



**THE SOCIETY FOR
AGRICULTURE HEALTH
ENVIRONMENT LITERACY
INNOVATION (SAHELI)**



PREVENTION OF SEXUAL HARASSMENT POLICY

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SEXUAL
HARASSMENT



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INTRODUCTION

SAHELI is a women-led organisation and it works with women and girls for the dignity and equality of all genders. Therefore, effort to protect the dignity of women is an important commitment of SAHELI. The Enactment and enforcement of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is the fundamental legal framework for this policy. This legislation was by following up the Vishakha Guidelines declared by the Supreme Court of India and this is a landmark in the struggle by women for safe work place for women. The present policy is upholding the spirit of Vishakha Guidelines and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

PURPOSE

The purpose of this policy is to provide a harassment-free environment for women in the office and filed location of SAHELI thereby ensuring complete dignity of women and girls. This will ensure the credibility and the reputation of the organization.

SCOPE AND APPLICATION

The policy is applicable to all staff of SAHELI, full time and part time, core staff or volunteers who are working at the office and/or at the communities. It also applies to all trainees, daily wage earners, fellows and all those engaged on short-term contracts. It is also binding on staff while they are on work duty, on transit and while representing SAHELI both in India and across the globe.

DEFINITIONS

Aggrieved Woman

All women whether engaged directly or through an agent including a contractor, with or without the knowledge of the principal employer. They may be working for remuneration, on a voluntary basis or otherwise. Their terms of employment can be express or implied. She could be a co-worker, a contract worker, probationer, trainee, apprentice, or called by any other such name. A woman, who is working in a dwelling place or house, is also covered under the term of aggrieved or likely to be aggrieved woman.

Sexual Harassment

Any unwelcome sexually determined behaviour (direct or indirect/implied) such as physical contact and advances, unwelcome physical, verbal or non-verbal conduct of sexual nature and demand or request for sexual favours, showing pornography, creating a hostile work environment for women employees.



Workplace

Any place visited by the employee arising out of or during the course of employment, including transportation provided by the employer for undertaking such a journey. Workplace covers both the organized and un-organised sectors. SAHELI and its field areas constitute a workplace.

Third Party Harassment

Third party harassment is a situation where sexual harassment occurs as a result of an act or omission by any third party or outsider.

Complainant

In relation to workplace, a person of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment.

Respondent

A person against whom a complaint of sexual harassment has been made by the aggrieved person.

Employer

An employer refers to:

1. The head of the department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the Appropriate Government or local authority or such officer specified in this behalf.
2. Any person (whether contractual or not) responsible for the management, supervision and control of a designated workplace not covered under clause (i).
3. A person or a household who employs or benefits from the employment of domestic worker or women employees

FORMS OF SEXUAL HARASSMENT

Sexual harassment would also mean:

- (i) Quid pro quo sexual harassment: which means something in return or an exchange of one thing for another: In the workplace quid pro quo sexual harassment takes place if sexual favours are asked in exchange for any kind of special treatment or job. Threatening a staff to consent to such sexual advances or favours



(ii) Hostile work environment: Hostile environment occurs when either speech and conduct of a sexual nature takes place, and is seen or perceived as offensive and interferes with the work performance and intimidating or harassing conduct that is directed towards an individual or group of individuals.

EXAMPLES OF HARASSMENT

Sexual Harassment includes anyone or more of the following unwelcome acts or behaviour (whether directly or by implication):

