



POLICY ON PREVENTION OF SEXUAL HARASSMENT, EXPLOITATION, AND ABUSE AT WORKPLACE – ANTARANG FOUNDATION

Introduction:

Protection against Sexual Harassment, Sexual Exploitation, and Sexual Abuse (as defined herein) and the right to work with dignity are universally recognized human rights. Anti-sexual harassment laws in India, formulated to provide a safe and inclusive workplace for everyone, especially women, are embodied in the Sexual Harassment of Women at Workplace (Prevention, Prohibition And Redressal) Act, 2013 (the “**Act**”) and the accompanying Rules, 2013 (“**Rules**”). These regulations guide employers in establishing a safe workplace and provide individuals with means to seek redressal against Sexual Harassment, Sexual Exploitation, and Sexual Abuse at the workplace. The Organisation supports each individual’s right to work in a professional and enabling environment that is free of Sexual Harassment, Sexual Exploitation, and Sexual Abuse of all kinds, irrespective of gender or age.

Objective:

Antarang Foundation (“**Organization**”) is committed to providing a positive work environment, free from harassment of any kind, and in particular, a work environment that does not tolerate Sexual Harassment, Sexual Exploitation, or Sexual Abuse. We respect the dignity of everyone involved in our Workplace and require all relevant persons, irrespective of their gender or age, including members of the management, part-time and ad-hoc employees, volunteers, mentors, consultants, interns, job applicants, guests, and students at the Workplace (as defined herein) or at off-sites or exposure visits including clients, partners, or any other business associates (“**Relevant Person**”) associated with this Organization, to uphold the Organisation’s zero-tolerance policy. This includes maintaining mutual respect and a positive approach towards one another.

The Organisation supports each individual’s right to work in a professional and enabling environment that is free of Sexual Harassment, Sexual Exploitation, and Sexual Abuse of all kinds, irrespective of gender or age. Further, such conduct at the Workplace is illegal, and any person guilty of engaging in such behavior is treated with severe consequences by the Organisation. No action taken pursuant to this Policy shall be construed as a waiver of any statutory and common law rights of the Organization and the employees, and it shall be open to both parties to exercise any of their legal rights under applicable law.

Scope:

- a. This Policy applies to all the Employees of the Organization.
- b. The Policy is applicable to all visitors, vendors, supplies, contractors and their representatives associated with the Organization and visiting any Workplace for Antarang Foundation's activities

Workplace includes the following:

- a. IMPACT FOUNDATION (INDIA), F1, 1st Floor, Opposite G5A, Laxmi Woollen Mills Estate, Shakti Mills Lane, Off Dr. E. Moses Road, Jacob Circle, Mahalaxmi (West), Mumbai, Maharashtra 400011
- b. Flat No. 56/C, First Floor Kurla Kamgar Co-operative Housing Society, Kamgar Nagar, Kurla East, Mumbai - 400024
- c. Office No. A4, 3rd Floor, Survey No. 14/9, Village Balewadi, Pune - 411 045
- d. 1st Floor, 27/2152, Tuljai Niwas Behind Galib Nagar, Shahunagar, Osmanabad, Maharashtra - 413 501
- e. Prabhu Residency, H.No D 5, Opposite Socorro Panchayat, Porvorim, Bardez, Goa - 403 521.
- f. 22, Baba Ramdev Colony, Beknipuliya University Road, Udaipur, Rajasthan - 313 001.
- g. Any other place visited by the Relevant Person arising out of or during the course of employment, including:
 - i. Transportation provided by the Organization for undertaking such journey
 - ii. Offices of the clients, partners, or associates
 - iii. Cafeterias, restaurants, or other such places
 - iv. Off-site meetings

Policy statement:

- a. All employees will maintain high standards of dignity, respect, and positive regard for one another and with all those to whom this policy is applicable, in all their dealings.
- b. All employees will understand and appreciate the rights of individuals to be treated with dignity.
- c. All employees are required to maintain a work environment free from any kind of harassment, exploitation, or abuse.
- d. Employees will refrain from committing any acts of sexual harassment, exploitation, or abuse at the workplace.
- e. Allegations of such misconduct will be dealt with seriously, expeditiously, sensitively, and with confidentiality.
- f. Employees will be protected against victimization and retaliation for filing or reporting a complaint on sexual harassment, exploitation, or abuse, and will also be protected from false accusations.

