TANARO LEGAL

KARIN LAW

Preventing and Reporting Workplace Harassment, Sexual Harassment and Discrimination

Law No. 21,643 · In force since August 2024

Employee Training · Human Resources

What is the Karin Law?

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Karin Salgado was a nursing technician who died in 2019 after suffering workplace harassment at her job. In her memory, Law No. 21,643 was published on January 15, 2024, strengthening protection against harassment, violence and discrimination at work.

Workplace Harassment	Sexual Harassment	Discrimination
Repeated hostility that undermines the dignity of an employee.	Unwanted conduct of a sexual nature at work.	Unjustified different treatment based on protected grounds.

Workplace Harassment (Mobbing)

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Legal definition: Repeated aggression or hostility by the employer or by one or more employees, through verbal, written, physical or technological conduct that harms the dignity or integrity of the affected person or the legitimate performance of their duties.

Examples of harassing conduct:

Verbal

Insults, humiliation, shouting, public put-downs.

Overload

Intentionally assigning impossible or degrading tasks.

Exclusion

Isolating or ignoring an employee, withholding information they need.

Digital

Intimidating messages by email, WhatsApp or other platforms.

Sexual Harassment at Work

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Legal definition: Improper sexual advances made by any means, not consented to by the person receiving them, that threaten or harm their employment situation or job opportunities.

Key features:

01

Not consented

Any sexual conduct without the explicit agreement of the other person.

02

Any means

It can happen in person, by text, email, social media or video call.

03

Affects your job

It conditions work, promotions, benefits or keeping the job.

04

Rank does not matter

Between peers, from boss to subordinate, or involving people outside the company.

Workplace Discrimination

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Definition: Any distinction, exclusion or preference based on grounds prohibited by law that cancels or alters equal opportunity or equal treatment in employment.

Grounds protected by law:

Race or ethnicity	Sex or gender	Age	Marital status
Sexual orientation	Religion or belief	Disability	Political opinion
Nationality	Physical appearance	Pregnancy or maternity	Union membership

Employer's Obligations

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01 Prevention Protocol

Draft and implement a protocol to prevent workplace and sexual harassment and discrimination.

02 Update Internal Rules

Add the prevention measures and the reporting procedure to the company's Internal Rules.

03 Investigate complaints

Open an investigation within 3 days of receiving a complaint, or refer it to the Labour Inspectorate.

04 Protective Measures

Take interim measures to protect the complainant during the investigation.

05 Train Employees

Provide regular training on these matters to all employees.

06 Confidentiality

Protect the complainant's identity and keep the investigation records confidential.

Reporting Procedure

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Where can you report?

Within the company

HR department or
a trusted manager

Labour Inspectorate

Impartial external body,
if you prefer

Ways to file a complaint:

Written

Email, form
or formal letter

Verbal

Meeting with HR
or a representative

Confidential

Your identity is
kept confidential

On behalf of others

If the affected person
cannot report

Internal Procedure Step by Step

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1

Filing the complaint

The employee files the complaint with HR, in writing or verbally.

2

Receipt and assessment

⏱️ 3 days

The employer receives the complaint and decides whether to investigate internally or refer it to the Labour Inspectorate.

3

Interim measures

⏱️ Immediate

Protective measures are taken for the complainant (change of post, remote work, etc.).

4

Investigation

⏱️ 30 days

An impartial investigator interviews the parties, gathers evidence and writes a report.

5

Report and sanctions

⏱️ 15 days

The report goes to the Labour Inspectorate (2 days), which has 30 days to review it. The employer then applies the measures or sanctions (15 days).

Protection for the Complainant

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The Karin Law ensures that employees who report are protected:

No retaliation

It is forbidden to dismiss or harm the complainant for having reported.

Confidentiality

The identity of those involved and the case records are confidential.

Physical separation

If needed, the accused may be moved or suspended during the investigation.

Job security

No one may be dismissed for having filed a complaint in good faith.

Consequences and Sanctions

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For the Harasser

- Verbal or written warning
- Fine of up to 25% of daily pay
- Termination of employment (dismissal)
- Criminal liability in serious cases

For the Employer

- Fines for failing to investigate or prevent
- Liability for non-material damage to the victim
- Legal action by the employee
- Labour Inspectorate audits and fines

⚠️ False or bad-faith complaints may also lead to liability for the person who files them.

Our Commitments as an Organisation

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Respectful Workplace

We promote a culture based on respect, dignity and equal treatment for everyone.

Safe Channel

We guarantee a safe, confidential, retaliation-free reporting channel for all employees.

Timely Action

We commit to investigating every complaint promptly, impartially and with full due process.

Ongoing Training

We run regular training so everyone knows their rights and duties under the Karin Law.

Continuous Improvement

We keep our protocols and Internal Rules under constant review.

Zero Tolerance

We have zero tolerance for harassment, discrimination and any form of workplace violence.

Where to Go • Remember

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Human Resources

Your first point of contact within the company.



Trusted Manager

You can go to any manager you trust to file your complaint.



Labour Inspectorate

External government agency. You can file your complaint at www.dt.gob.cl or at the nearest office.

You have the right to report without fear. The law protects you.

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Together we build a workplace that is dignified and respectful.

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Questions? We're here to help.

Human Resources · Employee Wellbeing

Material prepared by Tanaro · www.tanaro.cl