



SAMAJIK SEVA SADAN

PREVENTION ON SEXUAL HARASSMENT (POSH) POLICY

Of

Samajik Seva Sadan (SSS)

Date of Policy: 30th October 2023.

Approved by the Board

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1. PREAMBLE:

Samajik Seva Sadan as a voluntary organization respect the dignity of all employees working for the organization irrespective of their gender or hierarchy and we expect responsible conduct and behaviour on the part of all our employees at all levels. Providing for a safe and congenial work environment to all employees is an integral part of the Society's employment policy.

We, the members of our governing board, staff, volunteers and associates share a common commitment to protect, promote and uphold the Rights of all Women- particularly those with disability- as outlined in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. An Act 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 or incidental thereto.

2.OBJECTIVE / PURPOSE:

Samajik Seva Sadan (SSS) aspires to create a workplace free from harassment in any form, based on factors such as gender, caste, colour, religion, age, national origin, ancestry, disability, veteran status, marital status, sexual orientation or any other employment status protected by applicable law. To maintain a safe and inclusive work culture, Samajik Seva Sadan (SSS) takes a zero-tolerance stance on this behaviour. Thus, this policy has been framed with a view to:

- Promote a workplace based on equality & respect
- Provide a safe and congenial work environment
- Awareness & sensitization about sexual harassment at the workplace
- Prevent sexual harassment
- Provide formal and informal mechanism for redressal in case of complaint of sexual harassment at the workplace
- Define the implications and outcome of sexual harassment.
- Ensure protection against retaliation to complainants, witnesses, committee members and other employees involved in prevention and complaint resolution.

3.SCOPE

This policy shall be applicable to all employees of Samajik Seva Sadan (SSS) and its subsidiaries including any associate engaged on fixed term contract, short term engagement, temporary engagement, probationers, contract persons and visitors on our premises. It shall also include any unwelcome behaviour of a sexual nature mentioned in the policy by any Vendor/Supplier/Contractor including their agents, supervisors, managers and their employees to any of our employees on our premises.

Date of adoption:

This policy adopted on 30th October 2023 after being presented and deliberated at the meeting of the Governing Board.

4. Responsibilities of Samajik Seva Sadan (SSS)

- a. Ensure a safe environment free from Sexual Harassment for women including prevention and deterrence of Sexual Harassment.

- b. Prepare and prominently display the policy for the prevention and prohibition of Sexual Harassment.
- c. Maintain a proactive program to educate all members as to the definition of sexual harassment and procedures for redressal.
- d. Undertake workshops and training programmes at regular intervals for sensitizing the members.
- e. Prominently display notices in various places spreading awareness about the issue of "Sexual Harassment at the Workplace" and giving information for the redressal mechanism that has been put in place and encouraging women to file their grievances
- f. Facilitate initiation of proceedings under this Policy through the institution of 'Committee Against Sexual Harassment' (CASH) for redressal of an act/s of sexual harassment.

5. DEFINITIONS:

Sexual Harassment:

Sexual harassment includes such unwelcome sexually determined behaviour (whether direct or by implication) such as:

- a) Physical contact and sexual advances
- b) Demand or request for sexual Favors
- c) Sexually - coloured remarks
- d) Showing pornography and
- e) Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

"Unwelcome sexually determined behaviour" includes but is not limited to:

- I. Subjecting another person to an unwelcome act of physical intimacy including grabbing, brushing, touching, including sexual flirtations, advances or propositions.
- II. Making any unwelcome remark with sexual connotations like sexually explicit, remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks etc.
- III. Showing any sexually explicit visual material in the form of pictures / cartoons / pin-ups/ calendars / screen-savers on computers / any offensive written or electronic material /including pornographic.
- IV. Engaging in any other unwelcome conduct of a sexual nature, verbal or even nonverbal, staring to make the other person uncomfortable, making offensive gestures, etc.
- V. Sending unwelcome communication of a sexual nature, through e-mail, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of a sexual nature.
- VI. Making an unwelcome demand or request whether directly or by implication for sexual Favors and/or making it a condition of employment / payment of wages / increments /promotion / preferential treatment / threat to detrimental treatment in employment / threat to current or future employment status or similar act.
- VII. Where a supervisor requests sexual favours from a junior (or any other person) in exchange for actual or promised job benefits such as favourable reviews, salary increases, promotions, increased benefits or continued employment or threatens to terminate any such person for non-co-operation
- VIII. Where a boss or other senior person intrudes into the private life of employees or persistently asks them out