- Physical contact such as touching or pinching and advances
- A demand or request for sexual favours
- Making sexually colored remarks
- Showing pornography
- Making sexually suggestive remarks or innuendos
- Serious or repeated offensive remarks, such as teasing related to a person's body or appearance
- Offensive comments or jokes
- Inappropriate questions, suggestions or remarks about a person's sex life
- Displaying sexist or other offensive pictures, posters, mms, sms, WhatsApp, or e-mails
- Intimidation, threats, blackmail around sexual favours
- Threats, intimidation or retaliation against an employee who speaks up about unwelcome behaviour with sexual overtones
- Unwelcome social invitations, with sexual overtones commonly understood as flirting
- Unwelcome sexual advances which may or may not be accompanied by promises or threats, explicit or implicit
- Caressing, kissing or fondling someone against her will (could be considered assault)
- Invasion of personal space (getting too close for no reason, brushing against or cornering someone)
- Persistently asking someone out, despite being turned down
- Stalking an individual
- Abuse of authority or power to threaten a person's job or undermine her performance against sexual favours
- Falsely accusing and undermining a person behind closed doors for sexual favours
- Controlling a person's reputation by rumour-mongering about her private life.

The following are some examples of behaviour that may indicate underlying workplace sexual harassment and merit inquiry

- Criticizing, insulting, blaming, reprimanding or condemning an employee in public
- Exclusion from group activities or assignments without a valid reason
- Statements damaging a person's reputation or career
- Removing areas of responsibility, unjustifiably
- Inappropriately giving too little or too much work



- Constantly overruling authority without just cause
- Unjustifiably monitoring everything that is done
- Blaming an individual constantly for errors without just cause
- Repeatedly singling out an employee by assigning her with demeaning and belittling jobs that are not part of her regular duties
- Insults or humiliations, repeated attempts to exclude or isolate a person
- Systematically interfering with normal work conditions, sabotaging places or instruments of work
- Humiliating a person in front of colleagues, engaging in smear campaigns
- Arbitrarily taking disciplinary action against an employee
- Controlling the person by withholding resources (time, budget, autonomy, and training) necessary to succeed

Some examples of workplace behaviours that may not constitute sexual harassment:

- Following-up on work absences
- Requiring performance to job standards
- The normal exercise of management rights
- Work-related stress e.g. meeting deadlines or quality standards
- Conditions of works
- Constructive feedback about the work mistake and not the person

COMMITMENT OF THE ORGANISATION

SAHELI, by adopting this policy, comply with the legal measure to prevent and address sexual harassment at workplace. Further it will:

- Make the policy known to all employees
- Ensure awareness and orientation on the issue
- Make employees aware of the procedures involved in addressing sexual harassment instances
- Constitute Internal Complaints Committee as suggested in the Act
- Ensure Internal Complaints Committees shall be trained in both skill and capacity
- Initiate redressal measures, whenever required, as stipulated in the Act
- Prepare an annual report and report to the respective state government

INTERNAL COMPLAINTS COMMITTEE (IC):

SAHELI will constitute IC as a mechanism for redressal of complaints related to Sexual Harassment. The committee will be chaired by an employee of SAHELI holding at least the position of Senior Management level. The committee will have 03 other women staff members



from the middle management level and one external member. Thus, the total members shall be five only.

The committee is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting enquiry as per established procedure
- Submitting findings and recommendations of enquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines

A complainant (an employee of SAHELI) who believes he/she has been sexually harassed should:

- If comfortable to do so, inform the alleged harasser that his/her behaviour is offensive, unwelcome, against the policy of the organisation, and that he/she should stop such behaviour.
- He/she should take a note of the date, time, and location of the incident/s
- If not comfortable to confront the alleged harasser or if unwelcome behaviour continues, report the same to the nominated Internal Complaints Committee
- If this is inappropriate, speak to another senior member of the organisation, the head of the organisation or a member of the Governing Body

TIMELINE OF COMPLAINT AND COMMITTEES'S ACTION

- The complaint must be lodged within 3 months from the date of incident/last incident by the aggrieved person or his/her friend, relative, co-worker or any person having the knowledge of the incident
- After receiving the complaint, the informal resolution (if possible) between the complainant and the respondent is completed within 2 weeks
- The respondent replies with all supporting documents within 10 days of receiving the complaint, if a formal investigation is initiated

The final report of IC is completed and submitted to the President of SAHELI within 90 days of initiating the formal investigation.

