

## **Yuva Public Charitable Trust**

### **Policy on Prevention of Sexual Harassment**

This Policy defines Yuva Public Charitable Trust's (Yuva's) explicit commitment to support gender equality. Through this policy Yuva seeks to promote equal realization of dignity and human rights for girls, women, boys, men, transgender etc and the elimination of injustice including equal opportunity and growth for all. The Yuva implementation guideline sets out mechanisms and minimum common standards for all Yuva members at their offices across the country. Specifically, this policy is intended to improve the explicit incorporation of gender in programmatic and organizational practices.

Yuva defines gender equality as the equal enjoyment by women, girls, boys, men, transgender etc. of rights, opportunities, resources and rewards. Yuva believes that an individual's enjoyment of rights must not be governed by their birth as female or male, and that gender equality is an explicit, internationally recognized human right.

#### **Purpose of the Policy:**

1. Implement Prevention Of Sexual Harassment At Workplace.
2. Prevent gender based discrimination of any sort at the Workplace.
3. Promote gender equality as an explicit recognized human right.
4. Address systemic and structural practices that create barriers to the realization of women's rights and gender equality; including prevention and response to gender based violence and sexual harassment or exploitation and abuse.
5. Support the empowerment of women, girls and other genders as a key strategy towards ending poverty, conflict, human suffering and gender inequality.
6. Analyze and implement strategies to manage potential risks and harms to women, girls, boys, men and also transgender.
7. Engage and coordinate with stakeholders, partners, governments, funders and civil society organizations to promote and support effective, creative and impactful ways to promote gender equality.
8. Actively hold ourselves and others accountable to gender equality standards.
9. Ensure that key organizational policies, systems and practices include but not limited to budgeting, human resource recruitment, training and management, and decision making support, women's rights and gender equality.
10. Apply these commitments within Yuva and across all program areas using integrated planning approaches and recognized gender sensitive tools and techniques such as gender analysis frameworks, collection of age/sex disaggregated data, and results-focused design and evaluation.

#### **Scope:**

This policy describes specific commitments, implementation mechanisms and common standards to ensure gender equality is fully incorporated in its work. It calls on all its branches across the country to work in a collaborative way towards the goal of gender equality in all aspects of our work, as well as urges individual members to strengthen their own actions to ensure the human rights of women, girls, boys and men and all genders are equally promoted and protected. This policy specifically focuses on prevention of sexual harassments of any sorts and, creates a mechanism to deal with the cases in that context.

## **PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE**

Yuva is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment. Yuva is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity. Yuva will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

This policy applies to all categories of employees of the Yuva including management, Employees, Volunteers, trainees, students and staff (permanent & temporary) on contract at their workplace or at sites of stakeholders, schools and colleges.

Yuva will not tolerate sexual harassment, if engaged by Stakeholders or any other business associates.

The workplace includes:

1. All offices or other premises where the Yuva centres are present.
2. All vocational trainings, workshops, camps, sessions, classes & activities held at any other site away from the Yuva centre's premises.
3. Any colleges, placement offices, sites of stakeholders, social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

### **Definition of Sexual Harassment:**

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. The issue of sexual harassment at the work place has become an extremely important factor which needs to be addressed strictly in accordance with law and besets the precedence. It is paramount important to safeguard employees against any harassment, eve teasing, sexual related overtures, display of pornographic literature and photographs and using conversing language which results to enforcement, insult or harassment at the workplace.

Sexual harassment includes many things, but not limited to:

#### **a. VERBAL**

- i. Referring to an adult as a girl, hunk, doll, babe, honey or any such comment in the local language.
- ii. Whistling at someone, cat calls
- iii. Making sexual comments about a person's body
- iv. Making sexual comments or innuendos
- v. Turning work discussions to sexual topics
- vi. Telling sexual jokes or stories
- vii. Asking about sexual fantasies, preferences, or history
- viii. Asking personal questions about social or sexual life
- ix. Making kissing sounds, howling, and smacking lips
- x. Making sexual comments about a person's clothing, anatomy, or looks
- xi. Repeatedly asking out a person who is not interested
- xii. Telling lies or spreading rumours about a person's personal sex life

#### **b. NON-VERBAL**

- i. Looking a person up and down (Elevator eyes)

- ii. Staring at someone
  - iii. Blocking a person's path
  - iv. Following the person
  - v. Giving personal gifts
  - vi. Displaying sexually suggestive visuals
  - vii. Making sexual gestures with hands or through body movements
  - viii. Making facial expressions such as winking, throwing kisses, or licking lips
- c. PHYSICAL ·
- i. Giving a massage around the neck or shoulders
  - ii. Touching the person's clothing, hair, or body
  - iii. Hugging, kissing, patting, or stroking
  - iv. Touching or rubbing oneself sexually around another person
  - v. Standing close or brushing up against another person

**RESPONSIBILITIES REGARDING SEXUAL HARASSMENT and GENDER BASED DISCRIMINATION:**  
 All employees (permanent, temporary, volunteers) of Yuva have a personal responsibility to ensure that their behavior is not contrary to this Policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment or discrimination of any nature.

**COMPLAINT MECHANISM:** An appropriate complaint mechanism in the form of “Complaints Committee” has been created in the Yuva for time-bound redressal of the complaint made by the victim.

**COMPLAINTS COMMITTEE:** The Yuva has instituted a Complaints Committee for redressal of sexual harassment/gender based discrimination complaint (made by the victim) and for ensuring time bound treatment of such complaints. Initially, and till further notice, the Complaints Committee will comprise of the following four members out of which at least two members will be of the same gender as that of the complainant:

1. Member of the management team.
2. General Manager Operations
3. HR
4. Member of the External committee
5. Member from an NGO or Lawyer (Member)

The Complaints Committee is responsible for:

1. Investigating every formal written complaint of sexual harassment or discrimination.
2. Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment or discrimination
3. Creating a proper mechanism for tolerance for any such behaviour and making sure that communication about the Policy reaches each and every employee or staff or student at Yuva.
4. Discouraging and preventing employment-related sexual harassment or discrimination

## PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

Yuva is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

A. Informal Resolution Options When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the HR from the Complaints Committee for redressal of their grievances.

HR then takes this to The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

### B. Complaints:

1. An employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the HR, as appointed from the Complaints Committee constituted by the Management. The complaint shall have to be in writing and can be in form of a letter, preferably within 15 days from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the employee can send complaint through an email. The employee is required to disclose their name, department, division and location they are working in, to enable the HR to contact them and take the matter forward.
2. The HR from the Complaints Committee will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 7days from receipt of the complaint. In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the HR will record this finding with reasons and communicate the same to the complainant.
3. If the HR determines that the allegations constitute an act of sexual harassment, he or she will proceed to investigate the allegation with the assistance of the Complaints Committee.
4. Where such conduct, on the part of the accused, amounts to a specific offence under the law, the Yuva shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
5. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the CEO as soon as practically possible and in any case, not later than 30 days from the date of receipt of the complaint. The CEO will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.
6. Corrective action may include any of the following:
  - a. Formal apology
  - b. Counselling
  - c. Written warning to the perpetrator and a copy of it maintained in the employee's file.

- d. Change of work assignment / transfer for either the perpetrator or the victim.
- e. Suspension or termination of services of the employee found guilty of the offence

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

**CONFIDENTIALITY:** The Yuva understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential. Policy on Prevention of Sexual Harassment at Workplace, Version 1.2, 31 st December, 2014 To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

**ACCESS TO REPORTS AND DOCUMENTS:** All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Yuva except where disclosure is required under disciplinary or other remedial processes.

**PROTECTION TO COMPLAINANT or VICTIM:** The Yuva is committed to ensuring that no employee who brings forward a harassment or discrimination concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Yuva will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action. Gender equality or equality between women and men, refers to the equal enjoyment by women, girls, boys and men of rights, opportunities, resources and rewards. Equality does not mean that women and men are the same but that their enjoyment of rights, opportunities and life chances are not governed or limited by whether they were born female or male. We at Yuva strive to achieve this aspect and will make sure that all the employees are aware of this policy and follow the consequences of implications.

**CONCLUSION:** In conclusion, the Yuva reiterates its commitment to providing its employees, a workplace free from harassment or any form of gender based discrimination and where every employee is treated with dignity and respect.