



Humara Bachpan Trust
Sexual Harassment Policy

Sexual Harassment is prohibited in Humara Bachpan Trust (HBT)

HBT is a not-for profit organization. It is led by children young and adolescent boys, girls and women. It is a constant endeavor of HBT to promote a working environment in which persons of both sexes work to complement each other as equals. At HBT, Sexual Harassment is prohibited, and all persons to whom this policy applies have an obligation to refrain from indulging in any activity that leads to or creates circumstances of Sexual Harassment. HBT ensures its workplace practices and conduct must be safe and conducive for all its employees and people associated with HBT.

HBT takes step to create awareness through various internal communication channels such as posters, notices, and training/awareness sessions to prevent incidents and keep associates informed on redressal procedures.

If a complaint of Sexual Harassment is raised, it will be addressed giving due regard to sensitivity, confidentiality, privacy and reputation of the involved individuals and by following due process according to the principles of natural justice.

HBT will take serious view of, and may impose disciplinary action on any Retaliation/Victimisation of the Aggrieved Person/Complainant by the alleged harasser or by anyone else in the organization

The purpose of this policy is to carry out duties as an employer by:

- Prohibiting Sexual Harassment
- Preventing Sexual Harassment, by taking practical and reasonable steps.
- Addressing issues relating to Sexual Harassment, promptly, confidentially, sensitively, by following due process and principles of natural justice.

- Providing mechanisms for counselling, and necessary or required support services for victims of Sexual Harassment.

Dos:

- Take sexual harassment seriously! This sets the tone for rolling out a zero tolerance policy and creating a positive work environment. And this better flow from the top.
- Deal with complaints, investigate complaints in a fair manner and recommend disciplinary action accordingly.
- Provide periodic awareness sessions for employee sensitization, besides training the ICC members.
- Treat all matters of Sexual Harassment with utmost confidentiality respecting the privacy of the concerned parties.
- Assist the complainant if she decides to file a criminal complaint against the accused.
- Be proactive

Don't:

- Do not ignore complaints of employees.
- Trivialise/ignore/hush up the complaint. It's the complainant's prerogative to draw the line at what she perceives as welcome or unwelcome conduct!
- Do not make assumptions
- Take the complaint seriously and respond quickly
- Retaliate or threaten the complainant with adverse consequences.
- Sack the accused right away Or sack the complainant.

Applicability:

This policy is applicable to the following, during all activities conducted in the workplace or all work related activities elsewhere:

- All category of Employees, Business Associates, Contract Consultants (Retainers) and Academic Interns of HBT, globally.
- All suppliers and clients of HBT.
- All third parties associated with HBT.
- All program participants of HBT.

Note:

Sexual Harassment: Any one or more of unwelcome sexually determined acts or behavior (whether directly or by implication) is Sexual Harassment.

Employee: Employee means a person employed with HBT for any work on permanent, temporary, part time, ad hoc or daily wage basis, either directly or through an agent, including a contractor, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice, consultant, retainer or called by any other such name.

Aggrieved Person: In relation to a workplace, is a person, of any age, whether an Employee or not, who alleges to have been subjected to any act of Sexual Harassment.

Complainant: Is any Aggrieved Person (if the Aggrieved Person is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise) who makes a complaint alleging Sexual Harassment under this Policy.

Respondent: Means the person against whom a complaint of Sexual Harassment is made under this Policy.

Workplace: For the purpose of sexual harassment, exploitation and abuse, workplace is not limited to workplace, office or premise but wherein HBT staff visits for work or is related to work, this could be field, program participants home, and office located at communities, villages, districts or wards. This also means that even if the harassment takes place outside working hours and outside the premises of the organization, it is considered to be sexual harassment at the workplace.

Circumstances of Sexual Harassment:

Sexual Harassment can occur in a variety of circumstances, including but not limited to the following:

- The Aggrieved Person as well as the Respondent may be a Child (Girl/Boy), woman or a man.
- The Aggrieved Person or the Respondent does not have to be of the opposite sex.
- The Respondent can be the Aggrieved Person's Supervisor, an agent/contractor/training partner or customer of HBT, a Supervisor in another project/department or any Associate of HBT.
- The Aggrieved Person does not have to be person harassed but could be anyone affected by the offensive conduct.
- It may occur without economic injury to the Aggrieved Person.
- It may occur at the work place or any other place where the Aggrieved Person is engaged in work related activities for HBT.
- It may occur at any place where the Aggrieved Person interacts with another person with whom the Aggrieved Person has a work place relationship. Examples: communities, rented work areas. training centers, hotels, guest house, transit quarters, holiday homes, picnics, trekking expeditions, work related travel, or travel to/from work if transport is company provided.
- It may occur with the Aggrieved Person deputed to client sites.
- It may occur by way of an act or omission by a third party or outsider while the Aggrieved Person was at work or doing work related activity for and on behalf of HBT.