OTHER PROVISIONS

- The Internal Committee may, at the behest of the aggrieved woman, before beginning its investigation take steps to settle the matter between the aggrieved woman and the accused through conciliation.
- No monetary settlement may be made through conciliation.
- The Act and the Central Rules spell out implementation procedures with regard to conciliation



GUIDELINES FOR RECEIVING A COMPLAINT

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and therefore it requires tact and discretion while receiving the complaint.

A Committee member listens to the complaint and the complainant is assured that SAHELI takes the concerns seriously. Written notes are taken while listening to the person and mostly words used by the complainant are recorded. Clear description of the incident in simple and direct terms is prepared and details are confirmed by the complainant. All notes are kept strictly confidential. The consent of the complainant in writing to proceed with the formal investigation is taken.

The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the identity of the complainant.

When a complaint is received, the Internal Complaints Committee will:

- Obtain and record a full, step-by-step account of the incident/s
- Ensure that the complainant understands the process laid down by SAHELI for handling the complaint.
- Ascertain the complainant's preferred outcome, e.g., an apology, the behaviour to cease, a change in working arrangements
- Agree on the next step: informal resolution or formal investigation
- Keep a confidential record of all details of this discussion and subsequent steps in the process.

PROHIBITION OF PUBLICATION

- As per section 16 of the Act, the contents of the complaint, the identity and personal details of the parties involved, any information relating to conciliation, inquiry proceedings, recommendations of the Internal Committee, and the actions taken shall not be published, communicated or made known to the public, press and media.
- Any person who is entrusted with the above documents, shall be liable for penalty, under the provisions of the service rules, if he/she contravenes regulations.

INFORMAL RESOLUTION

Once the complaint is received regarding sexual harassment, the Committee may take steps to conciliate between the complainant and the respondent. It is possible if a step is requested by the aggrieved person. It is just a practical mechanism through which issues are resolved or misunderstandings cleared. If an informal resolution is chosen by the complainant, the Complaint Redressal Committee will take recourse to the following process:



- Inform the alleged harasser of the complainant and provide an opportunity to respond
- Ensure both parties understand their rights and responsibilities under the organization's policy
- If possible, mediate an outcome that is satisfactory for the complainant
- Ensure that confidentiality is maintained
- Follow up to ensure the behavior does not re-occur.

The Committee provides copies of the settlement to the complainant & respondent. Once the action is implemented, it shall be recorded that no further inquiry shall be conducted on the complaint.

FORMAL INVESTIGATION.

If an informal resolution fails and a formal investigation is requested by the complainant, the Complaint Redressal Committee will take necessary steps to:

- Afford natural justice to all involved
- Interview all directly concerned, separately
- Interview witnesses, separately
- Keep records of the interviews and investigation
- Ensure confidentiality and minimize disclosure
- Determine whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e., it's more likely than not), that an incident/incident of sexual harassment has occurred

MANNER OF INQUIRY

The complainant should submit the complaint along with supporting documents. Upon receipt of the complaint, the committee shall send one copy of the complaint to the respondent. The respondent receives the complaint and sends his/her reply to the committee. The Committee shall inquire into the complaint by the principle of natural justice. While conducting the inquiry, a minimum of three committee members including the president of the Committee should be present.

The decision of the committee is final. The employer is requested to take action on the respondent as recommended by the committee. No legal practitioner can represent any party at any stage of the inquiry.

INQUIRY PROCEDURE:

All proceedings of the inquiry are documented. The documentation shall be shared with the complainant and the respondent if requested. The committee shall interview the respondent



separately. Any witnesses produced by the respondent are also interviewed by the committee. If the complainant or respondent desires to cross-examine the witnesses, it shall be facilitated by the committee.

INTERIM ACTION:

During the process of the formal investigation, the management of SAHELI shall determine an appropriate action, which may include a change of duties for the harasser and a change to working arrangements.

If the incidents were frequent and/or severe, they may take recourse to the dismissal of the respondent.

In case it cannot be determined by the required test, that an incident/incident of sexual harassment has occurred, may still take action to ensure the proper functioning of the workplace without prejudice to any party.

The management will also continue to closely monitor the situation and provide further training to the staff if required.