- IX. Where any employee(s) make(s) sexual epithet, jokes, written or oral references to sexual conduct, and/or gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess in an attempt to humiliate or make another person uncomfortable.
- X. Behaviour which creates an environment that is intimidating, hostile, offensive, humiliating for women employee.

Workplace:

Any place where working relationship and/or employer-employee relationship between the society and the person exists. This includes our residential campuses premises (including transit houses & guest houses) and 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.

Aggrieved Woman:

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

Respondent:

Against whom the aggrieved woman has made a complaint

6. COMMITTEE AGAINST SEXUAL HARASSMENT

There will be a Committee against Sexual Harassment (CASH) through which the policy will be implemented. Committee shall consist of a Chairperson (a senior lady employs of SSS), and 4 other members. Out of these 5 Committee members, 3 shall be women. One of the Committee members from outside who is familiar with the issues of sexual harassment. The tenure of the committee shall be 3 years & names of the committee members shall be announced by the Governing Body of Samajik Seva Sadan (SSS). The CASH committee's redressal and contact details will be displayed on the notice board of the Organization.

Key Responsibilities of CASH

To effectively address workplace sexual harassment complaints, the Committees must first be aware of their key responsibilities, some of which are highlighted below:

1. Be thoroughly prepared
2. Know the Act, Policy and/or relevant Service Rules
3. Gather and record all relevant information
4. Determine the main issues in the complaint
5. Prepare relevant interview questions
6. Conduct necessary interviews
7. Ensure parties are made aware of the process and their rights/responsibilities within it
8. Analyse information gathered
9. Prepare the report with findings/recommendations

Knowledge, Skills, Training for CASH Members

Dealing with workplace sexual harassment complaints is often complex. Hence Committee against Sexual Harassment must possess critical skills/capacity to effectively carry out their role. That includes a sound grasp of the Act, Vishaka Guidelines, applicable Service Rules, relevant laws and an understanding of workplace sexual harassment and related issues. Committee against Sexual Harassment skills must include an ability to synthesize information i.e., relevant documents, the law and interviews. They should also be able to communicate effectively, write clearly, listen actively and conduct interviews. They should be competent at showing empathy, being impartial and being thorough. They should be

able to identify sexual harassment and its impact. A Committee against Sexual Harassment is required to be trained in both skill and capacity to carry out a fair and informed inquiry into a complaint of workplace sexual harassment. An absence of such training will lead to unequal and unfair results, which can cost employers, employees, complainants as well as respondents.

7. GRIEVANCE REDRESSAL MACHINERY:

Given that this policy highlights a preventive focus and there is a need of both informal and formal procedures of redressal mechanism.

8. PROCEDURE FOR INFORMAL GRIEVANCE REDRESSAL:

Informal processes normally involve an intermediary means for resolving a problem. In the case of Sexual Harassment, at first instance, any member of the Committee Against Sexual Harassment (CASH) whoever is available may be the point of first contact for anyone seeking informal support/intervention to stop unwelcome behaviour.

Benefits of an informal process are:

- It is consistent with the preventive approach
- It helps to diffuse a minor incident without diluting as also escalating the problem
- Often people just want unwelcome behaviour to stop without drawing undue attention and
- an informal process makes this option more possible
- It involves employees to share in the responsibility of eliminating unwelcome behaviour at work
- A sense of restraint and responsibility on the part of all concerned is critical for the effective functioning of these guidelines

The preventive / informal process that can be adopted is as follows:

Step: 1 Convey to the person who is the cause of distress, about what that person's actions, words, behaviour is doing and convey in no uncertain terms that such behaviour is not appreciated. What is important is the "Way" a particular behaviour, action or word is perceived and "Intent" is of no consequence.

