

## Policy Document for Sexual harassment at work place

### **OBJECTIVES OF THE POLICY**

1. To fulfil the directive of the Supreme Court, the sexual harassment of women at workplace Act 2013 and implementing a policy against sexual harassment in the institution.
2. To evolve a mechanism for the prevention and redressal of sexual harassment cases and other acts of gender-based violence in the institution.
3. To ensure the implementation of the policy through proper reporting of the complaints and their follow-up procedures.
4. To provide an environment free of gender-based discrimination.
5. To ensure equal access of all facilities and participation in activities of the college.
6. To create a secure physical and social environment which will discourage and prevent acts of sexual harassment
7. To promote a social and psychological environment that will raise awareness about sexual harassment in its various forms.

### **DEFINITION OF SEXUAL HARASSMENT**

For this purpose, sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as:

1. **Physical contact and advances;**
2. **A demand or request for sexual favours;**
3. **Sexually coloured remarks;**
4. **Showing pornography;**
5. **Any other unwelcome physical, verbal or non-verbal conduct of sexual nature**

Where any of these acts is committed in circumstances where-under the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or enrolment in the institution whether she is drawing salary, or honorarium or otherwise, such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory for instance when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or work or studentship including recruiting or promotion or academics when it creates a hostile work environment. Adverse consequences might be visited if the victim does not consent to the conduct in question or raises any objection thereto.

### **JURISDICTION**

The rules and regulations outlined in this policy shall be applicable to all complaints of sexual harassment made at work place:

1. By a member of the institution against any other member irrespective of whether the harassment is alleged to have taken place within the campus.
2. By an outsider against a member of the college or by a member of the college against an outsider if the sexual harassment is alleged to have taken place within the campus.

### **Composition of the Anti – Sexual Harassment Committee**

1. The Committee shall be headed by a senior woman faculty of the college and shall be designated as the “**Chairperson**”
2. The committee shall have at least three senior women teaching faculty members, at least one senior male teaching faculty member. The committee shall have two nominated girl student representatives.

### **POWERS OF THE COMMITTEE**

1. The Committee shall have the power to summon witnesses and call for documents or any information from any employee/student.
2. If the Committee has reason to believe that an employee/student is capable of furnishing relevant documents or information, it may direct such person to produce such documents or information by serving a notice in writing on that person, summoning the person, or calling for such documents or information at such place and within such time as may be specified in the written notice.
3. Where any relevant document or information is recorded or stored by means of a mechanical, electronic or other device, the Committee shall have the power to direct that the same be produced, or that a clear reproduction in writing of the same be produced.
4. Upon production of documents / information called for by it, the Committee shall have the power to (i) make copies of such documents / information or extracts there from; or (ii) retain such documents / information for such period as may be deemed necessary for purposes of the proceedings before it.
5. The Committee shall have the power to issue interim directions to / with regard to any person participating in the proceedings before it.
6. The Committee shall have the power to recommend the action to be taken against any person found guilty of (a) sexually harassing the complainant; (b) retaliating against / victimizing the complainant or any other person before it; and (c) making false charges of sexual harassment against the accused person.

### **FUNCTIONS OF THE COMMITTEE**

#### **1. PREVENTIVE STEPS.**

It will be the endeavor of the committee:

1. To facilitate a safe environment for women and senior female students ;

2. To promote behaviors that create an atmosphere that ensures gender equality and equal opportunities

## **2. REMEDIAL STEPS.**

1. To ensure that the mechanism for registering complaints is confidential, accessible and sensitive.
2. To take cognizance of complaints about sexual harassment, conduct enquiries, aid and redressal to the victims, recommend penalties and act against the harasser, if necessary.
3. To advise the competent authority to issue warnings or take the help of the law to stop the harasser, if the complainant consents.
4. To seek medical, police and legal intervention with the consent of the complainant.
5. To decide for appropriate psychological, emotional and physical support (in form of counselling, security and other assistance) to the victim if so desires.

## **PROCEDURE TO BE FOLLOWED BY THE COMMITTEE**

1. The Committee shall meet as and when any complaint is received by it. Complaints may be received by any member of the committee.
2. The Committee may direct the complainant to prepare and submit a detailed statement of incidents if the written complaint lacks exactness and required particulars, within a period of two (2) days from such direction or such other time period that the Committee may decide.
3. The Committee shall direct the accused employee(s)/student(s) to prepare and submit a written response to the complaint / allegations within a period of four (4) days from such direction or such other time period as the Committee may decide.
4. Each party shall be provided with a copy of the written statement(s) submitted by the other.
5. The Committee shall conduct the proceedings in accordance with the principles of natural justice. It shall allow both parties a reasonable opportunity of presenting their case. However, should the accused choose not to participate in the proceedings, the Committee shall continue without accuse.
6. The Committee shall allow both parties to produce relevant documents and witnesses to support their case. Documents produced by either party shall be affixed with that party's signature to certify the document as original / true copy.
7. The party against whom the document / witness is produced shall be entitled to challenge / cross-examine the same.
8. The Committee shall sit on a day-to-day basis to record and consider the evidence produced by both parties.
9. As far as practicable, all proceedings of the Committee shall take place in the presence of both parties.

10. Minutes of all proceedings of the Committee shall be prepared and duly signed by the members of the Committee.
11. The Committee shall make all endeavor to complete its proceedings within a period of fifteen (15) days from the date of receipt of complaint.
12. The Committee shall record its findings in writing supported with reasons and shall forward the same with its recommendations, to the Principal/Management, within a period of five (5) days from completion of the proceedings before it. In case the Committee finds that the facts disclose the commission of a criminal offence by the accused person, this shall be specifically mentioned in the Committee's report.
13. If, in the course of the proceedings before it, the Committee is satisfied that *a prima facie* case of sexual harassment is made out against the accused employee(s)/student and that there is any chance of the recurrence of any such action, or that it is required to do so in the interests of justice, it may, on the request of the complainant or otherwise, disciplinary action could be initiated in the form of:-
  1. Warning
  2. Written apology
  3. Bond of good behaviour
  4. Adverse remarks in the confidential report
  5. Debarring from supervisory duties
  6. Denial of membership of statutory bodies
  7. Denial of re-employment/re - admission
  8. Stopping of increments / promotion/denying admission ticket
  9. Reverting, demotion
  10. Suspension
  11. Dismissal
  12. Any other relevant mechanism
14. If, in the course of the proceedings before it, the Committee is satisfied that any person has retaliated against / victimized the complainant or any person assisting the complainant as a result of the complaint having been made or such assistance having been offered, the Committee shall report the same in writing, to the Principal/Management, with reasons and with recommendations of the action to be taken against such person.
15. If, at the culmination of the proceedings before it, the Committee is satisfied that the complainant has knowingly brought false charges of sexual harassment against any person, it shall report the same in writing to the Principal/Management, with reasons and with recommendations of the action to be taken against such person.