than assistance given in the ordinary course of performing our duties or professional obligations.



- e. We may not influence:
  - i. a contract on behalf of the Company with:
    - 1. a member of our family, or
    - 2. a person or entity that we or a member of our family has a significant relationship with or a substantial interest in.
  - ii. directly or indirectly the hiring of a member of our family.
- f. We shall not engage in a business or undertaking, outside our employment or appointment with the Company if:
  - i. our private interest in such undertaking could conflict with our duties at the Company;
  - ii. our role at the undertaking would interfere our ability to perform our duties at the Company;
  - iii. the engagement is in a professional capacity and is likely to influence or harm our ability to perform our duties at the Company; or
  - iv. the Company's employees, premises, equipment or supplies are used.
- g. We shall not exercise our authority in a matter if we:
  - i. have a personal or pecuniary interest relating to the matter that is, or could reasonably be perceived to, conflict with our ability to exercise an unbiased judgment;
  - ii. believe that we would be unable to render an impartial decision; or
  - iii. have continuing or prior associations or relationships, including family and other close personal relationships, that would reasonably be perceived as preventing us from rendering an impartial decision.

#### **9.4 After we leave the Company**

*(This Section 9.4 applies to every former employee who worked at the Company, every former Board member and any other person who has been associated, directly or indirectly, by any means or modes with the Company)*

- a. To avoid an actual, apparent or potential conflict of interest between our new employment and our former duties with the Company, the following rules apply to our activities after we leave the Company. These rules are not intended to overly restrict former employees and Board members in seeking other jobs.



- b. We may not use confidential information that we obtained during our employment or appointment with the Company in any business or undertaking. We may not disclose confidential information to any person or entity.
- c. We may not seek preferential treatment by, or privileged access to, Board members or employees of the Company.
- d. We may not advise or otherwise assist any person or entity in connection with any application, proceeding, negotiation or other matter that we were involved in when we were at the Company, unless:
  - i. the Company is no longer involved in it; or
  - ii. one of the exceptions noted in Para 10(g) applies.
- e. We shall not accept employment with any other entity or serve as a member of the board of directors or other governing body of that other entity within the first 6 months of leaving the Company, if, during the 6 months before leaving the Company, we had:
  - i. substantial involvement with that entity, and
  - ii. access to confidential information that, if disclosed to the entity, could result in harm to the Company or could give the entity an unfair advantage in relation to other parties.

*For Board members and employees, the Board has the authority to determine the substantial involvement and access to confidential information.*
- f. We shall not lobby any Board member or employee of the Company for, or on behalf of, another person or entity for the first 12 months after leaving the Company.

## 10. Independence

- a. We must reject any effort by representatives of the executive or legislative branches of the government to affect our independent determination of any matter being considered by the Company.
- b. We must not be swayed by partisan demands, or considerations of personal popularity or notoriety; and perform the functions above fear of unjust criticism by person, party or group.



## 11. Ethical Responsibilities

- a. We must act in an honest and ethical manner when dealing with each other, business stakeholders and other third parties, to promote trust and confidence.
- b. We must not solicit any gift or other item of monetary value from any person or entity seeking administrative action from, doing business with, or conducting activities with the Company, or whose interests may be substantially affected by the performance or non-performance of his/ her duties.
- c. We must not participate in any private event/function organized by a supplier or any other entity with which the Company is doing business with, and should not invite a supplier of the Company in our private functions.

*A Board Member (other than Chairman) or the Chief Executive Officer can participate /invite on such events subject to approval of the Chairman. This provision is not applicable to the Chairman, however, the disclosure of any such participation and invitation should be made to the Board.*

- d. Lapses in integrity compromise trust and confidence and undermine the Company's efforts in serving its stakeholders. Hence, any actions casting doubt on the integrity of the Company would be considered as acts of serious misconduct.

## 12. Misconduct

- a. 'Misconduct' includes conduct prejudicial to good order or service discipline, or unbecoming of an officer and a gentleman/lady, or abuse or misuse of the official position to gain undue advantage directly or indirectly for himself / herself or for any other person known to him/her, or assumption of financial or other obligations to private institutions or persons as may cause embarrassment in the performance of official duties or functions, and includes any act on the part of the employee to bring or attempt to bring political or other outside influence directly or indirectly on the Company or any of its Board Members and employees including in respect of any matter relating to appointment, promotion, transfer, disciplinary action, proceedings or other terms and conditions of employment;
- b. Without prejudice to the generality of what constitute 'misconduct' in particular circumstances in terms of sub-Para (a) above, instances of Misconduct shall include:-
  - i. willful insubordination or disobedience, whether alone or in combination with others to any lawful and reasonable order of a superior authority;



Provided that refusal to accept such orders which officers believes to be incorrect, unlawful, self-incriminating or lacking jurisdiction will not be held against him;

- ii. theft, fraud, misuse, un-authorized use, misappropriation or dishonesty in connection with the business or property of the Company;
- iii. willfully or through criminal negligence causing damage to any property, including intellectual property or image, of the Company;
- iv. habitual late attendance, habitual absence or continuous absence without approved leave or without sufficient cause;
- v. breach of any law applicable to him/her as a citizen of Pakistan, or breach of any policy applicable to him/her as an employee of the Company;
- vi. illegal strike of work either singly or jointly with others in contravention of any statute, law, rules, regulations and terms and conditions of employment as determined from time to time, or inciting any employee while within the precincts of the Company to strike work;
- vii. consuming, distributing or storing intoxicants, contrabands, alcohol substances, prohibited by law in office premises;
- viii. taking part or being associated with others engaged in subversive activities including the disclosure of official secrets, and confidential information to unauthorized persons;
- ix. refusal to work on a job or assignment, or at any of the Company's offices;
- x. holding unofficial meetings, collection or canvassing for the collection of any money, distribution or exhibition of any newspapers, hand bills, pamphlets or posters for personal, political, social or unlawful purposes within the boundaries of the Company's premises without the previous sanction of the Board;
- xi. gambling within the office premises;
- xii. making representations or filing false applications or engaging frivolous application at any forum with an attempt to bring the Company or its employee into bad repute;
- xiii. threatening or intimidating and coercing any employee or person within the boundaries of the Company;