Step: 2 The second step would be to approach someone within the society – preferably your Superior. The Superior would then try and counsel / talk it over with a view towards closing the matter amicably.

Step: 3 In any case all such incidents along with the resolution, needs to be reported to the Director of the society who will then provide a short report to the Committee against Sexual Harassment (CASH) and the matter will be closed.

Step: 4 However, in the event of it not being resolved, then it would need to be escalated to the Committee Against Sexual Harassment (CASH).

9. PROCEDURE FOR FORMAL GRIEVANCE REDRESSAL:

In the event of the complaint not being resolved through informal mechanism, then it would need to be escalated to the Committee Against Sexual Harassment for redressal.

Step: 1 The aggrieved woman may make, in writing, a complaint of sexual harassment at the workplace to the Committee Against Sexual Harassment (CASH), within a period of one month from the date of incident and in case of a series of incidents, within a period of one month from the date of the last incident. The complaint can also be routed through the women member of the committee. The Committee Against Sexual Harassment (CASH) will render reasonable assistance to women for making the complaints in writing. This time limit may further be extended for another one month if the committee is satisfied that there

were circumstances that prevented the woman from filing a complaint within the specified timeline.

Step: 2 A member of the Committee against Sexual Harassment (CASH) would then hold an investigation and give a report to the Committee Against Sexual Harassment (CASH).

Step: 3 The Committee, before initiating the inquiry at the request of the aggrieved woman, will take steps to settle the matter between her and the respondent through mutual settlement. Wherever such settlement has been arrived, the internal committee shall record it and send the same to the Chief Functionary to take action as per recommendation. Once such settlement has been arrived at no further enquiry shall be conducted by the Committee against Sexual Harassment (CASH), however, a woman can further refer the same to Committee Against Sexual Harassment (CASH) for redressal if the terms of settlement have not been complied.

- The Committee, while investigating the complaint referred to it, will call upon both the parties separately, listen, look at proof (if any), verify documents produced by the parties, allow the parties to produce witnesses and to put forth their say. Both the parties during the course of enquiry are given an opportunity of being heard.
- At the end of the investigation, the Secretary of the Committee shall prepare a report of findings on the complaint and submit it to the Chairperson of the Committee. The findings of the report should be made available to the respondent and aggrieved woman within 10 working days from the date of completion of enquiry.
- The Chairperson of the Committee shall ensure that the complaint is attended to within 10 working days after receiving it and that the investigations are completed within 30 working days.
- During the pendency of an inquiry, on a written request made by the aggrieved woman, the committee may recommend to the Chief Functionary, to
 - Transfer the aggrieved woman or person accused to any other location of work.
 - Grant leave to the aggrieved woman up to the period of 1 month (over and above the entitled leave).
 - Grant such other relief to the aggrieved woman as may be prescribed

Step: 4 The Chairperson after studying the report & discussion with the Committee members shall submit her recommendation to the Chief Functionary within 10 days of completing the inquiry for necessary action.

Step: 5 The implementation of the recommendation of Committee Against Sexual Harassment (CASH) by the Chief Functionary should be done within 30 days of receipt of such recommendation.

Step: 6 Pursuant to a finding of Sexual Harassment by the Committee against any person accused of the same, the Committee may initiate any one or more of the following actions:

- a) Actions in accordance with misconduct mentioned in the contract / appointment letter/Staff policy
- b) Issue a verbal warning
- c) Issue a warning in writing
- d) Issue a suspension
- e) Deprived of increment or promotion
- f) To deduct, notwithstanding anything in the service rules applicable, from the salary or wages of the accused person the such sum as it may consider appropriate to be paid to the aggrieved woman

- g) Order dismissal depending upon the severity & sensitivity of the incident
- h) Financial Penalty (In accordance with the mental, physical trauma, loss of career opportunity, medical expenses) in lump sum or in instalments

Step: 7 In case the Committee Against Sexual Harassment (CASH) on conclusion of the enquiry finds that the allegation was malicious or has made the complaints knowing it to be false, or has produced any forged / misleading document, it will recommend action to be taken by the Director against the woman who has made the complaint. In all such cases the malicious intent on the part of the woman must be established before any action is recommended.

