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DEPARTMENT ORDER NO. 2021 - 094RECONSTITUTION OF THE COMMITTEE ON DECORUM AND INVESTIGATION
OF THE DEPARTMENT OF TOURISM

WHEREAS, the Civil Service Commission (CSC) promulgated Resolution No. 2100064 on 20 January 2021, amending the pertinent provisions of the administrative rules on sexual harassment as incorporated in the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS) with the intent to harmonize the same with the provisions of Republic Act. No. 11313 or the *Safe Spaces Act*;

WHEREAS, the abovementioned CSC Resolution mandates all agencies to create a Committee on Decorum and Investigation (CODI) to investigate and address complaints of sexual harassment;

WHEREAS, the same Resolution requires the CODI to be headed by a woman and not less than half of its members shall be women. The CODI must also be composed of one representative each from the management, the supervisory rank, the rank-and-file employees, and the employees' union or association;

WHEREAS, Department Order No. 2018-12 was issued on 29 December 2018, creating the Department of Tourism (DOT) - CODI;

WHEREAS, there is a need to reconstitute the existing DOT-CODI in order to comply with CSC Resolution No. 2100064;

NOW THEREFORE, the DOT-CODI is hereby reconstituted as follows:

Section 1. The Committee on Decorum and Investigation (CODI). Pursuant to CSC Resolution No. 2100064 which requires that: (a) the CODI shall be composed of one (1) principal and alternate representative each from the management, the supervisory rank, the rank-and-file employees, and the employees' union or association;¹ (b) shall be headed by a woman; and (c) be composed of members not less than half of which are women,² the following are hereby designated as the Principal and Alternate Members of the CODI:

| Chairperson | |
|---|--|
| Undersecretary Myra Paz Valderrosa- Abubakar <i>Principal Management Representative</i> | Director Mary Angelene A. Tolentino <i>Alternate Management Representative</i> |
| Members | |
| Atty. Jennifer A. Olba <i>Principal Supervisory Rank Representative</i> | Atty. Helen Grace J. Somera <i>Alternate Supervisory Rank Representative</i> |
| Mr. Kurt Russel S. Tanael <i>Principal Rank-and-File Representative</i> | Mr. Sherwyn Renzo G. Ramirez <i>Alternate Rank-and-File Representative</i> |
| Ms. Carolyn P. Gabriel <i>Principal Employees Association Representative</i> | Ms. Elizabeth R. Andal <i>Alternate Employees Association Representative</i> |

In cases where the principal representative inhibits from any case or when needed, the alternate representative shall take his/her place in order to prevent any delay in the process being undertaken by the CODI.³

¹ Section 14 (b)(2), CSC Resolution No. 2100064.

² Section 14 (b)(4), CSC Resolution No. 2100064.

³ Section 14 (b)(2), CSC Resolution No. 2100064.

Section 2. Functions of CODI. The CODI shall perform the following functions:

- a) Receive complaints of sexual harassment in the Department against any Department employee or official;
- b) Conduct a preliminary investigation of sexual harassment complaints;
- c) Ensure the protection of a complainant from retaliation and guarantee confidentiality to the greatest extent possible;
- d) Ensure that a respondent is given the opportunity to be properly notified of and respond to the charge/s;
- e) Lead in the conduct of discussions about sexual harassment within the Department to increase understanding and prevent incidents of sexual harassment;
- f) Develop and recommend to the Secretary a code of conduct on sexual harassment and CODI manual, which must be in accordance with the provisions of the 2017 RACCS;
- g) Develop and recommend to the Secretary the adoption of mechanisms to provide assistance to alleged victims of sexual harassment which may include counselling, referral to an agency offering professional help, and advice on options available before the filing of a complaint; and
- h) Such other functions as may be necessary to fulfill its mandate under relevant CSC issuances.

