

PRARAMBHAS - Sexual Harassment Policy

PRARAMBHAS's position is that sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. All women employees have the right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment. Anyone engaging in harassing conduct will be subject to discipline, ranging from a warning to termination and/or the filing of criminal proceedings by the aggrieved woman.

What is sexual harassment?

According to the Act, under S.2 (n), "sexual harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:

- i. Physical contact and advances; or
- ii. A demand or request for sexual favours; or
- iii. Making sexually coloured remarks; or
- iv. Showing pornography; or
- v. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

Sexual harassment is defined as any unwanted physical, verbal or visual sexual advances, requests for sexual favors, and other sexually oriented conduct which is offensive or objectionable to the recipient, including, but not limited to: epithets, derogatory or suggestive comments, slurs or gestures and offensive posters, cartoons, pictures, or drawings, SMS, internet content etc

Who does this apply to?

Any person who is an "employee" as per S.2 (f) of the Act which defines an employee as: a person employed at a work place for any work on regular, temporary, ad hoc or daily wage basis either directly or through an agent including a contractor with or without the knowledge of the principal employer, whether for remuneration or not or working on a voluntary basis or otherwise, whether the terms of employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

The definition of work place also includes any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

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/(Regd. 324/84.85 dated 11.02.1985)

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Where is the Internal Committee to be constituted?

As per S.4 (1) of the Act Which reads: Every employer of a workplace shall, by an order in writing, constitute a Committee to be know as the "Internal Complaints Committee" Provided that where the offices or administrative units of the workplace are located at different places or divisional or sub-divisional level, the Internal Committee shall be constituted at all administrative units or offices.

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The PRARAMBHAS head office at Kanakagiri is the central and main administrative office for the organisation. Therefore, the PRARAMBHAS Internal Complaints Committee will be constituted at Kanakagiri and will have jurisdiction over all PRARAMBHAS staff.

The PRARAMBHAS Internal Complaints Committee has been constituted of the following members:

1. SwarupaDhanaraj, Presiding Officer
2. SS Ghanti, Member
3. M B Kukanoor, Member
4. Muddurangappa, Member
5. N Sarojamma, Member
6. Shailashree, Member

Field Contact Persons

- | | |
|----------------------------|---|
| 1. SS Ghanti-9108760896 | Mail ID- ssghanti@gmail.com |
| 2. Shailashree-9741607816 | Mail ID- shailashreehiremath@gmail.com |
| 3. M B Kukanoor-9448374545 | Mail ID- kukanoor.samuha@gmail.com |

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4. Malathi-8971314957

Mail ID-malathi.gowda3@gmail.com

When is conduct unwelcome or harassing? Unwelcome sexual advances (either verbal or physical), requests for favors and other verbal or visual physical conduct of a sexual nature constitute sexual harassment when:

Submission to such conduct is either an explicit or implicit term or condition of employment (e.g., promotion, training, timekeeping or overtime assignments)

Submission to or rejection of the conduct is used as a basis for making employment decisions (hiring, promotion, termination)

The conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment

What is not sexual harassment?

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that debilitates morale, and that, therefore, interferes with work effectiveness.

What should you do if you are sexually harassed?

If you feel that you have been the recipient of sexually harassing behavior, report it immediately by sending an email or SMS or calling the Presiding Officer, Ms K

SwarupaDhanaraj (swarupadhanaraj@gmail.com/7975217883).

It is preferable to make a complaint in writing, but you can accompany or follow up your written complaint with a verbal complaint. Your identity will be protected and you will not be retaliated against for making a complaint. Your anonymity will be protected to the extent possible.

Complaints can also be referred to the Presiding Officer by any PRARAMBHAS employee (female or male) (subordinate or superior) who comes to know of any incident that s/he believes to be sexual in nature.

What happens after a complaint is made?

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The Presiding Officer will ensure that complaint is investigated within 2 weeks after a written complaint is made.

The Sexual Harassment Enquiry findings into the complaint will be final and binding on the organisation.

Based on this, Director-PRARAMBHAS will initiate the appropriate action ranging from a formal censure, reduction in grade and pay, transfer, suspension for a period on half-pay or dismissal.

Retaliation Prohibited

PRARAMBHAS will permit no employment-based retaliation against anyone who brings a complaint of sexual harassment or who speaks as a witness in the investigation of a complaint of sexual harassment.

Penalties

Sexual harassment will not be tolerated at PRARAMBHAS. If an investigation of any allegation of sexual harassment shows that harassing behavior has taken place, the harasser will be subject to disciplinary action, up to and including dismissal.

Further Action

If the aggrieved woman wishes to take further action on the Respondent, then PRARAMBHAS shall extend all and any such support as may be required to file a criminal complaint.

