



# POSH & Anti Harassment Policy

## POSH Act

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, commonly referred to as the 'POSH Act' is an Indian law enacted with the objective of making workplaces safer for women by preventing, prohibiting and redressing acts of sexual harassment against them in the workplace. The law was made effective in the whole of India on December 9, 2013, by the Ministry for Women and Child Development.

## Vishaka Guidelines

Almost 15 years before the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 it was the Vishaka guidelines that had put the onus of a safe working environment on the employer.

In 1997, the Supreme Court formulated the Vishaka guidelines making it mandatory for organizations, whether working in the private or public sector to establish a mechanism for the redressal of sexual harassment complaints.

## IPC-Indian Penal Code

IPC-354

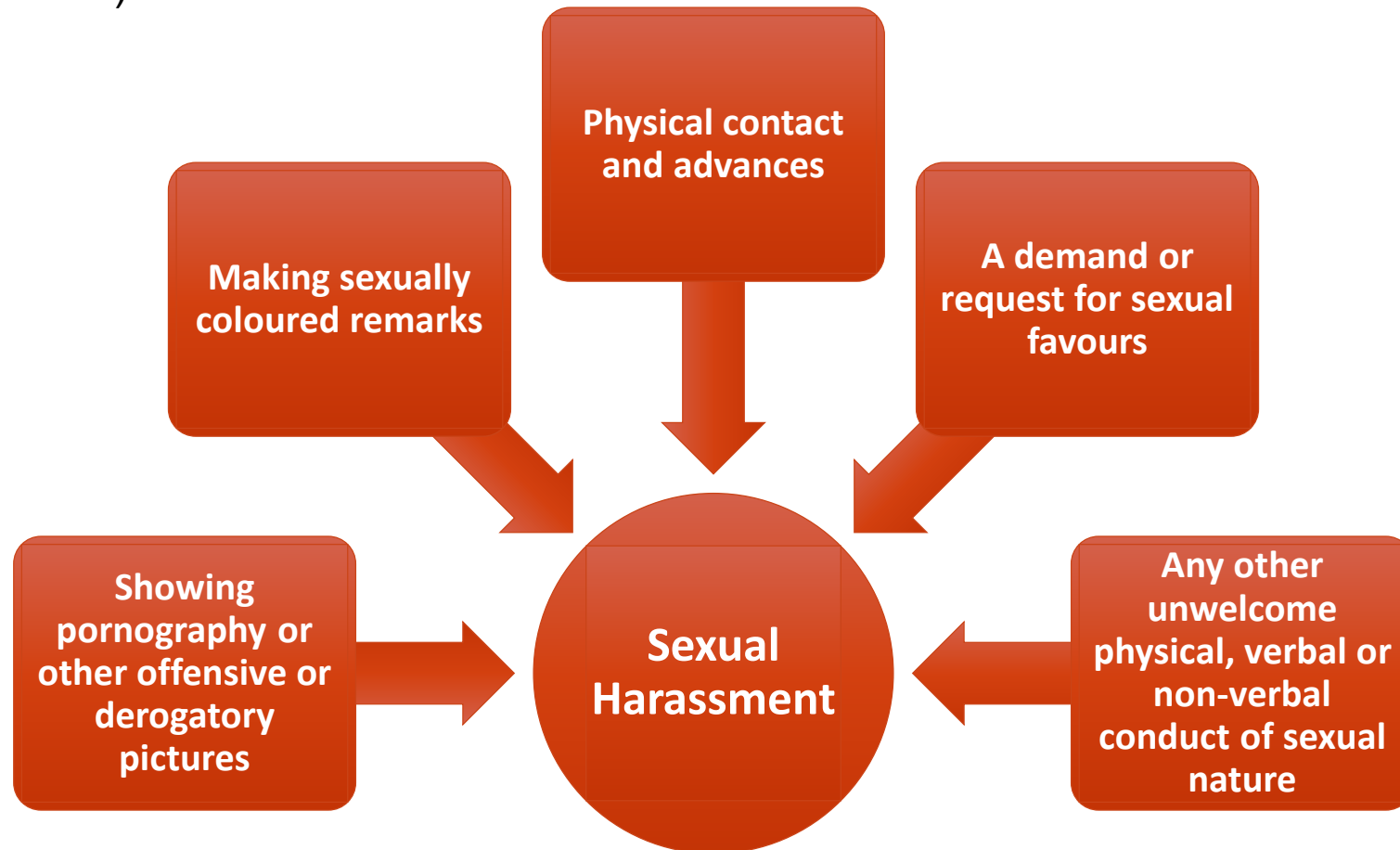
**Assault of criminal force to woman with intent to outrage her modesty** - utters any words, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of a such woman.

# Underlying Workplace Harassment

- Criticizing, insulting, blaming, reprimanding in public.
- Exclusion from group activities or assignment without a valid reason.
- Statement damaging a person's reputation.
- Removing areas of responsibility, unjustifiably.
- Inappropriately giving too little or too much work.
- Blaming an individual constantly without just cause.
- Assigning demeaning work.
- Controlling the person by withholding resources.