By adhering to this Policy, Antarang Foundation ensures a safe, respectful, and inclusive workplace for all individuals, regardless of gender or age, demonstrating a firm commitment to upholding human rights and professional integrity.

What is Sexual Harassment?

- a. Sexual Harassment is a conduct or attention of a sexual nature which is unwelcome, unsolicited and unreciprocated. It is dependent on the facts and circumstances of the case and would include any unwelcome sexually determined behaviour, whether it is direct or by implication, such as including as defined under the Act:
- Physical contact and 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 sexual nature.
- b. Sexual Harassment is an unwanted conduct of a sexual nature. The unwanted nature of Sexual Harassment distinguishes it from behaviour that is welcome and mutual.
- c. Verbal forms of Sexual Harassment include unwelcome (a) innuendoes, (b) suggestions and hints, sexual advances, comments with sexual overtones, (c) objectionable sex-related jokes or insults, (d) unwelcome graphic comments about a person's body made in their presence or directed towards them, (e) verbal abuse or unwelcome comments that put down people because of their gender, (f) discussion of one's partner's sexual inadequacies, (g) repeated unwanted proposals for dates and / or sexual intercourse, (h) soliciting / demanding sexual services, (i) continuous idle chatter of a sexual nature and graphic sexual descriptions, (j) telephone calls of a sexual nature, (k) subtle or overt pressure for sexual favours, (l) intrusive questions about sexual activity, (m) derogatory comments or slurs, verbal abuse or threats, suggestive or insulting sounds such, wolf-calls, or kissing sounds.
- d. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature or inappropriate inquiries, and unwelcome whistling directed at a person or group of persons.
- e. Non-verbal forms of Sexual Harassment include (a) unwelcome gestures, (b) indecent exposure, (c) the unwelcome display of sexually explicit pictures and objects in any media, any material whether written or audio-visual or otherwise that is sexist / sexual in nature and is displayed, in the Workplace or put in someone's workspace or belongings, or on a computer or fax machine or on the internet or any other public display system or public place in the Workplace, (d) transmission or display of sexist / insulting / pornographic letters / email, screen savers, graffiti or images, (e) persistent unwanted attention or following or stalking behaviour, (f) inappropriate gifts (for example, lingerie), (g) sexual gestures such as provocatively licking lips or teeth holding or eating food, (h) sexual looks, such as leering and ogling with suggestive overtones, (i) cornering, impeding or blocking movement, or any physical interference with normal work or movement, (j) brushing sexual parts of the body, (k) physical contact such as touching, hugging, slapping, patting, pinching, stroking, or

brushing up against the body, mauling, attempted or actual kissing or fondling, or (l) sexual assault.

f. The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour identified above, may amount to Sexual Harassment:

- i. Implied or explicit promise of preferential treatment in employment; or
- ii. Implied or explicit threat of detrimental treatment in employment; or
- iii. Implied or explicit threat about present or future employment status; or
- iv. Interference with work or creation of an intimidating or offensive work environment; or
- v. Humiliating treatment likely to affect health, safety or self-esteem.

All Relevant Persons are expected to respect the sensitivities of others, especially where there may be variations in the interpretation of acceptable behaviour, and, accordingly, cultural differences may not be used as an excuse or justification for Sexual Harassment. Certain forms of behaviour may be considered by an individual as offensive or constituting Sexual Harassment owing to the social and cultural background of such individual. Therefore, it is possible for certain conduct to be thought of as innocent by some and offensive by others.

