

## VISION

A preferred university of developmental culture and inclusive growth.

## MISSION

It shall produce globally competitive leaders molded from a tradition of excellence in instruction, research, effective governance, sustainable entrepreneurship and an environment that assumes major responsibility in cultural vitality and well-being of the community.

## GOALS

1. Attain and sustain quality and excellence for universityhood;
2. Promote relevance and responsiveness;
3. Broaden access and equity;
4. Enhance efficiency and effectiveness; and,
5. Develop harmony within the College, and with stakeholders and benefactors.

## MAJOR THRUSTS

- H** - Hearty Approach to Management & Governance, & Transformational Leadership
- E** - Enriched Academic Programs
- R** - Relevant Student Services, Development, and Welfare Program
- I** - International and Local Linkages
- T** - Technology, Facilities, and Assets Enhancement Program
- A** - Aggressive Staff Development and Welfare Program
- G** - Gainful Resource Generation and Enterprise Development Program
- E** - Excellent Researches and Relevant Extension Programs



*Republic of the Philippines*

**Mountain Province State Polytechnic College**

Bontoc, Mountain Province

## MPSPC

Rules and Regulations  
for the Implementation of  
Republic Act 7877  
Otherwise Known as  
Anti-Sexual Harassment  
Act of 1995

**MPSPC**  
**Rules and Regulations**  
**for the Implementation of Republic**  
**Act 7877 Otherwise Known as**  
**Anti-Sexual Harassment Act of 1995**

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AND REGULATION OF RA 7877—ANTI-SEXUAL HARASSMENT ACT OF 1995**

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**ATTESTED BY:**

**JOSE N. CO**

Legal Officer



Office for Gender and Development  
Mountain Province State Polytechnic College  
Bontoc, Mountain Province

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of Republic Act 7877 Otherwise Known as  
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Certification  
Committee on the Amendment of MPSPC-IRR  
Where do we go for help?

**CERTIFICATION**

This is to certify that I have examined the contents of the MPSPC Rules and Regulations for the implementation of Republic Act 7877 Otherwise Known as Anti-Sexual Harassment Act of 1995 of Mountain Province State Polytechnic college.

After careful scrutiny of the contents of said student Handbook. I hereby certify that they contain all the information necessary to guide each and every students, as well as the faculty and Administrative Officials of the College , subject to amendment and or modification by the competent officials of the College.

**ATTY. JOSE N. CO**  
Legal Officer—MPSPC

**Section 15. *Effect On Other Issuances.*** Memorandum Circular 19 series of 1994 of the Civil Service Commission shall be supplementary to these Rules in so far as it is not inconsistent herewith.

**Section 16. *Repealing Clause.*** Other issuances or Executive Order thereof inconsistent with the provisions of these Rules are hereby repealed or modified accordingly.

**Section 17. *Amendment.*** The Mountain Province State Polytechnic College through its CODI may amend or modify these Rules as may be necessary.

**Section 18. *Effectivity Clause .*** These Rules and Regulations shall take effect immediately upon approval by Board of Trustees.

Republic of the Philippines

**Mountain Province State Polytechnic College**

Bontoc, Mountain Province

**MPSPC Implementing Rules and Regulations of  
Republic Act 7877 Otherwise Known as  
Anti-Sexual Harassment Act of 1995**

Pursuant to the provisions of Section 4, Republic Act 7877, an Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment, and for other purposes, the following Rules and Regulations governing the prevention of sexual harassment, procedure for the resolution, settlement and/or disposition of sexual harassment cases, as well as prescribing the proper decorum in the workplace for officials, employees, faculty members and students of the Mountain Province State Polytechnic College are hereby issued.

**Section 1. *Affirmation of Policy*** – In affirmation of the Declaration of Policy set forth in Section 2 of Republic Act. No. 7877, the Mountain Province State Polytechnic College System shall establish and maintain an intellectual and moral environment in which the dignity and worth of all members of the academic community are guaranteed full respect.

**Section 2. *Definition of terms.*** As issued in this Rules, the following terms shall mean and be understood as indicated below:

- (a) “Student” means a person duly enrolled for a degree course or in a short-term training or review program in any academic unit or training center of the College.
- (b) “Trainee” refers to a person undergoing an organizational and/or instructional process undertaken by the College through which an individual acquires any knowledge and skill.
- (c) “Victim” refers to any official or employee, any applicant, students and trainee against whom acts of sexual harassment have been committed.

(d) "Employee" refers to a person who is holding an official appointment or designation in any unit or office (academic or administrative) of the College and includes a casual or contractual employee.