# Identifying Sexual Harassment

“Sexual Harassment” includes any one or more of the following unwelcome acts or behaviours (whether directly or by implication) such as:



# Not Harassment

- Following up on work absence
- Requiring performance to job standards
- Exercising management rights
- Constructive feedback about performance

# Harassment Vs Sexual Harassment

Harassment includes offensive or derogatory jokes, racial or ethnic slurs	Unwelcome sexual advances, requests for sexual favors
Unwelcome comments about a person's religion or religious garments	Unwelcome comments about a person's dress/outlook/sexually colored remarks
Ridicule or mockery, insults or put-downs	Ridicule or mockery, insults or put-downs based on one's sexual orientation or sexuality
Verbal or Physical Harassment	Verbal or physical harassment of a sexual nature
Emotional or Psychological distress due to rude behaviour or treatment	Emotional or Psychological distress due to experiences of sexual harassment

# What does the POSH Act mandate?

- Provision of a safe working environment in the workplace.
- Constitution of an Internal Committee in every workplace with more than 10 employees.
- Constitution of the Local Committee in every District.
- An in-depth inquiry into all complaints of sexual harassment.
- Organisation of workshops and awareness programs at regular intervals to sensitize the employees to the provisions of the Act.
- Punishment for false and malicious complaints and false evidence.

# Sexual Harassment laws apply even when you are working from home

- It is not funny to send any sexually explicit or suggestive multimedia messages/memes/Gifs/videos/audio clips/emojis etc on social media handles/WhatsApp to colleagues.
- Keep meeting within office hours, it is essential to remind oneself of boundaries and schedule work-related calls and communications within office hours, unless there is a work emergency.
- You are still at work even when you are working from home, so all the employee-related policies apply.
- The physical distance might have increased, but the law remains the same.

## Are there any other reasons why a company should comply with the POSH Act?

- Certainly. Besides the legal and financial costs of non-compliance with the POSH Act, an unsafe workplace can lead to general impairment of employee's psychological well-being and reduce productivity.
- Effective compliance with the POSH Act makes workplaces safer, displaces the fears and discomfort of employees, increases employee satisfaction, reduces employee turnover and saves companies from other costs associated with sexual harassment.



# Prevention of Sexual Harassment at the Workplace

*Educational Initiatives is a learning organization which believes in providing a safe, open, conducive & healthy work environment which is free from any form of distress or harassment*

Ei addresses Prevention, Prohibition & Redressal of Sexual Harassment through

- Written Policy
- Channels to affirmatively raise the issue. Report any incident of Sexual Harassment promptly to **internalcommittee@ei.study**
- Communication with employees so as to identify and address harassment, in the event it occurs
- Rigorous redressal process for Harassment related complaints

# Ei Internal Complaints Committee - Responsibilities

- Promoting safety & equality at workplace
- Observation of correct decision making process
- Appreciation of evidence and other available documents
- Preserving Confidentiality of Cases and privacy of the Complainant
- Best practices for recommendation of suitable relief and interim measures
- Preparation of reports & Compliance to POSH Act mandates

