



Anti-Sexual Harassment Policy

Ensuring an enabling, dignified equitable and safe work environment

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1. Purpose

Youth for Social Development believe that sexual harassment is not only a criminal offence but is a violation of human rights. The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 has laid down process and procedures for resolution and prevention of sexual harassment enjoining employers by holding them responsible for providing a safe work environment for women.

The purpose of the policy is to promote a work place free from sexual harassment, prevent and minimize harassment of sexual nature, and provide an appropriate complaint mechanism to redress the complaints and ensure time bound redressal.

2. Objectives of the Policy

- a) To put in place a mechanism for prevention and redressal of sexual harassment cases at work place.
- b) To create a secure and stress free environment for women workers/ employees
- c) To ensure that no gender based discrimination takes places which hinders women's progress and equal opportunities for them
- d) To promote a healthy work environment in which men and women can work as a colleagues and develop their fuller potential

3. Principles

- a) Sexual Harassment is unlawful and will not be tolerated and is a disciplinary issue other than it being a criminal offence. The principles governing it are: i) Speedy (early) resolution to problems, ii) Confidentiality
- b) It is the duty of all staff, part time or casual employees, volunteers and consultants to comply with this policy.
- c) Any retaliation against an individual who has complained about sexual harassment (complainant) or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated.
- d) Misuse of policy or Malicious complaints will be dealt with as a disciplinary matter

4. Internal Complaints Committee (ICC)

Constitution of the Committee- the Committee shall consist of 4 members in total, which is explained as below:

- a) Presiding Officer- Shall be a women employed at a senior level.

- b) Internal Members- 2 Internal members out of whom at least one would be a male member.
- c) External Member- 1 external member who is a person committed to the cause of women.

No meeting of the ICC can be held without at least 3/5 members present including the external member.

No member shall be part of ICC for more than a period of 3 years. The only exception of extension in any member's tenure would be in case of an ongoing investigation.

Management- For the implementation of this policy, the ICC would report all matters to the CEO and the CEO shall act as Management for the purpose of this policy and the Act. In case of an allegation against CEO is being investigated by the ICC, the Management would mean the Board Chair of Youth for Social Development.

5. **Complaint**

- a) **Time Limitation-** The aggrieved party must complaint to the Committee in writing (Form-1 or Plain Paper) within 3 months of the incident or 3 months from the last incident in case of series of incidents. This can be further extended to another 3 months in case of exceptional circumstances by the ICC but in no case more than 6 months.
- b) The complaint can also be made by the legal heir in case the aggrieved party is not in physical or mental condition to do so.

6. **Procedure for ICC**

- a) **Complaint-** ICC cannot function suo-motto but will have to wait for the complaint to happen.
- b) **Conciliation-** ICC at the request of the aggrieved party may take steps to settle the matter between her and the respondent through conciliation. Such conciliation can't result in monetary settlement.
- c) **Settlement-** The ICC shall record the settlement and submit the same to the Management and also a copy each to aggrieved party and the respondent. If settlement is submitted once, no further investigation to be made by the ICC.
- d) **Police Complaint-** During the course of investigation, if the ICC deems to believe that a prima facie case exists, shall forward the complaint to the police within 7 days for registering the case under Sec 509 of IPC.
- e) **Both parties heard-** The ICC is responsible to give the opportunity of representation to both parties during the course of inquiry before reaching any conclusion.

- f) **Powers of ICC-** The ICC has the powers under law as equivalent to that of a Civil Court in the following matters: (1) Summoning and enforcing the attendance of any person and examining him/ her on oath, (2) Requiring the discovery and production of document, (3) The inquiry must finish within a period of 90 days
 - g) **Recommendations-** At the end of such inquiry, the ICC needs to submit a recommendation to the Management and the Management is bound to implement such recommendations. The Management is also required to submit a report of such implementation to the ICC. Copy of such recommendations shall be submitted within 10 days of finishing the inquiry. A copy of the same shall also be submitted to the two parties involved.
 - h) **Punishment-** Since the sexual harassment is considered a misconduct so punishment for misconduct may apply.
7. **Malicious Complaint-** If the ICC comes to a conclusion that the allegation made against the respondent are malicious or have been made even after the knowledge of it being false or has produced forged or misleading documents, it shall report the same to the Management and the Management is bound to take action against the person involved in such malice. Every complaint that is not successful is not malicious.
8. **Determination of Compensation-** The determination of compensation shall be made on following grounds:
- a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman.
 - b) The loss in career opportunity.
 - c) Medical expenses incurred due to physical or psychiatric treatment.
 - d) Income and financial status of the respondent.
 - e) Feasibility of such payment in lump sum or instalments.
9. **Non Disclosure or Publication-** Any complaint, the identity of the aggrieved woman, respondents and witnesses, any information relating to conciliation, compensation, settlement, inquiry proceedings, recommendations and actions taken shall not be disclosed or published to public, press and media in any manner.
10. **Provision of appeal-** In case any party is not satisfied with the recommendations, has the freedom to appeal in the court of law within 90 days of such recommendations.
11. **Minor Penalties-**
- a) Being put on Probation for 6 months irrespective of length of service
 - b) Censure/Reprimand in writing to be placed on record in the Personal File

