

20. Prevention of Sexual Harassment Policy

Purpose

The organization is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias, and sexual harassment. This policy aims to promote a workplace based on equality and respect, raise awareness, prevent sexual harassment, and provide a mechanism for redressal in case of complaints.

Scope

This policy extends to all employees of the organization and is deemed to be incorporated in the service conditions of all employees. It comes into effect immediately.

Eligibility

Employee means any person on the rolls of the organization, including those on deputation, contract, temporary, part-time, or working as consultants.

Definition of Sexual Harassment

Sexual harassment includes, but is not limited to, the following:

- Unwelcome sexual advances, requests, or demands for sexual favors, either explicitly or implicitly, in return for employment, promotion, examination, or evaluation of a person towards any company activity.
- Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually colored remarks, jokes, letters, phone calls, e-mails, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individual's sensibilities and affects her/his performance.
- Eve teasing, innuendos and taunts, physical confinement against one's will, and likely to intrude upon one's privacy.
- Acts or conduct by a person in authority which creates a hostile or intimidating environment at the workplace for a person belonging to the other sex.
- Conduct of such an act at the workplace or outside in relation to an employee, or vice versa during the course of employment.
- Implied or explicit promise of preferential treatment in employment.
- Implied or explicit threat about present or future employment status.
- Humiliating treatment likely to affect health or safety.

- Any unwelcome gesture by an employee having sexual overtones.

Ways of filing a Complaint –

In case any woman faces sexual harassment, then she can file a complaint directly to Internal Committee. Following are the ways to file a complaint-

- Contact any IC person and file a complaint
- Send email to HR and file a complaint
- There is a provision from the Government to file the complaint in She-BOX. In that case the complaint will go to the government portal and then it will be directed to IC to handle the complaint.

Complaint Redressal Committee

The Internal Complaint Committee (ICC) is constituted to investigate and inquire into complaints of sexual harassment by any aggrieved woman and to settle the matter. The committee consists of:

- A Chairperson or Presiding Officer who shall be a woman employed at a senior level at the workplace from amongst the employees.
- A minimum of 2 members from amongst the employees, preferably committed to the cause of women and who have had experience in social work or have legal knowledge.
- One member from amongst NGOs or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

A quorum of 3 members and 1 external member is required for the proceedings, including the Chairperson, 1 external member and at least two members, in which 50% should be female members.

Redressal Process

- An employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the committee in writing with his/her signature within 3 months of the occurrence of the incident.
- The committee will maintain a register to endorse the complaint received and keep the contents confidential, except to use the same for discreet investigation.
- The committee will hold a meeting with the complainant within 7 days of the receipt of the complaint.

- At the first meeting, the committee members shall hear the complainant and record her/his allegations. The complainant can also submit any corroborative material with documentary proof, oral or written material, etc., to substantiate his/her complaint.
- Thereafter, the person against whom the complaint is made may be called for a deposition before the committee and an opportunity will be given to him/her to give an explanation, where after, an “Enquiry” shall be conducted and concluded.
- If the complaint does not fall under the purview of sexual harassment or does not mean an offence of a sexual nature, it would be dropped after recording the reasons.
- If the complaint is found to be false, the complainant shall, if deemed fit, be liable for appropriate disciplinary action by the management.

Enquiry Process

- The committee shall immediately proceed with the enquiry and communicate the same to the complainant and the person against whom the complaint is made.
- If the complainant or the person against whom the complaint is made desires any witnesses to be called, they shall communicate in writing to the committee the names of witnesses whom they propose to call.
- If the complainant desires to tender any documents by way of evidence before the committee, she/he shall supply original copies of such documents. Similarly, if the person against whom the complaint is made desires to tender any documents in evidence before the committee, he/she shall supply original copies of such documents. Both shall affix his/her signature on the respective documents to certify these to be original copies.
- The committee shall call upon all witnesses mentioned by both parties.
- The committee shall provide every reasonable opportunity to the complainant and to the person against whom the complaint is made, for putting forward and defending their respective cases.
- The committee shall complete the enquiry within a reasonable period but not beyond three months and communicate its findings and its recommendations for action to the HR. The report of the committee shall be treated as an enquiry report on the basis of which an erring employee shall be faced appropriate action straightaway.
- The HR will direct appropriate action in accordance with the recommendation proposed by the committee.

Other Points to Consider

- The committee may recommend to the HR to take action which may include transfer or any other appropriate disciplinary action.
- The management shall provide all necessary assistance for the purpose of ensuring full, effective, and speedy implementation of this policy.
- The committee shall analyze and put up a report on all complaints of this nature at the end of the year for submission to the HR.