(e) "Faculty Member" refers to any member of the teaching staff of the College, regardless of academic rank or category.

(f) "Worker" this refers to a person who is holding an employment status of a Job Order

(g) "Workplace" refers to the place or environment where work is being undertaken or training is going on or where an employment or training relationship exists between and among individuals.

(h) "Progressive Discipline" refers to penalty imposed from reprimand, warning, suspension to dismissal from service.

**Section 3. Sexual Harassment Defined.** Sexual Harassment is a form of misconduct involving an act or a series of sexual advances, request for sexual favors, or other verbal or physical behavior of a sexual nature, made directly, indirectly or impliedly, without regard as to whether such demand, request or requirement is accepted by the other person.

(a) In a work-related environment, either academic or administrative, sexual harassment is deemed to exist when:

- (1) The sexual favor is made as a pre-condition for employment or reemployment of the individual who is the object of sexual harassment, or in granting such individual favorable compensation or promotion or any other terms, conditions or privileges; or the refusal to grant the sexual results in limiting, segregating or classifying a faculty member or employee which would discriminate, deprive him or her or diminish employment opportunities or otherwise adversely affect such faculty member or employee;
- (2) The above acts would impair the rights or privileges of the faculty member or employee under the Civil Service Law, rules or regulations;
- (3) The above acts would result in an intimidating, hostile or offensive employment environment for the faculty member or employee.

(a) For light offenses

- (1) Reprimand or fine or suspension not exceeding ten (10) days;
- (2) Fine or suspension not exceeding twenty (20) days; or
- (3) Fine or suspension not exceeding thirty (30) days; or at the discretion of the disciplining authority.

(b) For less grave offenses:

- (1) Transfer or demotion in rank or salary of one grade or fine or suspension not exceeding six (6) months or
- (2) Fine not exceeding four (4) months or suspension not exceeding eight (8) months at the discretion of the disciplining authority

(c) For grave offense (that include attempted rape, rape and the like)

- (1) Transfer or demotion in rank or salary from two to three grades or fine in an amount equivalent to six (6) months salary;
- (2) Suspension for one year; or
- (3) Dismissal, at the discretion of the disciplining authority.

(d) A student guilty of simple misconduct involving sexual harassment shall be penalized with a suspension for not less than one (1) calendar day but not more than (30) calendar days, provided that should the student be found guilty for the third time, the penalty shall be expulsion. Grave misconduct involving sexual harassment shall be punishable by expulsion.

**Section 13.** The head of office who fails to act on any complaint properly filed for sexual harassment after being informed thereof against any employee in that office shall be charged with neglect of duty.

**Section 14. Prescriptive Period.** Any complaint or action arising from the violation of these Rules should be filed within three (3) years from commission of such violation, otherwise, the same shall be deemed to have prescribed.

- ( 2 ) pinching not falling under grave offenses;
- ( 3 ) unnecessary touching or brushing against a victims body;
- ( 4 ) derogatory or degrading remarks or innuendos directed toward members of one sex or one sexual orientation or used to describe a person;
- ( 5 ) verbal abuse or threats or
- ( 6 ) other analogous cases.

( c ) The following may be considered Light Offenses:

- ( 1 ) persistently telling sexist/smutty jokes causing embarrassment or offense, told or carried out after the joker has been advised that they are offensive or embarrassing, offensive or vulgar.
- ( 2 ) leering or ogling which is an unwelcome, suggestive, flirtations, knowing or malicious look at another;
- ( 3 ) voyeurism which is sexual stimulation derived through visual means;
- ( 4 ) display of sexually offensive pictures, materials or graffiti.
- ( 5 ) unwelcome inquiries or comments about a person’s sex life;
- ( 6 ) unwelcome sexual flirtation, advances, propositions;
- ( 7 ) making offensive hand or body gestures at an employee and students;
- ( 8 ) persistent unwanted contact or attention after the end of a romantic relationship; or
- ( 9 ) other analogous cases.

**Section 11. Administrative Liabilities.** Any person who is found guilty of sexual harassment shall after investigation be meted the penalty corresponding to the gravity and seriousness of the offense.

**Section 12. Penalties.** The penalties for light, less grave, and grave offense are as follows:

( b ) In academic, teaching or study environment, sexual harassment is committed:

- ( 1 ) Against a student, trainee or one who is under the care, custody, supervision or advisorship of the offender;
- ( 2 ) Against one whose education, training, apprenticeship or tutorship is entrusted to the offender;
- ( 3 ) When the sexual favor is deemed to be a condition to the giving of a passing grade, the granting of honors and scholarships, or the payment of a stipend, allowance or other benefits, privileges, or considerations; or
- ( 4 ) When sexual advances result in an intimidating hostile or offensive environment for the student, trainee or apprentice.

