

SRI SAI RAM ENGINEERING COLLEGE
SAI LEO NAGAR, CHENNAI – 44.

POLICY FOR PREVENTION AND REDRESSAL OF SEXUAL HARASSMENT
AT WORK PLACE

DETAILS

The institution has framed a comprehensive and clear policy for the prevention and redressal of sexual harassment at workplace.

i) Objectives

Sri Sai Ram Engineering College has established PoSH (Prevention of Sexual Harassment) Cell to ensure that the students, members of the staff both teaching and non teaching work in a conducive environment, free of verbal & non verbal abuse, intimidating acts, exploitation and harassment of any nature. Sexual harassment, gender disrespect/violence and discrimination on any basis are completely prohibited in the Institution premises. The policy conceives -

- To create a suitable social and psychological environment which offers awareness on sexual harassment in any form
- To establish and ensure an atmosphere free of gender based discrimination
- To ensure a mechanism for the prevention and redressal of sexual harassment complaints in any nature/form
- To implement the policy in letter and spirit through proper reporting of the complaints and the follow up execution
- To operate in an environment which ensures safe and secure environment which deters any act of sexual harassment

ii. Protection Coverage

The policy adheres to the well being of students, teaching staff members, non teaching staff members, service providers, vendors, consultants, trainers and Guests/visitors.

iii. Work place

- For the purposes of the policy, the expression 'workplace' or 'at work' is not confined or limited to the actual working place of the employees in the sense of the physical space in which paid work may be performed as per the prescribed duty hours. 'Workplace' or 'at work' includes Sai Ram premises, but not limited to class rooms, laboratories, administrative block, staff residential area, hostels, mess, playgrounds and common areas/meeting venues. It also includes any place visited by the employee arising out of or during course of employment, including

transportation provided by the employer.

- 'Workplace' or 'at work' would also include inter alia office parties, work-related social functions, phone calls, sending/sharing messages through mobile phones or emails from the residence even on an off day, or other contacts outside office hours and work- related interactions. Thus, it is not the physical workplace that would govern, but the access that a perpetrator has to be the recipient of sexually harassing behavior by virtue of a job situation or relation that is relevant by any means.

SEXUAL HARASSMENT

i) Definitions and Implications

The Institution is committed to implement in letter and spirit "The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013", hereinafter called as SHW Act.

- Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours or any other verbal or physical conduct of sexual nature, in return for employment, promotion, examination, admission or evaluation of a person towards any institution activity
- Unwelcome sexual advances involving verbal, non-verbal or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing pornography, lurid stares, physical contact or molestation, display of pictures, signs, verbal or non-verbal communication which offends the individual's sensibilities and affects her / his performance
- Eve teasing, taunts, physical confinement against one's will and likely to intrude upon one's privacy
- Act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex
- Any unwelcome gesture by an employee / student having sexual overtones

COMPLAINTS REDRESSAL COMMITTEE

The Internal Committee shall consist of the following members to be nominated by the employer, namely:-

- a) A Presiding Officer who shall be a woman employed at a senior level at work place from amongst the employees:

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units;

Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organization;

- b) Not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- c) One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment. Provided that at least one half of the total members so nominated shall be women.

The institution has constituted an internal committee for the redressal of all Sexual Harassment Complaints known as the "Complaints Redressal Committee" (CRC) as per SHW Act.

CRC consists of the following members:

1. Presiding Officer – Dr. M. Shanmugathai - President
2. Dr. L. Arunachalam – Dean TAP
3. Dr. M. Ananthi – Professor / Department of CSBS
4. Dr. R. Jayalakshmi – Asso. Professor / Department of MBA
5. Dr. N. Sivagami – Sr. Librarian
6. Ms. Sophia - Advocate (Regional Representation)

While constituting the above CRC, the following requirements stated in SHW Act have been considered:

- Composition: Composition of CRC is as per the requirement of Sec 4 (3) of SHW Act

i.e. at least one-half of the total members nominated are women.

- Tenure: Presiding Officer and every member of CRC shall hold office for such period, not exceeding 3 years, from date of their nomination as may be specified by the employer
- Quorum: A quorum of at least 75% of the members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer as a mandatory participant

PROCEDURE FOR DEALING WITH COMPLAINTS

- For any grievances, employees/the affected must write to HR representative or members of the CRC preferably within 3 (three) months from its occurrence
- On receipt of the complaint, the Committee shall send notice to the respondent within a period of seven working days. The respondent shall file his/her reply to the complaint along with his/her 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
- The Committee shall make inquiry into the complaint in accordance with the principles of natural justice
- The Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint (after giving 15 days advance notice), if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Chairperson
- In cases where there is a prima facie case made out, the CRC will forward the complaint to Police within 7 days for registering a criminal case under 509 IPC
- All recommendations made by the committee will be binding on the parties involved in the process
- Complete confidentiality should be maintained by both the parties
- Corrective action may include any of the following depending on the seriousness of the crime/act
 - a. Formal apology

