



## PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

### 1. VISION:

Promote understanding of sexual harassment issue, cultivate a respectful and secure atmosphere in campus and guarantee fair and unbiased handling of sexual harassment complaints.

### 2. MISSION:

1. Foster safe workplace, counselling, prioritizing support and motivation.
2. Promote awareness about sexual harassment through posters, training programs, workshops, fostering a social and psychological atmosphere.
3. Establish a confidential, protective and impartial environment for individuals involved in sexual harassment complaints.

### 3. OBJECTIVES:

1. Establishing a mechanism to prevent and address cases of sexual harassment and other forms of gender-based violence.
2. Ensuring strict adherence to the policy by encouraging proper reporting of complaints and following up on the procedures.
3. Cultivation an atmosphere devoid of gender-based discrimination.
4. Guaranteeing equal access to all facilities and active participation in college activities for everyone.
5. Creating a safe physical and social environment to discourage incidents of sexual harassment. Fostering a social and psychological atmosphere that promotes awareness about the various forms of sexual harassment.

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#### 4. SCOPE:

This rule is applicable to all employees {faculty, staff & Students} of the Institute. All Regular employees, contractual employees, temporary employees are also expected to abide by this rule.

#### 5. DEFINITION OF SEXUAL HARASSMENT:

Sexual harassment has many different definitions and it is not the intent of this policy to limit the definition of sexual harassment, but to give employees as much guidance as possible concerning what activities constitute sexual harassment. The Supreme Court, in the recent guidelines released (Vishaka Guidelines), defines sexual harassment as "any unwanted and unwelcome sexually oriented behaviour whether directly or by implication". Such an act vitiates working environment. Sexually tinted behaviour, whether directly or implication, such as

1. Physical contact or molestation
2. Stalking
3. Requests for sexual favours, verbal or physical conduct of a sexual nature, either explicitly or implicitly, in return for a term or condition of instruction, employment, participation or evaluation of a person's engagement in any Organizational activity
4. Sexually coloured remarks or jokes, letters, phone calls or e-mails, gestures, showing of pornography or other visual displays of degrading sexual images, lurid stares
5. Sounds of derogatory nature
6. Sexual harassment by one in position of power or influence constituting quid pro quo when submission by an individual is made either in explicit or implicit terms or condition of employment or submission to or rejection of such conduct is used as the basis for employment decisions affecting that employee such as promotion and pay rise.

7. The definition of sexual harassment will also apply to any member of a third party or outsider in relation to an employee of the organization or vice versa on the premises of organization.
8. Any of the acts mentioned above, committed in circumstances wherein the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or work, such conduct can be humiliating or may constitute a health and safety problem, the same will tantamount to sexual harassment.

#### 6. COMPLAINTS COMMITTEE:

A Complaints Committee has been set up by the Institute, which will address all cases/ complaints of alleged sexual harassment submitted by the employee(s) and students to the Institute, to prevent and deal with sexual harassment within the outlined framework and talked to both the parties involved (Complainant and Accused) and ensured that the implications of filling a complaint (or not doing so) has been discussed in detail with them.

#### 7. COMPOSITION:

The complaints Committee will consist of the following:

1. One female faculty as a chair person of ICC.
2. Two-three female faculties of our Institute as a committee members.
3. If deemed necessary, one member from a third party such as NGO/ outside counsel or a person or body conversant with dealing with the issue of sexual harassment.
4. Three students (two girls & one boy) as a committee members.
5. It is mandatory that at-least half the members of the Complaints Committee are women and the Complaints Committee is led by a Women member. In case of separation/ death of any of the Complaints Committee member, the designate personnel will cease to be a member of the committee and an alternate member will be appointed for the position thus created.

## 8. DISQUALIFICATION:

A person shall be disqualified for being appointed, elected, nominated or designated, or for continuing as a member of the Complaints Committee, if there is any complaint concerning sexual harassment pending against him/she is found guilty of sexual harassment.

## 9. SUBMISSION OF COMPLAINT:

Any employee (faculty & staff) will have a right to lodge a complaint concerning sexual harassment against an employee (faculty and staff), students or a third party interacting with the Institute (henceforth referred to as "Complaint") with the Complaints Committee, as outlined below:

1. An employee making a Complaint (henceforth referred to as "Complainant") will be provided full confidentiality.
2. No person against whom a Complaint is made shall be part of the Complaints Committee.
3. Within three (03) working days of the receipt of the Complaint, the Complaints Committee will convene a meeting of which advance written intimation will be given to the Complainant.
4. The complainant will be entitled to remain present personally during the meeting.

