

PASDO POLICY ON PREVENTING SEXUAL HARASSMENT IN WORKPLACE



PARTICIPATORY ACTION FOR SUSTAINABLE DEVELOPMENT ORGANISATION



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1. BACKGROUND:

1.1. Brief Introduction About PASDO:

Participatory Action for Sustainable Development Organization (PASDO) is a Voluntary, Non-Profitmaking Organisation registered under Societies Registration Act (1989) Manipur in the year 1997 and under FCRA (1976). With a strong belief in the power of the People's Participatory Action, PASDO was formed by committed social activists, experienced community leaders and grassroots workers to facilitate and support participatory actions for sustainable development. It is an offshoot of analysis of experiences of the members with the existing development approaches and process which have rather made people dependent and powerless. PASDO was formed to respond to this issue and is the initiative and effort to facilitate empowering community development process.

1.2. Vision:

PASDO's vision is "A self- sustained, empowered, humane and peaceful society."

1.3. Mission:

PASDO's mission is to support and strengthen people's action for achieving sustainable development through awareness campaign, workshop, training & exposure, networking & advocacy and supporting implementation of related project.

1.4 Aims and Objectives of the Organisation:

Long Term Objectives:

- To support, capacitate and facilitate local people to enhance human resources and leadership for community survival and sustainable development initiatives and actions.
- To strengthen and empower women for effective participation in decision making processes.
- To mobilize and support people's action for sustainable livelihood, sustainable Resource management and just social structure which is free from domination, exploitation, corruption, violence, fear etc.
- To mobilize community action for child rights, human rights and peace
- To organize and network with women groups for their overall empowerment
- To organize & promote different centres and services related to women and children, people living with HIV/AIDS etc. for protection and promotion of their rights.
- To promote and establish Demonstration Centre on Appropriate Rural Technologies etc.
- To organise Vocational Training/ Entrepreneurship Development Training and support projects in improved and appropriate technologies for increasing local productivity and sustainable livelihood. To collaborate / network with Non-Government Organisations Government Agencies and Community Based Organisations in genuine development initiatives and activities for good governance, peace and sustainability in the region
- To promote local actions on biodiversity conservation and sustainable natural resource management.
- To promote health of the community through programme on empowerment and services of persons with health related issues.

Short Term Objectives:

- Empowering Women through capacity building and skill development training for ensuring food and livelihood security and self-sustained economy.
- Communitization of Education for ensuring children's right to free, compulsory, quality education Strengthening community's action for promotion and protection of child/human rights and peace education in the community

- Promoting community based intervention for prevention of HIV/AIDS, STI transmission and for empowerment of people living with HIV/AIDS.
- Strengthening community's action on Bio-diversity conservation, natural resource management and sustainable environment.
- Networking and advocacy

2. Sexual policy statement:

PASDO is committed to providing a safe environment for all its staff free from discrimination on any ground and from sexual harassment at work place. We will operate a zero tolerance policy for any form of sexual harassment and treat all incidents seriously and promptly investigate all allegations of sexual harassment. Anyone found sexually harassed another will face disciplinary action, upto and including termination from employment.

All complaints will be taken seriously and treated with respect and in confidence without victimising for making such complaint.

3.What is Sexual Harassment?

Sexual Harassment at Workplace is an unwelcome acts or behaviours (whether directly or by implication) of sexual nature that is persistent or offensive and interfere with employee's job performance or create an intimidating, hostile or offensive work environment.

Sexual harassment includes one or more of the following unwelcome conducts, but are not limited to:

- Physical contact or advances, or
- A demand or request for sexual favours, or
- Making sexually coloured remarks, or
- Showing pornography, or
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

3.1 Types of Sexual Harassment at the Workplace:

Sexual harassment manifests itself in different forms- verbal, non-verbal and physical. The fourth category is called "Quid pro quo". Some examples are:

a. Physical conduct:

- Physical violence
- Rape or attempted rape
- Molestation or attempt to commit this assault/offence
- Physical contact, e.g. unwelcome touching, patting, stroking, grabbing, pinching, hugging, poking, brushing against another employee's body.
- Blocking someone's path with the purpose of making a sexual advance.

b. Verbal conduct:

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, jokes and stories
- Sexual advances (implicit or explicit)
- Repeated unwelcome social invitations
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Telling lies or spreading rumours about a person's personal or sex life.

c. Non-verbal conduct:

