

POLICY ON PREVENTING AND COMBATING HARASSMENT AND SEXUAL HARASSMENT

Cyprus Telecommunications Authority

Cyta

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1. INTRODUCTION

Sexual harassment is a social phenomenon and a form of gender-based violence that affronts the dignity of victims and has long been an invisible situation in the workplace. This is also recognized in the Code of Conduct in the Public Service on Preventing and Combating Harassment and Sexual Harassment, issued by the Office of the Commissioner for Administration and the Protection of Human Rights - Equality and Anti-Discrimination Body (hereinafter "the Code").

The European Union (EU) has taken innovative legislative initiatives to promote the fundamental principle of European law, equality between men and women, which requires combating sexual harassment. It has introduced provisions prohibiting discrimination on the grounds of sex in employment, work, vocational guidance, vocational training and professional development, especially harassment and sexual harassment.

At the same time, the EU stressed the importance of encouraging employers and persons responsible for vocational training to take measures to combat all forms of gender discrimination, in particular preventive measures against harassment and sexual harassment in the workplace and in the context of access to employment, vocational training and career development.

The European Parliament resolution on combating sexual harassment and abuse in the EU (No. 2017/2897(RSP)) stresses that Member States, employers' organisations and trade unions should urgently promote awareness of sexual harassment and support and encourage women to report such incidents immediately. The resolution also stresses that the unequal distribution of power between men and women, gender stereotypes and sexism are at the root of all forms of violence against women and have led to male domination and discrimination against women, as well as to obstacles to women's full progress.

We recognize that, in addition to the applicable law and the Code, specific legal procedures must be followed to deal with incidents of sexual harassment in the workplace, which we have adopted in establishing this Policy.

2. DEFINITIONS

"Affiliated Entities" means Cyta's Funds (e.g. Pensions and Grants Fund of the Personnel of CYTA etc.), subsidiaries and companies in which Cyta holds a majority shareholding and/or has a majority of the seats on their Boards of Directors, including those based abroad, which, however, may require adaptation in particular issues due to the local regulatory framework.

"Authority" "Cyta" or "Organization" means the Cyprus Telecommunications Authority.

"Behaviour of a Sexual Nature" means behaviour that the recipient may consider unpleasant, offensive, intimidating, humiliating or hostile.

"Equality Committee" means the Diversity, Equality and Inclusion Committee of the Authority, as constituted from time to time.

"Formal Internal Procedure" means the procedure for the formal handling and review of a Report as provided for disciplinary proceedings in the General Personnel Regulations of the Telecommunications Authority.

"Harassment" is defined as unwanted conduct related to a recipient's sex which has the purpose or effect of violating the recipient's dignity, in particular when it creates an intimidating, hostile, degrading, humiliating or offensive environment.

"Informal Internal Procedure" means the procedure for the informal handling of the Report by the Point of Contact.

"Personnel" means all employees of the Authority, monthly salaried personnel, hourly paid personnel and contract personnel of the Authority.

"Point of Contact" is the person to whom individuals who wish to have their Report handled through the Informal Internal Procedure can be referred.

"Policy" means this Policy on Preventing and Combating Harassment and Sexual Harassment.

"Report" means a complaint or report submitted by the Reporting Person.

"Reported Person" means a natural person in respect of whom the Report is made.

"Reporting Person" means a natural person who reports (discloses), in good faith, any Unwanted Behaviour, either in writing or verbally.

"Sexual Harassment" is defined as any conduct of a sexual nature that is unwanted by the recipient and has the purpose or effect of violating their dignity, in particular when creating a degrading, intimidating, hostile, humiliating or offensive environment in the workplace, and is expressed in words or actions.