Virtual Sexual Harassment

Antrang has moved to a Hybrid workspace model be it staying in touch via smartphones or web callings, etc. With this change in the work environment, it is essential that the employees and managers carry the professional code under POSH during all such virtual interactions as well. Few of the guidelines on the virtual interaction are as below:- .

Do's :

1. Proper Attire- Employees attending video conferences must be dressed appropriately. Clothing such as vests, undergarments, T-Shirts with suggestive phrases, etc. to be avoided.
2. Content of Conversation - Keep the conversation specific to work areas, projects, deliverables.

Don'ts:

1. Background of the video call should be suitable. No poster with provocative content or any other inappropriate element should be visible during the video call.
2. No inappropriate jokes should be made.
3. Managers must not insist that colleagues log on to one-on-one video calls, but have the option to take calls in "audio-only" mode.

What is Sexual Exploitation?

a. Sexual Exploitation refers to any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including but not limited to profiting monetarily, socially, or politically from the sexual exploitation of another. It is dependent on the facts and circumstances of the case and would include

any form of sexual exploitation, whether it is direct or by implication, such as:

- Coercing or manipulating someone to engage in sexual activities in exchange for benefits such as money, goods, services, or privileges.
- Taking advantage of someone's vulnerabilities or disadvantaged position for sexual purposes.
- Using threats, intimidation, or power dynamics to exploit someone sexually.
- Profiting from the sexual exploitation of another person through actions such as trafficking or forced prostitution.

b. Sexual Exploitation is an unwanted and exploitative conduct of a sexual nature. The exploitative nature of Sexual Exploitation distinguishes it from consensual sexual interactions.

c. Verbal forms of Sexual Exploitation include:

- Coercive or manipulative statements to pressure someone into sexual activities.
- Threatening to withhold or provide certain benefits or resources unless sexual favors are granted.
- Making explicit or implicit promises of preferential treatment in exchange for sexual favors.
- Verbal abuse or derogatory comments intended to manipulate or exploit someone sexually.

d. Non-verbal forms of Sexual Exploitation include:

- Coercive gestures or actions that imply sexual expectations.
- Using one's position of power to create opportunities for sexual exploitation.
- Exploiting someone's economic, social, or emotional vulnerabilities for sexual gain.
- Any inappropriate physical actions that lead to sexual exploitation.

e. The following circumstances, among others, if present in relation to or connected with any act or behavior identified above, may amount to Sexual Exploitation:

- Implied or explicit promise of preferential treatment or benefits in exchange for sexual favors.
- Implied or explicit threat of detrimental treatment or harm for refusing sexual advances.
- Creating an intimidating, hostile, or offensive work environment by exploiting someone's vulnerabilities for sexual purposes.
- Humiliating treatment that affects a person's dignity, safety, or self-esteem due to exploitation.

What is Sexual Abuse?

a. Sexual Abuse refers to the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It encompasses a range of actions including, but not limited to:

- Unwanted physical contact or advances of a sexual nature.
- Forced or coerced sexual acts.

- Any sexual activity without the consent of the other person.
- Sexual violence, including rape and sexual assault.

b. Sexual Abuse is an unwanted physical intrusion of a sexual nature. The abusive nature of Sexual Abuse distinguishes it from consensual sexual interactions.

c. Verbal forms of Sexual Abuse include:

- Coercing someone into sexual acts through threats or intimidation.
- Making explicit threats of physical harm unless sexual demands are met.
- Verbal threats of sexual violence.
- Using degrading language or slurs to intimidate someone into sexual submission.

d. Non-verbal forms of Sexual Abuse include:

- Physical force or restraint used to compel someone to engage in sexual activities.
- Intimidating or menacing gestures that imply a threat of sexual violence.
- Stalking or following someone in a manner that implies sexual threat.
- Any physical actions that involve unwanted sexual contact or intrusion.

e. The following circumstances, among others, if present in relation to or connected with any act or behavior identified above, may amount to Sexual Abuse:

- Physical coercion or force used to compel someone to engage in sexual acts.
- Creating a physically intimidating environment that leads to fear of sexual violence.
- Any form of physical threat or harm used to achieve sexual ends.
- Humiliating treatment likely to affect the health, safety, or self-esteem of the victim due to abusive conduct.