Section 3. The CODI Secretariat. To provide the necessary assistance and support to its undertaking, and to ensure the just, speedy, and inexpensive disposition of cases, the CODI shall be assisted by Administrative Investigation, Adjudication and Counseling Division (AIACD) of the Legal Affairs Service as Secretariat.

Section 4. Rules of Procedure. The CODI shall promulgate a code of conduct on sexual harassment within thirty (30) days from the issuance of this Department Order. Pending its approval, the CODI shall adopt the *Revised Rules of Procedure in the Conduct of Administrative Investigation in the Department of Tourism* under D.O. No. 2019-60 and the 2017 RACCS as amended in the conduct of preliminary investigations of sexual harassment complaints. For the purpose of conducting preliminary investigations, the CODI shall assume the role of the DOT Investigation Committee.

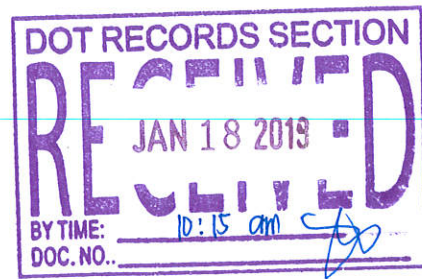
Section 5. Repealing Clause. Department Order Nos. 2018-12 is hereby repealed. All other provisions of issuances inconsistent herewith are hereby repealed or amended accordingly.

Section 6. Effectivity. This Order shall take effect immediately and shall remain valid until sooner revoked or superseded.

09 October 2021


BERNADETTE ROMULO-PUYAT
Secretary





DEPARTMENT ORDER NO. 2018-12

CREATION OF THE COMMITTEE ON DECORUM AND INVESTIGATION OF SEXUAL HARASSMENT CASES

Pursuant to Republic Act No. 7877 known as "Anti-Sexual Harassment Act of 1995" and the Civil Service Commission Resolution No. 01-0940 or the "Administrative Disciplinary Rules on Sexual Harassment Cases, the Committee on Decorum and Investigation (CODI) is hereby created to be composed of the following:

CHAIRPERSON: Undersecretary, Tourism Regulation, Coordination and Resource Generation

MEMBERS : Director for Administrative Service
DOTEA, Representative
2nd level employee
1st level employee

The other members of the Committee (1st and 2nd level employees) shall be selected by the Chairperson, the Director for Administrative Service and the DOTEA Representative. The 1st and 2nd level employees shall sit as members until the revocation of their appointment by the Chairperson.

The Committee shall receive complaint and conduct preliminary investigation and submit its Investigation Report to the Secretary on all complaints of sexual harassment filed before the Department. Likewise the Committee shall perform all other functions pursuant to and in accordance with CSC Resolution No. 01-0940.

The Committee may call on other officials and employees of the Department to assist in its investigation.

This Order shall rescind/supersede any previous issuance inconsistent herewith, and shall take effect immediately.

December 29, 2017



AAR197

WANDA TULFO-TEO



**REVISED ADMINISTRATIVE DISCIPLINARY
RULES ON SEXUAL HARASSMENT CASES**

Number: 2100064

Re: Amendment to the Sexual Harassment provisions
in the 2017 Revised Rules on Administrative
Cases in the Civil Service

Promulgated : 20 January 2021

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RESOLUTION

WHEREAS, the Civil Service Commission, as the central personnel agency of the government, is mandated to promulgate rules and regulations relevant to administrative discipline of civil servants, including the imposition of appropriate administrative sanctions, to promote morale, efficiency, integrity, responsiveness and courtesy in the civil service, pursuant to the 1987 Constitution, and Executive Order No. 292 (Administrative Code of 1987);

WHEREAS, the Commission in CSC Resolution No. 01-0940, issued the Administrative Disciplinary Rules on Sexual Harassment pursuant to the implementation of Republic Act No. 7877, otherwise known as the “Anti-Sexual Harassment Act of 1995”, which declares unlawful sexual harassment against women and men in the employment, education and training environment and mandated that every employers of head of agency in the public and private sectors to promulgate rules and regulations prescribing the procedure for the investigation of sexual harassment cases and the administrative sanctions therefor;

