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POLICIES & PROCEDURES

**HUMAN RESOURCES &
ADMINISTRATION**

(Released on March 2023)

PART 3 SEXUAL HARRASSMENT AND DISCIPLINARY COMMITTEE

Youth for Seva

Jnanagiri, 75/76, 4th Cross, 2nd Main, Soudamini Layout,

Konanakunte, Bengaluru – 560062

www.youthforseva.org

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FOREWORD

Through constant communication and dialogue with the Organization, the employees working for Youth for Seva, [YFS] strive to build and share the fundamental values. YFS, endeavors to improve its societal achievements, so that YFS can continue to engage volunteers & Full timers in a fair and stable working conditions.

Stakeholders, form an integral part of our operations, and ensuring our actions, are supporting the core interest of the stakeholder, works in the best interest of YFS, and promotes "Mutual Trust".

Simultaneously, YFS promotes a work environment in which each of us can work in harmonious and dynamic manner. In return, each of the Employee at YFS, is requested to adhere to and implement the 'Code of Conduct', "Human Resources Policies & Procedures" and fulfil his/ her duties with utmost integrity, which will go a long way to build the Organization as an admirable Non-Governmental Organization, and enhance the scaling prospects of YFS and ultimately the prospects for Community, Society at large.

YFS aims to become the most valued, respected, and trusted Organization by its stakeholders and Society. It is therefore essential that each of one of us act, as articulated over the years, in a "steadfast, sure-footed and thorough" way and in accordance with common sense and good judgment. I therefore expect that each one at YFS, to carefully read this "Code of Conduct" & the other Policies and Procedures, and implement the spirit within.



Jagadeesh Maiya
President



PART 3 - SEXUAL HARRASSMENT AND DISCIPLINARY COMMITTEE



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**PART 3 – SEXUAL HARRASSMENT AND
DISCIPLINARY COMMITTEE**

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Youth for Seva (YFS) is committed to creating and maintaining a secure work environment where it's Female Employees and Female Volunteers can work and pursue activities in an atmosphere, free of harassment, exploitation and intimidation caused within but not limited to the office premises and other locations which are directly related to the Organization's activities.

YFS will always strive towards providing a work environment that ensures every associate is treated with dignity and respect and afforded equitable treatment.

OBJECTIVE

To provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental.

Sexual harassment results in violation of the fundamental rights of a woman to equality under the Constitution of India and her right to life and to live with dignity and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment.

PURPOSE

The Policy is meant to promote a healthy work environment that is free from harassment of all kinds for all those covered. The policy provides for an effective Complaint and Redressal mechanism for any cases of Harassment including Sexual Harassment.

SCOPE

1. This policy shall apply to all (Women) employees, Fellows, volunteers, trainees, contract employees, interns, consultants and all those who are involved in the organization's activities directly or indirectly, hereinafter referred to as the "Individual".
2. It extends to the whole of India.
3. Although the YFS adopts gender neutrality, however the scope of this Policy is limited and applicable only to women personnel (Employees, Fellows, Volunteers, Trainees, Contract Employees, Interns, & Consultants). For the other genders, the grievances can be addressed to the management team for investigation & redressal using the email "icc@youthforseva.org".

DEFINITIONS

Sexual Harassment

Sexual Harassment includes any one or more of the following unwelcome acts or behavior which is offensive to the person or persons it is targeted towards whether directly or by implication namely:

- Physical contact and advances
- A demand or request for sexual favors
- Making sexually colored remarks
- Showing pornography
- Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature
- Any activity or tool that is related to the work or otherwise e.g., any incident occurring during a work-related travel, event or work-related WhatsApp messages/comments or an email or video call.

Aggrieved Women

In relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by any other person.

Employer

In relation to any department, organization, undertaking, establishment, enterprise, institution, office.

Respondent – Means a person against whom the aggrieved woman has made a complaint.

Workplace – Any private sector organization or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-government organization, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution, or service. Also, unless otherwise mentioned, the work area, shall mean the registered office, regional offices, Chapter Center, events, and place of interaction with the Stakeholders / Community Partners.

Internal Complaints Committee

Employer of the workplace shall, by an order in writing, constitute a committee to be known as "Internal Complaints Committee".

A Committee will be formed under this policy to investigate complaints of sexual harassment referred to it and make appropriate recommendations to the relevant management team. The Internal Complaints Committee shall consist of the following members to be nominated by the ED/ President, namely:

- A Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees.
- Not less than two members from amongst employees preferably who have had experience in people management or have legal knowledge.
- One external member.
- One half of the total members so nominated should be women.

The Internal Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
- Discouraging and preventing employment-related sexual harassment

The addresses / phone numbers of all members of the Internal Complaints Committee would be available at all locations of the organization and would be displayed in the office notice board at each location.

Internal committee shall hold office for three years from date of nomination. The same committee will continue, unless notified otherwise in writing at the end of the term. The Complaints Committee shall ensure a quorum of at least 2 members when taking a decision/meeting.