- b. Counseling
- c. Written warning to the perpetrator and a copy of it maintained in the employee's/person concerned file
- d. Termination of services of the employee/person concerned found guilty of the offence

In case, the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

RESPONSIBILITIES

All employees / students of the Institution have a personal responsibility to ensure that their behavior is not contrary to the defined policy. All are recommended to reinforce the maintenance of a work environment free from sexual harassment. Towards this end the Institution will -

- Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace
- Display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee
- Organize workshops and awareness activities at regular intervals for sensitizing the students and the faculty members with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed
- Provide necessary facilities to the Internal Committee for dealing with the complaint and conducting an inquiry in a fair manner
- Assist in securing the attendance of respondent and witnesses before the Internal Committee
- Make available such information to the Internal Committee, as it may require having regard to the complaint made under the Act
- Provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other Law for the time being in force
- Cause to initiate action, under the Indian Penal Code or any other Law for the time being in force against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place

- Treat sexual harassment as misconduct under the service rules and initiate action for such misconduct
- Monitor the timely submission of reports by the Internal Committee

CONCILIATION

The aggrieved person may also choose to resort to Conciliation. On the request made by the aggrieved person, before initiating the inquiry, the CRC will take steps to settle the matter through conciliation.

No monetary settlement shall be made as a basis of conciliation.

CRC shall record the settlement and forward it to the employer to take action. CRC will provide copies of the settlement to the aggrieved person and respondent and no further inquiry shall be conducted. The settlement terms will need to be duly implemented or else enquiry will need to be initiated.

RETALIATION IS ALSO PROHIBITED BY THE POLICY

No person will be reprimanded or retaliated against in any way for initiating an inquiry or lodging a complaint in good faith regarding sexual harassment or sexual assault. Any conduct constituting such a reprimand or retaliation is itself a violation of this policy and is equally subject to disciplinary action under it. Any person subjected to conduct perceived as a reprimand or retaliation for initiating an inquiry or lodging a complaint in good faith regarding sexual harassment or sexual assault should promptly report all relevant information to one of the responsible individuals identified in the “**Resources**” section below

COMMITMENT

Our institution is committed in providing work environment that ensures every employee and each student is treated with dignity and respect.

The institution is also committed in promoting a work environment that is conducive to the professional growth of its employees and students.

The institution will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees and students are not subjected to any form of harassment.

TYPES OF BEHAVIOR WHICH CAN BE CONSIDERED AS SEXUAL HARASSMENT

Depending on the circumstances, each of the following kinds of behavior may be a sexual harassment:

- Material that is sexual in nature, sexist, sexually explicit and so on and is displayed in the workplace, circulated, or put in someone's workspace or belongings, or on a computer or fax machine or on the Internet or any other public display system or public place in the workpremises
- Verbal abuse or comments that put down people because of their sex
- Comments about people's (women/men) bodies and physical appearance
- Tales of sexual exploits
- Graphic descriptions of pornography
- Pressure for dates
- Sexually explicit gestures
- Unwelcome touching and hugging
- Sexist and insulting graffiti
- Sexist jokes and cartoons. There is a difference between harmless humor which may refer to gender, race and so on and using a racist, sexist or other types of stereotyping jokes to have a "dig" at someone (and therefore to harass them). If this difference is not clear or if someone is offended, the behavior should stop immediately
- Obscene phone calls
- Displaying pornography in the workplace or any other mode
- Insisting wearing revealing clothes
- Inappropriate comments about one's dressing
- Inappropriate gifts (for example, lingerie)
- Discussion of one's partner's sexual inadequacies
- Lewd and threatening letters
- "Accidentally" brushing sexual parts of the body
- Pressing or rubbing up against a victim
- Sexual sneak attacks (such as grabbing private parts on the run)

- Indecent exposure
- Subtle or overt pressure for sexual favors
- Soliciting sexual services
- Demanding sexual services
- Sexual or physical contact, such as slapping, kissing or touching
- Intrusive questions about sexual activity
- Sexual assault (a crime under the Indian Penal Code)
- Repeated sexual invitations when the person invited has refused/ignored similar invitations
- Coerced sexual intercourse (e.g., as a condition of employment or academic status)

Observe: A single act or occurrence shall be enough to be construed as harassment.

SRI SAI RAM ENGINEERING COLLEGE

SAI LEO NAGAR, CHENNAI – 44.

**Complaint form in the requirement of filing a case to the
committee for prevention and redressal of Sexual Harassment
at Workplace**

Name of the complainant/affected person:

Department/Domain :

Complaint filed against :

Date of occurrence & event :

Brief summary of the complaint :

Signature :

Name :

Date :