



KCSS REGULATION FOR THE PREVENTION AND TREATMENT OF SEXUAL HARASSMENT CASES

The prevention of sexual harassment in the workplace is essential to achieve gender equality, and to create an environment where harmony and safety are ensured in the workplace. This includes respect to human rights, enforcement of the labor law, law on gender equality, and relevant international conventions.

Sexual harassment is a criminal offence. According to Article 183, Paragraph 2, of the Criminal Code, sexual harassment includes any form of unwanted verbal, non-verbal or physical conduct of a sexual nature which aims at or effectively constitutes a violation of the dignity of a person, which creates an intimidating, hostile, degrading or offensive environment.

The KCSS regulation for the prevention and treatment of sexual harassment cases is an important component of the structure of work regulations, and the internal policies of the organization. This regulation aims at establishing a structured and effective mechanism to handle sexual harassment complaints.

Through this regulation, KCSS is committed to strengthening clear standards and practices that help prevent and manage sexual harassment the workplace. This includes employee awareness, training to identify inappropriate behaviours, complaint procedures and case investigations, as well as disciplinary measures for those who violate these rules.

Entry into force of the Policy: 01 September 2023

Mentor Vrajolli,


Executive Director



ALL KCSS EMPLOYEES HAVE THE OBLIGATION AND RESPONSIBILITY TO ACT IN ACCORDANCE WITH THIS REGULATION.

I. OBJECTIVE

1. *Informing all employees that sexual harassment will not be tolerated and that those who commit harassment will be held accountable;*
2. *Creation of mechanisms within the organization to enable the reporting and review of sexual harassment;*

II. SCOPE

1. *This regulation applies to all categories of employees of the organization - among supervisors, staff members, associates, and others.*

III. WORKPLACE

1. *All offices, as well as spaces or environments outside the organization's offices, where its work and activities are carried out.*

IV. DEFINITION OF THE SEXUAL HARASSMENT

Sexual harassment is defined as any behaviour of a nature that violates the dignity of all genders, and is considered unwanted, unacceptable, inappropriate and offensive, causing an intimidating and hostile work environment. Sexual harassment includes any type of unwelcome verbal, non-verbal or physical behaviour of a sexual nature, which aims or affects the violation of a person's dignity, especially by creating a threatening, humiliating, or denigrating atmosphere.



Sexual harassment includes physical conduct or physical contact, including these examples:

1.
 - a) *Any unwanted and direct physical contact starting from touching, hugging, kissing, caressing or intentional touching;*
 - b) *Attacks, obstruction or blocking of movements or direct physical contact.*

Sexual harassment includes verbal forms, including these examples:

2.
 - a) *Threats of conditioning the workplace, or offering benefits at work;*
 - b) *Use of abusive names, insults, derogatory comments with sexual connotations for a person or a certain group;*
 - c) *Comments with sexual connotations regarding clothing, appearance, etc.*

Sexual harassment includes non-verbal forms, including these examples:

3.
 - a) *Suspicious looks, making gestures and showing humiliating pictures with sexual connotations;*
 - b) *Unwanted display of materials – photographs, and objects with sexual connotations;*
 - c) *Sending derogatory messages with sexual content through e-mail, texts and posts on social networks or other communication channels.*

V. DISCIPLINARY ACTIONS AND PROCEDURES

1. *In the event that an employee faces any form of sexual harassment, he/she must immediately notify and report the case to the Commission for Handling Cases of Sexual Harassment (Commission);*

2. *In order to implement this regulation, KCSS has established a commission for handling cases of sexual harassment, with the aim of ensuring an efficient treatment for all complaints related to sexual harassment;*



VI. COMPOSITION OF THE COMMISSION

1. *The Commission is composed of three members;*
2. *The members of the Commission are selected from the Assembly of Members of the Organization;*
3. *The Commission is composed of one member of the management board and two employees of the organization who are not involved in the reported case;*

VIII. REPORTING PROCEDURES IN THE COMMISSION

1. *Any employee affected by sexual harassment may submit a written complaint to the Commission within a period of three months after the occurrence of the incident;*
2. *Any employee can submit a complaint in writing to the Commission, for suspected concern about retaliation by the employer for reporting sexual harassment in the workplace;*
3. *The complaint for reporting sexual harassment must be submitted in electronic form, using the email address provided by the organization - report@qkss.org;*
4. *Access to the email address for reporting sexual harassment can only be done by members of the Commission elected by the Assembly of Members of the Organization.*
5. *The investigation of the case by the Commission on cases of sexual harassment must be completed within a period of 7 to 14 days.*



IX. COMPETENCIES OF THE COMMISSION:

1. *Investigating every sexual harassment complaint;*
2. *Summoning witnesses (if needed) to request evidence for the investigation of the case;*
3. *Each employee has the obligation to cooperate with the Commission during the investigation process. Refusal to do so may result in disciplinary action.*
4. *Taking disciplinary measures regarding the incidence of sexual harassment;*
5. *The commission has the right to continue the investigation for the claim of retaliation against the employee who reported the sexual harassment or who participates in an investigation.*
6. *Any individual who engages in retaliatory conduct will be subject to disciplinary action, which may include termination of employment.*

X. DISCIPLINARY MEASURES

1. *If the commission concludes that there is evidence that the employee is involved in sexual harassment, as defined in this regulation, then he/she will be subject to disciplinary measures. The Commission will notify in writing the employee who submitted the complaint and the accused employee, informing them of the outcome of the investigation.*

- If any employee is found to be guilty of sexual harassment, the disciplinary measures that can be taken include:**
2.
 - a) *Written remark;*
 - b) *Suspension without compensation;*
 - c) *Dismissal from work;*
 - d) *Reporting the case to relevant institutions.*

XI. CONFIDENTIALITY

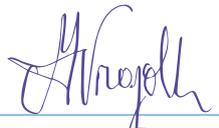
1. *The Commission and KCSS recognizes and respects the employee's right to privacy and confidentiality.*
2. *The Commission will protect the confidentiality of the identity of the employee related to the sexual harassment (to the extent permitted by law), unless this may lead to physical harm to any person and/or may endanger the security of the workplace.*
3. *The Commission will maintain the confidentiality of the employee's identity in relation to sexual harassment (to the extent permitted by law), unless this may lead to physical harm to any person and/or may endanger safety within the workplace.*
4. *The Commission will share the information provided only to ensure the safety of the employee who reported the sexual harassment. In this case, the commission must notify in advance the employee who reported the sexual harassment about sharing the information and the reason for sharing this information.*

XII. ENTRY INTO FORCE

1. *This regulation shall enter into force on the 1st of September 2023.*

Entry into force of the Policy: 01 September 2023

Mentor Vrajolli,



Executive Director