- xiv. presenting and using fake educational credential and documents to the Company as genuine;
- xv. aiding, abetting, facilitating or attempting any of the above instances of misconduct;
- xvi. involvement and conviction in a criminal case or having reputation of involving in immoral criminal act;
- xvii. unauthorized communication of official documents or information;
- xviii. publication of information and public speeches capable of embarrassing the Company;
- xix. propagation of sectarian or religious creeds or controversies or create feeling of discontent or displeasure amongst employee;
- xx. indulging in provincialism, parochialism, nepotism, favoritism, victimization and willful abuse of powers delegated by the Company's Board; or
- xxi. facilitating appointment in violation of applicable procedures of the Company.



## **Appendix A**

### **Declaration of Compliance with National Insurance Company Limited's Code of Conduct**

I \_\_\_\_\_ do hereby affirm and declare that I have read the contents of the Code of Conduct and undertake to abide by the requirements of this Code in discharge of my duties, and perform my functions, as a Board Member/Employee of the Company, honestly, to the best of my ability, faithfully.

Name:

Employee ID (In case of an employee):

Designation:

Signature:

Date:



THE GAZETTE OF PAKISTAN, EXTRA., MARCH 11, 2010 [PART I]

### **Schedule**

[See sections 2(c) and 11]

#### **CODE OF CONDUCT FOR PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE**

Whereas it is expedient to make the Code of Conduct at the workplace etc. to provide protection and safety to women against harassment it is hereby provided as under:

- (i) The Code provides a guideline for behavior of all employees, including management, and the owners of an organization to ensure a work environment free of harassment and intimidation;
- (ii) "Harassment" means any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature, or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment;

The above is unacceptable behavior in the organization and at the workplace, including in any interaction or situation that is linked to official work or official activity outside the office.

*Explanation.*—There are three significant manifestations of harassment in the work environment;—

**(a) Abuse of authority**

A demand by a person in authority, such as a supervisor, for sexual favors in order for the complainant to keep or obtain certain job benefits, be it a wage increase, a promotion, training opportunity, a transfer or the job itself.

**(b) Creating a hostile environment**

Any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature, which interferes with an individual's work performance or creates an intimidating, hostile, abusive or offensive work environment.



The typical "hostile environment" claim, in general, requires finding of a pattern of offensive conduct, however, in cases where the harassment is particularly severe, such as in cases involving physical contact, a single offensive incident will constitute a violation.

**(c) Retaliation**

The refusal to grant a sexual favor can result in retaliation, which may include limiting the employee's options for future promotions or training, distorting the evaluation reports, generating gossip against the employee or other ways of limiting access to his/her rights. Such behavior is also a part of the harassment.

- (iii) An informal approach to resolve a complaint of harassment may be through mediation between the parties involved and by providing advice and counseling on a strictly confidential basis;
- (iv) A complainant or a staff member designated by the complainant for the purpose may report an incident of harassment informally to her supervisor, or a member of the Inquiry Committee, in which case the supervisor or the Committee member may address the issue at her discretion in the spirit of this Code. The request may be made orally or in writing;
- (v) If the case is taken up for investigation at an informal level, a senior manager from the office or the head office will conduct the investigation in a confidential manner. The alleged accused will be approached with the intention of resolving the matter in a confidential manner;
- (vi) If the incident or the case reported does constitute harassment of a higher degree and the officer or a member reviewing the case feels that it needs to be pursued formally for a disciplinary action, with the consent of the complainant, the case can be taken as a formal complaint;
- (vii) A complainant does not necessarily have to take a complaint of harassment through the informal channel. She can launch a formal complaint at any time;



THE GAZETTE OF PAKISTAN, EXTRA., MARCH 11, 2010 [PART I]

- (viii) The complainant may make formal complaint through her incharge, supervisor, CBA nominee or worker's representative, as the case may be, or directly to any member of the Inquiry Committee. The Committee member approached is obligated to initiate the process of investigation. The supervisor shall facilitate the process and is obligated not to cover up or obstruct the inquiry;
- (ix) Assistance in the inquiry procedure can be sought from any member of the organization who should be contacted to assist in such a case;
- (x) The employer shall do its best to temporarily make adjustments so that the accused and the complainant do not have to interact for official purposes during the investigation period. This would include temporarily changing the office, in case both sit in one office, or taking away any extra charge over and above their contract which may give one party excessive powers over the other's job conditions. The employer can also decide to send the accused on leave, or suspend the accused in accordance with the applicable procedures for dealing with the cases of misconduct, if required;
- (xi) Retaliation from either party should be strictly monitored. During the process of the investigation work, evaluation, daily duties, reporting structure and any parallel inquiries initiated should be strictly monitored to avoid any retaliation from either side;
- (xii) The harassment usually occurs between colleagues when they are alone, therefore usually it is difficult to produce evidence. It is strongly recommended that staff should report an offensive behavior immediately to someone they trust, even if they do not wish to make a formal complaint at the time. Although not reporting immediately shall not affect the merits of the case; and
- (xiii) The Code lays down the minimum standards of behavior regarding protection of women from harassment at workplace etc. but will not affect any better arrangement that an organization may have developed nor will it bar the grant of protection that employees working in an institute may secure from their employers through negotiation.