

PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1. Aims and Objectives

Ya_All supports the fact that everyone has the right to have their respected and protected with the highest standards of openness, probity and accountability. The policy statement Ya_All is committed to providing a work environment that is free from any form of unlawful discrimination on any ground or harassment including sexual harassment by maintaining a workplace where all the employees are considered equal, and the dignity of each employee is respected and promoted. Any person, who is involved in any form of harassment will face disciplinary action.

Ya_All strives to promote equality through prevention, elimination and redress of discrimination in the form of sexual harassment in the workplace. We aim to:

- Encourage our employees to play active role in prevention of sexual harassment at workplace.
- Instil in employees the understanding of creating a sexual harassment-free work environment.
- Deter employees from committing any form of sexual harassment.
- Assure all employees that they can rely upon the organization's support in resolving their concerns related to sexual harassment in the workplace.
- Take reasonable steps to ensure that in all outreach programs where Ya_All has presence complied with.

2. Scope and Applicability of the Policy

This policy applies to all allegations of sexual harassment in the workplace. Workplace includes all places visited by an employee arising out of or during employment. It also includes extended workplace while travelling, place of stay and work, venue of work-related events, outreach programs, work-related venue of entertainment or leisure and playground.

This policy shall be applicable to all employees including regular, temporary, part-time, ad hoc, contractual personnel, trainees, persons on probation, interns and apprentices while on an engagement with Ya_All anywhere as well as to any other third party who is present Ya_All premises such as clients, participants, resource persons, visitors or guests.

3. What is “Workplace”?

A workplace is a location where someone works for the employer, a place of employment. Such places can range from home office to large office building. Workplace also extends to any place visited by the workers in relation to their employment.

FORM OF SEXUAL HARASSMENT

- **Quid pro quo harassment:** Quid pro quo (this for that) harassment occurs when someone in a position of authority over another (i.e., a manager or supervisor) directly or indirectly demands sexual favors in exchange for some benefit (a promotion, pay increase, etc.) or to avoid some detriment (termination, demotion, etc.) in the workplace.
- **Hostile work environment:** Hostile work environment refers work environment where the workers feel unsafe, uncomfortable or threatened due to the unwelcome sexual harassment conduct in work place. This creation of hostile and unfriendly work environment has a negative impact on individual's health and safety, diminishing their job performance.

4. What constitutes Harassment and Sexual Harassment?

Harassment is any unwelcome act(s) or behaviour whether directly or by implication being verbal, non-verbal or physical conduct that is offensive, demeaning, humiliating, derogatory, or any other inappropriate behaviour that fails to respect the dignity of another.

Sexual harassment at workplace is an act or pattern of behaviour that comprises the physical, emotional or financial safety and security of worker. It also includes any sexually oriented practice that continued employment, negatively affects their work performance or undermines their sense of personal dignity.

“Sexual harassment” includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- Physical contact and advances like unwanted touching, grabbing, holding, pinching, rubbing, kissing or inappropriate touching or;
- Physical violence like sexual assault or attempt to molest or;
- A demand or request for sexual favours or dates or;
- Sexually coloured remarks or overture and derogatory statements or jokes or;
- Insulting publicly or humiliating or;
- Showing or displaying pornography or;
- Sexually suggestive gesture like leering, elevator eyes or;
- Sending unwelcome messages/ emails/ letters or inappropriate materials with proposition or;
- Indecent exposure or behaviour that feel insecure and uncomfortable or;
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

The legal definition of sexual harassment is broad. Hence other sexually oriented conduct that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating or humiliating to any employee or employees may also constitute act of sexual harassment.

Our policy is gender neutral and is aimed to protect the interests of everyone. Therefore, the victim or the alleged harasser may be of any gender.

5. Prevention of Sexual Harassment

Consistent with the applicable laws, we ensure all reasonable steps for prevention of sexual harassment at work. Such as:

- Widely circulating our policy against sexual harassment amongst employees.
- Providing training to employees on our policy against sexual harassment.
- Establishing an internal complaints committee called Prevention of Sexual Harassment Committee (PSHC) to respond to sexual harassment complaints.
- Inquire complaints as the case may be and implement the findings of the internal complaints committee within prescribed timelines.
- Informing employees of the relevant laws and create awareness

6. Mode for registering complaint

- Contact any of the PSHC members

Consistent with applicable law, all complaints alleging a violation of this policy will be promptly and thoroughly inquired and where appropriate, prompt remedial action shall be taken.

7. Employee rights and obligations

Pursuant to the preventive steps under this policy, every employee should:

- Become fully informed about the contents of this policy and complete any workshop(s) or training(s) as and when required by Ya_All. Cooperate with any measures introduced to promote equal opportunities at workplace;
- Respect the sensitivity of an individual;
- Never take discriminatory actions or decisions which are contrary to the letter and spirit of this policy;
- Offer information and support to any person who the employee suspects are being harassed and/or otherwise report any such instance of sexual harassment to the concerned;
- Maintain confidentiality regarding any aspect of an inquiry;
- Be aware that the employee retains the right to file complaint of unlawful discrimination or sexual harassment under the law of the land with local authorities including law enforcement authorities;
- If an employee chooses to file such a complaint with police authorities, the PSHC will provide all reasonable assistance in this regard. Be aware of and follow local customs with respect to people interactions at workplace;

8. Continuous sensitization of employees to issues on prevention of harassment

Ya_all will endeavour to sensitize and train employees on issues concerning the prevention of sexual harassment.

9. Right to appeal

If any party to the complaint is dissatisfied with the actions taken by the management for the resolution of a complaint, an individual can file an appeal to the local authorities in accordance with the law of the land. If an employee has any doubt, they may reach out to any of the PSHC members directly.

10. Non-Retaliation

Non retaliation protects employees who make good faith complaints against an employer, manager or co-worker regarding inappropriate or unlawful behaviour. The idea behind this is that current employees or former employees should feel free to express their concerns with the company without apprehension due to the fear of retaliation. No adverse action is to be taken against an employee who reports, complains about or participates in the investigation of a possible violation of a company, applicable law or company policy unless the complaint or report is deliberately false.

Ya_All shall not tolerate such retaliation against anyone who, in good faith, reports or provides information on suspected sexual harassment. Any employee of Ya_All who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to termination.