# Ei Internal Complaint Committee (ICC)

## Bangalore

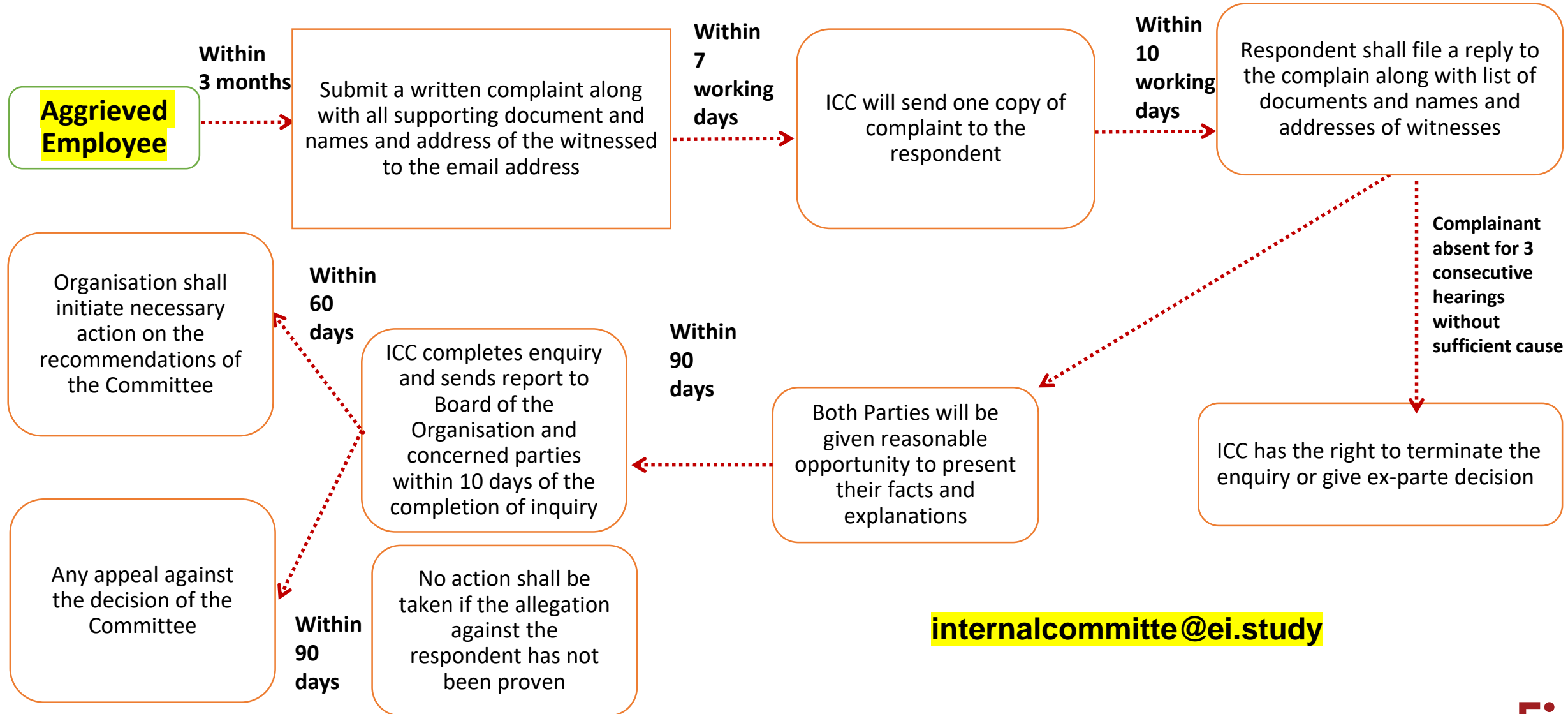
Name	Email ID
Dipti Lal (Presiding Officer)	<a href="mailto:dipti.lal@ei.study">dipti.lal@ei.study</a>
Upasna Sharma (Associate Presiding Officer)	<a href="mailto:upasna.sharma@ei.study">upasna.sharma@ei.study</a>
Radhika Beegamudre (Compliance Officer)	<a href="mailto:radhika.beegamudre@ei.study">radhika.beegamudre@ei.study</a>
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Manisha Kukreja	<a href="mailto:manisha.kukreja@ei.study">manisha.kukreja@ei.study</a>
Prakhar Ghildyal	<a href="mailto:prakhar.ghildyal@ei.study">prakhar.ghildyal@ei.study</a>
External member (Preeti Chauhan) representation by Aware Citizen Foundation	<a href="mailto:preeti@awarecitizenfoundation.org">preeti@awarecitizenfoundation.org</a>

# Ei Internal Complaints Committee (ICC)

## Ahmedabad

Name	Email ID
Digisha Kothari (Presiding Officer)	<a href="mailto:digisha.kothari@ei.study">digisha.kothari@ei.study</a>
Gayatri Vaidya (Associate Presiding Officer)	<a href="mailto:gayatri.vaidya@ei.study">gayatri.vaidya@ei.study</a>
Anita Kamath	<a href="mailto:anita.kamath@ei.study">anita.kamath@ei.study</a>
Arpit Metaliya	<a href="mailto:arpit.metaliya@ei.study">arpit.metaliya@ei.study</a>
External member representation by Aware Citizen Foundation- Preeti Chauhan	<a href="mailto:preeti@awarecitizenfoundation.org">preeti@awarecitizenfoundation.org</a>

# Procedures to record a complaint



**internalcommitte@ei.study**

# Responsibilities & Rights of Employees

- Treat colleagues with utmost respect & dignity
- Keep yourself updated with the policy
- Complete mandatory compliance courses per timelines specified
- Report any incident of Sexual Harassment promptly
  - Woman Employee – Internal Complaints Committee
  - Other Employees – Human Resources, Reporting manager or Compliance helpline
- Cooperate in fact-finding and in preventing and curtailing unlawful discrimination and harassment at the workplace
- Expect harassment free work environment
- Expect a safe and conducive environment in the team

# In Conclusion...

- Educational Initiatives is committed to providing employees with a healthy working environment that is safe and free from all forms of discrimination and harassment.
- We have a ZERO tolerance for acts of Sexual Harassment at workplace.
- All employees are encouraged to report any such incident in accordance with the specified reporting mechanism as per the policy framework.
- Confidentiality is a vital aspect of any sexual harassment complaint, and the organization will uphold the same in consistence with the needs of an investigation proceeding.
- As per Educational Initiatives India Sexual Harassment Policy any employee who is found guilty of breaching the confidentiality of the inquiry process may be liable for disciplinary action.
- Focus on the UNICORN

**Thank You !**