

# EMPLOYEE HANDBOOK ON ANTI SEXUAL HARASSMENT



Plot No.17, Krishnapuri Colony,  
West Marredpally, Secunderabad - 500 026,  
Andhra Pradesh, INDIA.

## FOREWORD

Our employee handbook is a tool towards the promotion of a cooperative healthy atmosphere at the work place. It intends to define the policies and the modalities for administering those pertaining to sexual harassment.

We are providing this employee handbook as we feel that if you understand basically what is expected of you, and what you may expect from the Society, we would have an organization which better meets the needs of our clients.

Harassment in employment, including sexual, racial, and ethnic harassment, as well as any other harassment forbidden by law, is strictly prohibited by the Society. Employees who violate this policy are subject to discipline, including possible termination.

Employees have given many suggestions earlier and we would continue to welcome suggestions that would aid in maintaining a constructive and harmonious relationship in the work place. Our single most common goal must be to remember our primary mission and work together to meet the needs of our clients.



**Dr. P.V.Ranganadha Rao**  
Chief Executive

## POLICY STATEMENT

LEPRA Society is committed to providing an environment free from sexual harassment.

LEPRA Society believes that you should be afforded the opportunity to work in an environment free of sexual harassment. Sexual harassment is a form of misconduct that undermines the employment relationship. No employee, either male or female, should be subjected verbally or physically to unsolicited and unwelcome sexual overtures or conduct.

Sexual harassment refers to behavior that is not welcome, that is personally offensive, that debilitates morale and, therefore, interferes with work effectiveness. Behavior that amounts to sexual harassment may result in disciplinary action, up to and including dismissal.

Any & all complaints or allegations of sexual harassment will be investigated promptly. Appropriate, corrective action will be implemented based upon the results of the investigation in the event harassment is found to have taken place.

In response to the Supreme Court Guidelines in Visakha Judgment has developed Policy and Procedures designed to prevent sexual harassment, and to deal with any complaints which may arise.

Whereas Sexual Harassment infringes the fundamental right of a woman to gender equality under Article 14 of the Constitution of India and her right to life and live with dignity under Article 21 of the Constitution which includes a right to a safe environment free from sexual harassment.

And whereas the right to protection from sexual harassment and the right to work with dignity are recognized as universal human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which has been ratified by the Government of India.

## DEFINITION OF SEXUAL HARASSMENT

“Sexual Harassment” includes such unwelcome sexually determined behavior as physical contact and advances, sexually coloured remarks, showing pornography and sexual demand, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment, including recruitment or promotion, or when it creates a hostile working environment.

There are usually three kinds of sexual harassment and the following examples are not exhaustive. Sexual harassment can be perpetrated upon members of the opposite gender or one’s own gender.

### Non-Verbal

- Gestures
- Staring / leering
- Invading personal space
- Pin-ups
- Offensive publications
- Offensive letters / memos
- Unsolicited and unwanted gifts

### Verbal

- Language of a suggestive or explicit nature
- Unwanted propositions
- Jokes of a sexual or explicit nature
- Use of “affectionate names”
- Questions or comments of a personal nature

### Physical

- Deliberate body contact
- Indecent exposure
- Groping / fondling / kissing
- Coerced sexual contact

## SEXUAL HARASSMENT IS UNLAWFUL

Every employee shall have a right to be free from Sexual Harassment and the Right to work in an environment free from any form of Sexual Harassment.

No employer or any person who is a part of the management or ownership, a supervisor or a co-employee of the LEPRAs Society shall, sexually harass an employee whether male or female, where he or she is employed; whether the harassment occurs in / at the workplace, or at a place where the said persons have gone in connection with the work or the workplace, or at any place whatsoever

Sexual Harassment will amount to misconduct in employment and the staff service rules / regulations governing employment shall govern such misconduct, in addition to the provisions of this Act;

LEPRAs Society will take all necessary and reasonable steps to prevent and ensure that no staff employed in the LEPRAs Society is subject to sexual harassment by any third party during the course of employment. Where any such Sexual Harassment occurs, the employer shall take all necessary steps to assist the aggrieved man/ woman to redress the act of Sexual harassment.

No employee of LEPRAs Society shall sexually harass an outsider who visits the LEPRAs Society for a legitimate Purpose.

No person shall sexually harass another person in the course of providing or offering to provide goods or services to that other person.

## PREVENTIVE STEPS

Consistent with the existing law under Vishaka, LEPRAs Society shall take all reasonable steps to ensure prevention of sexual harassment at work. Such steps shall include:

- Circulation of LEPRAs policy in English/Hindi/vernacular in regional offices on sexual harassment to all persons employed by or in any way acting in connection with the work and/or functioning of LEPRAs.
- Sexual harassment will be affirmatively discussed at monthly meetings, workshops etc,
- Conduct or cause to carry out in-house training on sexual harassment and addressing complaints to staff as well as members of ICC.
- Guidelines will be prominently displayed to create awareness of the rights of female employees.
- Widely publicize that the Sexual Harassment is a crime & will not be tolerated.

