



ANTI SEXUAL HARASSEMENT POLICY AT WORK PLACE
EFFECTIVE FROM 01 JAN 2013

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General Guidelines

1. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is a legislative act in India that seeks to protect women from sexual harassment at their place of work. The Bill got the assent of the President of India on 23 Apr 2013.
2. The Act will ensure that women are protected against sexual harassment at all the work places, be it in public or private. This will contribute to realisation of their right to gender equality, life and liberty and equality in working conditions everywhere.

Definition of Sexual Harassment

3. For this purpose, sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as:
 - Physical Contact and advances
 - A demand or request for sexual favours
 - Sexually Coloured Remarks
 - Showing pornography
 - Any other unwelcome physical, verbal or non verbal conduct of sexual nature.

4. 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 work whether she is drawing salary, or honorarium or voluntary, whether in Govt, public or private enterprises, such conduct can be humiliating and may constitute a health and safety problem.
5. 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 including recruiting or promotion or when it creates a hostile work environment.
6. Adverse consequences might be visited if the victim does not consent to the conduct in question or raises any objection thereto.
7. Thus, sexual harassment need not involve physical contact. Any act that creates a hostile work environment - be it by virtue of cracking lewd jokes, verbal abuse, circulating lewd rumours etc. counts as sexual harassment.
8. The creation of a hostile work environment through unwelcome physical verbal or non-verbal conduct of sexual nature may consist not of a single act but of a pattern of behaviour comprising many such acts.
9. Thus, it is important that the victim report such behaviour as soon as possible and not wait for it to become worse. In some cases, the psychological stigma of reporting the conduct of a co-worker might require a great deal of courage on the part of the victim and they may report such acts after a long period of time. The guidelines suggest that the complaint mechanism should ensure time bound treatment of complaints, but **they do not suggest that a report can only be made within a short period of time since the incident occurred.**

Employer's obligations

10. **Internal Complaints Committee and Local Complaints Committee**: The Sexual Harassment Act requires an employer to set up an 'Internal Complaints Committee' ("ICC") at each office or branch, of an organization employing at least 10 employees. The government is in turn required to set up a 'Local Complaints Committees' ("LCC") at the district level to investigate complaints regarding sexual harassment from establishments where the ICC has not been constituted on account of the establishment having less than 10 employees or if the complaint is against the employer.
11. **Interim Reliefs** : The Sexual Harassment Act empowers the ICC and the LCC to recommend to the employer, at the request of the aggrieved employee, interim measures such as :
 - (i) Transfer of the aggrieved woman or the respondent to any other workplace; or
 - (ii) Granting leave to the aggrieved woman up to a period of 3 months in addition to her regular statutory/ contractual leave entitlement.
12. In addition to ensuring compliance with the other provisions stipulated, the Sexual Harassment Act casts certain obligations upon the employer to, inter-alia,
 - Provide a safe working environment
 - Display conspicuously at the workplace, the penal consequences of indulging in acts that may constitute sexual harassment and the composition of the Internal Complaints Committee
 - Organise workshops and awareness programmes at regular intervals for sensitizing employees on the issues and implications of workplace sexual harassment and organizing orientation programmes for members of the Internal Complaints Committee
 - Treat sexual harassment as a misconduct under the service rules and initiate action for misconduct.
 - The employer is also required to monitor the timely submission of reports by the ICC.

13. Complaints Mechanism. All women who draw a regular salary, receive an honorarium, or work in a voluntary capacity in the government, private sector or un-organised sector come under the purview of these guidelines.

- All workplaces should have an appropriate complaints mechanism with a complaints committee, special counsellor or other support services.
- A woman must head the complaints committee and no less than half its members should be women.
- The committee should include an NGO/individual familiar with the issue of sexual harassment.
- The complaints procedure must be time-bound.
- Confidentiality must be maintained.
- Complainants/witnesses should not experience victimization/discrimination during the process.

14. Preventive Steps

- Sexual harassment should be affirmatively discussed at workers' meetings, employer-employee meetings, etc.
- Guidelines should be prominently displayed to create awareness about the rights of female employees.
- The employer should assist persons affected in cases of sexual harassment by outsiders.
- Central and state governments must adopt measures, including legislation, to ensure that private employers also observe the guidelines.
- Names and contact numbers of members of the complaints committee must be prominently displayed.

Pro Interactive Services – Internal Complaint Committee

15. Objectives

- a) Pro Interactive Services being an equal employment opportunity provider, does not discriminate its employees on the basis of gender, and believes in providing a non-hostile and safe working environment to all its employees, especially women employees.
- Anti Sexual Harassment Policy of Pro Interactive Services is a statement by the organisation stating that it will not tolerate or allow any sexual harassment of its women employees, whether permanent, ad-hoc, or casual, by any Senior, Co-Worker, Client/Customer or any other employee of the organisation, that she comes across within the course of work or business of the Company.
 - Since sexual harassment is considered as misconduct, it will be obligatory for the Management and Employees to take active steps to ensure that the female employees are not treated to this kind of degradation in the work place.
 - In the case of any allegation of sexual harassment, whether or not found to be an incidence of sexual harassment, Management will ensure that any victimisation that may result from lodging the complaint is dealt with severely. Disciplinary steps will be taken against personnel who victimise or intimidate the complainant.
 - All information must be treated with utmost confidentiality. Parties involved in an allegation of sexual harassment in their own best interest are advised not to discuss the matter with colleagues who are not involved and who are not representing them in the matter.

16. **Complaint Mechanism and Redressal**

- Any employee, who feels and is being sexually harassed directly or indirectly, may immediately submit a written complaint of the alleged behaviour to any of the member of the Committee in writing with her signatures.
- The Committee will hold a meeting with the complainant within two working days of receiving the complaint.
- The Committee shall call upon all witnesses and examine all evidences, as mentioned by both the parties.
- The evidences submitted by both the parties before the Committee, will be the original copies.
- The Committee shall complete the investigation within a reasonable period of time but not beyond 90 days, and submit the report to GM HR/The Director, in writing.
- The Management will take immediate action on the report within 60 days of receiving the report.

17. The Internal Complaint Committee.

- The said Committee will be constituted at each office/Branch with 10 or more employees.
- The Complaints Committee is required to provide for conciliation before initiating an enquiry, if requested by the complainant.
- Internal Complaint Committee constituted at Pro Interactive Office for Delhi/NCR is as per Annexure attached and can be changed at any time by the confirmation of the managing Director.

(Head HR)

(Managing Director)

Pro interactive Services (India) Pvt Ltd
Internal Complaint Committee - Sexual Harassment Act

<u>PRO INTERACTIVE SERVICES (INDIA) PVT LTD</u> <u>INTERNAL COMPLAINT COMMITTEE</u>
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Ser	Designation	Name	Department
1	Chairperson	Mrs Sinni Nair	HR
2	Member 1	Ms Mansi Dudeja	HR Placements
3	Member 2	Mr Hemender Singh	EBS
4	Third Party Member		Independent

Head HR

Managing Director