Any person connected in the College as an officer, faculty member, employee, trainee or a student who directs or induces to commit any act of sexual harassment as herein defined, or who cooperates in the commission thereof by another without which it would not have been committed, shall also be held accountable under these Rules and Regulations.

**Section 4. Specific Acts Constituting Sexual Harassment.** The following acts constitute employment or work-related Sexual Harassment:

- ( a ) Demand, request or requirement for sexual favor is made for the following considerations:
  - ( 1 ) as a condition for hiring or employment, re-employment or continued employment of an individual, or
  - ( 2 ) in granting said individual favorable compensation terms or conditions of employment, promotion, or privileges.
- ( b ) The demand, request or requirement for sexual favor is made against one whose training is entrusted to the offender.
- ( c ) The refusal of the demand, request or requirement for sexual favor will limit, classify or segregate an employee as would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee.
- ( d ) The demand, request or requirement for sexual favor would result in intimidating hostile or offensive environment for the employees.

For this purpose, work or employment related sexual harassment may take place in any of the following places outside of the office or anywhere else as a result of work responsibilities or employment relation:

- at office related social functions;
- while on official business outside the office or during work-related travel;
- at official conferences, for a, symposia, or training session; or
- over the telephone, cellular phone, fax machine, E-mail

**Section 5. Forms of Sexual Harassment.** The acts of sexual harassment may take any of the following forms:

(a) Physical

- i. Physical contact or malicious touching;
- ii. Overt sexual advances;
- iii. Unwelcome, improper or any unnecessary gesture of a sexual nature; or
- iv. Any other suggestive expression or lewd insinuation.

(b) Verbal, such as requests or demand for sexual favors or lurid remarks; and

(c) Use of objects, pictures, letter or written notes with bold persuasive sexual underpinnings creating a hostile, offensive or intimidating work or training environment which is annoying or disgusting to the victim.

**Section 6. Person Liable for Sexual Harassment.** Any official, employee, student, trainee, faculty member and worker of the Mountain Province State Polytechnic College regardless of gender shall similarly be held liable for sexual harassment under the following circumstances.

(c) Decision and Appeal

- (1) Within fifteen days from receipt of the CODI Report and Recommendation, the President shall render the decision.
- (2) The decision of the President shall be final and executory ten (10) days after receipt of the copy thereof by the parties.
- (3) Any appeal of the decision shall be filed in accordance with the College Rules and Regulations regarding administrative cases.

The appeal from the judgment or formal order of the College President may be taken to the Civil Service Commission within thirty (30) days from notice of judgment or final order and appealed from. If no appeal has been duly perfected, the judgment or final order shall become final and executory after the lapse of the thirty (30) days period and the execution of the judgment or the final order shall issue as a matter of right.

(e) Prescriptive Period for Filing. Three (3) years from the discovery of the offense, the offended party must file his/her complaint. Failure to do so shall serve as a bar for filing thereof.

**Section 10: Classification of acts of Sexual Harassment into Grave, Less Grave or Light Offense.**

(a) Grave Offenses:

- (1) unwanted touching of private parts of the body or any other act of malicious touching;
- (2) sexual assault;
- (3) any act of sexual harassment mentioned in Section 4 and Section 5 of MPSPC IRR, committed by an official, faculty member, employee, student or any person having moral ascendancy over the victim.

(b) The Less Grace Offenses may include but are not limited to:

- (1) requesting for dates to public places or sexual favors in exchange for employment, promotion, local or foreign travels favorable working conditions, scholarship, high grades, honors, passing mark or assignment or grants of benefits;



( 2 ) The answer shall be in writing signed and sworn to by the respondent, and copy furnished the complainant. No particular form is required but it is sufficient if the answer contains a specific admission or denial of the charge or charges of the relevant facts constituting the respondent's defense.

( 3 ) The respondent shall indicate in his answer whether or not he/she elects a formal investigation.

( 4 ) In support of the answer, the respondents shall submit any evidence he or she has, including affidavits of witnesses, if any, together with the answer.

( 5 ) Unless otherwise directed by the CODI, failure of the respondent to file an answer or to appear in the investigation shall be construct or interpreted as a waiver to present evidence on his or her behalf.

( c ) Hearing

( 1 ) after the pleadings have been submitted, the Committee shall conduct a hearing which may or may not be assisted by lawyer not earlier than five (5) days not later than ten (10) days from the date of receipt of the respondents answer or the last pleadings and shall as far as possible conclude the hearing or investigation within 30 days from filing of the charges.