During the first meeting of the Complaints Committee, the Complainant shall be heard and the Complaints Committee shall decide whether the Complaint requires to be proceeded with. The Complaint will be dropped only if the complainant does not disclose an offence of sexual harassment.

In case the Complaints Committee decides to proceed with the Complaint, the Complainant's concerns with respect to the issue shall be taken into account and if the Complainant so wishes the accused (henceforth referred to as "Accused") will be called to a meeting of the Complaints Committee, be heard and if necessary, warned about his/her behavior and the matter conducted with a recording to that effect made by the Complaints committee. However, if the complainant wishes to proceed with the complaint beyond a mere warning to the Accused, the same will be

proceeded with in the manner prescribed in this policy under the 'proceedings' section.

#### **10. PROCEEDING OF THE COMPLAINTS COMMITTEE:**

The following is the redressal process, which will be adopted by the Complaints committee to address any complaints lodged by an employee ( faculties or staff) and students:

1. The complaints Committee will prepare the statement of allegation and will share the same with the Accused.
2. If the Accused desires to tender any written explanation to the statement of allegation, he/she shall submit the same to the Complaints Committee. The Complaints Committee will give ample opportunity to the Complainant and the Accused, for putting forward and defending their respective case by presenting witnesses and evidence, which may establish their claims.
3. . The Complainant and the Accused will have the right to submit supporting evidence.
4. The complaints Committee will complete the enquiry/ investigation and prepare a report of its findings on the charges against the Accused and its decision to the Chair person (ICC) and any other such persons as nominated by her within a period of thirty days from the date of filing of the Complaint by the Complainant. The report of the Complaints Committee will also include recommendations to the Principal for imposition of penalty along with reasons for such recommendations, as applicable.

#### **11. IMPLIMENTATION OF RECOMMENDATION OF THE COMPLAIN COMMITTEE:**

1. The Principal will consider the recommendations and findings of the Complaints Committee and will be required to arrive at a decision with respect to the proposed corrective action against the accused with ten days of the submission of the report by the Complaints Committee.
2. The Principal has the right to issue such order and/ or directions as it deems fit. The College Administrative shall also endorse a copy of its order to the Complainant, Accused and to the Complaints Committee.

## 12. PUNISHMENT FOR THE SEXUAL HARASSMENT:

The college Administrative can impose the following penalties, which are indicative and not exhaustive on an employee who is found guilty of sexual harassment. These can be further classified as minor and major penalties, as follow:

- ♣ Written Warning
- ♣ Penalties
- ♣ Withholding of promotion
- ♣ Termination of service Institute
- ♣ Termination of Students from the institute

Further the employee (faculty & staff) or students will also be required to give a written apology to the Accused and upon his/her failure to do so, the penalty can be enhanced.

## 13. PROTECTION AGAINST VICTIMIZATION:

The following will be obligations of the Institution, during the processing/ investigation of the Compliant:

1. Ensure that any sort of retaliation against the Complainant or witnesses is strictly prohibited. Any act of reprisal, including internal interference, coercion and restraint, by the Accused, whether directly or indirectly, will result in appropriate action against the Accused by the Complaints committee in consultation with the Management
2. In case the Accused is a third party interacting with the Institution, such accused shall not be allowed to enter the organization premises except for the purpose of attending any meeting/ interaction as and when required by the Complaints Committee.

Post Conclusion of the Investigations of the Complaint, the Institution will observe the following:

1. If the Accused is found to be guilty, the Accused shall not write the evaluation/ reports of the Complainant, if she is otherwise authorized to do so.

In case the Accused is a third party interacting with the Institution, and found to be guilty, the Accused shall not be allowed to enter the Institution premises.

In the event, the Complaints Committee after investigation of a Complaint in accordance with the procedure prescribed herein, concludes that the Complaint was false and made with mala fide intention by the Complainant, then the Complaints Committee shall take such appropriate measures, in consultation with the College Administrative, against the complaint, as it may deem necessary.

#### **14. CRIMINAL PROCEEDINGS:**

In case the act under sexual harassment amounts to a specific offence under the applicable law, the College Administrative shall initiate appropriate action, in accordance with law, by making a complaint with the appropriate authority.

*Priti*  
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