"Sexual Harassment Behaviour" means behaviour that the recipient may consider unpleasant, offensive, intimidating, humiliating or hostile. Examples include:

i. Verbal behaviour, unnecessary intimacy, sexual comments, jokes, anecdotes and gestures, unethical and offensive comments about gender or sexual orientation, making discussions on sexual topics, describing sexual life in front of others, unwanted suggestions, hints and advice, indiscreet questions about personal or sexual life, sexual innuendos, insults, invitations for dating or sexual intercourse, confession, love affairs, compliments, flirting.
ii. Non-verbal behaviour, unwanted touching of clothing, hair or other parts of the body, stings, caresses, kisses, whistles, unnecessary approach / very close body distance which is not accidental, sexual movements, gestures in a sexual way.
iii. Visual behaviour, persistent or lustful looks, sly meanings, monitoring personal life, attempting to channel sexual material such as images, magazines, videos.
iv. Other forms of behaviour, written love letters or letters with love and sexual content, related phone calls, messages and emails, fax, photo viewing, posting pictures, posters or sexually explicit movies.

Components of the terms **"harassment"** and **"sexual harassment"** are:

i. Unwanted behaviour.
ii. Gender-based behaviour and sexual behaviour respectively.
iii. Such behaviour, which can reasonably be considered by the recipient, under the circumstances, as offensive, intimidating and humiliating and which creates a hostile working environment.

Under the Policy and in relation to incidents of harassment or sexual harassment, the intention of the perpetrator (male or female), whatever it may be, is completely indifferent. Even an individual behaviour can constitute harassment or sexual harassment. Different people may react differently to a particular behaviour. But this is not a defence for the perpetrator of the

behaviour or a mitigating factor for the competent authority. What matters is that one of the recipients of the behaviour has reasonably perceived it as unpleasant or offensive or intimidating or humiliating or hostile to the individual.

"Unwanted Behaviour" is defined as behaviour that is unpleasant and offensive to a woman or man. It does not matter whether the behaviour is isolated or repeated. It also does not matter how the perpetrator perceives his/her behaviour towards the recipient, nor does the recipient of the behaviour need to inform the perpetrator that his / her behaviour is undesirable.

3. LEGAL OBLIGATIONS

3.1 Cyta strictly applies the relevant legislation on harassment and sexual harassment and has a zero-tolerance policy for any incident of non-compliance with the legislation and the Policy. It also adopts and implements the Code as may be revised from time to time.

3.2 Cyta undertakes to promptly take all reasonable steps to prevent any act, whether isolated or repeated, that constitutes harassment or sexual harassment, or direct or indirect discriminatory treatment for opposing, in any way, harassment or sexual harassment, or for reporting harassment or sexual harassment (victimization), in relation to:

i. Access to employment or work, whether permanent or temporary, fixed-term or open-ended, full-time or part-time, permanent or casual, and at all levels of the occupational hierarchy.
ii. Defining and enforcing working terms and conditions, the criteria for placement or tenure, transfer or relocation, secondment or promotion.
iii. The terms and conditions of dismissal from any work.
iv. Access to all forms and levels of vocational guidance, vocational education and training or apprenticeship, vocational training and retraining, training for change of profession or work and the terms and conditions of their provision.

Such reasonable and immediate action shall be deemed to have been taken, in accordance with applicable legislation, when the "Code of Practice" is introduced to prevent acts of harassment or sexual harassment and reasonable practical measures are taken to implement what is set out in the Code. It is understood that this Policy constitutes the Code of Practice and

the attached Procedure for Handling a Report of Harassment or Sexual Harassment constitutes the practical measures for implementing the Policy.

3.3 Apart from the Police, the competent State authorities for reporting are the Commissioner for Administration and the Protection of Human Rights - Equality and Anti-Discrimination Body, the Commission for Gender Equality in Employment and Vocational Training and the Labour Inspectors of the Department of Labour, Ministry of Labour and Social Insurance.

3.4 The General Personnel Regulations of the Cyprus Telecommunications Authority, as amended from time to time, provide that it is a disciplinary offence to commit the above acts, as well as the commission of any criminal offence which is punishable by dismissal. It also provides for the liability of Heads for any failure to control and supervise their subordinates.