WHEREAS, the Commission incorporated the provisions of the administrative disciplinary rules on sexual harassment in the 2017 Rules on Administrative Cases in the Civil Service, which took effect last August 18, 2017;

WHEREAS, Republic Act No. 11313 (Safe Spaces Act) which was signed into law on April 17, 2019, provides in the declaration of its policies that: *“it is the policy of State to value the dignity of every human person and guarantee full respect for human rights. It is likewise the policy of the State to recognize the role women in nation-building and ensure the fundamental equality before the law of women and men. The state also recognizes that both men and women must have equality, security and safety not only in private, but also on streets, public spaces, online, workplaces and education and training institutions.”*

WHEREAS, the Implementing Rules and Regulations (IRR) of R.A. No. 11313 was issued and signed on October 28, 2019 and provides the guidelines and mechanisms in the implementation of the Safe Spaces Act.

WHEREAS, Section 29, Article VI of the R.A. No. 11313 (Safe Spaces Act), provides that: *“Administrative Sanctions. - Above penalties are without prejudice to any administrative sanctions that may be imposed if the perpetrator is a government employee”* which was fully reiterated in **Section 38** of the IRR of R. A. No. 11313, further stating that:

Bawat Kawani, Lingkod Bayani

“The imposition of penalties outlined under R.A. No. 11313 is without prejudice to any administrative sanctions that may be imposed if the perpetrator is a government employee.”

WHEREAS, Section 3, Article IX (B) of the 1987 Constitution, Section 1 and Section 12 (19), Subtitle A, Title I of Book V of the Administrative Code of 1987 (Executive Order No. 292) and Section 4 (B), Republic Act No. 6713, otherwise known as the “Code of Conduct and Ethical Standards for Public Officials and Employees,” empower the Civil Service Commission, as the central personnel agency of the Government, to adopt positive measures for the observance of substantive and procedural administrative standards, including standards for the personal conduct of government officials and employees, in order to promote morale, efficiency, integrity, responsiveness and progressiveness in the entire government bureaucracy;

WHEREAS, the Commission considers the need to revise and modify pertinent rules on the administrative disciplinary rules on sexual harassment with the intent to harmonize the same with the law.

WHEREAS, **Section 34, Rule IX (Oversight Mechanism) of the Implementing Rules of the Safe Spaces Act**, identified the Commission as one of the members mandated to implement the law and its rules to ensure the effective implementation of the law. It specifically provides as one of its function to recommend policies and guidelines or measures to ensure effective implementation of the law, as well as develop and recommend strategies to prevent sexual harassment.

WHEREFORE, the Commission **RESOLVES** to **AMEND AND MODIFY** pertinent provisions¹ of the administrative disciplinary rules on sexual harassment as incorporated in the 2017 Rules on Administrative Cases in the Civil Service, as follows:

“Section. 4. Definition of Terms.

‘aa. SEXUAL HARASSMENT

SEXUAL HARASSMENT IN THE WORKPLACE includes the following:

“i. An act or series of act involving any unwelcome sexual advances, request or demand for sexual favors or any act of sexual nature, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any forms of information and communication systems, that has or could have a detrimental effect on the conditions of an individuals’ employment or education, job performance or opportunities.

¹ Amendments are in bold letters.

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“ii. A conduct of sexual nature affecting the dignity of a person, which is unwelcome, unreasonable and offensive to the recipient, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems.

iii. A conduct that is unwelcome and pervasive and creates an intimidating, hostile or humiliating environment for the recipient.

“Sexual harassment in the workplace may also be committed by a government employee or official in a work-related, training or education related environment of the person complained of, against any person regardless of the motive for committing such action or remarks, between peers, and by a subordinate to a superior office.

SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES
is committed through any unwanted and uninvited sexual actions or remarks against any person regardless of the motive for committing such action or remarks.

