



**Fortune Institute of International Business
New Delhi, India**

**THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE
(PREVENTION, PROHIBITION AND REDRESSAL) POLICY**

1. INTRODUCTION

- a) Sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution.
- b) This policy aims 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 thereto.

2. WHAT CONSTITUTES SEXUAL HARASSMENT?

The term and expression Sexual Harassment shall mean and include all unwelcome sexually determined behaviour committed in the institute (whether directly or by implication), such as:

- a) Physical contact and advances;
- b) A demand or request for sexual favours;
- c) Sexually – coloured remarks;
- d) Showing pornography;
- e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- f) Sexual or indecent gestures and indication;
- g) Entry into a private place marked for male/female employees and students, with the intent to commit mischief and harassment;
- h) Taking of photographs of students/ staff without permission and/or converting it in to pornographic material and circulating the same by means electronic media;
- i) All such acts and conducts against women employees and students, which amount to commission offence defined in the Indian Penal Code.
- j) The following circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment

- i. Implied or explicit promise of preferential treatment for the student in class performance / or employee employment
- ii. Implied or explicit threat of detrimental treatment for the student in class performance / or employee employment
- iii. Interference with the student's / employee's work or creating an intimidating or offensive or hostile work environment for her/him, or humiliating treatment likely to affect her/his health or safety.

3. WHO CAN COMPLAIN?

All employees, students and people working in the institute premises either permanent, contractual or visiting.

4. HOW TO COMPLAIN?

The complainant must make the complaint in writing within a period of three months from the date of the incident, except in case when the complainant is incapacitated and is not in a normal state of mind due to the act of sexual harassment perpetuated; the complaint may then be made by the complainant's relative or friend.

5. ENQUIRY & DISCIPLINARY PROCEEDINGS

- a) Following an initial screening, an enquiry will be conducted by the Internal Complaints Committee (ICC). ICC shall strive to complete the enquiry in the shortest possible time, not exceeding three months from date of complaint.
- b) The ICC may, before initiating an inquiry, at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.
- c) On the completion of the inquiry, the ICC shall submit a report of its findings to the Director.
- d) The identity of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC, and the action taken shall be kept strictly confidential.

6. SUPPORT TO THE COMPLAINANT

- a) The ICC shall provide its resources to ensure the complainant's safety on the campus.
- b) The ICC can make arrangements for appropriate counseling to the complainant and/or accused if he/she so requires.

- c) The ICC can seek medical, police and legal intervention with the consent of the complainant.

7. PENALTIES

- a) The punishment to be meted out to the persons indulged in sexual harassment has to be exemplary and justifiably harsh to act as a deterrent against recurrence of such incidents.
- b) The ICC shall take an appropriate decision, with regard to punishment or otherwise, depending on the facts of each incident of sexual harassment and nature and gravity of the incident.
- c) Depending upon the nature and gravity of the offence as established the possible punishments for those found guilty of sexual harassment at the institution level shall be any one or any combination of the following:

For Students:

- a) Warning or reprimand.
- b) Withdrawal of the right to an official character certificate from FIIB.
- c) Suspension or Rustication from the Institute
- d) Expulsion from the Institute,
- e) A bar on appearing for the placement process organized by FIIB.
- f) Withholding of diploma.

For employees:

Take action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent.

- d) Where the ICC arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved person has made the complaint knowing it to be false or the aggrieved person has produced any forged or misleading document, it may recommend to the Director to take action against the aggrieved person.

8. APPEAL

Appeal with regards to any action taken against the accused at any level and / or against the punishment awarded under this policy, shall lie with the Director of the Institute, which should be filed within a period of two weeks from such an action or award of punishment.

9. REPEAL & SAVING

Director of the Institute will possess the sole authority for any interpretation, modification, or amendment to the policy depending upon the need from time to time. She/he will also possess powers to exercise her/his discretion with respect to any or all of the clauses of this policy.

10. WHOM TO CONTACT

Institute Authorities:

- a) Dr. Sangeeta Chopra (sangeeta.chopra@fiib.edu.in)
- b) Ms. Shabana Hussain (shabana.hussain@fiib.edu.in)

Student Representatives:

- c) Subha Yadav (21-subha.yadav@fiib.edu.in)
- d) Nitipriya Keot (22-nitipriya.keot@fiib.edu.in)