In any case, as soon as a Report is made and before the procedure for handling it is completed, all support measures will be taken, without stigmatizing the parties involved, to avoid professional collaboration between them and/or to move them away if they are in nearby offices or on the same floor; by transferring or moving one or both of them. This is in accordance with Article 12(4) of the Equal Treatment of Men and Women in Employment and Vocational Training Law 205(I)/2002.

3.5 In the event of a conviction for the offences covered by this Policy, the penalties are very severe and in the case of serious or repeated incidents or behaviour, the penalty may be dismissal. It is also understood that all appropriate steps will be taken to prevent any future contact and collaboration between the parties involved.

4. PURPOSE AND SCOPE OF APPLICATION

Cyta is committed to providing a healthy, harassment-free work environment for all employees and maintains a Cyta-wide policy to prevent all forms of harassment, including sexual harassment, of its employees, customers and partners and to respond quickly and effectively to any incidents that may occur.

This Policy applies to Cyta and its Affiliated Entities. All are expected to comply with the provisions of this Policy that reasonably apply to them. Cyta will not tolerate sexual harassment outside the Authority as well. Customers,

suppliers, contractors and anyone who interacts with Cyta are covered by this Policy.

5. PROCEDURE FOR HANDLING A REPORT OF HARASSMENT OR SEXUAL HARASSMENT

The Procedure for Handling Reports of Harassment or Sexual Harassment is set out in **ANNEX A**.

6. PROTECTION FROM RETALIATION AND RIGHTS

6.1 Reporting Person Protection

Cyta ensures that the Reporting Person, as defined in **ANNEX A**, is protected on the one hand, and on the other hand, that no action will be taken against him/her in case his/her Report, as defined in **ANNEX A**, is not proven to be a violation. However, in any case where it is determined that the Report was false and malicious, the provisions of the Procedure for Handling a Report of Harassment or Sexual Harassment shall apply.

6.2 Rights of the Reported Person

The rights of the Reported Person are set out in **ANNEX A**.

7. CONFIDENTIALITY

7.1 All Reports are treated confidentially and the parties involved are bound by a duty of confidentiality.

7.2 Any person who knows the identity of the Reporting Person is prohibited from revealing the identity of the Reporting Person or disclosing details that could lead to his/her identification, unless they have obtained his/her express consent.

Cyta will take all measures to reduce the risk of identifying the Reporting Person without his/her consent.

The identity of the Reporting Person may need to be disclosed in future legal or judicial proceedings.

8. RESPONSIBILITY OF THE MANAGEMENT

It is the responsibility of any Director, head or other person within the Authority, who supervises one or more employees, to take prompt, meaningful and appropriate action, in accordance with the Policy, to report or to address incidents of Harassment or Sexual Harassment of any kind that come to their attention, whether or not they have been communicated to them.

Under no circumstances should a Report be rejected or downgraded, nor should the Reporting Person be asked to deal with it personally.

9. EQUALITY COMMITTEE

Cyta appoints a Workplace Equality Committee, consisting of at least three employees of both genders, to make recommendations on any measures that may be deemed necessary for improvement, organization of the programs to be reviewed, monitoring of the implementation of the Policy, evaluation of its effectiveness and qualitative improvement of the working environment and employee relations.

The Committee operates on the basis of internal rules governing the composition, term of office and functioning of each Equality Committee.

Cyta must facilitate the work of the Equality Committee and provide specialized training/education for its members immediately upon its establishment and whenever its membership is renewed.

The Equality Committee must inspect the workplace on a regular basis to confirm that it is of a reasonable standard and report its findings/assessments to the Directorate of Labour Relations, Benefits and Health on a regular basis, orally and/or in writing, as the case may be.

Cyta encourages employees to cooperate with the Equality Committee, to contribute to its activities and to report their views on programs and measures to prevent and combat harassment and sexual harassment and their performance in relation to the working environment.

