Ministry for Social Equality
The Authority for the Advancement
of the Status of Women

Regulations for the Prevention of Sexual Harassment

Highlights of the Prevention of Sexual Harassment Law, 1998, and its regulations, pursuant to Section 7(b) of the law.

Use of the feminine gender will be interpreted to include the masculine gender and vice versa.

Sexual harassment is prohibited by law. The harasser is liable for up to two years imprisonment.
A sexual harasser who publishes photographs focusing on the sexuality of a person without their consent are liable for up to three years imprisonment.

Prohibited acts:

- Blackmailing someone into performing an act of a sexual nature
- An indecent act (one incident is sufficient)
- Repeated overtures of a sexual nature
- Repeated references to human sexuality
- Degrading reference to the gender or sexual tendencies of a person
- Taking sexual advantage of a relationship of subordination or authority
- Publishing photographs that focus on the sexuality of a person without their consent
- Examples of sexual harassment: An employer or employee who touches an employee for the purpose of sexual stimulation or exposes a private part of his body to her without her consent; an employer or employee who threatens (explicitly or implicitly) to fire an employee or to violate her rights if she refuses to spend time with him or to have sexual relations with him.
- Prohibited persecution: Any harm to an employee or employment candidate originating in sexual harassment, or any harm to anyone who assisted or testified on behalf of another employee in a complaint of sexual harassment.

The persecutor may be sentenced to up to three years of imprisonment.

- Nonconsent: The victim of harassment must clearly indicate that s/he does not consent to the behavior of the harasser – in words or behavior. In the case of a minor, helpless person, patient, or in case of exploitation or abuse of authority in labor relations, or misuse of a position of authority of a public servant in the fulfillment of his job toward a person in service, or in case of dependence of a person on the public servant, there is no obligation to prove nonconsent.

Employer's obligations:

Employment agencies are deemed equivalent to employers. Employers must reasonable measures to prevent sexual harassment in workplace relations. An employer can be sued personally for the acts of his/her employees if the employer failed to take measures to prevent sexual harassment or persecution.

- The employer must appoint a supervisor of sexual harassment issues in the workplace.
- The employer must formulate an effective method for submitting a complaint of sexual harassment or persecution.
- The employer must demand that all employees refrain from sexual harassment and persecution of both employees and customers.
- The employer must conduct explanatory and instructional activities and require all employees to participate in the activities.
- The employer must communicate to its employees the regulations for sexual harassment and display it in a prominent place.

Procedure for filing a complaint:

- It is recommended to document the event as fully as possible and substantiate it with witnesses (tell a friend or family member).
- The law offers three options. All or some can be utilized, simultaneously or one after the other:
- Internal disciplinary hearing – a complaint of harassment can be lodged with the employer or with the supervisor of sexual harassment issues in the workplace, for the purpose of commencing internal disciplinary proceedings.
- Criminal proceedings - it is possible to file a complaint with the police to commence criminal proceedings.
- Civil proceedings - it is possible to file a civil claim with the court (usually the Regional Labor Court) within a period of seven (7) years. The court may award compensation of up to NIS 120,000 for sexual harassment and persecution, without proof of damage.

Employer handling of the complaint:

- The supervisor of sexual harassment issues in the workplace is responsible for investigating the complaint, must hear from those involved and from the witnesses, and must ascertain the information. The supervisor must notify the complainant of the methods for handling sexual harassment or persecution according to the law.
- The supervisor should not investigate the complaint if they are personally connected to the subject of the complaint or to those involved in it, and will transfer the investigation to another supervisor of sexual harassment, to a replacement or the employer.
- The complaint must be investigated efficiently and without delay.
- The compliant must be investigated while providing utmost protection to the dignity and privacy of the complainant, the defendant and other witnesses.
- Upon completion of the investigation of the complaint, the supervisor of sexual harassment must submit to the employer, without delay, a written summary, accompanied by substantiated recommendations for further handling.
- The employer must decide within no more than seven (7) work days whether to take steps or not take steps prevent continued sexual harassment and to remedy the damage caused to the complainant.
- During the investigation, the employer must protect the complainant against any adverse effect on employment conditions as a result of the complaint. Among others, the employer must separate the alleged harasser from the complainant, as much as possible, and as such actions are deemed reasonable under the circumstances.
- The employer must provide the complainant with substantiated written notification about its decision, and must enable the complainant to review the recommendations of the supervisor of sexual harassment.

Who to contact:

Ministry of Industry Trade and Labor

- Equal Employment Opportunities Commission: 02-6662780
  shivion@economy.gov.il
- Association of Rape Crisis Centers - Tel: 1202

Women's organizations that operate telephone hotlines:

- Emuna - 03-6857179
- Wizo - 03-6923825
- Naamat - 03-5254422
- Israel Women's Network - 03-6123990

Supervisor of sexual harassment issues in the workplace: Adv. Rasha Alatawna

Telephone and email: pniyot@itach.org.il

This text does not replace or substitute the law and the regulations in any manner.

Employees are entitled to receive a copy of the Law for the Prevention of Sexual Harassment, 1998, the Regulations for the Prevention of Sexual Harassment (Employer Obligations) 1998, and the Disciplinary Regulations in Respect of Sexual Harassment and Persecution in the workplace.

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