

POLICY AGAINST SEXUAL HARASSMENT

Introduction:

Rural Development Trust (RDT) is committed to providing a safe, respectful, and gender-sensitive workplace free from sexual harassment, intimidation, and discrimination. RDT recognizes that sexual harassment severely affects the dignity, health, confidence, morale, and performance of employees, particularly women, and will not tolerate such conduct in any form.

RDT is legally and ethically obligated to ensure a work environment where all employees are treated with dignity and respect, and are able to work without fear of prejudice, gender bias, or harassment. This policy applies to all cases of sexual harassment against women employees and acknowledges that such acts violate the fundamental rights guaranteed under Articles 14, 15, and 21 of the Constitution of India.

This policy is framed in accordance with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the corresponding Rules, and RDT's Rules of Conduct. It does not override any other applicable laws in force.

Enforcement of Policy:

RDT recognizes that women across all backgrounds may face the risk of sexual harassment. All complaints will be taken seriously, addressed promptly, and investigated in a fair, thorough, and professional manner. Accurate records will be maintained, confidentiality will be respected. for the privacy of individuals reporting, of the respondent and the witnesses will be protected from retaliation.

Any violation of this policy will attract strict disciplinary action, including termination, as deemed appropriate.

1. What is Sexual Harassment at the Workplace?

Sexual harassment means any unwelcome behavior of a sexual nature that makes a person feel uncomfortable, unsafe, humiliated, or threatened at work. It is unwelcome, whether the person intended harm, or not.

1.1 Physical Conduct

- Unwelcome touching, patting, pinching, or rubbing against the body
- Physical advances or sexual assault
- Any other inappropriate physical contact

1.2 Visual Conduct

- In the work place of sexual material such as posters, cartoons, drawings, calendars, computer programs of a sexual nature.

1.3 Verbal Conduct

- Sexually suggestive comments, jokes, or remarks
- Comments on appearance or personal life with sexual undertones
- Sexual propositions or repeated requests for dates

1.4 Non-Verbal Conduct

- Indecent gestures, staring, or leering
- Display of sexually explicit material
- Obscene body language

1.5 Written or Electronic/Digital Conduct

- Sending offensive or sexually explicit emails, SMS, WhatsApp messages, images, or videos
- Harassment through social media, messaging apps, or online platforms

1.6 Quid Pro Quo Harassment

- Implied or explicit promise of preferential treatment in employment
- Threat of adverse consequences in employment

2. Scope of the Policy:

The policy applies to:

- Women employees (as complainants under POSH Act)
- Beneficiaries, community members interacting with staff
- All genders as respondents
- Permanent, temporary, contract employees
- Interns, trainees, apprentices
- Consultants, vendors, donors, service providers, clients, visitors
- It applies regardless of position or seniority.

3. Procedure for Filing of Complaint:

The aggrieved woman should make a complaint in writing to the Internal Committee, (IC) of the organization within three months from the date of the incident. The complaint may be submitted directly, by email at internalic@rdt.co.in. If the aggrieved woman is unable to write the complaint, IC shall provide necessary assistance, by guiding her to take the help of the person whom she has belief in writing the complaint.

The complaint should contain details of the incident, including the date, work place, and name of the respondent, along with any supporting documents or evidence, if available. The Internal Committee (IC) may extend this period by a further 3 months if sufficient cause is shown. Upon receipt of the complaint, IC shall acknowledge it and initiate the process in accordance with the POSH Act, 2013.

A third person, who witnesses an incident of sexual harassment at workplace, may also bring the matter to the notice of IC.

Anonymous complaints may be considered by IC based on the seriousness of the allegations and availability of supporting information.

Special assistance shall be provided to aggrieved woman with disabilities, language barriers, or trauma-related difficulties during the complaint and inquiry process.

3.1. Definitions:

“Aggrieved” means a female employee of any age irrespective of her employment status who alleges to have been subjected to any act of sexual harassment at the workplace.

“Respondent” means the person against whom the complaint of sexual harassment has been made.

