



POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

I. COMMITMENT:

Our Organisation (Doctors For You - DFY) is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

The Organisation is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity.

The Organisation will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

Objective

The objective of this policy is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith

II. SCOPE:

This policy applies to all categories of employees of the Organisation, including permanent management and workmen, temporaries, trainees and employees on contract at their workplace or at client sites. The Organisation will not tolerate sexual harassment, if engaged in by clients (patients, beneficiaries, disaster victims) or by suppliers or any other business associates.

The workplace includes:

1. All offices / project site or other premises where the Organisation's business is conducted.
2. All Organisation-related activities performed at any other site away from the organisation's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

III. DEFINITION OF SEXUAL HARASSMENT:

Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature.

Sexual Harassment at the workplace includes:

1. Unwelcome sexual advances (verbal, written or physical),
2. Demand or request for sexual favours,
3. Any other type of sexually-oriented conduct,
4. Verbal abuse or 'joking' that is sex-oriented,
5. Any conduct that has the purpose or the effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct is either an explicit or implicit term or condition of employment and /or submission or rejection of the conduct is used as a basis for making employment decisions.

IV. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT:

All employees of the Organisation have a personal responsibility to ensure that their behaviour is not contrary to this policy.

All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

V. COMPLAINT MECHANISM:

An appropriate complaint mechanism in the form of "**Complaints Committee**" has been created in the Organisation for time-bound redressal of the complaint made by the victim.

VI. COMPLAINTS COMMITTEE:

The Organisation has instituted a Complaints Committee for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

Initially, and till further notice, the Complaints Committee will comprise of the following four members out of which at least two members will be of the same gender as that of the complainant:

1. Head-HR (**Presiding Officer**)
2. Employee at the level of Program Manager (**Member**)
3. Board Member of DFY (**Member**)
4. Member from an NGO or Lawyer or appointed by DFY Board for such purpose (**Member**)

The Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
- Discouraging and preventing employment-related sexual harassment

VII. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

The Organisation is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

A. Informal Resolution Options

When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently.

If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the Complaints Committee for redressal of their grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. Complaints:

Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment meted out

to her/him within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the Internal Complaints Committee.

1. The Presiding Officer or any Member of the Internal Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.
 2. On receipt of complaint, the Internal Complaint Committee shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The Internal Complaints Committee shall follow principle of Natural Justice while handling such complaints.
 3. Where the aggrieved person is unable to make a complaint on account of their physical incapacity, a complaint may be filed by-
 - a) A relative or friend; or
 - b) A co-worker; or
 - c) An officer of the National Commission for Women or State Women's Commission; or
 - d) Any person who has knowledge of the incident, with the written consent of the aggrieved person.
- (ii) Where the aggrieved person is unable to make a complaint on account of their mental incapacity, a complaint may be filed by-
- a) A relative or friend; or
 - b) A special educator' or
 - c) A qualified psychiatrist or psychologist; or
 - d) The guardian or authority under whose care they are receiving treatment or care; or
 - e) Any person who has knowledge of the incident jointly with any of the above.
- (iii) Where the aggrieved person for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with their written consent.
- (iv) Where the aggrieved person is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.

2. The Presiding Officer of the Complaints Committee will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 15 days from receipt of the complaint.

In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the Presiding Officer will record this finding with reasons and communicate the same to the complainant.

3. If the Presiding Officer of the Complaints Committee determines that the allegations constitute an act of sexual harassment, he/ she will proceed to investigate the allegation with the assistance of the Complaints Committee.
4. Where such conduct, on the part of the accused, amounts to a specific offence under the law, the Organisation shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
5. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Executive Director or Head-HR as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint. The Executive Director or Head-HR will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.

Corrective action may include any of the following:

1. Formal apology
2. Counselling
3. Written warning to the perpetrator and a copy of it maintained in the employee's file.
4. Change of work assignment / transfer for either the perpetrator or the victim.
5. Suspension or termination of services of the employee found guilty of the offence.
6. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

7. To deduct from salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may determine.
8. Such action will be taken within 60 days of the receipt of report,

VIII. CONFIDENTIALITY:

The Organisation understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

IX. ACCESS TO REPORTS AND DOCUMENTS:

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Organisation except where disclosure is required under disciplinary or other remedial processes.

X. PROTECTION TO COMPLAINANT / VICTIM:

The Organisation is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

The Organisation will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

XI. AWARENESS

1. All the Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the HR team.
2. A brief shall be given to all existing employees regarding the features of this Policy immediately on formulation of the Policy and to new employees in DFY during their initial Induction.
3. The Organization shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at the workplace.
4. Organization shall display the notice showing the name of the Internal Complaints Committee members at its every establishment at a conspicuous place.

XII. MISCELLANEOUS:

1. Organization may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee.
2. Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.
3. The Internal Complaint Committee shall prepare an annual report with the following details and shall submit the same to the organisation to include in its Annual report:
 - a. Number of complaints of sexual harassment received during the year;
 - b. Number of complaints disposed off during the year;
 - c. Number of cases pending for more than 90 days;
 - d. Number of workshops or awareness program against sexual harassment carried out;
 - e. Nature of action taken by the employer.

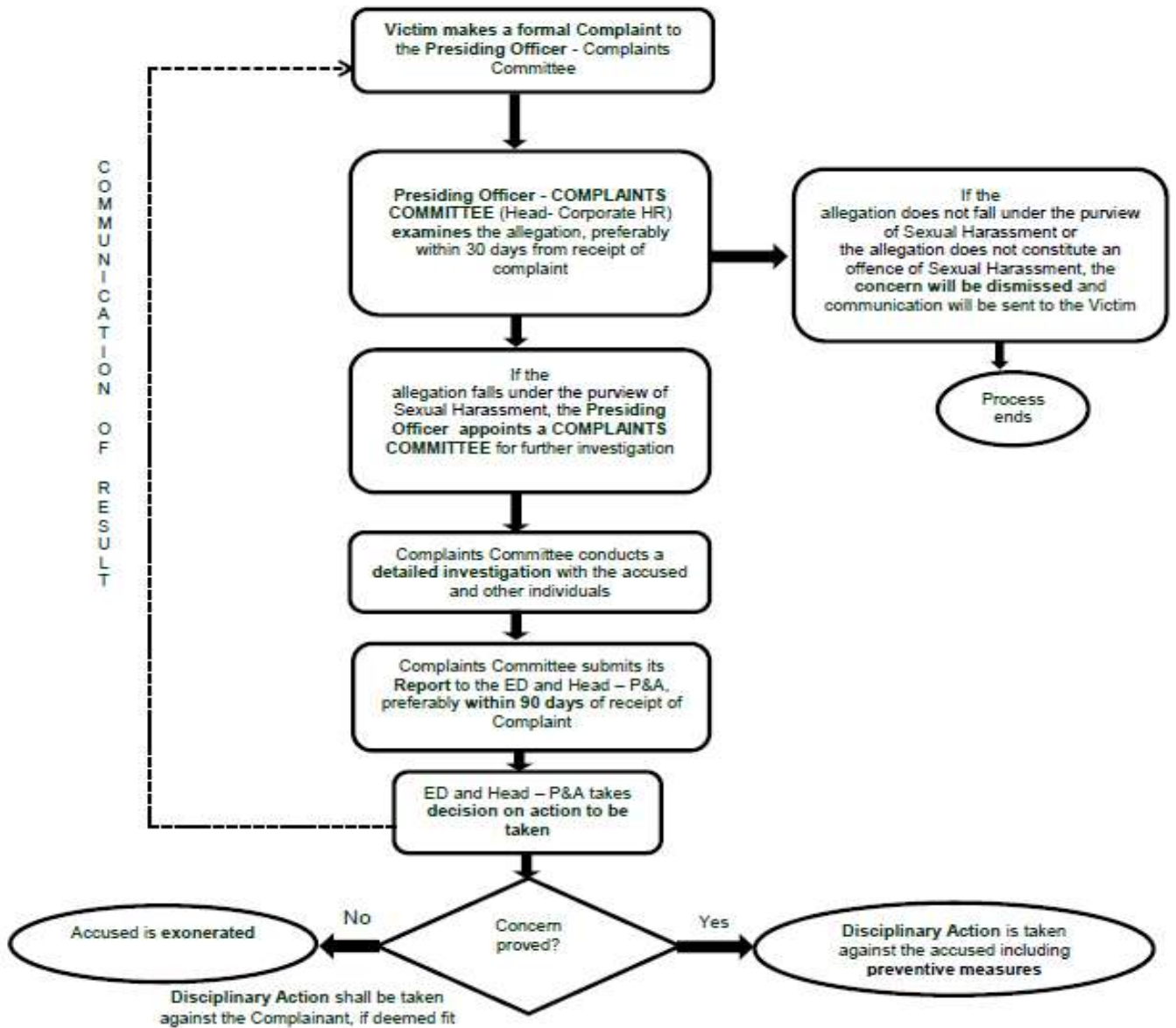
XIII. CONCLUSION:

Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behaviour. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.

The decision of Organisation Sexual harassment committee shall be final and binding on all. However, the same is without prejudice to any recourse that organization or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or organization to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

PROCESS FLOW



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