



The General Sir John Kotelawala Defence University

NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Policy Statement

The General Sir John Kotelawala Defence University is committed to providing a safe, inclusive, and respectful environment for all members of its community. In support of this commitment, the University prohibits discrimination, including harassment and retaliation, based on a protected classification, including race, color, religion, sex (including pregnancy), national origin, age, disability, veteran status, sexual orientation, gender identity, or genetic information. All members of the University community are responsible for participating in creating a campus environment free from all forms of prohibited discrimination and for cooperating with University officials who investigate allegations of policy violations.

University Obligations

The University will take prompt and appropriate action to (a) thoroughly investigate complaints of discrimination described in this policy; and (b) prevent, correct and, if necessary, discipline individuals who engage in behaviour that violates this policy in accordance with existing University policies.

Scope and Applicability

This policy applies to all members of the university community, including but not limited to students, faculty, staff, administrators, contractors, and visitors. It is applicable in all university-related activities, both on and off-campus.

Definitions

Discrimination

“Discrimination” is the unfair and prejudicial treatment of individuals or groups based on certain characteristics or attributes. This can occur in different areas of university life, such as employment, education, and social interactions. Discrimination can target various factors, including race, gender, age, sexual orientation, religion, disability, social class, national origin, gender identity, and marital status. It takes various forms, from direct and intentional mistreatment to indirect and systemic biases in policies or practices. University policies are established to address discrimination and promote equal opportunities for all individuals, fostering a more just and inclusive working and learning environments.

Harassment

"Harassment" is a specific form of discrimination. It is unwelcome behaviour, based on a protected classification, that a reasonable person would perceive to be sufficiently severe or

pervasive to create an intimidating, hostile, or offensive environment for academic pursuits, employment, or participation in University-sponsored activities.

Additionally, "Sexual Harassment," whether between individuals of the same or different sex, includes unwelcome conduct of a sexual nature that is made, either explicitly or implicitly, a condition of an individual's education, employment, or participation in a university program or activity, and/or when the submission to or rejection of such conduct is a factor in decisions affecting that individual's education, employment, or participation in university-sponsored activities.

Harassing conduct may take many forms, including verbal acts and name calling, as well as nonverbal behaviour, such as graphic, electronic, and written statements, or conduct that is physically offensive, harmful, or threatening.

Retaliation

"Retaliation" occurs when an adverse action is taken against an individual for engaging in protected activity. Protected activity consists of (a) opposing conduct reasonably believed to constitute discrimination, including harassment, which violates a non-discrimination statute or which university policy prohibits; (b) filing a complaint about such practice; or (c) testifying, assisting, or participating in any manner in an investigation or other proceeding related to a discrimination complaint. Adverse actions that are reasonably likely to deter a complaining individual or others from engaging in protected activity are prohibited.

Pay equity and non-discrimination

Implementing pay equity KDU promotes workplace transparency and enables a clear understanding of income distribution methodologies, thereby increasing job satisfaction and creating a healthier working culture. KDU does not discriminate pay based on gender. Government circulars serve as the basis for determining KDU salary scales. The University Grant Commission's pertinent circulars are used to determine the salaries of academic staff, while government establishment codes from the Ministry of Public Administration, Home Affairs, Provincial Councils, and Local Government are used to determine the salaries of other staff members.

Supervisory Responsibilities to Prevent and Report Discrimination, Harassment, and Retaliation

Employees or agents of the University who (a) supervise other employees, graduate or undergraduate students, contractors, or agents; (b) teach or advise students or groups; or (c) have management authority related to a University-sponsored program or activity are required to:

- Engage in appropriate measures to prevent violations of this policy; and
- Upon receiving a report or having a reasonable basis to suspect that potential discrimination, harassment, or retaliation has occurred or is occurring, promptly notify and provide all available information and documentation to the responsible authorities.

Reporting Discrimination, Harassment, or Retaliation

An individual who believes that they have been subjected to discrimination, harassment, or retaliation in violation of this policy should report the matter immediately to enable the University to take prompt remedial action.

Good Faith Allegations

Because of the nature of discrimination, harassment, or retaliation complaints, allegations often cannot be substantiated by direct evidence other than the complaining individual's own statement. Lack of corroborating evidence should not discourage individuals from seeking relief under this policy. No adverse action will be taken against an individual who makes a good faith allegation of discrimination, harassment, or retaliation under this policy, even if an investigation fails to substantiate the allegation. However, individuals who make dishonest statements or make statements with wilful disregard for the truth during an investigation or enforcement procedure under this policy may be subject to disciplinary action in accordance with existing University policies.

Anonymous Inquiries and Complaints

Members of the University community may contact the appointed officials at any time to ask questions about discrimination, harassment, retaliation, or complaint-filing procedures and may provide information without disclosing their names. This provision does not relieve others of their responsibility to promptly report under this policy.

Reporting Complaints to Outside Agencies

University employees and students have the right to file discrimination, harassment, and/or retaliation complaints with outside agencies as well as with the University's Office. If an individual files a complaint with an external agency, the filing will not affect the University's investigation concerning the same or similar events.

Consequences of Policy Violations

Members of the University community who violate this policy will be subject to corrective action that could include reprimand, demotion, denial of promotion, termination from employment or from educational programmes, or other appropriate action.

Affiliated Entities

University employees or students who work or study at a worksite or program of an institution with which the University has entered into an Agreement are subject to this policy while at such worksite or participating in such programme. If a University employee or student believes that they have been subjected to discrimination, harassment, or retaliation while working at or participating in a program of an Affiliate in violation of this policy, they should contact the university in accordance with the reporting provisions of this policy.

Confidentiality

Employees and all responsible administrators who receive reports of discrimination, harassment, or retaliation shall maintain the confidentiality of the information they receive, except where disclosure is required by law or is necessary to facilitate legitimate University

processes, including the investigation and resolution of discrimination, harassment, or retaliation allegations.

Periodic Review

This policy will be reviewed periodically to ensure its effectiveness and compliance with applicable laws and regulations. Any necessary updates will be made to maintain a safe and inclusive environment. The KDU encourages open communication and cooperation to prevent discrimination and harassment, fostering a community that values diversity, equity, and mutual respect.

Effective Date	25 th April 2022
Last revised	