Internal complaints committee of YFS includes:

Presiding Officer (All India) – Ms. Arunmayee Jandyam; Mob.: 7995026321

Member – Ms. Nandini M.K; Mob.: 7349246278

Member – Ms. Swaroopa; Mob.: 7995026311

Program Director – Mr. Vishwanath Sharma; Mob.: 9019023072

External Member (All India) – Ms. Shubha; Mob.: 9845303316

Email address: icc@youthforseva.org

Employer / Management Team

Employer / Management team refers to the person/s vested with the powers on behalf of the organization to take appropriate disciplinary action and comprises the senior management of the organization.

Management team would include:

President - Mr. Jagadeesh Maiya – President; Mob.: 9845304408

Head Enablers

COMPLAINT MECHANISM

Sexual harassment of an individual at work place (Prevention, Prohibition & Redressal) Act, 2013.

Procedure for Lodging Complaints

Any aggrieved individual may lodge a complaint to the Internal Complaints Committee in writing within 90 days from the date of an incident and in case of continued harassment, 90 days from the last instance of harassment.

Complaint of sexual harassment:

1. Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of three months from the date of incident and in case of series of incidents, within a period of three months from the date of last incident.
2. Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint to the Internal Complaint Committee.

Inquiry into Complaint

- An inquiry would be initiated within 15 days on receipt of a complaint and gathering prima facie evidences. On the completion of any inquiry under this policy, the Internal Committee, shall provide a report of its findings to the employer, within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.
- Where the Internal Committee, arrives at the conclusion that the allegation against the respondent has not been proved; it shall recommend to the employer that no action is required to be taken in the matter.

Internal Complaints Committee can recommend to the employer, at the request of the aggrieved woman, interim measures such as:

- (i) transfer of the aggrieved woman or the respondent to any other workplace; or
- (ii) granting leave to the aggrieved woman up to a period of 3 months
- (iii) Grant such other relief to the aggrieved woman as may be prescribed.

Proceedings and Communication of Findings

The Complaints Committee shall consider the findings of the report and communicate the findings and recommendations to the Employer. The Employer will take appropriate action in consultation with the Presiding Officer of Internal Complaints Committee and communicate the findings to the aggrieved woman and the respondent against whom such

complaint was made within 10 days from the date of the investigation report. The employer will also ensure that a closure report is submitted to the Presiding Officer of the Internal Complaints Committee on completion of any action taken.

The Internal Complaints Committee shall follow principles of natural justice in all its proceedings and shall maintain confidentiality of the identity of the aggrieved woman and the witnesses.

In case of complaint against Individual, who is/are members of the Complaints Committee, the Presiding Officer shall entrust the proceedings to the external member to investigate the complaint and such person shall have the same powers as the Internal Complaints Committee in implementing this policy.

Manner of taking action for sexual harassment: When the Internal Committee arrives at the conclusion of allegation against the respondent and it has been proved, it shall recommend to the employer, to take any action including:

- Undergoing a counselling session
- A written apology
- Warning
- Reprimand or censure
- Withholding of promotion, withholding of pay rise/ increments
- Terminating the respondent from service

Confidentiality

YFS understands that it is difficult for the aggrieved woman to come forward with a complaint of sexual harassment and recognizes the aggrieved woman's interest in keeping the matter confidential. As appropriate, the organization will work to protect the confidentiality of the identity of all parties involved and the nature of circumstances involved, except when disclosure is appropriate or necessary for purposes in connection with the investigation of the allegation or complaint and/or taking appropriate remedial or disciplinary measures.

Appeal Procedure

If the aggrieved woman feels unsatisfied with the outcome of her complaint to the Internal committee, she may appeal to the Court or Tribunal preferably within 90 days of the recommendations.

PENALTIES

Action against Frivolous Complaints: So as to ensure that the protections contemplated under the Sexual Harassment Act do not get misused, provisions for action against "false

or malicious” complainants have been made, every Individual who lodges a false complaint or false evidence shall be liable for disciplinary action, up to and including termination of employment as per the rules of the Organization.

Where the complains committee arrives at the conclusion that the allegation against the respondents is malicious or the aggrieved women or any other person making the complaint, has made the complaint knowing it to be false or the aggrieved men/women or any other person making the complaint as produced any false or misleading documents, it may recommend to the employer to take action.

Every Individual who threatens or intimidates (a) any Individual who has made a complaint under this policy or (b) any witness thereof, shall be liable for disciplinary action, up to and including termination of employment as per the rules of the Organization.

YFS Management

In addition to ensuring compliance with the other provisions stipulated, the Sexual Harassment Act casts certain obligations upon the management to, inter alia,

- Provide a safe working environment.
- Display conspicuously at the workplace, the penal consequences of indulging in acts that may constitute sexual harassment and the composition of the Internal Complaints Committee

Organize workshops and awareness programs at regular intervals for sensitizing employees on the issues and implications of workplace sexual harassment and organizing orientation programs for members of the Internal Complaints Committee.

Miscellaneous

1. The Internal commit, shall in each calendar year prepare an annual report and submit the same to the employer.
2. The employer shall include in its report the number of cases filed, if any, and the disposal in the annual report of the organization.

CONCLUSION

In conclusion, YFS reiterates its commitment to providing its employees (and others as aforementioned), a workplace free from harassment/ discrimination and where every individual is treated with dignity and respect.

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