- Display of sexually explicit or suggestive material
- Sexually suggestive gestures
- Staring, stalking, whistling, etc.
- Unwanted SMS/e-mail containing sexual comments

d. Quid pro quo:

It occurs when (1) job benefit, including employment, promotion, salary increases, work assignments, performance expectations and other conditions of employment are associated with the provision of sexual favours, usually to an employer, supervisor or agent of the employer who has the authority to make decisions about employment issues; or (2) the rejection of a sexual favour or request of sexual favour results in a tangible employment detriment, a loss of a job benefit of a kind described above.

e. Hostile work environment:

Hostile working environment involves uninvited and unwelcome conducts or behaviour, whether physical, verbal or non-verbal, leading to a work environment that is uncomfortable to an employee. PASDO recognises that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace. Anyone, including staff of PASDO, casual workers, or visitors who sexually harasses another will be reprimanded in accordance with this internal policy. Any sexual harassment is prohibited whether it takes within PASDO premises or outside, including at the social events, business trips, training sessions or conference sponsored by PASDO.

4. Complaint/Action Committee

In order to provide staff with a mechanism to report cases of sexual harassment, the organisation has constituted an internal complaint committee with at least half of the members being Female. It has taken the process of nomination and obtaining consent in appointment of committee members to ensure transparency and fairness in constitution of the committee. The internal complaint committee may be subject to change in membership, depending on situation, from time to time. The committee will be headed by a Chairperson who is independent and an outsider. Further, as also required by law, in order to prevent the possibility of any undue pressure or influence, such Panel/complaints committee also involves one person who is familiar with the issue of sexual harassment.

4.1. The committee is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting an inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the Project Coordinator of the organisation in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting reports in the prescribed format

5. Complaints procedures

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. PASDO recognises that sexual harassment may occur in unequal relationships and that it may not be possible for the victim to inform the alleged harasser. If a victim cannot directly approach an alleged harasser, he/she can approach one of the committee members responsible for receiving complaints of sexual harassment.

When a designated person receives a complaint of sexual harassment, he/she will:

- Immediately record the time, date and facts of the incident(s)

- Ascertain the views of the victim as to what outcome he/she wants
- Ensure that the victim understands the organisation's procedures for dealing with the complaints
- Discuss and agree the next steps; either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- Keep a confidential record of all discussions
- Respect the choice of the victim
- Ensure that the victim knows that they can lodge the complaint outside of the organisation through relevant legal framework

5.1. Informal complaints mechanism

If the victim wishes to deal with the matter informally, the designated person will:

- Give an opportunity to the alleged harasser to respond to the complaint
- Ensure that the alleged harasser understands the complaint mechanism
- Facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer to the designated mediator within the organisation to resolve the matter
- Ensure that a confidential record is kept of what happens
- Follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped
- Ensure that the above is done speedily and within ---- days of the complaint is lodged

5.2. Formal complaints mechanism

If the victim wants to make a formal complaint or if the informal mechanism has not led to satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The designated person who initially received the complaint will refer the matter to the Complaint/Action Committee to instigate a formal investigation. The matter will be dealt with by internal/external investigator.

5.3. The person carrying out the investigation will:

- Interview the victim and the alleged harasser separately
- Interview other relevant third parties separately
- Decide whether or not that incident(s) of sexual harassment took place
- Produce a report detailing the investigations, findings and any recommendations
- If the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e. an apology, a change to working arrangements, a promotion if the victim was demoted as a result of harassment, training for the harasser, discipline, suspension, dismissal)
- Follow up to ensure that the recommendations are implemented, that the conduct has stopped and that the victim is satisfied with the outcome
- If it cannot determine that the harassment took place, he/she may still make recommendations to ensure proper functioning of the workplace
- Keep a record of all action taken
- Ensure that the records concerning the matter are kept confidential
- Ensure that the process is done as quickly as possible and in any event within ____ days of the complaint being made

6. Sanctions and disciplinary measure/Disciplinary consequences:

Anyone who has been found to have sexually harassed another person under the terms of the policy is liable to any of the following sanctions depending on the gravity of offence and extent of the harassment:

- Verbal or written warning
- Adverse performance evaluation
- Demotion
- Suspension
- Dismissal/termination

Certain serious cases, including physical violence, will result in the immediate dismissal from employment.

7. Implementation of this policy:

PASDO will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff handbook. All newly recruit staff must be trained on the content of this policy as part of their induction into the organisation.

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