“Workplace” means it is not limited to the office. It also includes as follows:

- Office premises, site, branch offices, field locations, community centers, villages, camps
- Trainings, meetings, workshops, conferences & work-related travel
- Client or customer locations
- Virtual workplace (emails, chats, online meetings)

“Internal Committee (IC)” means the committee constituted by the employer under the Act, consisting of a Presiding Officer, internal members and one external member, to receive and inquire into complaints of sexual harassment at the workplace. At least 50% of the IC members shall be women. Members shall hold the office for a term not exceeding three years.

4. Role of Internal Committee:

- Receive complaints, provide support and guidance to the aggrieved person
- Facilitate counseling or interim relief, if required
- Conduct a fair, impartial, and time-bound inquiry
- Ensure confidentiality of the complaint and proceedings
- Give both parties an opportunity to be heard
- Recommend appropriate action to the employer based on inquiry findings
- Submit inquiry reports within the prescribed timelines
- IC shall consider the circumstances and expectations of the aggrieved woman and make appropriate recommendations to the organization.
- Monitor implementation of recommended actions
- Record keeping, review of policy, display of IC member's contacts, mails, phone numbers.
- Conduct periodic awareness and sensitization programs for all employees

5. Inquiry Process:

Upon receipt of a complaint, IC will acknowledge and begin inquiry within 7 days of receiving the complaint. IC shall issue a written notice to the respondent seeking a reply within 10 days of time. IC shall conduct a fair and impartial enquiry by giving both the complainant and the respondent an opportunity to be heard. During the enquiry, IC may examine documents, electronic records, and witnesses relevant to the case.

The enquiry shall be conducted in accordance with the principles of natural justice and shall be completed within 90 days from the date of receipt of the complaint. Throughout the process, confidentiality shall be strictly maintained, and dignity of all parties shall be respected. After completion of the enquiry, IC shall prepare a report with its findings and recommendations and submit the same to the employer for appropriate action.

At the request of the aggrieved woman, IC may attempt conciliation without a monetary settlement as the basis.

The employer shall act upon the recommendations of IC within 60 days of receipt of the inquiry report.

5.1. Interim Relief during Inquiry:

To protect the complainant, IC may recommend:

- Transfer of complainant or respondent
- Granting paid leave up to 3 months
- Work-from-home option
- Counseling if necessary to the aggrieved/respondent
- Appropriate support shall be provided to the aggrieved to ensure their emotional well-being and safety
- Restriction on interaction between parties
- Any measure necessary to ensure safety and dignity

5.2. Confidentiality Requirement:

The following must remain confidential:

- Identity of complainant, respondent and witnesses
- Inquiry proceedings
- Details of complaints
- Breach of confidentiality attracts disciplinary action.

5.3. Protection against Retaliation:

No aggrieved / respondent employee shall be:

- Threatened
- Intimidated
- Demoted
- Harassed

5.4. Action on Proven Misconduct:

If harassment has proved, actions may include:

- One on one counseling on gender sensitization
- Warning or reprimand
- Written apology
- Salary deduction
- Demotion
- Suspension
- Termination of employment
- Legal action under IPC (Any legal actions that needs to be carried out shall be under the jurisdiction of District Court)

5.5. False or Malicious Complaints:

False or malicious complaints refer to complaints that are intentionally made with false information or with intent to harm the reputation or career of the respondent, and action shall be taken only when such malicious intent is clearly established, while mere inability to prove a complaint shall not be treated as false.

The law discourages misuse but does not punish inability to prove a case.

6. Employee Responsibilities:

Every employee in the organization is responsible for maintaining respectful and professional behavior in the workplace. Employees shall refrain from engaging in any act of sexual harassment and must comply with the organization's Sexual Harassment Prevention Policy. Employees are encouraged to report incidents of sexual harassment promptly and cooperate fully with the Internal Committee during the enquiry process. They must respect confidentiality and support a safe and dignified work environment.

Conclusion:

A Sexual Harassment Policy is not just a legal requirement but also a commitment in upholding the highest standards of dignity, equality, and respect, in alignment with our values and social mission. It creates a culture where employees can work without fear. Through this policy, RDT follows a Zero-Tolerance approach towards sexual harassment. Any act of sexual harassment, whether subtle or overt, shall be treated as serious misconduct irrespective of the position, seniority, or contractual status of the respondent.