

POLICY AGAINST SEXUAL HARASSEMENT AT WORK PLACE

1.0 OBJECTIVE:

Krishna Engineering College is providing a work environment, free from harassment of any kind, especially sexual harassment. We respect dignity of everyone at our work place, whether they are staff or our students. We require all people (associated with college) to make sure that they maintain mutual respect and positive regard towards each other.

2.0 PURPOSE:

The purpose of this document is to specify

- a. A written definition of sexual harassment and related retaliation.
- b. A written procedure to follow when an employee is believed to violate the policy.
- c. Define practice to ensure all allegations are investigated and dealt with effectively and appropriately so that we preserve a healthy working culture.
- d. To treat the employee who has indulged in the act of sexual offence or intending to do so would be treated with utmost strictness.

3.0 SCOPE:

- a. The policy extends to all employees of KEC and all student of KEC and is deemed to be incorporated in the service conditions of all employees and student with immediate effect.
“Employee”, for the purposes of this Policy, means any person employed at the workplace 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, contractor, consultant, probationer, trainee, apprentice or called by any other such name.

- b. Harassment is not limited only during working hours or in the workplace itself but also in any work-related context, including conferences, work functions, business or field trips, and interactions with students/vendors.

4.0 DEFINITION OF SEXUAL HARASSMENT

According to the Supreme Court definition, sexual harassment includes any unwelcome sexually determined behavior (whether direct or by implication), such as:

- i. Physical Contact and advances either physical or non physical
 - ii. Demand or request for sexual favors
 - iii. Sexually colored remarks
 - iv. Showing pornography
 - v. Creating a hostile work environment
 - vi. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- a. Explanation 1: Unwelcome “sexually determined behavior” shall include but not limited to the following instances:
 - a. where submission to or rejection of sexual advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or such advances, requests or conduct (whether direct or implied) have the purpose or effect of interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.
 - b. Explanation 2: Creating a “hostile work environment” means:
 - a. Creating a workplace where Sexual Harassment may go unheeded, where despite complaints no action is taken, and where complainant is placed under fear, disadvantage or threat of victimization.
 - b. It will also mean Retaliation which includes;
 - i. Marginalizing someone in the workplace with regard to his/her roles and responsibilities

- ii. Socially ostracizing
 - iii. Intimidating someone physically, psychologically, emotionally or someone close to or
 - iv. related to the victim
 - v. spreading rumor
 - c. And any other behavior that may commonly be construed as retaliatory
- c. Explanation 3: In addition the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:
- a. Unwelcome sexual advances -- whether they involve physical touching or not;
 - b. Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
 - c. Displaying sexually suggestive objects, pictures, cartoons, displaying body parts;
 - d. Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
 - e. Inquiries into one's sexual experiences;
 - f. Discussion of one's sexual activities.
 - g. Abuse of authority - demand by a person in authority, for sexual favors in exchange for work related benefits (e.g. a wage increase, a promotion, training opportunity, a transfer or the job itself).
 - h. The behavior that creates an environment that is intimidating, hostile, or offensive for members of one sex, and thus interferes with a person's ability to work.

5.0POLICY STATEMENT:

- a. KEC employee will maintain high standards of dignity, respect and positive regard for one another in all their dealings.
- b. All KEC employees will understand and appreciate the rights of the individual to be treated with dignity.

- c. KEC employees are required to maintain a work environment, which is free from any kind of harassment.
- d. KEC Employees will refrain from committing any acts of sexual harassment at work place.
- e. Allegations of sexual harassment will be dealt seriously, expeditiously, sensitively and with confidentiality.
- f. KEC employees will be protected against victimization, retaliation for filing or reporting a complaint on sexual harassment and will also be protected from false accusations.

6.0 RESPONSIBILITIES:

- a. **Employee:** Any employee who believes that a supervisor's, manager's or other employee's actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible to the department head or Sexual Harassment Redressal Committee.
- b. **Departmental Heads:** As soon as the departmental head receives any such complaint of sexual harassment, he /she should inform in writing to the SHRC immediately for further action.
- c. **SHRC(Sexual Harassment Redressal Committee):** The college will have a complaints committee set up specifically to address any complaint of sexual harassment. The Committee will comprise at least of three members centrally, of which at least one would be a woman. It will also include a lady representative from an NGO or an independent lady representative of good social standing as well as 2 location specific members of which one would be a woman.

TODOs

In addition to handling a complaint of sexual harassment, the committee may also co-ordinate preventive activities within their respective locations to create a sexual harassment free atmosphere via:

- i. Information Mailers
- ii. Circulating Articles on the same, from time to time

7.0 Confidentiality:

The company will do everything consistent with enforcement of this policy and with the law to protect the privacy of the individuals involved and to ensure that the complainant and the accused are treated fairly. Information about individual

complaints and their disposition is considered confidential and will be shared only on a “need to know” basis

8.0 COMPLAINTS COMMITTEE:

The Central members of the Committee shall be as under:

Central Committee

- a. Director
- b. Women Cell Representative & Members
- c. TODO: HR

9.0 PROCEDURE TO COMPLAIN:

- a. If any of KEC members believes that he or she has been subjected to sexual harassment, then the complaint / grievance should be reported in writing (Three copies) along with supporting documents and the names and addresses of the witnesses to the SHRC within 3 months from the date of occurrence of the alleged incident at director office. If the complaint is made orally, the Complainant will be requested to confirm the complaint in writing compiled by SHRC and sign it. In an exceptional case, the time limit of 3 months may be relaxed;
- b. In case the aggrieved employee is not in a position to make the complaint in writing, Presiding Officer or any Member of the Committee, as the case may be, render all reasonable assistance to the aggrieved employee for making such written complaint where the aggrieved employee is unable to make complaint on account of physical or mental incapacity or death or otherwise, the legal heir of such aggrieved employee may make a complaint, per the applicable laws;
- c. On receipt of the complaint, the Complaints Committee shall send one of the copies received from the complainant to the accused within a period of seven working days.
- d. The accused shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents.

- e. All complaints / grievances of sexual harassment will be taken seriously, hearing will be held in strict confidence and the incident will be investigated promptly in an impartial manner. The accused or witnesses should not be victimized or discriminated against while dealing with complaints.

10.0 CONCILIATION:

- a. The Committee, upon receiving and recording statements from both the parties and before initiating Enquiry under this Policy, shall fix a date for a meeting with the parties. Depending on gravity of the complaint and subject to the consent and assent of the complainant, the Committee will explore the possibility of conciliation/ settlement.
- b. All the proceedings of such Conciliation shall be recorded in writing and the settlement arrived at, if any shall be duly recorded and signed by both the parties. Copies of the same shall also be provided to each party. The original shall be furnished to the Management for the necessary actions, based on the recommendations of the Committee recorded therein.
- c. No monetary settlement shall be made as a basis of Conciliation.
- d. Where settlement is arrived, no further Enquiry shall be conducted by the Committee.
- e. The Conciliation proceedings shall be concluded within 15 days from the date of the assent/consent of the complainant to undertake such Conciliation.