( 2 ) the Committee shall prepare a report within 15 days after the conclusion of the investigation or hearing and submit the report and its recommendation to the College President.

( d ) Preventive Suspension

( 1 ) On the recommendation of the CODI, the President may suspend any subordinate officer, faculty member, employee or students for not more than 90 days pending an investigation if the charge is for grave misconduct and the evidence of guild is strong which would warrant the respondent's removal from office.

( 2 ) If the case against the officer, faculty member, employee or student under preventive suspension is not finally decided within a period of ninety ( 90 ) days after the date of suspension, respondents shall be reinstated in the service. Provided, that if the delay in the disposition of the case is due to the fault, negligence or petition of the respondents, the period of the delay shall not be counted in computing the period of suspension.

Directing or inducing another to commit any of the acts or sexual harassment defined in these Rules

(Principal by inducement) or

Cooperating in the commission of the sexual harassment by another without which it would not have been committed (Principal by indispensable Cooperation)

**Section 7. Duty of the Mountain Province State Polytechnic College.** The Mountain Province State Polytechnic College shall initiate measures to:

(a) Prevent or deter the commission of acts of sexual harassment through an extensive awareness campaign or informal education research and survey of data to determine extent of the problem, the profile of harassers and their victims and the forms of sexual harassment taken and its consequences.

( b ) Implement the procedures for the resolution, settlement or prosecution of acts of sexual harassment provided in these rules.

( c ) Furnish a copy of the these Rules and Regulations to each of the official, employee, trainee, faculty member' worker and student in the Mountain Province State Polytechnic College and post a copy thereof in two conspicuous locations in every Campus of the College.

**Section 8. Committee on Decorum and Investigation of Sexual Harassment Cases.** The Committee on Decorum and Investigation (CODI) shall be created in the Mountain Province State Polytechnic College. Said committee shall perform the following:

( a ) receive complaint, file the formal charges and investigate and conduct hearing in accordance with the uniform Rules of Procedures in the conduct of administrative investigation in Mountain Province State Polytechnic College

It shall submit a report of its findings with the corresponding recommendation to the President, for review, approval and final decision. Said report shall be considered strictly confidential until signed by the College President.

( b ) Conduct meetings with the College officers, employees and students to increase understanding and prevent incidents of sexual; and

( c ) Recommend measures to the College President that will expedite the investigation and adjudication of sexual harassment cases.

When a member of the Committee on Decorum and Investigation (CODI) is a complainant or a respondent in a sexual harassment case, the member shall inhibit himself/herself from the deliberation of the Committee.

The composition of the CODI shall include:

Chairperson - Main Campus Executive Dean

Vice Chairperson - Branch Campus Executive Dean

Members - Administration Representative  
- Faculty Representative

The CODI members shall serve the term of office for two years. Consultation will be done with the College President and Legal Counsel.

**Section 9. Procedures In The Disposition Of Sexual Harassment Cases.** All complaints for sexual harassment must be under oath and supported by the affidavit of the offended party. Any complaint shall be investigated and disposed of in accordance with the uniform rules of procedures in the conduct of administrative investigation in the committee.

No action shall be taken on an anonymous complaint, nor shall any civil servant be required to answer or comment on said anonymous complaint.

( a ) Complaint

( 1 ) Formal complaint requires that the complainant be willing to identify the respondent so that a thorough investigation and hearing of the charge shall be conducted. A formal charge of sexual harassment will be filed only on a subscribed sworn complaint. However if the complainant is a minor he/she must be accompanied by a guardian/parent. Complaint procedures must conform to the principles of due process.

( 2 ) The complainant shall file a written complaint with the CODI which shall, upon receipt of the complaint, determine whether probable cause exist before giving due course to the complaint. Upon finding of probable cause a hearing shall be conducted by the members of the CODI as established under Section 8 of the MPSPC IRR.

( 3 ) No particular form is required for the complaint, but it must be in writing, signed and sworn to by the complainant. It must contain the following:

- i. The full name and address of the complainant
- ii. The full name and address of the respondent
- iii. The date of filing of the complaint
- iv. A specification of the charge or charges
- v. A brief statement of the relevant and material facts.

( 4 ) In support of the complaint, the complainant may submit any evidence he or she has, including affidavits of witnesses, if any together with the complaint.

( 5 ) The CODI shall notify the respondent in writing of the sexual harassment charge.

( b ) Answer

( 1 ) Unless a different period is indicated in the notice issued by the Committee, the respondents shall be given not less than seventy-two hours after receipt of the complaint to answer the charges