Sexual harassment in streets and public spaces includes catcalling, wolf-whistling, unwanted invitations, misogynistic, transphobic and sexist slurs, persistent uninvited comments or gestures on a person’s appearances, relentless request for personal details, statement of sexual comments and suggestions, public masturbation or flashing of private parts, groping, or any advances, whether verbal or physical, that is unwanted and has threatened one’s sense of personal space and physical safety, and committed in public spaces as alleys, roads, sidewalks and parks. Acts constitutive of sexual harassment in streets and public spaces are those performed in buildings, schools, churches, restaurants, malls, public washrooms, bars, internet shops, public markets, transportation terminals or public utility vehicles.

ONLINE SEXUAL HARASSMENT *refers to:*

Gender-based online sexual harassment may be committed through an online conduct targeted at a particular person that causes or likely to cause another mental, emotional or psychological distress, and fear for personal safety, sexual harassment acts including unwanted sexual remarks and comments, threats, uploading or sharing of one’s photo’s without consent, video and audio recordings, cyberstalking and online identity theft.

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Gender-based online sexual harassment includes acts that use information and communication technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy through cyberstalking and incessant messaging, uploading and sharing without the consent of the victim, any form of media that contains photos, voice, or video with sexual content, any unauthorized recording and sharing of any of the victim's photos, videos, or any information online, impersonating identities of victims online or posting lies about the victims to harm their reputation, or filing false abuse reports to online platforms to silence victims.

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“Section 14. Complaints in Sexual Harassment Cases.

‘a. Filing of Complaint. In sexual harassment cases, the complaint shall be filed with the Committee on Decorum and Investigation (CODI) which shall be created in all national or local agencies of the government, state/local colleges and universities, including government-owned or controlled corporations with original charters.

‘b. Composition of CODI.²

‘1. CODI shall serve as an independent internal mechanism to address and investigate complaints of sexual harassment.

‘2. CODI in workplaces shall be composed of at least one representative each from the management, the employees from the supervisory rank, the rank-and-file employees, and the union/s or employees association, if any. The head of agency shall also ensure that there will be a sufficient number of people who may immediately replace any member of the CODI in case s/he inhibits from any case, or when needed, so as not to cause any delay in the process being undertaken.

‘3. In educational and training institutions, the CODI shall be composed of at least one (1) representative each from the school administration, the trainers, faculty members or instructors/professors, coaches and students or trainees, as

² In reference to Section 33 of the IRR of RA No. 11313.

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deemed appropriate. Aside from the regular members of the CODI, the school head or the head of training institution must designate their respective permanent alternate who shall act on their behalf in case of absence of the regular member and must have the authority to render decision so as not to delay the proceedings being undertaken and to ensure continuity of deliberation.

‘4. Every CODI shall be headed by a woman and not less than half of its members shall be women.

‘5. When the complainant or the person complained of is a member of the Committee, he/she shall be disqualified from being a member thereof or the complaint may be filed directly with the Civil Service Commission or other disciplinary authorities with jurisdiction over the case.

‘6. The complainant or the person complained of may request a member of the CODI to inhibit, or the CODI member may, on his/her initiative, cause the inhibition based on conflict of interest, manifest partiality, and other reasonable grounds. Upon such a grant of inhibition, the member shall immediately be replaced so as not to cause a delay in the proceedings.

‘7. The CODI shall ensure the protection of a complainant from retaliation without causing her/him any disadvantage, diminution of benefits or displacement, and without compromising his/her security of tenure. It shall also guarantee gender-sensitive handling of cases, and confidentiality of the identity of the parties and the proceedings to the greatest extent possible.

‘8. The CODI shall observe due process and within ten (10) days from the termination of the conduct of the investigation, submit a report of its findings with the corresponding recommendation to the disciplining authority for decision.

‘c. Duties and Liabilities of the Head of Office/Agencies or other Persons of Authority, Influence or Moral Ascendancy.³ The head of office or agency or other persons of authority, influence or moral ascendancy, shall have the duty to prevent and deter the occurrence of sexual harassment cases,

³ In reference to Section 19 of the IRR of RA No. 11313.