10. INFORMATION AND TRAINING ON THE POLICY

Cyta ensures that all its employees and partners are informed about the Policy in order to ensure the widest possible knowledge and effective implementation hereof. Information on the Policy is published in a prominent place on the intranet, as well as on the Authority's website.

To communicate the Policy, organized and targeted training will be provided on the following issues to best prevent and avoid the said behaviours:

i. Information and awareness-raising on what constitutes harassment and sexual harassment and the consequences for victims.
ii. To which internal or external bodies can reports be made.
iii. What is the procedure to be followed in such cases; increasing the sense of security in reporting, including the collection of evidence to prove the Reports.
iv. Preventing stigmatization of victims.
v. Strengthening the chain of command to deal effectively with such incidents.

Such training should be repeated at regular intervals. A relevant module should also be included in the induction programme for newly recruited personnel, newly promoted personnel at Supervisor/Department Head level and those taking on leadership/supervision of a personnel team.

11. COMMUNICATION ACTIVITIES

In addition to training, communication activities will be carried out both inside and outside the Authority to promote the "zero tolerance" policy towards such phenomena.

These actions will be carried out under the responsibility and coordination of the Authority's Corporate Communications, in cooperation with the Authority's Directorate of Labour Relations, Benefits and Health, and the content of the communications will briefly refer to the measures taken by Cyta to stop harassment/sexual harassment.

12. DIRECTORATE OF LABOUR RELATIONS, BENEFITS AND HEALTH

The responsibilities of the Directorate of Labour Relations, Benefits and Health, among others, with regard to the Policy, are detailed in **ANNEX B**.

13. CONTINUOUS IMPROVEMENT AND REVIEW

The Policy shall be reviewed in accordance with the approved Policy Review Framework and shall be periodically updated, depending on organisational and/or operational needs.

ANNEX A: PROCEDURE FOR HANDLING A REPORT OF HARASSMENT OR SEXUAL HARASSMENT

1. Formal Internal Procedure

In order to handle Reports to best prevent and avoid the reported behaviours, as well as to create the necessary infrastructure for reporting/handling Reports, the following applies:

i. Personnel may submit a Report to the CEO, their Director or their immediate superior. If the Point of Contact is chosen, the procedure under clause 2 below applies.

ii. The disciplinary procedure, as provided for, shall follow.

iii. After the submission of the Report, the Reported Person will be informed in writing. It is understood that the Reported Person must not have any direct or indirect communication/contact with the Reporting Person.

iv. In addition, if it is found that there has been an attempt by the employee's superiors to cover up such conduct, the employee's superiors will also be subject to disciplinary action.

v. If the Report is found to be false and malicious, action will be taken against the person making the Report.

The Reported Persons have the following rights:

i. To be informed of the Report and of what is attributed to them in the Report submitted.

ii. To be represented by a lawyer.

iii. To be called to testify before the investigating officers.

2. Informal Internal Procedure

The informal internal procedure aims to address the harassment or sexual harassment immediately, before it develops, rather than to gather evidence to substantiate it.
This procedure is appropriate when:

A. The Reporting Person who alleges that he/she has been subjected to harassment or sexual harassment recognises/deems that it would be helpful and wishes to follow this procedure in lieu of the Formal Internal Procedure;

B. The Person Reporting the Harassment or Sexual Harassment and the Reported Person are in constant or frequent contact due to the nature of their job duties, and therefore the Reporting Person wishes to address the Harassment or Sexual Harassment informally and restore a positive working relationship between them;

C. The incidents constituting harassment or sexual harassment are of a less serious nature and the Reporting Person expects that it will be possible to stop the harassment or sexual harassment without the need to resort to the Formal Internal Procedure.

Two persons of different genders shall be appointed by the CEO as Points of Contact, whom individuals may approach if they wish to have their case handled internally.

The Point of Contact whom the Reporting Person(s) address(es) shall be responsible for managing the Informal Internal Procedure.

The Informal Internal Procedure may be converted into a Formal Internal Procedure at any time if the Reporting Person so wishes.

