



VicenteFerrer



Rural Development Trust (RDT)

Policy Against Sexual Harassment

2019

I. Introduction:

Rural Development Trust (RDT) acknowledges its legal responsibility to provide a safe working environment free from sexual harassment and discrimination for all its employees, especially women.

RDT understands that sexual harassment can have a devastating effect upon the health, confidence, morale and performance of those affected by it. It is committed to providing an organizational space that is gender sensitive and free from all forms of gender discrimination, intimidation and sexual harassment.

The organisation is committed to create a safe and healthy work environment that enables its employees to work without fear of prejudice, gender bias and sexual harassment. It firmly believes that all its employees should be treated with dignity and respect.

RDT will apply this policy in any case of sexual harassment against a female employee. It recognizes that sexual harassment results in the violation of a woman's fundamental right to equality under Articles 14, 15 and 21 as laid down in the Constitution of India - which provides for equality under the law, prohibition of discrimination on grounds of religion, race, caste, sex or place of birth, and protection of life and personal liberty.

This policy sets forth our goals of promoting a workplace that is free from sexual harassment. It is aligned in accordance with "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" (the "Act"), "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013, (the" Rules")" and RDT's own Rules of conduct.

Nothing in this policy shall be construed as affecting or intended to affect or in derogation to or in any way interfering with any laws in force at the time.

II. Enforcement of Policy:

RDT recognizes that all women, irrespective of their class, caste, creed, religion, age, color, nature of work, place of residence, face the threat of sexual harassment at all times. All complaints of sexual harassment raised by/against female employees of RDT will be taken seriously and will be dealt with promptly. All investigations will be conducted thoroughly and professionally. Accurate records of the investigation and the findings will be maintained. Employees who bring charges will not face retaliation.

Anyone violating this policy will be subject to disciplinary action commensurate with immediate and appropriate disciplinary action including termination.

The organisation recognizes and respects the confidentiality and privacy of individuals reporting, of the respondent or of their witnesses to the extent reasonably possible.

III. Scope of the Policy:

Conduct that is described as “sexual harassment” in this policy will not be tolerated and inappropriate conduct will be dealt with promptly. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unacceptable and will not be tolerated.

The provisions of this policy are applicable to:

- All employees of the organisation, regardless of the nature of their contract, duration of employment or position in the organization
- Associates of the organisation whether full-time, part-time, temporary, voluntary, contracted or casual including researchers, trainees and consultants
- Volunteers and interns, during their association with the organization
- Partners, service providers and users of the services of the organisation

Strict action under this policy will be initiated in cases where any employee of the organisation is subjected to sexual harassment by any of the above OR if any of the above is subjected to sexual harassment by an employee of the organisation, inside or outside the office premises. This policy mandates immediate action to protect the aggrieved and initiate action either through the redressal mechanism or through the civil justice system.

IV. 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.

“Employee” means a person employed at a 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
- For remuneration or not, or working on a voluntary basis
- Whether terms of employment are expressed or implied

“Sexual Harassment” spans a wide range of actions and behaviors. Whether or not a particular action or behavior constitutes sexual harassment is determined by the effect it has had on the recipient, independent of the intention of the perpetrator. Sexual harassment can include but is not limited to unwanted sexual advance that is in the form of visual, verbal, non-verbal or physical nature or because of a person’s sex. Sexual Harassment at the workplace is any unwelcome sexually determined behavior that has the purpose or effect of substantially interfering with an individual's work performance, or creates an intimidating, hostile, or offensive work environment. It could be all or any one of the following:

- A demand or request for sexual favors, such as when the submission to a sexual advance is explicitly or implicitly made a term or condition of an individual’s employment
 - Submission to or rejection of unwelcome sexual advances is made the basis for employment decisions
 - Threatening reprisals on work and career growth after a negative response to the advance
- Physical contact of a sexual nature may include assault, impeding or blocking someone’s path with the purpose of making a sexual advance, unwelcome hugging, sexual touching or kissing; forcible physical touch or molestation; standing too close to or brushing up against another person, leaning over, invading a person's space; patting, stroking, grabbing or pinching
- Visual conduct of a sexual nature may include: presence of sexual visual material such as posters, cartoons, drawings calendars, pinups, pictures, computer programmes of a sexual nature; written material that is sexual in nature, such as notes, SMS, E-mail containing sexual comments; objects of a sexual nature
- Verbal conduct of a sexual nature, such as: sexually colored remarks, making derogatory sexual comments, slur, jokes, whistling
- Nonverbal conduct of a sexual nature may include: staring, sizing up a person’s body (looking up and down), derogatory gestures of a sexual nature, sexually suggestive looks, facial expressions of a sexual nature; winking, licking lips

Note: All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unacceptable and will be actionable.

V. Procedure for filing of complaints:

If any employee of the organisation believes that she has been subjected to sexual harassment, a complaint may be filed by contacting the Internal Committee:

- Within 3 – 6 months of the occurrence of the incidence. This must be done in writing.
- The Internal Committee will extend support to the aggrieved if they are unable to do so.
- Complaints may be addressed to the Internal Committee at **internalcc@rdt.co.in**
- The Internal Committee will also be available to discuss:
 - any concerns employees may have
 - to provide information about the Internal Committee and the complaint process

Any complaint pertaining to sexual harassment by the employee shall be dealt with in accordance with the provisions of the “Act”. Each case will be promptly investigated within a time period of 90 days and appropriate action will be taken upon the results of the investigation within 60 days. All investigations will be designed to protect the privacy of all parties concerned, and handled with the highest degree of confidentiality possible under the circumstances.

In the course of investigating any complaint of sexual harassment, the Internal Committee shall ensure that the principles of natural justice are adhered to, namely:

- Both parties shall be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents before the Internal Committee
- Upon completion of the investigation, both parties will be informed of the results of that investigation.

The Internal Committee shall be empowered to do all things necessary to ensure a fair hearing of the complaint including ensuring that the aggrieved, respondent and the witnesses are neither victimized nor discriminated against while dealing with a complaint of sexual harassment. In this regard the Internal Committee shall also have the discretion to make appropriate interim recommendations vis-à-vis an accused person pending the outcome of a complaint including suspension, transfer, leave, change of office etc. The request to do so must be initiated by the aggrieved.

VI. Disciplinary Action:

The specific action taken in any particular case depends upon the nature and gravity of the conduct

Note: Sexual harassment by line managers or by colleagues senior to the aggrieved will be considered to be more serious and will attract higher penalties.

reported. The Internal Committee will be guided by the “Act” in this regard:

- Dismissal
- Withholding of promotion, increments
- Counselling or Community Service
- Reprimand or Written Apology