The employer will assist persons affected in cases of sexual harassment by outsiders

Names and contact numbers of members of the internal complaint's committee will be prominently displayed in all the offices/projects.

## IF YOU ARE BEING HARASSED:

- *Tell the harasser his/her behaviour is unwelcome and ask him/her to stop.*
- *Keep a record of incidents (date, time, locations, possible witnesses, what happened, your response). You do not have to have a record of events in order to file a complaint, but a record can strengthen your case & help you remember details over time.*

## REPORTING A COMPLAINT

If an individual believes he or she is the victim of sexual harassment or retaliation, s/he is encouraged to report such complaint immediately. The Chief Executive has designated the **Internal Complaints Committee** to receive all complaints, verbal or written, of harassment on behalf of the organization.

The Internal Complaints Committee constituted will be appointed for a period of three years.

A complaint under this Act may be lodged with ICC at the earliest point of time and in any case within 15 days of occurrence of the alleged incident. The complaint shall contain all the material & relevant details concerning the alleged Sexual Harassment.

If the complainant feels that he or she cannot disclose his/ her identity for any reason, the complainant shall address the complaint to the Head of the Organisation & hand over the same in person or in a sealed cover.

The head of the organisation shall retain the original complaint with him & send to the ICC a gist of the complaint containing all material & relevant details of the complainant.

Within 1 week of receipt of the complaint, the Chairperson shall communicate the same to all the members of ICC.

## ICC MEMBERS

1. **Mrs. Anju Sadanand** - Chairperson  
Finance Manager- Head Office  
Phone: 040 - 2780 2139 - 218  
E -mail: [anju@leprahealthinaction.in](mailto:anju@leprahealthinaction.in)
2. **Dr. Sita Vanka** - External Expert  
Professor - Hyderabad University  
Phone: 9866217076  
E-mail: [sita\\_vanka@yahoo.co.in](mailto:sita_vanka@yahoo.co.in)
3. **Dr. Vijayalakshmi** - Member  
Group Leader IMB - BPHRC  
Phone: 040 - 27261261  
E -mail: [vijayavalluri@leprahealthinaction.in](mailto:vijayavalluri@leprahealthinaction.in)
4. **Dr. Jyothsna Mahapatra** - Member  
Project Manager - Axshaya Orissa  
Phone: 0674 - 2551764  
E -mail: [jyotsna@leprahealthinaction.in](mailto:jyotsna@leprahealthinaction.in)
5. **Mr. Srikanth Tekumalla** - Member  
HR Officer - Regional Office - AP & MP  
Phone: 040 - 27734657 -  
E -mail: [srikanth@leprahealthinaction.in](mailto:srikanth@leprahealthinaction.in)

The Society will take all reasonable steps to prevent harassment from occurring and will take immediate and appropriate action when the Society knows that unlawful harassment has occurred.

If you have been harassed by a co-worker, supervisor, agent, vendor or client, or if you believe that another employee has been harassed, you have a duty to promptly report the facts of the incident or incidents, and names of the individuals involved, to (Option: Chief Executive or Internal Complaints Committee.)

The matter will be immediately and thoroughly investigated, and confidentiality will be maintained to the extent possible. After reviewing the evidence, a determination will be made concerning whether reasonable grounds exist to believe that harassment has occurred. It is the obligation of all employees to cooperate fully in the investigation process. The Society considers any harassing conduct to be a major offense which can result in disciplinary action for the offender, up to and including discharge.

The Society will take action to deter any future harassment. In addition, disciplinary action will be taken against any employee who attempts to discourage or prevent another employee from bringing harassment to the attention of management. The persons involved will be advised of the determination if appropriate.

The Society wants to assure all of its employees that measures will be undertaken to protect those who complain about harassment from any further acts of harassment, coercion or intimidation, and from retaliation due to their reporting an incident or participating in an investigation or proceeding concerning the alleged harassment.

## GUIDELINES FOR ENQUIRY

### **DISPUTE RESOLUTION PRIOR TO ENQUIRY**

The Internal Complaints Committee may if, and only if so requested by the aggrieved person/woman, try to resolve the matter informally by intervening and thereby permitting the parties to resolve the matter mutually before the commencement of the formal enquiry proceedings. The person to carry out the Dispute Resolution Process shall be chosen from the Internal Complaints Committee by the aggrieved person/woman. The Officer shall carry out the Dispute Resolution Process on a Local Complaints Committee.

### **ORAL COMPLAINTS TO BE REDUCED IN WRITING**

It shall be the duty of the ICC before whom an oral complaint is made under this Act to reduce the said complaint in writing and read out the complaint to the complainant in the language requested by the complainant and obtain the signature of the complainant.

### **CONFIDENTIALITY OF COMPLAINTS**

It shall be the duty of all the persons and authorities designated under this Act to ensure that all complaints lodged under this chapter shall be strictly confidential.

The name of the aggrieved person/woman shall not be referred to in any records of proceedings, or any orders or Judgments given under this Act;

The name of neither the aggrieved person/ woman nor her identity shall be revealed by the press / media or any other persons whilst reporting any proceedings, case, order or Judgment under this Act.

