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INTRODUCTION

The Constitution of Sri Lanka ensures equality among all persons and prohibits discrimination on the basis of several grounds including sex (Article 12). The Constitution also guarantees to every person the freedom to engage in a lawful occupation (Article 14 (1) (g)). Sri Lanka is a signatory to several international agreements pertaining to safe working conditions and non-discrimination in the workplace including the International Covenant on Civil and Political Rights, the Convention on All Forms of Discrimination against Women and the ILO Convention 111 on "Discrimination in Respect of Employment and Occupation." Sexual harassment, including in the workplace, is a criminal offence under the Penal Code and the Prohibition of Ragging and other Forms of Violence in Educational Institutions Act No. 20 of 1998 specifically deals with violence in universities among others. This policy is thus adopted in the context of international standards and the legal framework pertaining to universities which uphold the rights and aspirations of all staff and students in such institutions.

PREAMBLE

Acknowledging that gender based discrimination and gender based violence is a matter of concern in higher education institutions in Sri Lanka

Recognising that gender based discrimination and gender based violence violate the human rights of those subject to it

Declaring its commitment to maintaining a workplace and a working environment that promotes gender equality and is free of gender discrimination and gender based harassment or violence, and which shows respect for and acceptance of those of diverse gender identities

Emphasising the need to prevent any form of discrimination against women and to take proactive measures to ensure that women in the university, whether staff or students are able to fulfil their role and functions on a basis of equality with men

The OUSL Gender Policy is founded on the principles of rights, respect and inclusivity and good governance in the university.

The Objectives of this Policy shall be:

1. To set out the policy of the OUSL towards gender equality, gender diversity and the prevention of any form of harassment and/or violence based on a person's gender.
2. To establish a complaints and redress mechanism for any person affected by such harassment, violence or discrimination.
3. To ensure that gender issues are mainstreamed into the teaching, learning and research culture of the OUSL.
4. To achieve gender equality between men and women that enables equal rights, responsibilities and opportunities for all.
5. To take affirmative action where necessary to ensure gender equality

SCOPE OF THE POLICY

This Policy shall be the guiding framework for achieving gender equality and inclusivity within the OUSL and shall apply to all stakeholders, including staff, students and other service providers in the institution.

POLICY PRINCIPLES

These are a set of actionable principles and long term goals that will provide overall direction to achieving the objectives of this Policy

1. **Equality, Inclusivity and Diversity**
 - (a) Mainstream gender into institutional policies, planning and budgeting
 - (b) Create consciousness amongst all employees about the institution's commitment to gender equity and its benefits.
 - (c) Increase understanding of and sensitivity to gender issues among university community members and stakeholders including tolerance for diverse gender identities
 - (d) Incorporate an understanding of gender issues including gender equality into handbooks
 - (e) Ensure gender sensitive and gender inclusive language and gender balance in all communications, images and publicity material of the institution
 - (f) Create a Centre for Gender Equity and Equality to initiate attitudinal change and monitor gender issues on campus.

... the gender-equality strategy proposed for implementation management among both staff and students

- (b) Appoint competent gender-sensitive people to senior positions in strategic areas of the institution as part of organizational policy.
- (c) Establish a Centre for Gender Equity and Equality consisting of gender-sensitive academic staff (both women and men), key administrative staff of the university and gender experts to initiate, implement and monitor the mainstreaming of gender equality within the university.

3. Freedom from violence and discrimination

- (a) Ensure that interviews and selection procedures are gender sensitive and non-discriminatory
- (b) Promote a secure working environment which respects the dignity and equality of all persons
- (c) Adopt a policy of zero tolerance for gender discrimination and gender based violence and take preventative measures against them
- (d) Take proactive security measures to ensure the personal safety of physically vulnerable categories of staff and students, for example, adequate lighting, security patrols, support in reporting violence.
- (e) Refrain from imposing rules and strictures upon one category of staff or students relating to, for example, dress codes and curfews in hostels.
- (f) Initiate transparent and participatory administrative procedures in both academic and administrative spheres so that there can be no space / opportunities for sexual and other forms of workplace harassment of either staff and students.

4. Teaching and research

- (a) Mainstream gender into research, teaching and innovation including curricula of all programmes and adjunct courses
- (b) Publish a gender equity and equality employee handbook for all employees.

- (d) Include gender awareness programmes in student orientation and soft skills courses
- (e) Include training on transparent administration, participatory decision-making, and sensitivity to diversity and affirmative action.
- (f) Undertake staff and student surveys to obtain regular feedback on policies / measures to achieve gender equity and equality.