As part of the Informal Internal Procedure for reviewing any report of harassment or sexual harassment, the Point of Contact shall:

- Approach and treat the Reporting Person with respect;
- Encourage the Reporting Person to report incidents of harassment or sexual harassment either verbally or in writing;
- Recommend the Reporting Person to take care to preserve any evidence in his/her possession related to his/her behaviour;
- Ask the Reporting Person if he/she wants to deal with the situation himself/herself or if he/she needs assistance;
- Inform the Reporting Person of his/her right to submit a Report through the Formal Internal Procedure.
- The Reporting Person may ask the Point of Contact to talk to the Reported Person about harassment or sexual harassment. In this case:
  - The Reporting Person submits a written Report of harassment or sexual harassment;

- If necessary, and without stigmatizing the parties involved, professional collaboration between them shall be avoided and/or they shall be moved away if they are in close proximity or on the same floor;
- The Point of Contact informs the Reported Person in writing about the Report, no later than 3 days after it has been submitted and invites him/her to submit his/her comments within the next 3 days;
- If the Reported Person acknowledges the Report orally or in writing to the Point of Contact within the above time limit, he/she will be asked by the Point of Contact to apologize immediately to the victim;
- The Informal Internal Procedure is then closed.
- If the Reported Person does not acknowledge the reported incident within the above time limit, or does not respond whether or not he/she acknowledges it, the Point of Contact shall, upon expiry of the said time limit, inform the Reporting Person of his/her right to submit a formal Report.

It is only if the Reporting Person wishes to do so that the "Formal Internal Procedure" will be followed.

3. Handling of Reports submitted to the Competent State Authorities or published in the mass media

In cases where Reports are submitted to any state authority or elsewhere (e.g., a letter received from an employee's lawyer), Cyta officials must cooperate with state authorities in conducting investigations.

In cases where Reports are published in the mass media, it is necessary for Cyta to be able to state that it has a defined procedure, based on the recommendations of the Commissioner for Administration and the Protection of Human Rights, which has been followed to the letter and which ensures the greatest possible impartiality, provided that Personnel have had an external, independent and specially trained reporting point.

4. Personal Data Collected

1. The types of personal data collected for the purposes of investigating Reports are as follows:

   (a) Personal information of the Reporting Person:

   - Name
   - Phone
   - Email

- Department/Directorate (where applicable)
- Head (where applicable)
- Sex

(b) Statements:

- Date(s) of the incident
- Time(s) of the incident
- Location(s) of the incident
- Detailed description of the behaviour
- Any other relevant information

(c) Names of persons involved:

- Full name of the Reported Person
- Position/Department (where applicable)
- Head (where applicable)
- Witnesses (where applicable)
- Position/Department (where applicable)
- Head (where applicable)
- Any other relevant information

(d) Evidence:

- Email, text messages, photos or videos, CCTV footage, etc.
- Other relevant documents (e.g. previous complaints)
- Other information

2. All personal data and all documents and reports containing personal data will be retained by the Directorate of Labour Relations, Benefits and Health in an encrypted file for the duration of the investigation and as long as permitted by law and Cyta's relevant internal procedures.

3. All Personal Data will be handled in accordance with the provisions of the General Data Protection Regulation EU 2016/679 and the Law on the Protection of Individuals with regard to the Processing of Personal Data No. 125(I)/2018.

4. The Reporting Persons and the Reported Persons have the right to information, access, rectification and deletion of personal data concerning them by submitting a request to the Data Protection Officer, in accordance with applicable legislation.

5. The personal data of the Reporting Person and the Reported Person shall be disclosed to the Compliance Officer, the Directorate of Labour Relations, Benefits and Health, Cyta's Chief Executive Officer, Cyta's Data Protection Officer, the Point of Contact, the relevant State Authorities, their Head(s) and the Investigating Officers for the purpose of carrying out their duties hereunder.

6. In the event of a complaint about a breach of the applicable legislation on the protection of personal data, it shall be submitted in writing to the Data Protection Officer.