12. Major Penalties-

- a) Reduction in salary not exceeding 1/3 of the gross pay
- b) Forfeiture of Annual Increment
- c) Suspension from work for a period not exceeding 3 months on half pay
- d) Transfer
- e) Dismissal

13. Criminal Proceedings- In the event the conduct complained of amounts to a specific offence under the Indian Penal Code or under any other law in existence, the ICC, shall recommend to management to take appropriate action in making a complaint with the appropriate authority.

14. Conclusion

- a) The proceedings under this policy shall not be stalled or postponed merely because the complainant is proceeding against the accused under any other provision of law.
 - b) The provisions of this policy shall not restrict the powers of the Management or the complainant to proceed against the alleged offender for any other misconduct or other legal remedies.
 - c) The policy will be reviewed from time to time and revised to keep it up to date with changes in state acts, employments policies or lessons learnt. The process for review will also consult all staff and seek advice externally
 - d) The Committee will minute all its meetings and proceedings and submit quarterly reports to the Senior Management Team.
 - e) These Reports will be placed before the Board for information at the Board Meeting every quarter.
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Policy Drafted on: August, 2017

Policy Approved by: Governing Body

Date of Approval: November 3rd, 2017

Bibhu Prasad Sahu.
Signature of the Secretary
Youth for Social Development



FORM-1: REPORTING FORMAT OF SEXUAL HARASSMENT

Form No-1 (See Rule-5, Anti-Sexual Harassment Policy)

Date	
Name of the Person Reporting	
Name of the Person who has harassed	
How has the person harassed? Please provide complete details. Also enclose evidence if available.	

Signature: _____

Place: _____

Date: _____

Anti-Sexual Harassment Policy (Amendments)

15. Acts of sexual exploitation and abuse include

- a. Sexual assault.
- b. Demanding sex in any context or making sex a condition for assistance.
- c. Forcing sex or someone to have sex with anyone.
- d. Forcing a person to engage in prostitution or pornography.
- e. Engaging in prostitution even if it is deemed legal in a country.
- f. Sexually explicit behaviour on audio/video means of communication.
- g. Unwanted touching of a sexual nature.
- h. Engaging in sex with individuals below the age of 18 years.
- i. Other types of sexually exploitive or sexually abusive behaviour may be grounds for administrative action, disciplinary measures, and criminal proceedings.

16. Scope of the Policy

- a. This policy shall extend to all Staff of Youth for Social Development and project partners, contractors, consultants, suppliers and includes external incidents involving such staff.
- b. The Anti-Sexual Harassment Policy (ASH Policy) of Youth for Social Development is a gender-neutral policy. It extends to all women, men and transgender staff of Youth for Social Development. The effective implementation of this policy will not be affected by the sexual orientation and or the socio-cultural background of all staff.
- c. This policy shall be in line with the provisions under the legal enactment on the subject that is the 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 and The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013', that have come into effect from 9th December, 2013 vide the Gazette Notification of the Central Government, Ministry of Women and Child Development.

17. Preventive Action

Consistent with the existing national law (The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013), Youth for Social Development shall take all reasonable steps to ensure prevention of sexual harassment at work place.

Such steps shall include:

- a. Circulation of Youth for Social Development's policy on sexual harassment to all persons employed by or in any way acting in connection with the work and/or functioning of Youth for Social Development.