### **IMPROPER COMPLAINTS**

This policy shall not be used to bring frivolous or malicious complaints against anyone. Making a knowingly false complaint subjects the complaint to disciplinary or corrective action. However, failure to prove a claim of sexual harassment does not constitute proof of a false and / or malicious accusation.

### **PROHIBITION OF VICTIMISATION**

(1) No person shall be victimized for anything said or done in relation to any complaints or proceeding under this act.

(2) A person victimizes another person if the person subjects the other person or threatens to subject the other person to any detriment in connection with employment or recruitment or promotion because such person

(i) Has brought proceedings under this Act against any person.

(ii) The other person associates with the complainant.

(iii) Has given evidence or information or produced a document, in connection with any proceedings under this Act.

(iv) Has otherwise done anything in accordance with this Act in relation to any person.

(v) Has alleged that any person has contravened a provision of this act

## CONDUCTING OF ENQUIRY

Where no Dispute Resolution process has been requested by the aggrieved woman, or if requested and carried out, has not been successful, the Internal Complaints Committee or the Local Complaints Committee as the case may be, shall within a period of two weeks from the completion of any mediation process held, or if not held, within two weeks of its receipt of the complaint, proceed to conduct a full enquiry into the allegation of sexual harassment, in accordance with the rules and regulations governing misconduct for LEPRAs Society and as per the procedures set out below.

Both the complainant and the alleged harasser will be interviewed, as will any individuals who may be able to provide relevant information. All information will be kept in confidence.

The employer / LEPRAs Society shall hand over to the convenor of the Committee a copy of the charge sheet issued to the defendant and reply/explanation (if any) of the defendant prior to the commencement of the enquiry, and the Committee shall hand over copies of the same to the complainant by hand delivery duly acknowledged or by Regd. A/D post within 3 days of its receipt of the same and prior to the commencement of the enquiry;

The Committee shall give 7 days notice by hand delivery duly acknowledged or by regd A, D Post to the complainant and the defendant to appear for the first date of the enquiry which shall be specified. The notice shall state that the complainant and defendant shall be given an opportunity of producing evidence, examining witnesses etc if any.

At the commencement of the enquiry the committee shall explain to both the complainant and defendant the procedure which will be followed in the enquiry.

The enquiry shall be conducted in Hindi, English or the local language, whichever is requested by the defendant;

The Committee shall see that every reasonable opportunity is extended to the complainant and to the defendant, for putting forward and defending their case.

The venue of the enquiry should be as per the convenience of the complainant.

## ENQUIRY TO BE COMPLETED WITHIN 90 DAYS

Notwithstanding anything contained in any law for the time being in force an enquiry under this chapter shall be completed, including the submission of the Enquiry Report, within a period of 90 days from the date on which the enquiry is commenced. Any delay in completion shall be done for reasons given in writing.

## THIRD PARTY HARASSMENT

Where sexual harassment occurs as a result of an act or omission by any third party or outsider. LEPRAs Society will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.



## WHO SHOULD HELP STOP WORKPLACE HARASSMENT?

- S - The Source of the Behavior  
*-Stop the Harassing Behavior*
- T - The Target of the Behavior  
*-Tell the source to stop and/or report the behavior.*
- O - Any Observer of the Behavior  
*-No such thing as an innocent bystander.*
- P - Any Person in Authority  
*-A Duty Exists.*

## MANAGEMENT OBLIGATIONS

1. Management of LEPRAs shall provide all necessary assistance for the purpose of ensuring full, effective and prompt implementation of this policy. It shall further be bound by the decisions of the ICC and shall implement the same expeditiously.
2. The support to be provided to ICC includes:
  - Secretarial and administrative support for training and other preventive actions.
  - Helping to set up ICC
  - Secretarial support during SH enquiries
  - Adequate financial resources for all activities.
3. LEPRAs are expected to provide adequate protection to ICC members in case of threats and any retaliation. Support & protection must also be provided if matters go to Court.
4. Communicate the policy to all employees.
5. Prevent, stop, and correct harassment.

RECEIPT AND ACKNOWLEDGEMENT

FOR

EMPLOYEE HANDBOOK ON ANTI SEXUAL HARASSMENT

This is to acknowledge that I have received a copy of the Anti Sexual Harassment employee handbook. This handbook sets forth the policies and the modalities for administering those pertaining to sexual harassment. I understand and agree that it is my responsibility to read and familiarize myself with all of the provisions of the handbook.

I understand that the provisions of this handbook, the Society reserves the right to amend, modify, rescind, delete, supplement or add to the provisions of this handbook as it deems appropriate from time to time in its sole and absolute discretion. The Society will attempt to provide you notification of any other changes as they occur.

I am committed to abide by the policy and to act in a Professional manner that will respect the dignity of our colleagues, seniors, subordinates & visitors.

Date:< \_\_\_\_\_ >

Signed:< \_\_\_\_\_ >  
(Employee/ Third Party)

Signed:< \_\_\_\_\_ >  
(Employer)