

## 2. The Equality Authority (The Ombudsman's Office)

The Ombudsman will investigate the complaint and if it is found to be valid, she will either act as mediator between the parties to settle the issue or proceed with a Decision, which is binding to the person against whom it is issued. If the latter refuses to follow the suggestions aimed at terminating the discriminatory conduct, the Ombudsman may issue Orders or impose fines against the guilty party, in order to achieve compliance.

*Note: Remember that the abovementioned competent bodies will have to decide if your complaint falls under the Equal Treatment of Men and Women in Employment and Vocational Training Law. If it does they will investigate it.*



### For more information contact:

- **The Department of Labour**

1480 Nicosia  
Tel.: 22 400801, 22 400847, Fax.: 22 400809  
E-mail: director@dl.mlsi.gov.cy

- **The Gender Equality Inspectors**

**The Department of Labour**  
Tel.: 22 400801, 22 400847, Fax.: 22 400809  
E-mail: director@dl.mlsi.gov.cy

**Nicosia District Labour Office**

Tel.: 22 403000, Fax.: 22 873170  
e-mail: dlonic@dl.mlsi.gov.cy

**Limassol District Labour Office**

P.O. Box 56058, 3304 Limassol  
Tel.: 25 827350, Fax.: 25 306526  
e-mail: dlolim@dl.mlsi.gov.cy

**Paphos District Labour Office**

P.O. Box 60067, 8100 Paphos  
Tel.: 26 821658, Fax.: 26 821670  
e-mail: dlopaphos@dl.mlsi.gov.cy

**Larnaca (and Famagusta) District Labour Office**

P.O. Box 40136, 6301 Larnaca  
Tel.: 24 805312, Fax.: 24 304532  
e-mail: dlolca@dl.mlsi.gov.cy

**Famagusta Local Labour Office**

P.O. Box 36166, 5386 Dherynia  
Tel.: 23 812052, Fax.: 23 730465  
e-mail: dlopar@dl.mlsi.gov.cy