All Relevant Persons are expected to respect the sensitivities of others, especially where there may be variations in the interpretation of acceptable behavior, and cultural differences may not be used as an excuse or justification for Sexual Exploitation or Sexual Abuse. Certain forms of behavior may be considered by an individual as offensive or constituting exploitation or abuse owing to the social and cultural background of such an individual. Therefore, it is possible for certain conduct to be thought of as innocent by some and offensive or exploitative by others.

Zero Tolerance Policy:

Antarang Foundation maintains a strict zero-tolerance policy against Sexual Harassment, Sexual Exploitation, and Sexual Abuse. Any such conduct, irrespective of the offender's position or relationship to the Organisation, will result in severe consequences and disciplinary action, ensuring a safe and respectful environment for all individuals, regardless of gender or age.

Whistleblowing Policy:

The Organization has established a Whistleblowing Policy to encourage and protect individuals who report misconduct, including Sexual Harassment, Sexual Exploitation, and Sexual Abuse. This policy ensures confidentiality and protection against retaliation for whistleblowers, supporting a culture of openness and accountability.

Complaint Mechanism:

The Organization has instituted an Internal Committee ("IC") for redressal of complaints of Sexual Harassment, in accordance with the Act and the Rules and for ensuring time bound treatment of such complaints.

The IC consists of the following members :

Name	Position and Email
Zeenat Valli	Presiding Officer : zeenat_cons@antarangfoundation.org
Swati Mohan	Staff Member : swati@antarangfoundation.org
Pratha Shah	Staff Member : pratha@antarangfoundation.org
Yasha Pareek	Staff Member : yasha@antarangfoundation.org
Kevineituo Tapa	Staff Member : kevineituo@antarangfoundation.org
Nafasat Shaikh	Staff Member : nafasat@antarangfoundation.org
Jahanzeb Baldiwala	External Member : jahanzeb.baldiwala@gmail.com

Procedures for Resolution of Complaints of Sexual Harassment, Sexual Exploitation and Sexual Abuse:

The Organization is committed to providing a supportive environment to resolve concerns of Sexual Harassment/SA. The following process will need to be undertaken while resolving complaints of Sexual Harassment:

a. Complaints

A Relevant Person with a complaint of Sexual Harassment at Workplace (also “**Aggrieved**”) may make a formal complaint to the Presiding Officer of the IC. The complaint is to be beamed in writing and can be in the form of a letter or an email (to any of the members of the IC), within 3 months from the last date of incidence. And the IC can also extend the time to another 3 months if the reasons for delay are justified.

The Aggrieved is required to disclose the details of their name, department and the location they are working in, to enable the Presiding Officer to contact them and take the matter forward. Where the aggrieved is unable to make a complaint due to their physical or mental incapacity or death or otherwise, or through their legal heir, a complaint can also be filed by the following:-

- i. Where the Aggrieved is unable to make a complaint on account of their physical incapacity, a complaint may be filed by –
 - a. Their relative or friend
 - b. Their co-worker
 - c. An officer of the National Commission for Women or State Women's Commission
 - d. Any person who has knowledge of the incident, with the written consent of the Aggrieved

 - ii. where the Aggrieved is unable to make a complaint on account of their mental incapacity, a complaint may be filed by
 - a. their relative or friend; or
 - b. a special educator; or
 - c. a qualified psychiatrist or psychologist; or
 - d. the guardian or authority under whose care they are receiving treatment or care; or
 - e. any person who has knowledge of the incident jointly with their relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care they are receiving treatment or care;

 - iii. Where the Complainant, for any other reason, is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with their written consent;

 - iv. Where the Complainant is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of his/her legal heir.
1. The IC shall first conduct a brief interview with the Complainant to determine the nature of the complaint within 1 (one) working week of receipt of the complaint, to establish the nature of the Sexual Harassment.
 - a) If the complaint *prima facie* appears to be one of Sexual Harassment, process set out

under this Policy will be adopted.

