



# Majlis Peguam Bar Council Malaysia

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Bil Tuan :

Bil Kami : **To all members of the Bar**

## **RE: Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace**

The Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace' ('Code') was launched by the Ministry of Human Resources Malaysia in August 1999.

The Code can be viewed at the website of the Ministry of Human Resources Malaysia at <http://www.mohr.gov.my/prevention.htm>


At the 59<sup>th</sup> Annual General Meeting of the Malaysian Bar, it was recognised inter alia, that pupils and lawyers are entitled to a safe and healthy working environment free from harassment and intimidation of a sexual nature, and the General Body endorsed and adopted the Code. The Bar Council intends to implement the Code by 1<sup>st</sup> January 2007. Law firms are therefore required to take all necessary steps to comply with the Code.

Pursuant to the Code, employers are required to implement in-house mechanisms to prevent, handle and eradicate sexual harassment in the workplace. The mechanisms should include at least the following elements:

- (i) a policy statement prohibiting sexual harassment in the organisation;
- (ii) a clear definition of sexual harassment;
- (iii) a complaint/grievance procedure;
- (iv) disciplinary rules and penalties against the harasser and against those who make false accusations;
- (v) protective and remedial measures for the victim; and

(vi) promotional and educational programmes to explain the company's policy on sexual harassment and to raise awareness of sexual harassment and its adverse consequences among the company's employees, supervisors and managers.

As one of the steps taken in compliance with the Bar's resolution, the Bar is in the process of drafting an appropriate mechanism for the resolution of complaints for members of the Bar within the legal profession and in dealings with the judiciary and the courts. In the interim measure, any Advocate & Solicitor and/or Pupil may lodge a complaint of the breach of the Code with the chairman of State Bar. All complaints will be treated confidentially.

  
Ragnath Kesavan  
Secretary