



**YouthAid Foundation**  
Investing in Grassroots Entrepreneurs

# Sexual Harassment policy

## YouthAid Foundation,

### ADDRESS:

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## **Introduction**

YouthAid Foundation(YAF) is a Special Purpose Vehicle initiative by Centre for Youth Development and Activities (CYDA) to promote entrepreneurial spirit among youth and women in the country. It is registered as section 8 company in 2017. So far, the foundation is able to train over 16000 entrepreneurs from Chhattisgarh, Kerala, Maharashtra, Telangana, Karnataka, Tripura, MP, West Bengal. Even during the pandemic year, the foundation was able to support entrepreneurs, their training, help them to develop business plans as well as ensure their establishment stand up against all odds and sustain it. The foundation took recourse to online training as well as produced those products to ensure that maximum enterprises survived the crisis.

YAF is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint.

It is recommended that the policy must be as and when amendments in the law take place and appropriate changes/clauses will be added.

## **Definition of sexual harassment**

Sexual harassment means unwelcome conduct of sexual nature which includes physical conduct, verbal and non-verbal conduct which violates dignity and respect of the individual. Sexual harassment is unwelcome act and behavior that violates the ethos and principles of safe working environment. The definition of sexual harassment does not only include harassment against women but brings within its purview male as well as transgender, gays, lesbians and intersex.

An elaboration of the physical conduct verbal and non-verbal conduct is given below:

Physical conduct includes:

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

Verbal conduct means:

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Insults based on the sex of the employee/employer
- Repeated and unwanted social invitations for dates or physical intimacy
- Inviting a colleague, subordinate home on the pretext of office work
- Sending sexually explicit messages (by phone or by email)
- Gender insensitive Remarks Non-verbal conduct
- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Winking
- Stalking
- Harassment through any and all social media including jokes, forwards with explicit and implicit sexual content

**Complainant** – In relation to workplace, complainant means anyone who has been a victim of sexual harassment. This includes full time, part time employees, consultants, representatives from donor agency, teachers, trainers, volunteers, fieldwork students, interns or any visitor.

**Harasser** – This includes Line Managers, representatives from donor agency officials, members of the board, core committee, former employees, members, colleagues, coordinator, volunteer, intern, students, government officials, private companies, school principals, teachers, School Management Committee members and visitors

**Workplace** - Workplace means not only the head office, branch office, community based centers, travel for work purposes and work related travel and stay as well as house of the employer or any office authority. Sexual harassment can take place after office hours or holidays in the house or hotel.

## **Complaint procedures**

### **Formation of a Sexual Harassment Committee**

A sexual harassment committee needs to be constituted in every office –Head office as well as Branch to receive and effectively deal with the complaints. The committee in each location comprises of:

1. The committee should have at least 3 members and maximum of 5 members should be at least 5 or more in odd numbers
2. 50% and above of the members should be women and sexual minorities
3. If any complaint comes against a committee member, the member will be dismissed and new committee member to be selected
4. Every three years the committee should be reconstituted

### **Role of the Committee**

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry
- Submitting findings and recommendations of inquiries to the Secretary
- Coordinating with the Line Manager/Secretary in implementing appropriate action
- Maintaining strict confidentiality throughout the process
- Submitting annual reports in a prescribed format during annual review

### **Lodging a Complaint**

- The complainant should submit a detailed complaint, along with any documentary evidence available or names of witnesses if any is available.

Complaint should be hand written (handwritten or communicated via email)  
Details of the incident should be explained.

- The complaint must be lodged within 3 months from the date of incident/ last incident. The Committee can extend the timeline by another 3 months for reasons recorded in writing. in special cases where there may have been hospitalization or mental trauma with documents to verify

### **Complaint Addressing Mechanism**

1. If the victim requires counseling, it is the responsibility of YAF to make appropriate arrangements
2. Give an opportunity to the alleged harasser to respond to the complaint in a written form
3. Facilitate discussion between both parties to achieve informal resolution which is acceptable to the complainant in cases wherever there is scope.
4. In more serious cases like rape, sexual abuse, and molestation and where conciliation is not possible – the committee must take up the case in police station and police case should be filed against the harasser.
5. Ensure that a confidential record is kept of what happens
6. Follow up after the outcome of the complaints mechanism to ensure that the behavior has stopped
7. Ensure that the above is done speedily and within 30 days

In case the committee rejects decide that the complaint is not of a sexual nature or connotation, the complaint will be forwarded to the appropriate forum. The complainant can further go to the Chairperson or Director or police for seeking addressal. In case the complainant is still not convinced, he or she can approach the Board Member. Board member can be approached in case the grievance is against the chairperson or Director of YAF.

In case none of the above mechanisms is able to address the complaint, the harassed person can seek help from the police station.

## **Sanctions and Disciplinary Action against the Harasser**

In case it has been established that the harasser is indeed at fault after investigation, the following disciplinary action must be taken which will be jointly decided by the committee and the Line Manager

- Verbal or written warning
- Adverse performance evaluation
- Reduction in salary
- Demotion
- Suspension
- Dismissal

## **Support to the Victim**

In case it has been established that a victim has been subjected serious harassment like rape, sexual violence or molestation, YAF must provide the following:

- Leave upto one month (this should be in addition to the usual leave policy)  
Paid leave up to pending enquiry as per the requirement
- If the complainant wishes to take up the matter to law enforcing authorities, the committee must support
- Change of the Unit
- Change of the Location

During investigation if a complaint is found to be false, then action against the complainant will be taken as per the law.

## Implementation of the Policy

YAF will ensure that this policy is widely disseminated to all the employees, volunteers, interns and other stakeholders in all offices of the organization. Towards this

1. Policy should be uploaded for public view on the organization website
2. Every year there needs to be an orientation/awareness on the topic of sexual harassment at workplace for all permanent and contractual employees
3. A poster of the Anti-Sexual Harassment Policy must be displayed in every branch office. Display names of committee members with telephone numbers in common areas
4. It is the responsibility of every manager to ensure that all his/her employees of the unit are aware of the policy.



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