When the interim action is implemented, the employer shall inform the committee regarding the action taken.

TERMINATION OF INQUIRY:

The committee may terminate the process of an inquiry if both the complainant and respondent are absent for three consecutive hearings without giving any reason in writing. If the committee concludes that the complaint was malicious, it can request the employer to take appropriate action against the complainant

SUBMISSION OF ANNUAL REPORTS

- The Internal Committee is required to prepare and submit an annual report to the employer.
- The employer is required to include in its report the number of cases filed, and their disposal under this Act in the annual report of the organisation.
- Besides, it is mandatory for SAHELI to submit a report on actions taken for ensuring the security of women employees of SAHELI to the District Magistrate (District Collector) by 31st January each year.

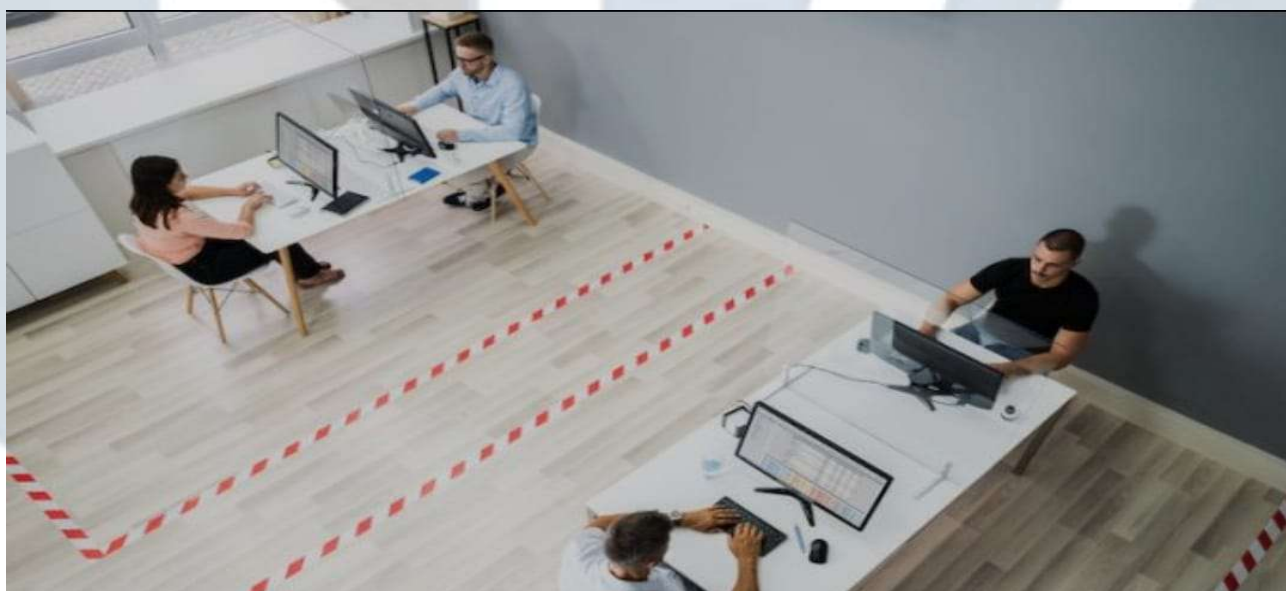


TERM OF IC

The committee will be dissolved every 3 years and a new Chairperson and members will be nominated. All nominations, including for vacancies caused by attrition or other reasons, will be made by a team consisting of the President of SAHELI.

CONCLUSION

The policy as stated above will be implemented by SAHELI. This is an effort to ensure the dignity of women and girls thereby endeavoring to create a society with equal dignity for all genders. The workplace where all genders are respected will promote a gender sensitive society.



“Together for a Harassment-Free Workplace.”

(This Prevention of Sexual Harassment Policy document was presented debated and adopted the meeting of the Governing Body of SAHELI held on 14-03-2025)

Dalia Antony
President

Sonali Sahu
Secretary

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Treasurer