



**St Jude India** ChildCare Centres

# Anti Sexual Harassment Policy

**Guidelines for successfully running St. Jude  
India ChildCare Centres**

Victoria House, Pandurang Budhkar Marg, Lower Parel, Mumbai- **400013**,  
Telephone: **23515174 /23515175**, Email: [contact@stjudechild.org](mailto:contact@stjudechild.org)  
Website: [www.stjudechild.org](http://www.stjudechild.org)

---

## Table of Contents

|      |  |                                     |
|------|--|-------------------------------------|
| 1.   | POLICY STATEMENT .....                                 | 3                                   |
| 2.   | ACRONYMS .....   | 3                                   |
| 3.   | APPLICABILITY .....                                    | 3                                   |
| 4.   | SCOPE .....  | 3                                   |
| 5.   | DEFINITIONS .....                                      | 3                                   |
| 6.   | PREVENTION ACTION .....                                | 4                                   |
| 7.   | REDRESSAL COMMITTEE .....                              | 4                                   |
| 8.   | PROCEDURE FOR DEALING WITH COMPLAINTS .....            | 5                                   |
| 8.1  | FILING OF A COMPLAINT .....                            | 5                                   |
| 8.2  | PROCESS OF ENQUIRY .....                               | 5                                   |
| 8.3  | DECISION AND ACTION .....                              | 6                                   |
| 9.   | SEXUAL HARRASMENT AND CLIENT/PARTNERS .....            | 6                                   |
| 10.  | POLICY IMPLEMENTATION AND REVIEW .....                 | 6                                   |
| 11.  | DOCUMENT HISTORY .....                                 | <b>ERROR! BOOKMARK NOT DEFINED.</b> |
| 12.  | ANNEXURES .....  | 7                                   |
| 12.1 | ANNEXURE I – RESPONSIBILITY OF EMPLOYEES .....         | 7                                   |
| 12.2 | ANNEXURE II – GUIDELINES FOR REDRESSAL COMMITTEE ..... | 8                                   |

## 1. POLICY STATEMENT

As an Organization, we are committed to conducting and governing ourselves with ethics, transparency and accountability and to this, we have developed governance structures, practices and procedures that ensure that ethical conduct at all levels is promoted across our value chain. It is thus in acknowledgement of and consonance with these values, that we are dedicated to ensuring that the work environment at all our locations is conducive to fair, safe and harmonious relations, based on mutual trust and respect, between all the employees of SJICC. We also strive to guarantee a safe and welcoming environment to all those who visit any of our locations in any capacity, such as customers, vendors etc. Discrimination and harassment of any type is strictly prohibited. We wish to promote and maintain this culture to ensure that employees of SJICC do not engage in practices that are abusive in any form or manner whatsoever.

SJICC aims to provide a safe working environment and prohibits any form of sexual harassment. Hence any act of sexual harassment or related retaliation against or by any employee is unacceptable. This policy therefore, intends to prohibit such occurrences and also details procedures to follow when an employee believes that a violation of the policy has occurred within the ambit of all applicable regulations regarding Sexual Harassment.

Making a false complaint of sexual harassment or providing false information regarding a complaint will also be treated as a violation of policy.

All employees are to be aware of the Anti-Sexual Harassment Policy in place and strictly adhere to it.

SJICC will promptly investigate all complaints and take appropriate action, up to and including termination of employment

## 2. ACRONYMS

| Term/ Acronym | Explanation                    |
|---------------|--------------------------------|
| TM            | Team Member                    |
| CEO           | Chief Executive Officer        |
| COO           | Chief Operations Officer       |
| HRC           | Harassment Redressal Committee |

## 3. APPLICABILITY

This policy will extend to all employees of SJICC including those employed on contractual basis, regular volunteers.

## 4. SCOPE

The scope of the Policy is restricted to the following for all employees:

- i. Business locations of SJICC
- ii. Any external location visited by employees due to or during the course of their employment with SJICC any mode of transport provided by SJICC (or a representative of SJICC) for undertaking a journey to and from the aforementioned locations

## 5. DEFINITIONS

"Sexual harassment" includes any unwelcome sexually determined behavior (direct or implied) such as physical contact and advances, unwelcome communications or invitations, demand or request for

---

sexual favors, sexually cultured remarks, showing pornography, creating a hostile work environment and any other unwelcome “sexually determined behavior” (physical, verbal or non-verbal conduct) of a sexual nature.

“Sexual Harassment” would also mean:

- i. Sexual harassment, which means something in return or an exchange of one thing for another.
  - In the workplace, sexual harassment takes place if sexual favors are asked in exchange for any kind of special treatment on the job. Threatening an employee if he/she does not consent to such sexual advances or favors also amounts to sexual harassment. The act of ‘asking’ may either be verbal or implied and the ‘sexual conduct’ may be verbal or physical. But, in either case, it must be unwelcome
  - For e.g.: Direct or implied requests or offers by any employee for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.
- ii. Hostile work environment includes
  - Hostile environment sexual harassment occurs when either speech or conduct of a sexual nature takes place, and is seen or perceived as offensive and interferes with the work performance of the recipient, or any one or more employees
  - Hostile environment sexual harassment may also include intimidating or harassing conduct that is directed at an individual, or a group of individuals
  - It will also mean related retaliation which includes marginalizing someone in the workplace with regard to his / her roles and responsibilities, socially ostracizing, intimidating someone physically, psychologically, and emotionally or someone close to or related to the victim

This is only an indicative list of the possible acts which could be treated as sexual harassment and is in no way intended to be construed as an exhaustive list.

## **6. PREVENTIVE ACTION**

SJICC will take reasonable steps to ensure prevention of sexual harassment at work which will include staff training of the Anti-Sexual Harassment Policy and sensitivity training for its implementation. All new staff and existing employees of the organization are required to undertake the certification on the Anti-Sexual Harassment Policy at regular intervals.

## **7. REDRESSAL COMMITTEE**

SJICC will have a centralized redressal committee with a representation across all locations, to specifically address any complaints of sexual harassment. The Committee will be nominated by the CEO and comprises CEO and COO as well as two TMs and representative of HR would also be involved.

The committee members will be provided necessary training inputs to handle such issues effectively and with the required sensitivity and concern.

## 8. PROCEDURE FOR DEALING WITH COMPLAINTS

### 8.1 FILING OF A COMPLAINT

If any employee believes that (s)/he has been subjected to sexual harassment, such person may file a verbal or written complaint with any member of the committee, or the Committee member on receiving a complaint will intimate the committee head. The committee head would arrange for a meeting within one week of receipt of the complaint for discussing the complaint raised.

Complaints must be brought within 48 hours for a verbal complaint and 10 working days for a written complaint.

#### Time Frame for Reporting

Complaints brought after that time period will not be pursued absent extraordinary circumstances. It is mandatory to provide a written complaint.

Complaints made anonymously or by a third party must also be investigated to the extent possible.

Where the aggrieved employee is unable to make a complaint on account of her/his physical or mental incapacity or death or otherwise, her/his legal heir or such other person as may be prescribed may make a complaint within 1 month of the incident.

If the complaint does not rise to the level of sexual harassment, the Committee may determine to dismiss the complaint without further investigation after consultation with Legal Team.

### 8.2 PROCESS OF ENQUIRY

- The Committee will ask the complainant to prepare a detailed statement of incidents/allegations. The statement of allegations will be shared with the accused.
- The accused will be asked to prepare a response to the statement of allegations and submit to the Committee within the given time.
- The statements and other evidence obtained in the inquiry process will be considered confidential.
- The Committee will organize verbal hearings with the complainant and the accused.
- The Committee will take testimonies of other relevant persons and review the evidence wherever necessary. The committee should ensure that sufficient care is taken to avoid any retaliation against the witnesses.
- During the inquiry process, the complainant and the accused would be expected to refrain from any form of threat, intimidation or influencing of witnesses.
- The committee will conduct inquiry in accordance with the practices of natural justice, i.e. the Complainant will be offered to the accused for cross-examination and vice versa.
- The Committee will arrive at a decision after carefully and fairly reviewing the circumstances, evidence and relevant statements.
- The Committee will ensure confidentiality during the inquiry process and will ensure that in the course of investigating a complaint:
  - (i) Both parties will be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents;
  - (ii) Upon completion of the investigation, both parties will be informed of the results of the investigation.
- The committee will be empowered to do all things necessary to ensure a fair hearing of the complaint including all things necessary to ensure that victims or witnesses are neither victimized nor discriminated against while dealing with a complaint of sexual harassment. In this regard the committee will also have the discretion to make appropriate interim recommendations in relation to an accused person (pending the outcome of a complaint) including suspension, transfer, leave, change of work location etc.

- 
- The investigation into a complaint will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.
  - The committee will investigate and prepare an enquiry report with recommendations within 1 Month.

### **8.3 DECISION AND ACTION**

Once the investigation is completed, a determination will be made regarding the validity of the harassment allegations. If it is determined that harassment has occurred; prompt, remedial action will be taken. The Committee will share the investigation details and the findings thereof with the CEO and the Redressal Committee. Once they agree on the applicable disciplinary action. The disciplinary action will be carried out by the concerned HR department. Such disciplinary action may even include transfer, demotion or termination. All related documents will be maintained in the employee's folder, ensuring confidentiality.

This anti-sexual harassment policy shall not, however, be used to raise malicious complaints. If a complaint has been made in bad faith, as demonstrated by clear and convincing evidence, disciplinary action which may include demotion, suspension or termination will be taken against the person raising the complaint.

### **9. SEXUAL HARRASMENT AND CLIENT/PARTNERS**

SJICC encourages its clients/partners to have a commitment to a sexual harassment free working atmosphere within their Companies. SJICC may play a facilitating role in redressal of complaints of sexual harassment in such circumstances.

### **10. POLICY IMPLEMENTATION AND REVIEW**

The policy will be implemented and reviewed by the HR department. SJICC reserves the right to amend, and modify, this policy or any part of it at any time.

## 11. ANNEXURES

### 12.1 ANNEXURE I – RESPONSIBILITY OF EMPLOYEES

The below is only an indicative list of basic Do's and Don'ts and is in no way intended to be construed as an exhaustive list.

#### Do's

- Know SJICCC Anti-Sexual Harassment Policy
- Be aware of inappropriate behaviours and avoid the same.
- Say "NO" if asked to go to places, do things or participate in situations that make you uncomfortable.
- Trust your instincts. Walk away from uncomfortable situations.
- Say "NO" to offensive behaviour as soon as it occurs.
- Refrain from taking discriminatory actions or decisions which are contrary to the spirit of this policy.
- Maintain confidentiality regarding any aspect of an inquiry to which they may be party to.

#### Don'ts

##### **Verbal harassment:**

- Sexually suggestive comments or comments on physical attributes.
- Offensive language that insults or demeans a colleague, using terms of endearment.
- Singing or humming vulgar songs.
- Requests for sexual favours, sexual advances, coerced acts of a sexual nature.
- Requests for dates or repeated pressure for social contact.
- Discussing sexual activities, sexual prowess or intruding on the privacy of an employees.
- Sexually coloured propositions, insults or threats.
- 

##### **Nonverbal harassment:**

- Offensive gestures, staring, leering or whistling with the intention to discomfort another.
- Even if not directly done to a particular individual, uttering a word, making a gesture or exhibiting any object with the intention that such word, gesture, or object be heard or seen by employees.
- Sounds, gestures, display of offensive books, pictures, cartoons, magazines, calendars or derogatory written materials at one's workplace.
- Showing or mailing pornographic posters, Internet sites, cartoons, drawings.
- Suggestive letters, phone calls, SMS, electronic instant messaging or e-mail messages.

##### **Physical harassment:**

- Physical contact or advances.
- Intentional touching of the body, e.g. Hugs, kisses, brushing, fondling, pinching etc that make others uncomfortable.
- Any displays of affection that make others uncomfortable or are inappropriate at the workplace.

---

## 12.2 ANNEXURE II – GUIDELINES FOR REDRESSAL COMMITTEE

### **Role of the Committee:**

- Review the complainant's complaint in a fair and objective manner
- Help the complainant and the accused find a way of solving the problem
- Determine the facts of the case with the individuals concerned and the witnesses, if any, and prepare a report with the findings
- Be bound in the principle of natural justice and be unbiased in their evaluation

### **Conciliation:**

- The Committee before initiating an inquiry, at the request of the complainant should take steps to settle the matter between the complainant and the accused through conciliation provided that no monetary settlement shall be made as a basis of conciliation
- Where a settlement has been arrived the Committee shall record the settlement so arrived and forward the same to the HR..
- The Committee shall provide the copies of the settlement as recorded to the complainant and the accused.
- Where a settlement is arrived no further inquiry shall be conducted by the Committee.

### **General Instructions:**

- Any information relating to conciliation and inquiry proceedings, recommendations of the Committee and the action taken shall not be published, communicated or made known to the public, press /media in any manner.
- Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken, contravenes, he/she shall be liable for action as per SJICC's disciplinary policy

**Committee Members:** The committee members will be listed on SJICC intranet

### EMPLOYEE ATTESTATION

Name \_\_\_\_\_ /Signature \_\_\_\_\_

Designation \_\_\_\_\_

Person Reviewing \_\_\_\_\_ /Signature \_\_\_\_\_

Date \_\_\_\_\_

Site Location. \_\_\_\_\_.