

# POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN



**Shakti Organisation**  
Catalysing Sustainable Development

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## **POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN**

### **BACKGROUND OF POLICY**

Protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified on 25 June 1993 by the Government of India.

The Shakti Organisation(SSCSO) is an equal employment opportunity organisation. Sexual harassment at the work place or other than work place if involving an employee or employees is a grave offence and is therefore, punishable

### **OBJECTIVE**

Shakti Organisation is committed to create a healthy working environment that enables its staff members to work without fear of prejudice, gender bias and sexual harassment.

Shakti Organisation regards sexual harassment and actions that create a hostile work environment as a very serious matter and such conduct is prohibited in the workplace by any person and in any form. Shakti Organisation also believes that all staff members of the Shakti Organisation have to be treated with dignity.

### **SCOPE AND EFFECTIVE DATE**

- Extends to all Staff members of the Shakti Organisation and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.
- Applicable at all locations and activities including those run in partnership so also to all Shakti Organisation-sponsored social events.
- Applies to men and women; to like and opposite gender relationships; to relationships between supervisors and subordinates and peer relationships

### **DEFINITIONS**

**Staff Member** includes a person engaged by the Shakti Organisation for any work directly, or by or through any Agency.

- For this purpose, "Sexual Harassment" includes any unwanted or unwarranted gesture or verbal sexual advances, sexually explicit and derogatory statements or remarks, sexually colored remarks, avoidable and unwarranted physical contacts, willfully touching or patting, suggestive sexual remarks, sexually slanted and obscene jokes, vulgar comments about physical appearance, indecent invitations, stalking sounds, lurid stares, use/ showing of pornographic material, display of pictures, demand for sexual favors, demanding sexual favor by making telephone calls or sending SMS/Mails, threats of physical assault or molestation on refusal by the employee by their superiors, colleagues or anyone who for the time being is in a position to sexually exploit or harass the employee at any work place which may contain :
  - Implied or overt promise of preferential treatment in that employee's employment
  - An implied or overt threat of detrimental treatment in that employee's employment or an implied or overt threat about the present or future employment status of that employee and includes the creation of a hostile working environment.
  - The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment.
  - Such conduct that is humiliating and may constitute a health and safety problem
  - which offends the individuals sensibilities and affect her/his performance;
  - conduct of such an act at work place or outside in relation to an staff, or vice versa during the course of employment;

#### **COMMITTEE AGAINST SEXUAL HARASSMENT ("CASH")**

The Organisation management will constitute the Committee against Sexual Harassment (CASH), when any complaint comes to the General Secretary. The committee will consider and redress complaints of Sexual Harassment. The committee should be headed by a Woman and Woman members should not be less than half of the total members in the committee who are direct staffs of the Shakti Organisation

The General Secretary shall finalize the Committee members and shall circulate Committee details to all staff members in respective of locations. The size of the Committee shall not be more than 5 members.

## **IF YOU ARE BEING HARASSED**

- Tell the harasser his/her behavior is unwelcome and ask him/her to stop.
- Keep a record of incidents (date, time, locations, possible witnesses, what happened, your response). You do not have to have a record of events in order to file a complaint, but a record can strengthen your case & help you remember details.

## **PROCEDURE FOR REPORTING HARASSMENT**

- Employee has to submit his / her complaint in writing on the occurrence of such an incident at their respective location mentioning the Date and nature of the harassment.
- Upon receipt of the formal complaint from the employee the General Secretary will forward the same to the CASH Committee for investigation. The CASH committee will initiate investigation on the veracity / strength of the complaint. The Committee will maintain confidentiality during the investigation.
- Organization will not tolerate any form of reprisal or retaliation against an employee or applicant reporting any incident of claimed sexual harassment.
- False accusations of harassment will not be tolerated and would be viewed seriously.

## **ENQUIRY PROCESS**

- A quorum of 3 members is required to start the Enquiry process
- **CASH** Committee shall maintain the details of complaint received in the format, Annexure – 1, Annexure-2 of this policy.
- The **CASH** Committee members shall hear the Complainant and record his/her allegations. The Complainant / defendant can submit any corroborative material with a documentary proof, written material, etc., in original which is self attested to substantiate his / her complaint. If the Complainant (if Female) does not wish to depose personally due to embarrassment of narration of event, a female co-employee shall meet and record the statement.
- Thereafter, the defendant shall 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.
- In case the complaint is proved true, HR Department/General Secretary shall initiate necessary action as recommended by the **CASH** Committee.

- In the event, the complaint does not fall under the purview of Sexual Harassment; the same would be dropped after recording the reasons thereof.
- **CASH** Committee shall complete the “Enquiry” within 30 days from the date of complaint and communicate its findings and its recommendations for action to the HR Department/General Secretary.
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, CASH committee shall take steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a **Police Complaint**.