5. Institutional mechanisms

- (a) Formulate Policy documents which articulate issues of gender equity and equality objectives, and equal opportunities in recruitment, promotion and training,
- (b) Formulate Codes of conduct at the workplace
- (c) Formulate a policy on sexual harassment
- (d) Put in place a monitoring mechanism to ensure the sustainability and success of institutional initiatives
- (e) Set measurable goals within specific time frames for achieving gender equality
- (f) Integrate goals of gender equity and equality into the Corporate Plan and make adequate financial provision in institutional budgeting.

The University Council as the supreme governing body of the OUST shall ensure that the Gender Policy is operationalized and shall receive periodic reports on such operationalization through the Centre for Gender Equity and Equality

Vice Chancellor

The Vice Chancellor, together with the Board of Management of the Centre for Gender Equity and Equality shall provide leadership on gender issues and take all necessary initiatives to further the objectives of this Policy.

Deans of Faculties, Heads of Departments/Divisions

Deans of Faculties and Heads of Departments/Administrative Divisions shall ensure that the policy is implemented within the units coming under their purview.

Staff and students

All staff and students of the university shall support the policy and adhere to any rules, regulations and directives that may be issued in this regard.

Definition of Terms

Affirmative Action: A policy or programme of taking steps to increase the representation of a designated group/s seeking to redress discrimination or bias through active measures in education and employment.

Engender: The process of ensuring that planning and programming is appropriate for and takes into account the different needs and concerns of females and males.

Gender: refers to the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/ time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in a given context.

Gender Equality: means equality between men and women; the freedom to develop and make choices unhindered by gender stereotypes, roles and prejudices; that the different behaviours, aspirations and needs of women and men are considered, valued and favoured equally. It does not mean that women and men have to become the same, but that their rights, responsibilities and opportunities do not depend on whether they are born male or female.

ensure that specific measures have been designed to eliminate inequalities between women and men, discrimination and to ensure equal opportunities. Gender equity leads to equality.

Gender mainstreaming: This is a strategy for making women's and men's concerns and experiences an integral dimension in the design, implementation, monitoring and evaluation of policies, programmes, activities and projects at all levels in the social, economic and political spheres

Gender Parity: This is a numerical concept referring to equal numbers of girls and women, boys and men relative to their respective numbers in the population.

Gender Imbalance: Refers to a situation where there is no gender parity

Gender Diversity – The equitable or fair representation of genders in a particular context, particularly an equitable ratio of men and women, but may include other gender categories

Gender Based Violence: Refers to any form or act of violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, girls, men and boys on the basis of gender.

Gender Blind: Refers to a failure to identify or acknowledge differences on the basis of gender where it is significant.

Gender Mainstreaming: the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality

Gender roles: Socially assigned roles and responsibilities as opposed to biologically determined functions.

Gender sensitization: The process of developing people's awareness, knowledge and skills on gender issues.

Gender stereotyping: The assigning of roles, tasks and responsibilities to a particular sex on the basis of pre-conceived prejudices.

Sexual Harassment: Unwanted acts of a sexual nature that cause discomfort to the targeted person. They include words, persistent request for sexual favours or dates, gestures, touching, uninvited sexual overtures, coerced sexual intercourse and rape.

Sex disaggregated data: Classification of information on the basis of sex; that is male and female.

- http://www.unesco.org/new/7443&URL_DO=DO_TOPIC&URL_SECTION=201.html
- <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/BSF/GENDER/PDF/1.%20Baseline%20Definitions%20of%20key%20gender-related%20concepts.pdf>
- <http://www.med.monash.edu.au/gendermed/blindness.html>
- Jomo Kenyatta University of Agriculture and Technology Gender Policy 2009

433.2(v) - 433th mtg. of the Council
26.08.2017

(v) Recommendation of the Senate [Mt. No. 431.15(vi) & 432.2(x)]

DR (Ac)

Having considered the memo, the Council granted approval with the following amendments:

- Gender Policy of the OUSL

Page 19 -

To take off the Mission and Vision statements from the By-laws as Mission & Vision are outside the purview of the By-law.

- Bylaw for the Centre for Gender Equity and Equality of the OUSL

Page 29 -

A Council member pointed out that in some positions, selection of candidates on pure merit may not be possible ignoring gender and some of such positions pointed out by the Council member were Security Guards, Marshal etc.

The Council after having considered the above fact, decided to include a clause covering the point raised by the Council member.