ANNEX B: RESPONSIBILITIES OF THE DIRECTORATE OF LABOUR RELATIONS, BENEFITS AND HEALTH

The Directorate of Labour Relations, Benefits and Health, inter alia:

i. Is responsible for implementing the Procedure for Handling Reports of Harassment and Sexual Harassment.

ii. Is responsible for the proper implementation of the Policy.

iii. Monitors the implementation and effectiveness of the process as outlined in **ANNEX A** of the Policy.

iv. Maintains a record of all reports (formal and informal) received, with details including, as a minimum, the date of receipt and how they were handled.

v. Provides the Compliance Officer with regular statistics on all reported cases, whether or not they have proceeded to investigation. The Compliance Officer shall report to the Board once a year, unless there is a serious incident which the Compliance Officer considers necessary to be reported to the Chairman of the Board.

vi. Ensures that all files are kept in a secure location and protected by appropriate and effective physical and logical security measures.

vii. Ensures the provision of information and training in accordance with Article 10 of the Policy.

viii. Ensures the proper functioning of the reporting process, which is reviewed and updated on an ongoing basis, subject to approvals.

ix. Ensures the appointment of the above-mentioned Equality Committee, which should include members of both sexes, as encouraged by the Code.

x. Ensures, in collaboration with the Compliance Officer and Corporate Communications, the production of an explainer video to inform and sensitize the Personnel to these phenomena and to highlight the extent of the harm caused by harassment and sexual harassment behaviour.

xi. Ensures that the Informal Internal Procedure is explained and understood by all Personnel, is conducted with confidentiality and objectivity, provides

sufficient guidance and support to the Reporting Person, does not victimize the Reporting Person, does not victimize any witnesses, produces results within a reasonable time from the date of each report submission, is not a substitute for the Formal Internal Report Handling Procedure, and that the Points of Contacts involved in the procedure ensure the above.

ANNEX C: HARASSMENT AND SEXUAL HARASSMENT REPORTING FORM *

* Can be used in cases where a written Report is submitted

Personal information of the Reporting Person

Full name of the Reporting Person:

Contact details of the Reporting Person (including telephone number and email)

Gender of the Reporting Person:

Department/Directorate of the Reporting Person (where applicable):

Head of the Reporting Person (where applicable):

Allegations:

When did the incident happen? Specify the date(s) and time(s) as accurately as possible. (required field)

Place(s) of the incident. Provide as much specific information as possible. (required field)

Detailed description of the behaviour/incident. (required field)

Please provide a detailed description of the incident. Please note that this field is limited to 5000 characters.

Try to be as specific as possible (if you wish to remain anonymous, do not provide any information that may lead to your identification).

Any other relevant information

Names of persons involved:

Name of the Reported Person (required field)

Position/Department of the Reported Person (where applicable)

Head of the Reported Person (where applicable):

Are there any witnesses to this incident?

- ○ No
- ○ Yes

Name(s) of the witness(es) (if known)

Position/Department of the witness(es) (where applicable)

Head of witness(es) (where applicable):

Any other relevant information

Evidence:

Is there any evidence such as emails, text messages, photos or videos, CCTV footage?

Are there any other relevant documents (e.g. previous complaints)?

Any other information

Other personal information of the Reporting Person

Is there any other personal information you would like to report?

You can attach a file in support of your Report. Maximum file size: 5MB. Accepted file types:

Microsoft Word (.doc & .docx)
Microsoft PowerPoint (.ppt & .pptx)
OpenOffice Text (.odt)
OpenOffice Presentation (.odp)
Adobe PDF (.pdf)

Confirm the following security check (required field)

☐ I declare that this Report has been made in good faith.

Date of completing/ sending the Report

INFORMAL INTERNAL PROCEDURE
THROUGH THE LIAISON OFFICER

FORMAL INTERNAL PROCEDURE
(ART. 42 OF THE GENERAL PERSONNEL REGULATIONS OF CYTA)