HARASSMENT INVESTIGATION GUIDE

Getting the employee to describe the claim:

- Listen to the charge. Don't make comments like, "You're overreacting."
- Acknowledge that bringing a harassment complaint is a difficult thing to do.
- Maintain a professional attitude.
- Gather the facts; don't be judgmental.
- Ask who, what, when, where, why, and how. Find out if the employee is afraid of retaliation. How does the employee want the problem resolved?

Conducting an investigation of the claim - general rules to follow:

1. Investigate immediately. Delaying or extending an investigation can make witness testimony increasingly unreliable.
2. Remember that the manner in which the investigation is handled can itself furnish grounds for a hostile environment claim, so carefully document every step.
3. Treat all claims seriously—even those that seem frivolous—until you have reason to do otherwise.
4. Keep the investigation confidential. Emphasize to those involved that your discussions are not to be shared with unconcerned parties. Warn of possible disciplinary action, if necessary.
5. Limit the number of persons who have access to the information.

Communicate strictly on a “need to know” basis.

- Ask questions so that information is not unnecessarily disclosed. For example, instead of asking, “Did you see X touch Y?” ask “Have you seen anyone touch Y at work in a way that made her uncomfortable?”

Remember—the purpose of the investigation is to gather facts, not disseminate allegations.

- If there is more than one allegation, treat each separately.
- To avoid defamation, never broadcast the facts of a given situation or the results as an example to others or as a training tool. Interviewing the complainant (Can be done when employee first reports charge):
- Get specific details.
- Find out whether there was a pattern of previous episodes or similar behavior toward another employee.
- Get the specific context in which the conduct occurred. Where? What time?
- Determine the effect of the conduct on the complainant. Was it economic, non-economic and/or psychological?
- Determine the time relationship between the occurrence of the conduct, its effect on the complainant, and the time when the complainant made the report.
- Prepare a detailed chronology.

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- Analyze whether there might have been certain events that triggered the complaint, i.e., promotion, pay or transfer denial.
- Determine whether there were any possible motives on the part of the complainant.
- Find out what the complainant wants.
- Explain to the complainant that the charges are serious, that you will conduct a thorough investigation before reaching any conclusion, and that he or she will not be retaliated against for making the complaint.
- Don't make any statements about the Respondent employee's character, job performance, or family life.

Interviewing the Respondent:

- Obtain a statement from the Respondent.
- Identify the relationship of the Respondent to the complainant.

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- Was there any prior consensual relationship between the parties? How long have they known each other? Is there a history of group or individual socializing?
- If the individual was a supervisor, indicate the individual's job title, obtain a copy of the individual's job description, and determine the individual's specific duties at the time of the alleged harassment.
- Determine whether the Respondent directed, or had responsibility for the work of other employees or the complainant, had authority to recommend employment decisions affecting others or was responsible for the maintenance or administration of the records of others.
- You can expect the Respondent to deny the charges. Observe the reaction. Note whether there is surprise, anger, or disbelief. Describe the details of the allegation and note the areas of disagreement between the testimonies of both parties. If the Respondent denies the allegations, probe further to

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determine with the Respondent the background, reasons, and motivation that could possibly trigger the complaint. Interviewing witnesses:

- Obtain statements from any witnesses who support or deny any of the complainant's allegations. Be aware that witnesses are often reluctant to come forward out of fear of reprisal.
- Assure all witnesses that their cooperation is important, that their testimony is confidential and that they will not be retaliated against for testifying. Resolving the complaint:
- Apologize for the incident occurring, if that is appropriate.
- When attempting to remedy the conduct, avoid requiring the claimant to work less desirable hours or in a less desirable location. If you offer to transfer the complainant, try to get the complainant's consent and make sure the transfer position is substantially similar to the complainant's prior position. This helps ensure that the complainant is not being illegally punished for reporting discrimination or harassment.
- Consider the severity, frequency and pervasiveness of the conduct when imposing discipline on the harasser. There are several disciplinary options available, including: — oral and written warning — reprimand—
- suspension— probation — transfer— demotion— loss of salary grade — discharge
- When imposing discipline on the Respondent, any forms of discipline short of discharge should be accompanied by a warning that similar misconduct in the future may result in immediate discharge. If no discipline is imposed, document the reasons why.
- Provide remedial counseling and training on sexual harassment, if appropriate. Also take the opportunity to re-communicate your policy.

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- Carefully and fully document the investigation, the discipline imposed, and any remedial steps taken.
- Conduct follow-up interviews with the parties to inform them of PRARAMBHAS's actions.

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BY ORDER

C.Shankar



Executive Trustee

PRARAMBHA

10-01-2024

