

Prayas Trust
Policy on Prevention of Sexual Harassment at Work Place

Prayas Trust (Prayas) is committed to providing safe working environment to all its employees, especially women. Prayas is also committed to providing equal opportunity to all its employees irrespective of their gender, religion, caste or any other consideration. This policy has been developed to provide safe working environment to all staff, beneficiaries and other stakeholders of Prayas. The policy complies with the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

A Scope of the policy

This policy extends to the following stakeholders of the organization:

- Trustees
- Permanent employees
- Temporary employees
- Trainees, Apprentices and Probationers
- Interns and Volunteers
- Contracted employees or vendors
- Contract labour and
- Beneficiaries of Prayas programmes

The policy covers any incident that occurs within office hours, outside office hours, within office premise and outside office premise.

B Definition of sexual harassment

Any isolated or series of following behavior would be considered as ‘Sexual harassment’:

- Unwelcome or forceful physical contact
- Unsolicited or unwelcome sexual advances
- Demand or request for sexual favours
- Sexually coloured remarks or jokes
- Showing pornography
- Any sexual content communicated through verbal, written, phone or any electronic means
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature
- Any threat or abuse of sexual nature

All stakeholders as defined under the scope of the organization are expected to comply with the policy.

C Committee on Prevention of Sexual Harassment (POSH)

Prayas will have a minimum three-member committee for addressing the complaints related to sexual harassment. The committee will have at least one of the Trustees as member of the committee. The committee will compulsorily have at least two female members and female

members will be in the majority in the committee. In case any member of the committee is one of the accused then, the accused member will not be part of the committee and will be replaced by a Trustee who is agreed to, by both the parties involved in the case.

The decisions of the POSH committee will be supreme and binding on all staff and Trustees. Any decision of POSH cannot be overruled or modified by Board of Trustees.

D Process for Complaint and resolution

Following will be the Prayas' policy related to registering complaints and resolution.

I. Registering complaint

Any person feeling sexually harassed may register a complaint with POSH by reporting it to any or all member/s of POSH. The complaint process will be as below.

In case, any person within the scope of this policy, is uncomfortable with behavior of any other person, within the scope of this policy, she may directly take it up with the concerned person and resolve the issue. In case, the matter is not resolved then it can be brought up to the POSH committee.

The complainant in such cases, must register a formal complaint to the POSH committee in written form either through an application in sealed envelope or through email. The formal complaint should ideally be registered within 10 days of the incident.

The communication must clearly provide the case details including the following:

- Offender's identity
- Location of incident
- Date/s and time/s of incident/s
- Nature of offence/s
- Response of complainant, if any

II. Inquiry

On receiving the complaint, if POSH finds that the offence does not confirm to the definition of 'sexual harassment', the same should be communicated, with reason, to the complainant within 7 days of receiving the complaint.

In case, the offence is found to be of the nature of 'sexual harassment', the committee will initiate an inquiry. The inquiry will involve detailed case discussion with all the concerned parties. The committee should conduct a thorough field investigation by verifying evidences, witnesses, circumstantial evidences or other case facts.

The inquiry must be concluded and action must be initiated within 60 days of registering of formal complaint.

III. Action

If the offence is proven beyond doubt or the case facts support the complainant's version, depending on the severity of the issue, POSH committee may take one or more of the following

actions:

- Counsel the victim as well as the offender
- Ask offender to submit an apology
- Issue formal written warning to the offender
- Terminate the offender
- Issue relieving letter to the offender mentioning the behaviour

IV. Appeal

Any party not satisfied with the decision of POSH can appeal to the POSH committee itself with new facts or evidences supporting his or her argument. However, this option will be available only once.

V. Information to Board

Once the proceedings of the POSH committee on any case are concluded and decisions have been taken, POSH will inform the Board of the case and its decision. The Board will not have the power to overturn or change the decision of POSH committee.

E False complaints

In case POSH committee through inquiry finds that the complaint was false and had been made either out of reckless behaviour, in joke or jest or with malicious intent to harm the alleged offender personally or professionally, POSH may initiate one or more of the following actions against the complainant depending on the severity of the issue:

- Ask complainant to tender a formal apology and withdraw complaint in writing
- Counsel and warn the concerned staff
- Terminate staff
- Issue relieving letter mentioning the behaviour of the staff

F Record-keeping

All case details related to complaint, responses, communications, case facts, evidences and meeting minutes must be formally documented and recorded.

G Confidentiality

POSH committee as well as other staff in know of the case, will maintain confidentiality related to the identity of the complainant and all documents and other records of the case. Case proceedings must be done discreetly. The matter can only be brought to the notice of the Board members and cannot be revealed to any other staff or outsider. The same policy applies even to the Board members.

Flow chart for process of dealing with cases of sexual harassment