- b. Ensuring that sexual harassment as an issue is raised and discussed at Youth for Social Development meetings from time to time.
- c. Conduct or cause to carry out in-house gender & feminist related training on sexual harassment and addressing complaints to First Instance Persons (FIPs) as well as members of the ICC (internal complaint committee). OE should facilitate training of all staff of the organization.
- d. Widely publicize that the Sexual Harassment is a crime & will not be tolerated.
- e. HR Unit will ensure that the policy is presented to new staff during the time of induction and that the same has been read and understood.
- f. Each staff member during induction will be encouraged to act as an ambassador to spread the message that “sexual harassment has zero tolerance in YSD”.

Also, to help staff who are not outspoken to speak freely about any such experience if faced by them or any other staff in their knowledge. YSD will also take all the appropriate steps necessary to protect the concerned staff from retaliation in any form, in the following ways-

- The Accused shall be informed that any further unwelcome behavior towards the Complainant will be construed as major misconduct by the Accused and necessary action will be taken as per rules.
- Providing required security measures to the Complainant in consultation with the person such that the Complainant does not feel intimidated or threatened in the work situation.
- Counselling help to Complainant and Accused within a given time frame.

18. Support

- a. **Protection from retaliation:** YSD will protect those who report SEA. It is expected that the reporting is being done in good faith (with intentions to save the victim or protect the sanctity of the organization). However, if someone (YSD staff or collaborator) found knowingly report of false allegation with mischievous intentions, it will be considered as misconduct under sexual exploitation and could attract disciplinary action.
- b. **For survivors:** If you are supporting a victim of Sexual Exploitation and Abuse – you can make a confidential report. Medical and psychosocial support is available for all those affected by sexual exploitation and abuse. The societal forces that tend to marginalise persons with disabilities exacerbate the likelihood and the impact of SEA. People with disabilities can be more vulnerable to SEA and often face increased barriers when it comes to reporting or getting the support they need. Staff are encouraged to be particularly alert to suspected cases of SEA within vulnerable populations.

- c. **For staff:** For ongoing support you can contact the AHS focal person or the Secretary in the Office any time at e-mail: info@ysdindia.org tel. no. +91-81143 97760 or contact ICC committee.

19. Report

Who committed the alleged wrong doing?

Do you know if anyone else was involved? (Provide full names, titles and organization, if possible).

- What has happened? Describe in detail what you know or suspect of a SEA incident.
- Who was involved? Were there any witnesses?
- When and where did the incident take place? Providing dates and time, if at all possible.

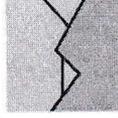
Report can be made by using the Form-1: Reporting Format of Sexual Harassment and Abuse. The reporting procedure for SEA is followed as described in the Grievance Redressal Policy of YSD.

Amendment Approved by: **Governing Body of Youth for Social Development**

Amendment Approved on: **29 July, 2023 Meeting No.02/YSD/2023-24**

Bibhu Prasad Sahu.
Signature of the Secretary
Youth for Social Development





YOUTH FOR
SOCIAL DEVELOPMENT
citizens of today and tomorrow

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Internal Complaint Committee

(Rule-4 of the Anti-Sexual Harassment Policy, 2017, Amended in 2023 of Youth for Social Development)

1. **Mrs. Birajini Devi**, Presiding Officer
Finance and Administrative Officer, Youth for Social Development
Contact: E-mail: birajini@ysdindia.org Tel : +91-99384 88705
 2. **Miss. Mamali Panda**, Internal Member-1
Field Coordinator-Gender and Life Skill, Youth for Social Development
Contact: E-mail: pandamamali544@gmail.com Tel: +91-76838 00826
 3. **Mr. David Priyadarshi Pradhan**, Internal Member-2
MIS and Research Coordinator, Youth for Social Development
Contact: E-mail: mis1.ysd@gmail.com Tel: +91-90194 44305
 4. **Mrs. Alaka Sahu**, External Member
Secretary SEVA, Women Rights Expert, Former Member Child Welfare Committee,
Gajapati, Contact: Email: sevaalakasahu@rediffmail.com Tel : +91-94373 44839
- The committee has been constituted on **10 April, 2024** and approved by the Governing Body on **11 May, 2024**
 - The committee will be valid for period of 3 years from the date of its constitution
 - The complainant should use the Form-1 as per the Rule-5 of Anti-Sexual Harassment Policy, 2017 of Youth for Social Development.
 - The complainant can also e-mail complaint to info@ysdindia.org or Call to +91-81143 97760

Secretary

Bibhu Prasad Sahu

Youth for Social Development