- b) Should the complaint not be in relation to Sexual Harassment, such matter will be dealt with in accordance with the code of conduct of the Organization, and the Presiding Officer will refer the same to the concerned person in this behalf.
2. If the respondent is a member of the IC, he/ she/ they shall recuse himself/herself/themselves from the IC till the time the enquiry is completed. The IC will ensure that all parties are dealt with sensitively and with dignity and will observe the required confidentiality in all its workings.
3. Provided that where the Complainant/Relevant Persons informs the IC, as the case may be, that any term or condition of the settlement arrived at under the conciliation process undertaken in furtherance of this Policy has not been complied with by the respondent, the IC shall proceed to make an enquiry into the complaint or, as the case may be, forward the complaint to the police.

b. Conciliation:

1. The IC, may, before initiating an inquiry under the Policy and at the request of the Aggrieved take steps to conciliate the matter between them and the respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.
2. In furtherance of the above the IC will record the settlement so arrived in furtherance of the conciliation and shall provide the copies of the settlement to the Complainant and the respondent.

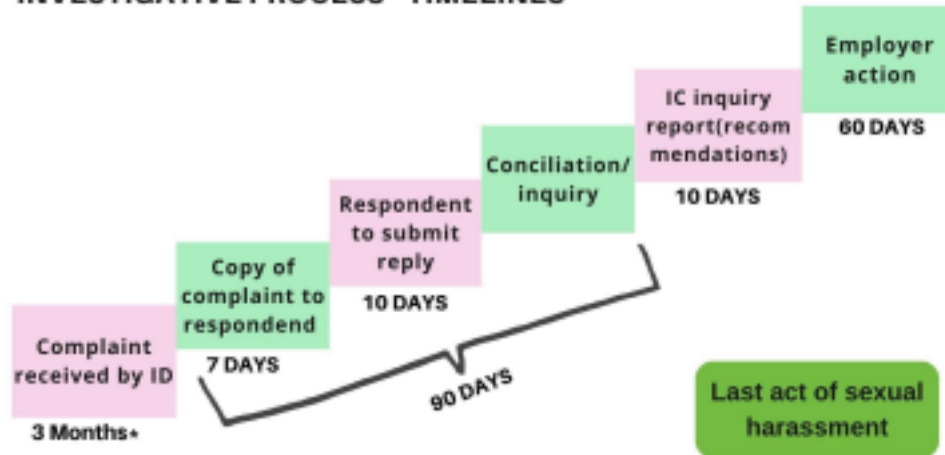
c. Enquiry

1. In the event the Complainant does not wish to conciliate or if the conciliation fails, an enquiry will be initiated in accordance with the Act and the Rules.
2. The IC shall forward a copy of the complaint received from the Complainant to the alleged offender/respondent within a period of 7 (seven) working days from the date of institution of a formal enquiry.
3. The alleged offender/respondent shall file a reply to the complaint along with a list of supporting documents, and names and addresses of witnesses, if any, within a period not exceeding 10 (ten) working days from the date of receipt of the copy of the complaint.
4. The parties shall not have the right to appoint a legal practitioner to represent them at such hearings before the IC, and must be present in person to represent their position.
5. The enquiry shall be completed within a period of 90(ninety) days.
6. At the written request of the Complainant, the Committee may recommend to the employer to restrain the alleged offender/respondent from reporting on the work performance of the Complainant, or writing the Complainant's confidential report, and assign the same duties to

another officer, during the pendency of the enquiry.

7. The Committee may terminate the enquiry proceedings or give an *ex parte* decision on the complaint, by giving 15 (fifteen) days' notice of the same, if the Complainant or alleged offender fail to present themselves for 3 (three) consecutive hearings convened in relation to the enquiry, without sufficient cause.