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as well as ensure that necessary action be taken on complaint filed with the CODI. To this extent, the head of office or agency shall:

‘1. Disseminate or post in a conspicuous place a copy of the law and this rule to all persons in the workplace, which shall include the following:

- 1.1 Sending copies of the law and its rules through official notices or means of communications to heads of different departments, bureaus, offices, units or such subdivisions in a workplace for proper information of their members;*
- 1.2 Posting a copy of the law and its rules online or in the official website of the workplace;*
- 1.3 Conducting orientations on the law and its rules and providing its employees with copies in print or electronic form as well as preparing information materials such as primers, frequently asked questions and the like.*

‘2. Provide measures to prevent sexual harassment in the workplace, such as the conduct of anti-sexual harassment seminars, which shall be provided to all employees, regardless of rank and status.

Trainings on gender sensitivity, orientations on gender-based violence, and other relevant topics may also be conducted, in addition to the conduct of anti-sexual harassment seminars. Such trainings and orientations, when conducted, should form part of their staff development and basic knowledge of employees.

Trainings to further capacitate and increase the awareness of CODI members on preventing sexual harassment and proper case handling shall also be considered;

‘3. Create a Committee on Decorum and Investigation (CODI) to investigate and address complaints of sexual harassment

‘4. Develop and disseminate, in consultation with employees or their unions, if any, a code of conduct on sexual harassment and CODI manual, which will be in accordance with the provisions of the 2017 RACCS.

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‘5. The agency may formulate its own rules governing the term of office of its members which should not be more than two years, and other matters pertaining to the functions of the Committee not otherwise provided in these Rules.

‘6. Non-implementation of the above duties and the failure to create a CODI or not taking action on complaints filed by the head of office or agency shall be charged with Neglect of Duty.

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“Section 15. Jurisdiction of the CSC over Sexual Harassment Cases. In case a complaint for sexual harassment is filed with the Commission, the same shall be remanded to the agency where the alleged offender is employed. However, the Commission may take cognizance of the case under any of the following circumstances:

- a. the agency has no CODI;*
- b. the disciplining authority is the subject of the complaint;*
- c. the subject of the complaint is a CODI member; or*
- d. there is unreasonable delay in complying with the periods provided in these Rules for the investigation and adjudication of a sexual harassment complaint.*

For this purpose, there is unreasonable delay when any of the periods set in these Rules lapsed for a period of more than thirty (30) days without justifiable reason.

In cases wherein the respondent to a sexual harassment complaint is the head of office who is either a presidential appointee or an elective official, a complaint for sexual harassment shall be filed directly with the proper disciplining authority.

The Commission shall conduct periodic review to ensure compliance of all government offices and/or agencies in accordance with the guidelines provided under the PRIME-HRM.

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“Section 16. Withdrawal of the Complaint. The withdrawal of the complaint does not result in its outright dismissal or discharge of the person complained of from any administrative liability.

“Section 17. Action on the Complaint. Upon receipt of a complaint which is sufficient in form and substance, the disciplining authority shall conduct a

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preliminary investigation to determine the existence of a prima facie case. The disciplining authority may create an investigating committee or designate an investigator for such purpose.

In sexual harassment cases, the CODI shall perform the following functions:

- 1. Receive complaints of sexual harassment;*
- 2. Investigate sexual harassment complaints including preliminary investigation in accordance with the prescribed procedure;*
- 3. **Within ten (10) days from the termination of the conduct of the investigation**, submit a report of its findings with the corresponding recommendation to the disciplining authority for decision;*
- 4. **Ensure the protection of the complainant from retaliation and guarantee confidentiality to the greatest extent possible as well as ensure that the respondent is given the opportunity to be properly notified of and respond to the charge/s and that parties are given information on the hearings and its outcomes.***⁴
- 5. Lead in the conduct of discussions about sexual harassment within the agency or institution to increase understanding and prevent incidents of sexual harassment;*

Localized CODI established in the regional or field offices, as the case may be, of the agency or institution shall have the same functions as stated above and shall submit the report of investigation with its recommendation directly to the disciplining authority.

The agency shall adopt mechanisms to provide assistance to the alleged victim of sexual harassment which may include counselling, referral to an agency offering professional help, and advice on options available before the filing of the complaint.

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“Section 51. Other Specific Offenses. The following acts also constitute administrative offenses.

A. The Offense of Sexual Harassment.

⁴ In reference to Section 13 of the IRR of RA No. 11313.



Sexual Harassment in the Workplace

- I.** *Grave Offenses punishable by dismissal from the service shall include, but are not limited to:*
 - a. unwanted touching of private parts of the body (inner thighs, genitalia, buttocks and breast);*
 - b. sexual assault;*
 - c. malicious touching;*
 - d. requesting for sexual favor in exchange for employment, promotion, local or foreign travels, favorable working conditions or assignments, a passing grade, the granting of honors or scholarship, or the grant of benefits or payment of a stipend or allowance; and*
 - e. other analogous cases.*

- II.** *Less Grave Offenses punishable by suspension of one month and one day to six months for the first offense; and dismissal from the service for the second offense, shall include, but are not limited to:*
 - a. unwanted touching or brushing against a victim's body;*
 - b. pinching not falling under grave offenses;*
 - c. derogatory or degrading remarks or innuendoes directed toward the members of one sex, or one's sexual orientation or used to describe a person;*
 - d. verbal abuse with sexual overtones; and*
 - e. other analogous cases.*

- III.** *Light Offenses punishable by reprimand for the offense; suspension of one to thirty days for the second offense; and dismissal from the service for the third offense, shall include, but are not limited to:*
 - a. surreptitiously looking at a person's private part or worn undergarments;*
 - b. making sexist statements and uttering smutty jokes or sending these through text, electronic mail including but not limited to social media platform, causing embarrassment or offense and carried out after the offender has been advised that they are offensive or embarrassing or; even without such advise, when they are by their nature clearly embarrassing, offensive or vulgar;*
 - c. malicious leering or ogling;*

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- d. display of sexually offensive pictures, materials or graffiti;*
- e. unwelcome inquiries or comments about a person's sex life;*
- f. unwelcome sexual flirtation, advances, propositions;*
- g. making offensive hand or body gestures at an employee;*
- h. persistent unwanted attention with sexual overtones;*
- i. unwelcome phone calls with sexual overtones causing discomfort, embarrassment, offense or insult to the receiver; and other analagous cases.*

Sexual Harassment in Streets and Public Places

A government official or employee who commits sexual harassment in streets or public spaces as defined shall be meted the following penalties depending on the gravity of the offense:

- a. Light Offense of Sexual Harassment in Streets and Public Spaces is committed when a public official or employee engages in acts that include catcalling or wolf-whistling. Such acts are punishable by reprimand for the first offense, suspension of one (1) to thirty (30) days for the second offense and dismissal from the service for the third offense.*
- b. Less Grave Offense of Sexual Harassment in Streets and Public Spaces is committed when a public official or employee engages in acts that include unwanted invitations, misogynistic, transphobic and sexist slurs, persistent uninvited comments or gestures on a person's appearances, relentless request for personal details or making statements comments and suggestions with sexual inuendos such acts are punishable by suspension of one (1) month and one (1) day suspension to six (6)months for the first offense, and dismissal from the service for the second offense.*
- c. Grave Offense of Sexual Harassment in Streets and Public Spaces is committed by a public official or employee who engages in acts that include public masturbation or flashing of private parts, groping, or any advances, whether verbal of physical, that is unwanted and has threatened one's sense of personal space and physical safety, and committed in public spaces as alleys, roads, sidewalks and parks. Such acts are punishable by dismissal from the service.*

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Online Sexual Harassment

a. Light Online Sexual Harassment is committed by a government official or employee who engages in acts that include unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy through cyberstalking and incessant messaging with sexual overtones. Such acts are punishable by reprimand for the first offense; suspension of one (1) to thirty (30) days for the second offense; and dismissal from the service for the third offense.

b. Less Grave Online Sexual Harassment is committed by a government official or employee who engages in acts that include the use information and communication technology in terrorizing and intimidating victims through physical, psychological, and emotional threats with sexual overtones. Such acts are punishable by suspension of one (1) month and one (1) day to six (6) months for the first offense; and dismissal from the service for the second offense,

c. Grave Online Sexual Harassment punishable by dismissal from the service, includes uploading and sharing without the consent of the victim, any form of media that contains photos, voice, or video with sexual content, any unauthorized recording and sharing online of any of the victim's photos, videos, or any information of sexual content, impersonating identities of victims online or posting lies of sexual nature about the victims to harm their reputation, or filing false abuse reports to online platforms to silence victims of sexual harassment.

IV. *For the purpose of these Rules, the administrative offense of sexual harassment is further described in the following circumstances:*

a. *Work-related sexual harassment is committed under the following circumstances:*

1. *submission to or rejection of the act or series of acts is used as a basis for any employment decision (including, but not limited to, matters related to hiring, promotion, raise in salary, job*

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security, benefits and any other human resource action) affecting the applicant/employee; or

- 2. the act or series of acts have the purpose or effect of interfering with the complainant's work performance, or creating an intimidating, hostile or offensive work environment; or*
 - 3. the act or series of acts might reasonably be expected to cause discrimination, insecurity, discomfort, offense or humiliation to a complainant who may be a co-employee, applicant, customer, or word of the person complained of.*
- b. Education or training-related sexual harassment is committed against one who is under the actual or constructive care, custody or supervision of the offender, or against one whose education, training, apprenticeship, internship or tutorship is directly or constructively entrusted to, or is provided by, the offender, when:*
- 1. submission to or rejection of the act or series of acts as a basis for any decision affecting the complainant, including, but not limited to, the giving of a grade, the granting of honors or a scholarship, the payment of a stipend or allowance, or the giving of any benefit, privilege or consideration; or*
 - 2. the act or series of acts have the purpose or effect of interfering with the performance, or creating an intimidating, hostile or offensive academic environment of the complainant; or*
 - 3. the act or series of acts might reasonably be expected to cause discrimination, insecurity, discomfort, offense or humiliation to a complainant who may be a trainee, apprentice, intern, tutee or ward of the person complained of.*
- c. The offense may also take place in the following instances:*
- 1. in the premises of the workplace or office or of the school or training institution;*
 - 2. in any place where the parties were found as a result of work or education or training responsibilities or relations;*
 - 3. at work or education or training-related social functions;*

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- 4. while on official business outside the office or school or training institution or during work or school or training-related travel;*
- 5. at official conferences, fora, symposia or training sessions; or*
- 6. by telephone, cellular phone, fax machine or electronic mail, or any online platforms*

“V. Persons Liable for Sexual Harassment xxx.”

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The Commission **FURTHER RESOLVES** that all other existing policies which are inconsistent with this amended policy are deemed modified accordingly.

This Resolution shall take effect fifteen (15) days from the date of its publication in a newspaper of general circulation or the Official Gazette.

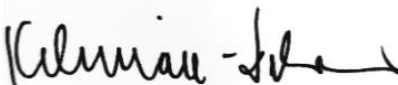
Quezon City.

ORIGINAL SIGNED
ALICIA dela ROSA-BALA
Chairperson

ORIGINAL SIGNED
ATTY. AILEEN LOURDES A. LIZADA
Commissioner

VACANT
Commissioner

Attested by:


KATHERINE LIMARE-DELMORO
Acting Director IV
Commission Secretariat and Liaison Office