**IMPROPER COMPLAINTS**

This policy shall not be used to bring frivolous or malicious complaints against anyone. Making a knowingly false complaint subjects the complaint to disciplinary or corrective action. However, failure to prove a claim of sexual harassment does not constitute proof of a false and / or malicious accusation.

**PROHIBITION OF VICTIMISATION**

- No person shall be victimized for anything said or done in relation to any complaint.
- A person victimizes another person if the person subjects the other person or threatens to subject the other person to any detriment in connection with employment or recruitment or promotion because such person
  - Has brought proceedings against any person.
  - The other person associates with the complainant.
  - Has given evidence or information or produced a document, in connection with any proceedings.

**PREVENTIVE STEPS**

The management of organisation shall take all reasonable steps to ensure prevention of sexual harassment at work. Such steps shall include:

- Display the policy document in in the office and all workplaces of organisation.

**WHO SHOULD HELP STOP WORKPLACE HARASSMENT?**

<b>Source</b>	Stop the Harassing Behavior
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<b>Target</b>	Tell the source to stop and/or report the behavior.
<b>Observer</b>	No such thing as an innocent bystander
<b>Person</b>	A Duty Exists

### **FOLLOW-UP WITH THE COMPLAINANT**

Finally, **CASH** Committee shall affirmatively follow up with the complainant after one month of decision to determine

- whether the inappropriate activity has stopped
- whether any retaliatory or related activity has been initiated against the complainant by the defendant
- Depending on the situation, it may also be advisable to interview coworkers or supervisors of the harasser in order to ascertain whether inappropriate activity has continued with respect to the original victim or other parties.



General Secretary  
Shakti Organisation (SSCSO)

General Secretary,  
Shakti Organisation(SSCSO)

**N.B-{this\_POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN is approved by the Executive Body of Shakti Organisation on 29.09.2006 and came into immediate effect.}**

**Enquiry Form No: CASH/EF/\_\_\_\_\_**

**ANNEXURE – 1**

**ENQUIRY FORM**

To

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A complaint of Sexual Harassment (Complaint Number: CASH/xxx) has been lodged against you by Mr. / Ms. \_\_\_\_\_ on \_\_\_\_\_.

The complaint refers to the following incidents that allegedly took place between both parties where the details are as following

S. No	Nature of Incident	Date & Time of Incident	Location
1			
2			
3			

**CASH** Committee is at present examining the complaint(s).

The Committee would like to meet you on \_\_\_\_\_ (Date) at \_\_\_\_\_ (Time) in the \_\_\_\_\_ (mention the venue).

You are requested to attend the Enquiry without fail and meet the Committee to present your version with respect to the Complaint.

If you desire to call any witness(es) the same may be communicated to CASH Committee within 1 day of receiving this communication.

For any change in the time or date of your appointment with the Committee, please contact undersigned.

Yours truly,

\_\_\_\_\_

Member – CASH Committee

Date:

Encl: Copy of the Complaint along with Proof(s)

**Action Taken Form No: CASH/ATF/\_\_\_\_\_**

**ANNEXURE - 2**

**ACTION TAKEN FORM**

**(To be initiated by HR Department)**

To

Mr. / Ms. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Basing on the complaint lodged by Mr. / Ms. \_\_\_\_\_ on Sexual Harassment (Pl. refer Form No: CASH/EF/xxxx) and the subsequent detailed enquiry conducted by CASH Committee it has been proved that the allegations are true.

Basing on the recommendations of the committee the following disciplinary action is initiated against you

You are requested to abide the decision of the Committee and shall act accordingly.

Yours truly,

\_\_\_\_\_

Member – CASH Committee

Date:

**DECLARATION**

I agree to the action recommended by the CASH Committee and shall abide by the same

(Signature of the Defendant)

Date:



**ANNEXURE – 1**

**CASH - COMPLAINT FORMAT**

<b>S No</b>	<b>Nature of Complaint</b>	<b>Name &amp; Project of the Complainant</b>	<b>Name &amp; Project of the Defendant</b>	<b>Date &amp; Time of receiving the Complaint</b>	<b>Details of Evidences provided</b>	<b>Enquiry Form Number (CASH/EF/xxx)</b>
1						
2						
3						
4						

**ANNEXURE – 2**

**CASH –ENQUIRY PROCESS DETAILS**

<b>S No</b>	<b>Enquiry Form No</b>	<b>Nature of Complaint</b>	<b>Date &amp; Time of Complaint</b>	<b>Remarks</b>	<b>Date of Enquiry</b>	<b>Recommendations by CASH Committee</b>	<b>Action initiated by HR Department</b>
1							
2							
3							
4							