

Policy Regarding Sexual Harassment of Employees in the Workplace

A) Introduction:

BALAJI LAW COLLEGE offers equal employment opportunities to all its employees and also offers healthy working environment that enables the employees to work without fear, prejudice, gender bias, and any kind of harassment. The institution also believes that all the employees have right to be treated with dignity and with equality. Therefore, harassment of any kind, including sexual harassment at workplace or other than workplace, if involving any employee, is a grave offense and is therefore punishable.

The Institute will not tolerate discrimination of any nature or inappropriate conduct of any type by its employees at the workplace.

Reaction: Conversely, in case of complaint under this policy is found to be false, the complainant shall also be liable for similar disciplinary action.

This policy is in compliance with the Sexual Harassment of Women at Workplace Prevention Prohibition and Redressal Act 2,013. Any changes made subsequently to this Act which precede the provisions of this policy full point. In the event of any inconsistency between the policy and the Act, the provisions of the Act shall be considered as applicable and prevail.

The management shall also provide necessary assistance for this purpose for issuing full, effective, and speedy implementation of this. All complaints received under this policy and their corresponding redressal mechanism will remain confidential. The Institute will, However, make all necessary dispositions to the policy or any other regulatory authority is required to be so as per the Indian laws.

(B) Scope and Effective date

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- The policy extends to all employees of this College and is deemed to be incorporated in the service conditions of employees that come into effect immediately. For the purpose of this policy, employee means any person on the role of the College, including those on definition, contract, temporary, fulltime part-time, etc, as per definition of employee given in sexual harassment of Women at Workplace at 2,013. Workplace includes the premises of the College office and all other locations where employee have to visit on work, including mode of transport provided by the College.

Sexual harassment includes any one or more of the following, unwelcomed at are being, whether directly or by implication, such as

- a) Physical contact or advances of sexual nature, which involves all unwarranted physical contact.
- b) A deemed or request for any kind of sexual favour which involves, but is not limited to sexual favouritism, where a person who is in position of authority rewards only those who respond to its sexual advances.
- c) Any Act or conduct by a person in any authority which renders the environment at workplace hostile or intimidating to a person belonging to other sex.
- d) Making a sexually coloured remarks, including, but not limited to, unwelcomed , endues and taunts, suggestions and hints or advances, comments of sexual overtone, sex related jokes, etc or insults.
- e) Showing any kind of improper material, including images containing graphic picture or real videos or any other form of display of any explicit pictures or objects. Any other unwelcomed physical or verbal or nonverbal conductor sexual nature, including any other pervasive pattern of behaviour which makes the employees uncomfortable, insecure or feel humiliated, disadvantaged on the bases of gender discrimination or differentiation.

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C) Constitution of the Committee:

The Constitution of the committee shall be termed as Internal Complaint Committee to consider and redress complaints of sexual harassment.

The Constitution is given below:

1. Chairman principle.
2. Two members from the faculty, two members from non teaching staff.
3. Three students, if matter involves students.
4. One member from NGO or associations committed to the cause of women's.

Every member of the ICC will hold office for a period of three years. The nominations will automatically be reviewed or renewed for another three years, depending upon the circumstances are at the discretion of the Management / Principle of the College. A quorum of three members is required to be present for proceeding to take place. The quorum shall comprise of at least three members, excluding Chairman, that is, Presiding Officer and two more members. In the event that the Presiding Officer is unavailable, one of the other women employees or members shall act as Act as interim Presiding Officer. In case any member of the ICC complainant or respondent in an incidents of such indecent behaviour or harassment, he or C will step down as Member of ICC immediately till the complaint has been redress. The remaining members of the ICC will nominate a person to be replace the resigned member who will hold the office they are till the relevant component or inquiries are either redress or disposed of.

Complaint and Inquiry Mechanism

The process of timelines within which the complaint or an inquiry of mechanism will be implemented.

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Step one, Any employee, who feels and is being sexually harassed directly, indirectly must submit a written complaint to any member of the ICC or to the Chairman of ICC. **Timeline**: In case of single incidents within three months from the date of incidents. In case of a series of incidents within the three months from the date of last incidents.

Step two, Upon receipt of complaint, send one copy of the complaint to the respondent within 7 days, the respondent will file a reply within a period of 10 days.

Step three, At the request of the agreed employee, the ICC may take steps to settle the matter through conciliation within 10 working days.

Step four, Where settlement has been arrived at through conciliation, the ICC will make a record of such conciliation and send it to both complainant and the respondent.

Timeline: Within 30 days from the complaint being filed.

Step three, Where there is no request for conciliation by the agreed employee, ICC will initiate and complete the inquiry. The inquiry process will ensure both the party, the complainant and response are given ample fair and equal portion needs to be heard.

Time line inquiry to be completed within 90 days.

Step four, ICC will submit a report of findings, recommendations of the inquiry to both the parties and to the management of the institution.

Time line within 10 days from the completion of the inquiry.

Step five, The management of the College will implement the recommendation to the ICC in case ICC finds the degree of offense coverable under Indian penal Code, then the fact shall be mentioned in the report, and appropriate action shall be initiated by the management.

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Timeline within 60 days from the receipt of search recommendation.

The other Considerations:

- Email correspondence for the purpose of this policy will be construed as written communication.
- The ICC will maintain all complaints and details under this policy.
- The details of the members, their mobile phone numbers, and email address shall also be displayed for the benefit of all concerns.

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Grievance and their Redressal

In case the student had any argument regarding the disciplinary action taken against him, he shall have a right to register his grievance to the Disciplinary committee which will review the facts and other aspects and shall take appropriate decision.

The decision of the Disciplinary Committee shall be submitted to the apex committee constituted as follows,

- (i) The apex committee shall have Principle as Chairman, two teachers, two representatives of the students, as well as one representative from the management of the institution.
- (ii) Only those complaints which are registered with the Disciplinary Committee shall be submitted to apex committee for review and appraisal.

Fines and punishment

The Disciplinary Committee shall institute Fines and punishment if require, and such decisions shall be communicated to the students only after confirmation of the minutes of the Disciplinary Committee. Students are expected to obey the decision given by the Disciplinary Committee in case, if they are having any grievance, they can go to the Apex committee for redressal.

A Procedure for Submission of Complaint

1. Every student who has a grievance or complaint regarding indiscipline behaviour, injustice or harmful behaviour by some other students or any such other person who is a part of the institution has to submit is grievance in a written form.
2. No oral complaints shall be entertained regarding indiscipline behaviours.
3. The student who has submitted the grievance should provide necessary details and appropriate facts regarding injustice or insult caused to him.

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4. The grievance should be submitted within the three days from the occurrence of the incident.
5. The disciplinary committee only after going through the complaint and after verifying necessary facts shall take appropriate decision. We shall be communicated to the students only after confirmation of minutes. The decision of the disciplinary committee shall be final subject to the review by apex committee.

Internal Complaint Committee

Handbook on sexual harassment of women at work Place (Prevention Prohibition and Redressal Act 2013).