INVESTIGATIVE PROCESS - TIMELINES



Action during pendency of inquiry

During the pendency of the inquiry, the Internal Committee may pass any of the following interim orders:

- a. Transfer the Complainant or the Respondent to any other Workplace.
- b. Grant paid leaves, up to a maximum of three months to the Complainant. (Such paid leaves will be in addition to their respective entitled leaves.)
- c. Change the reporting structure or any other action as deemed fit.

d. Report and Recommendations

1. On the completion of an enquiry, the IC shall provide a report of its findings to the Organization within a period of 10(ten) days from the date of completion of the enquiry and such report will be made available to the concerned parties.
2. Where the IC arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the Organization that no action is required to be taken in the matter.
3. Where the IC arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Organization:-
 - a. to take action for Sexual Harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent or where no such service rules have been made, the following actions can be taken:-

- Formal written apology
- Reprimand/censure
- Withholding of promotion
- Withholding of pay raise/increments
- Community service
- Counseling
- Written warning and a copy of it maintained in the Respondent file.
- Change of work assignment / transfer for either the perpetrator or the victim. ●
- Suspension or termination of services
- Compensation

Confidentiality:

The contents of any complaint, identity and addresses of any Complainant/ respondent/ witnesses, any information relating to conciliation and enquiry proceedings, recommendations of the IC, and action taken by the Organization shall not be published in any manner, provided that information regarding any outcome of an enquiry may be disseminated without disclosing any particulars that may lead to the identification of the Complainant / alleged offender / respondent/witnesses. Information shall only be shared by the IC on a need-to-know basis.

Non-Retaliation:

The Organization strongly supports a positive work culture, to this extent, the right of every individual for fair treatment at Workplace. Accordingly, the Organization would wish to highlight that it will take steps to prevent any form of retaliation whenever a complaint of Sexual Harassment is brought to notice.

COMPLAINTS MADE WITH A FALSE OR MALICIOUS INTENT

If the Internal Committee discovers that the allegation is made with malicious intent or if any forged evidence has been submitted by the Complainant or the witness, the Internal Committee may recommend to the Employer to take appropriate disciplinary action up to and including termination of services.

A mere inability to substantiate a complaint or provide adequate proof may not attract action against the Complainant.

GENERAL INSTRUCTIONS

Protection against Victimisation

The organisation is duty bound to take appropriate steps to prevent sexual harassment. The victim of Sexual Harassment has the option to seek transfer of the perpetrator or his / her own transfer from one department/branch/station to another.

Obligation of the Management

The Management of the Company shall provide all necessary assistance ensuring effective implementation of this policy.

Third Party Harassment

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

Conclusion:

The Organization is committed to providing an environment free from Sexual Harassment and strives to maintain the highest standards of work ethics so as to enable a positive, inclusive and progressive Workplace.

Frequently Asked Questions (FAQs)

1) What is sexual harassment?

Sexual harassment is defined as any unwanted physical, verbal or visual sexual advances, requests for sexual favours, and other sexually oriented conduct, which is offensive or objectionable to the recipient.

2) When is conduct harassing?

Sexual advances (either verbal or physical), requests for favours and other verbal or physical conduct of a sexual nature constitute sexual harassment when: Submission to such conduct is either explicit or implicit act.

The conduct having sexual overtones has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

3) What is not sexual harassment?

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. Welcome behavior, where consent is present, that is personally offensive, that debilitates morale, Discrimination or harassment that has no sexual connotation. Anything that interferes with the morals and values at work.

4) What should one do if harassed sexually?

If anyone feels that she has been the recipient of sexually harassing behavior, report it immediately to the IC. It is preferable to make a complaint in writing, but one can accompany or follow up the written complaint with a verbal complaint.

The identity will be protected and one will not be retaliated against for making a complaint.

5) What happens after a complaint is made?

The IC will investigate the complaint. The committee will first speak to the person who has made the complaint and then will speak to the person named in the complaint. The anonymity of the involved parties will be maintained.