

SELCO Foundation
BANGALORE

POLICY ON
SEXUAL HARASSMENT OF EMPLOYEES
IN
SELCO FOUNDATION

April 2022

POLICY ON SEXUAL HARASSMENT OF EMPLOYEES IN
SELCO FOUNDATION

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1.0. INTRODUCTION OF THE POLICY

The SELCO Foundation is a charitable Trust incorporated on 5th October 2010 is an equal employment opportunity Trust and is committed to creating a healthy safe working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Foundation also believes that all employees of the Foundation have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable. The Foundation is committed to provide a safe and conducive work environment to its employees and expects them to combine Expertise with responsibility. Towards this it is essential that each employee deals with their colleagues and third parties with full fairness and respect and realizes that his/her behaviour will be attributed to the Trust and can affect its inward and outward reputation.

1.1. The Supreme Court has also directed establishments to lay down guidelines and a forum for redressal of grievances related to sexual harassment refer **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.**

1.2. This policy is intended to define harassment and sexual harassment at the work place and provide effective grievance procedures, including provisions for prevention and training staff at all levels in the organization.

1.3. What is a work place?

1.3.1. A workplace is any place where a working relationship exists, where an employer-employee relationship exists.

1.4. Who does this policy apply to?

1.4.1. This policy applies to anyone working full-time or part-time on a salary/wage or on contract or in a voluntary/honorary capacity with SELCO FOUNDATION and its entities.

2.0 SCOPE AND EFFECTIVE DATE

2.1. This Policy extends to all employees of the Foundation and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

2.2. Sexual harassment would mean and include any of the following:

2.2.1 Unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;

2.2.2 Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, 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 affect her/his performance;

2.2.3 Innuendos and taunts to intrude upon one's privacy;

2.2.4 Act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a colleague.

2.2.5 Conduct of such an act at work place or outside in relation to an Employee of SELCO Foundation, or vice versa during the course of employment; and

2.2.6 Any unwelcome gesture by an employee having sexual overtones

2.3 **"Employee"** means any person on the rolls of the Foundation including those on deputation, contract, temporary, part time or working as consultants.

2.4. **'Hostile working environment'** is more pervasive form of sexual harassment involving work conditions or behavior that make the work environment 'hostile' for the woman to be in. Certain sexist remarks, display of pornography or sexist/obscene graffiti, physical contact/brushing against female employees are some examples of hostile work environment, which are not made conditions for employment.

3.0. Office romance

3.1.1. Office romance is not illegal and is a common occurrence in many organizations including SELCO Foundation. While Foundation does not have a policy against romantic relations between staff except in cases of direct reports, both parties must exercise due caution to ensure that you conduct yourself in a manner befitting a professional work environment. You must ensure that your actions do not cross boundaries of propriety or good taste which could become liable to allegations of sexual harassment. For example, public display of affection could be construed as a hostile work environment.

4.0. Victimization/Retaliation

4.1. Victimization or Retaliation is when the complainant suffers a negative impact at work after having.

4.1.1. Made a report of discrimination or harassment

4.1.2. Assisted someone with a complainant

4.1.3. Participated in prevention activities

4.2. Retaliation could be in the form of

- 4.2.1. poor appraisals
- 4.2.2. being assigned unfavorable projects
- 4.2.3. isolation or threat to dissuade the staff from making a complaint

4.3 Victimization or Retaliation is as serious as harassment. It is unethical even if the original charge of harassment is not proven. It must be reported in the same manner as you would in harassment case. Victimization or Retaliation could lead to termination of employment, dealing with harassment.

4.4 If you are a recipient of harassment at the work place you may

- 4.4.1. Speak directly to the individual concerned or write expressing your concerns and requesting that the harassing behaviour be stopped immediately.
- 4.4.2. Speak with your line manager or a member of the complaints committee to take action to stop the harassing behaviour.
- 4.4.3. You may also choose to make a formal complaint with the internal complaints committee.

5.0. COMPLAINT REDRESSAL COMMITTEE

- 5.1.** A Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Presiding Officer and Members of the Committee are as follows:

Table-1

PRIMARY MEMBERS

Name	Designation	Title	Phone/ Email id
Ms. Rachita Misra	Presiding Officer	Associate Director - Knowledge & Outreach	rachita@selcofoundation.org 9972420922
Ms. Sneha Gokhale	Member	Program Manager - Sustainable Micro Businesses	sneha@selcofoundation.org 9920464199
Ms. Swati Maskeri	External Member	Dean-Srishti Institute of Art, Design & Technology, Bangalore	Swati@srishti.ac.in 9448051671
Ms. Supriya Gowda	Member	Project Manager - Agriculture	supriya@selcofoundation.org 9480034569
Mr. David Sagayanathan	Member	Sr. Manager - Finance	david@selcofoundation.org 9611169176

- 5.2.** A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a man and the other an external member the same quorum needs to be present during all the sittings of one complaint (cannot be a shifting population).

6.0. REDRESSAL PROCESS

- 6.1.** Any 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 10 days of occurrence of incident but not exceeding 3 months. In case the complainant is not in a position to make a written complaint, then the complainant is free to approach committee to state the complaint orally which may be then transcribed into a written form in a manner prescribed by the committee. This transcribed written complaint has to be verified by the complainant.
- 6.2.** The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- 6.3.** The Committee will respond to complaint within 2 weeks of the receipt of the complaint, but no later than 30 working days in any case.
- 6.4.** At the first meeting within 30 days but no later than 60 days, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint.
- 6.5.** Thereafter, the person against whom 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.
- 6.6.** In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- 6.7.** In case the complaint is found to be false i.e. with proven malicious intent, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.
- 6.8.** Within 14 days from the date of the meeting of the complainant allegation needs communicated to complainant and accused.

Table - 2

Complaint brought forward	•10days but no later than 3 months from when incident occurred
Committee Members respond	•Within 2 weeks but no later than 30 days from receiving complaint
Record statement of allegation with complainant	•30 days but not later than 60days from acknowledgement of committee members
Statement of Allegation communicated to accused	•Within 14 days of registering complaint
Accused given opportunity to respond	•14 days from receipt of letter to respond
Complete Enquiry	•Within 3 months from when statement of allegation submitted to Accused
ACTION	•To be conducted within 14 days of being decided upon by Committee

7.0. CONFIDENTIALITY

- 7.1.** During complaint and during the process of redressal to ensure employees are not treated unfairly confidentiality will be upheld of all parties involved as much as possible.

8.0. ENQUIRY PROCESS

- 8.1.** The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.
- 8.2.** The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if she / he so desires within 14 days of receipt of the same.
- 8.3.** The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- 8.4.** If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es whom they propose to call.
- 8.5.** 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 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.
- 8.6.** The Committee shall call upon all witnesses mentioned by both the parties.
- 8.7.** The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.
- 8.8.** The Committee shall complete the "Enquiry" within reasonable period but not beyond three months from Statement of Allegation being communicated to person against whom complaint has been registered and communicate its findings and its recommendations for action to the Senior Manager-.HR. The report of the committee shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.
- 8.9.** The Senior Manager - HR will direct appropriate action in accordance with the recommendation proposed by the Committee. This action will be implemented within 14 days time of it being decided upon. Whatever action is taken against the perpetrator will be recorded in a case file maintained by HR.
- 8.10.** The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

9.0. OTHER POINTS TO BE CONSIDERED

- 9.1.** The Committee may recommend to the Senior Manager-HR action which may include transfer or any of the other appropriate action, including being removed from service during the enquiry process.
- 9.2.** The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- 9.3.** Where sexual harassment occurs as a result of an act or omission by any third party or outsider, SELCO Foundation shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- 9.4.** The Committee shall analyse and put up report on all complaints of this nature at the end of the year for submission to Senior Manager- HR.
- 9.5.** In case the Committee find 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.

10.0. Communicating the Policy

- 10.1.** The policy on sexual harassment will be communicated to every staff through the staff policy handbook made available on the internet or in the office.
- 10.2.** A training session on sexual harassment will be part of every induction training program.
- 10.3.** The names and contact information of all the committee members will be put on notice boards of all the offices.

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