- **The Equality Authority**

1470 Nicosia  
Tel.: 22 405507, Fax.: 22 672881  
e-mail: ombudsman@ombudsman.gov.cy

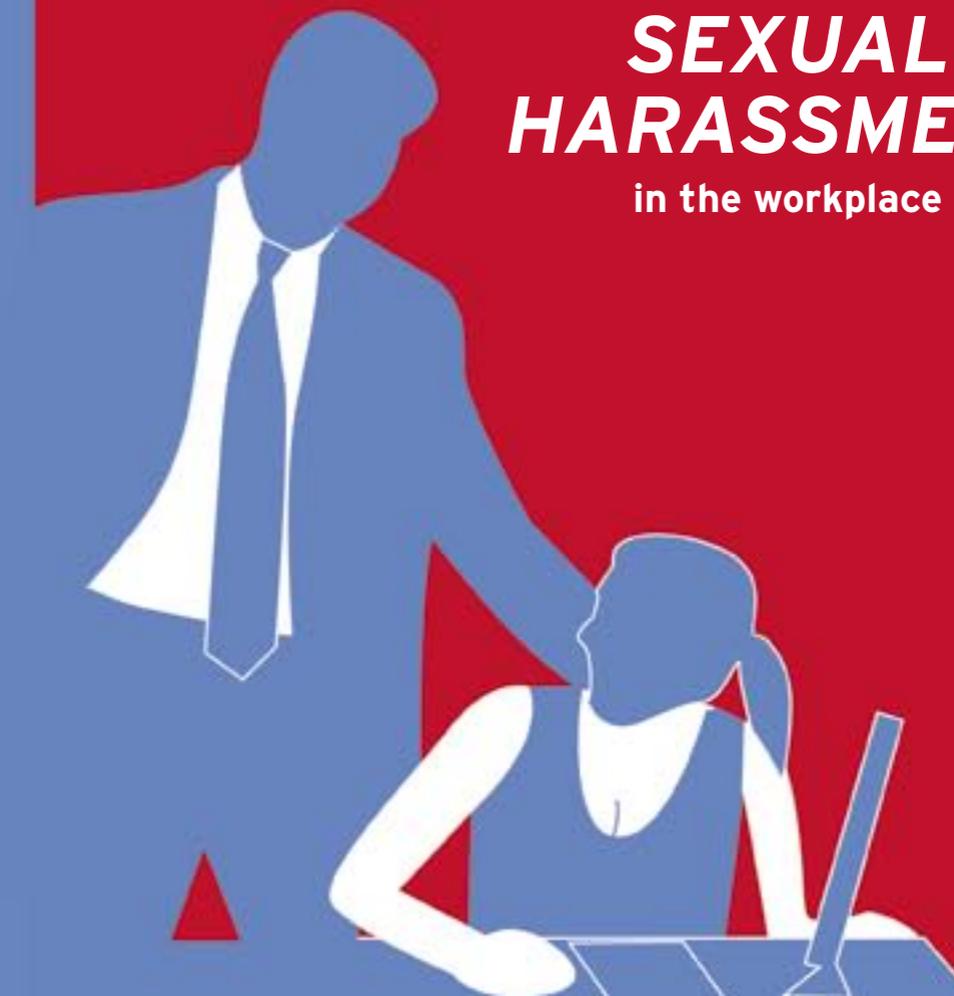
Department  
of Labour



Ministry of Labour  
and Social Insurance

# SEXUAL HARASSMENT

in the workplace



## Sexual harassment is serious - and against the law

Every worker has the right to enjoy a working environment free from any form of discrimination. This informative leaflet offers a brief overview of the ways in which the Equal Treatment for Men and Women in Employment and Vocational Training Law (L. 205(I)/2002) safeguards the rights of workers who experience sexual harassment in the workplace.

## What is sexual harassment?

Sexual harassment is a type of sex discrimination under the Equal Treatment for Men and Women in Employment and Vocational Training Law of 2002 to 2007 (L. 205(I)/2002).

Sexual Harassment is any form of unwanted verbal, non/verbal or physical conduct of a sexual nature, which has the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.

## Who is responsible for the sexual harassment?

The person who sexually harasses is primarily responsible for sexual harassment. However, according to Law 205(I)/2002, the employer can also be held responsible for acts of sexual harassment done by his/her employees, whether they are supervisors or co-workers of the victim.



## What protection is afforded to you by law?

If you feel that you are a victim of sexual harassment you have the right to submit a complaint. The equality legislation affords protection to you (the complainant) at all stages of the complaint procedure.

### LAW 205(I)/2002,

- expressly states that you must not, for reason of submitting a complaint, be adversely affected in your employment. This means that if you choose to submit a complaint of sexual harassment, your employer cannot ask you to take leave from your work, deduct from your pay, fire you or treat you unfavourably in any way.
- renders void the dismissal or other unfavourable treatment of an employee who has submitted a complaint of sexual harassment, unless the employer can prove that the treatment was not related to the submission of the sexual harassment complaint.

### “EMPLOYER RESPONSIBILITY” is also quite strict in cases of sexual harassment. The Employer,

- is obliged to take your complaint into serious account and investigate it thoroughly and objectively, as quickly as possible.
- must take all appropriate action, while the examination procedure is underway, to stop the sexual harassment, lift any unfavourable effect the unlawful actions will have had on you and protect you from possible future instances of the offence.
- must not use your rejection of or submission to the unwanted sexual conduct as a basis for a decision that will affect you in a negative way.
- can be found guilty of the offence, alongside and to the same degree with the person who is responsible for the sexual harassment, if no action is taken to comply with the abovementioned.
- can be held accountable of a failure to act, as mentioned above, even where the sexual harassment is brought to his/her attention by a third party and not by the actual victim of the offence.

The same protection as above is extended to other parties involved in the complaint, who may provide evidence or testify as part of the examination procedure.

## To whom can you submit a complaint?

### Either to your employer:

You may be able to resolve this situation yourself by pointing out to your employer that sexual harassment is unlawful and by submitting a complaint to your employer asking that he/she takes all appropriate and necessary action to resolve the matter.

If such an option is unavailable to you or where your employer proves unwilling to investigate your complaint effectively, you can lodge a complaint as follows:

### Or to the following competent bodies:

#### 1. The Gender Equality Committee and the Gender Equality Inspectors (The Ministry of Labour and Social Insurance)

Though the Gender Equality Committee itself cannot examine your complaint, it will refer it to the Gender Equality Inspectors for investigation. Once the investigation is completed, the Gender Equality Inspectors will proceed with mediations between the complainant and your employer, in order to resolve the issue. If an agreement is reached, the Inspectors will write a report and both parties will then sign it. If an agreement is not reached a “findings” report will be drafted and this can be presented before a Court of Law. If you decide to go ahead with this option, the Equality Committee will take all necessary action so that you are provided with independent assistance and represented in judicial proceedings.