Step: 8 The Committee Against Sexual Harassment (CASH) will protect the identity of all individuals involved during the process, including the aggrieved woman and respondent and contents of complaints and enquiry proceedings.

10. Guidelines for members of Grievance Redressal Mechanism:

1. Believe in the reality of the complaint lodged
2. Empathize with the complainant and do not function like a criminal court
3. Remember that it may be difficult for an employee to talk about anything 'sexual'. Hence there can be a long-time interval between the harassment and the actual complaint
4. Handle complaints in a confidential manner and within 30 working days
5. Submit annual report on sexual harassment cases, if any and actions taken to address the same, to the Governing Body
6. Maintain all the data related to sexual harassment cases in the organization
7. Provide safety for the complainant and his / her supporters, if such a need be felt and that the committee can recommend action against persons indulging in intimidation of the complainant or witness to a complaint
8. Discard pre-determined notions of how an accused should look or behave or dress. Be aware of stereotypes
9. Do not insist on detailed description of harassment. This could increase the complainant's trauma
10. Most sexual crimes are committed in private; hence there may not be any eye-witnesses.
11. Since this is a human rights issue, balance of probabilities is a sufficient measure of proof.
12. Help the complainant regain his / her self-respect.
13. Make 'discreet' enquiries as to whether other employees have experienced similar problems
14. Document results of any sexual harassment complaint or investigation. Not only the results, but also document any corrective action that the employee or supervisor was asked to take
15. Inform all employees that it is their obligation to report sexual harassment that they either experience or witness
16. The inability to substantiate a complaint or provide adequate proof need not attract action against the woman.

Termination of inquiry

The committee may terminate the process of an enquiry if both the complainant and respondent are absent for three consecutive hearings without giving any reason in writing.

If the committee comes to the conclusion that the complaint was malicious, it can request the Chief Functionary to take appropriate action against the complainant.

Submission of Annual Reports

- The Committee against Sexual Harassment is required to prepare and submit an annual report to the Chief Functionary.
- The Chief Functionary is required to include in its report the number of cases filed, and their disposal under this Act in the annual report of the organization and submit it to the Collector Office.

Review of this Policy

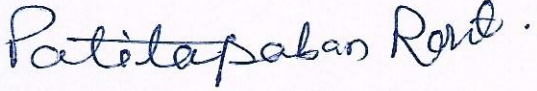
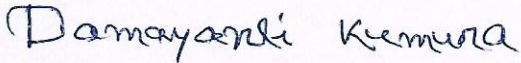
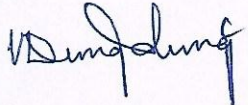

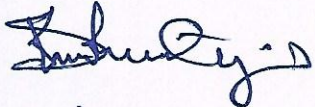
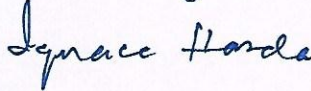
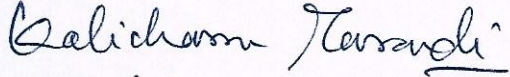
The policy will be reviewed once in 2 years by the Governing Body of the Organization.

Conclusion

There is an official obligation and an individual obligation to fulfil the intent of this Policy. The Policy will be prominently displayed in all Samajik Seva Sadan (SSS) office premises and it is expected that every employee will have a working knowledge of permissible activities in the work place and will seek guidance from HR department.

This policy is adopted by the Governing Body of Samajik Seva Sadan on 30th October 2023.

Signature of the Governing Body Members:

Dr. Patitapaban Rout	President	
Ms. Damayanti Kumura	Vice-President	
Ms. Veronica Dung Dung	Secretary	
Ms. Bilasini Padhan	Treasurer	
Mr. Susanta Kr. Mohanty	Member	
Mr. Ignace Hasda	Member.	
Mr. Kalicharan Marandi	Member.	
Er. Emmanuel Pathil	Ex-Officio Member	