

## **ORF Committee against Sexual Harassment (CASH) Policy at Workplace**

### **Objective:**

ORF is committed to providing a safe and secure workplace in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013". This policy is to ensure that the workplace promotes professional growth of its employees as well as provide for equal opportunity and dignity. ORF will not tolerate any form of sexual harassment and is committed to prevention and redressal of sexual harassment and related complaints. This policy is also developed with a view to encourage a sense of personal responsibility and accountability.

### **Scope:**

This policy is meant to inform the behaviour among all employees at ORF but at present, its form of remit is to provide protection against sexual harassment of women at workplace (thus preventing the gross infringement of the fundamental rights of a woman under Article 19 (1) (g) of the Constitution of India). The policy applies to all employees (full-time, part time, visiting and contractual) of ORF.

### **Definition:**

**Sexual Harassment** refers to:

- Any unwelcome, directly or by implication, sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature.
- Includes behaviours like unwelcome sexual advances, requests for sexual favours, direct or indirect threats or bribes for sexual activity, sexual innuendos and comments and flirting, sexually suggestive jokes, unwelcome touching or brushing against a person, pervasive displays of materials with sexually illicit or graphic content, persistent watching, following, contacting, and attempted or completed sexual assault.
- Any such behaviour along with implied or explicit reference to, treatment in employment and employment status, also constitute sexual harassment.
- Any sexual behaviour that leads to the creation of a hostile work environment also constitutes sexual harassment.

**Workplace** refers to:

- All ORF premises
- All ORF-related events, functions and activities outside ORF premises. This includes also work-related trips involving ORF delegations. As per the Indian law, the workplace extends to transportation provided by the employer. Workplace also includes gatherings that are more social in nature where the conduct or comments can adversely affect the workplace environment.

### **Roles and Responsibilities:**

- The ORF policy encourages all employees to be cognisant of their own behaviour in addition to calling out on unwanted behaviour seen around. All employees of the Company 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.
- Members, especially in senior positions must ensure equal and professional treatment of all. This is meant to discourage a hostile workplace environment.
- The Internal Complaints Committee (ICC) will ensure neutral, impartial and time-bound resolution of any complaint that is formally lodged. The ICC will also make every effort with the management to ensure that complainant, defendant and witnesses are not penalised or victimised in any manner, post-resolution.

### **Complaints Committee:**

The ORF has established an Internal Complaints Committee (ICC) as per “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” for time-bound redressal of the complaint made by the victim. Initially, and till further notice, the Complaints Committee will comprise of the following four members:

- I. Dr Shoba Suri (Chair)
- II. Dr Vivek Mishra
- III. Gopalika Verma
- IV. Pulkit Mohan
- V. Shweta Bharti (External Member)

The ICC is open to mediating any instance involving sexual harassment through an informal process as well as through a formal written complaint. The ICC maintains absolute confidentiality, neutrality and impartiality in dealing with cases.

### **Complaint Mechanism - Procedures:**

#### **Informal:**

If a complainant(s) wishes to resolve an incident informally through verbal channels, she can request the ICC to mediate the process.

#### **Formal:**

If a complainant(s) wishes to pursue a formal process through a written complaint:

- The complainant must lodge a written complaint of an incident with the ICC (within 90 days of the incident) which includes a detailed account of the incident. Any corroborating evidence including photos, videos, audios, text messages along with a list of eye witnesses must be submitted alongside.
- The ICC will inform the defendant of the formal complaint, and will share the complaint with the defendant.
- The defendant is given a maximum of two weeks to respond with a written reply. The response must also include any substantiating evidence including photos, videos, audios, text messages along with a list of eye witnesses must be submitted.
- During the process, if the parties involved wishes to find a resolution to the incident in a mutually satisfactory manner, the ICC will facilitate such a process.

- If the formal process is to continue without finding a mutually acceptable solution, the next step will involve the examination of the two accounts including all the evidences submitted. This step will include cross-examination of witnesses, if they have been provided.
- The ICC will complete the investigation in 90 days and subsequently (within ten days) submit a list of recommendations for the ORF management to implement within 60 days. In the event of no actionable evidence, the ICC will submit a report with no action to be taken.
- The ORF management will jointly take decision on the corrective action based on the recommendations of the ICC and keep the complainant informed of the same. Corrective action may include any of the following:
  - Formal apology
  - Counselling
  - Written warning to the perpetrator and a copy of it maintained in the employee's file.
  - Change of work assignment / transfer for either the perpetrator or the victim.
  - Suspension or termination of services of the employee found guilty of the offence.
  - 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:**

ORF 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. 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 ORF except where disclosure is required under disciplinary or other remedial processes.

**Protection to Complainant / Victim:**

ORF is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. ORF 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.

**Conclusion:**

In conclusion, ORF reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.