What construes as Sexual Harassment:

Sexual harassment means any unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, physical, written or visual, by any person to another individual within the scope of HBT. The definition includes sexual harassment that is directed at members of the same or opposite sex and includes harassment based on sexual orientation. In reality, sexual harassment is neither normal acceptable behavior, nor indicative of the disreputable character of the victim. It constitutes any :

- (a) Unwanted behavior of a sexual nature. Sexual Harassment can take many forms and can occur in any circumstance. Sexual harassment can occur between any one or more individuals, employee or beneficiary, regardless of their work relationship. Examples of harassment include but are not limited to: Physical contact and advances either physical or non –physical A demand on request for sexual favors.
- (b) Verbal conduct such as threats, derogatory or offensive remarks, name calling, innuendos (a remark or remarks that suggest something sexual or something unpleasant but do not refer to it directly), slurs, jokes or degrading words used to describe an individual or individual characteristic in general, or any other demeaning or inappropriate comments.
- (c) Visual conduct such as leering, gesturing, displaying or distributing offensive objects or pictures, cartoons, graffiti, posters, or magazines.
- (d) Offensive remarks in writing (letters, memos, emails, etc.) Threats or insinuations that could affect a program participant’s entitlement to assistance Abuse of authority (Quid Pro Quo)- demand by a person of authority, for sexual favors in exchange for work related benefits.
- (e) Creating hostile working environment Any other unwelcome “sexually determined behavior” be it physical, verbal or nonverbal conduct of sexual nature Gossip and slandering of reputation

Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- The use of job-related threats or rewards to solicit sexual favors

Verbal conduct

- Comments on a worker’s appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances or a demand or request for sexual favors
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker or Sexually coloured remarks
- Condescending or paternalistic remarks

Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering (look or gaze in a lascivious or unpleasant way)
- Sending sexually explicit messages (by phone or by email)

Redressal System:

HBT has a committee to redress complaints on Sexual Harassment called “POSH Committee”(POSHC). This committee will serve to prevent and respond to complaints as an internal complaints committee. The POSHC is the point of contact for any complaints of

Sexual Harassment from the associates of any location of HBT. An Aggrieved Person or a Complainant can directly approach the Presiding Officer of the POSHC to discuss concerns/complaints of Sexual Harassment or if not comfortable to talk about the situation at the initial stage can make a formal written complaint by email sent to: posh@humarabachpan.org

Note: In India, POSHC is deemed to be Inquiry Authorities and will be deemed to have the same powers as vested in a civil court. Wherever any provision or clause within this policy conflicts with the local country laws and/or HBT' locally established practice, the local country law and HBT' locally established practice will supersede based on country specific requirements.

List of ICC Members:

Sl. No	Name	Designation	Contact Number	Email ID	Project
1	Arpita Pattnaik	Executive Director	7008918484	arpita@humarabachpan.org	HBT
2	Arpita Mohanty	Head Human Resource	8118031802	arpita_mohanty@humarabachpan.org	HBT
3	Reena Rani Behera	Program Director	8763774348	reenarani@humarabachpan.org	HBT
4	Basant Patnaik	Finance	7381096901	basant@humarabachpan.org	HBT
5	Dharitri Patnaik	Mentor, Founder HBT	9583010940	dharitri@humarabachpan.org	HBT
6	Bibhasini Rath	Academician	7978503150	bibhasinirath18@gmail.com	External

Responsibilities of the POSHC:

- Take preventive action to arrest development of systemic hostile or offensive work environments.
- Enquire into complaints of Sexual Harassment, promptly and thoroughly, and make adequate recommendations to correct the situation, and effectively deal with the Respondent
- Take immediate and appropriate corrective action to end or prevent any further harassment and provide interim relief to the Aggrieved Person (transfer if sought by the Aggrieved Person, restraining Respondent from making employment/appraisal decisions applicable to the Aggrieved Person) along with other recovery measures (counselling, restoration of lost employment/benefits, and other necessary support.) Once a sexual harassment allegation is received through official reporting channels, the organization will

refer the complainant if she/he requires health, safety and psychosocial support. Only with the informed consent of the complainant /survivor, psychosocial interventions will be conducted/provided if required. Complainant of Sexual Harassment should be referred to specialized personnel/agencies or Child Protection actors (in case the survivor/complainant is a child) for provision of assistance. If the Respondent is found guilty after following the inquiry process then recommend appropriate disciplinary action ranging from appropriate action to reprimand to discharge where necessary. Generally, the corrective action/remedial measure must be commensurate with the severity and persistence of the misconduct

- Make follow-up inquiries to ensure the harassment has not resumed or the Complainant/Aggrieved Person is not being victimised.
- Ensure complete confidentiality of the process. Any violation of this by way of any direct or indirect sharing of such information with persons not directly related to the complaint without good reason can result in disciplinary action against the concerned committee member.

Declaration:

As an employee/volunteer/training partner/Partner/Vendor of Humara Bachpan Trust I have read, understood and agree to abide by HBT's Sexual Harassment Policy and Procedure.

I also confirm that I have no Sexual Harassment Case pending against me , nor have I been previously convicted of any offence involving inappropriate conduct.

Signature:

Date: