

# **FEDERATION OF INDIAN EXPORT ORGANISATIONS**

No.FIEO/Pers.1(18)/2016

1<sup>st</sup> January, 2018

## **POLICY ON SEXUAL HARASSMENT OF EMPLOYEES IN THE FEDERATION OF INDIAN EXPORT ORGANISATIONS (FIEO)**

### **1. POLICY**

1.1 The FEDERATION OF INDIAN EXPORT ORGANISATIONS (FIEO) is an equal employment opportunity organization and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Federation also believes that all employees of the FIEO have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable.

1.2 The Supreme Court has directed to lay down guidelines and a forum for redressal of grievances related to sexual harassment.

### **2. SCOPE AND EFFECTIVE DATE**

2.1 This Policy extends to all employees of the Federation and is deemed to be incorporated in the service conditions of all employees and comes into effect.

2.2 Sexual harassment would mean and include any of the following:

- i) unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any office activity;
- ii) unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance;
- iii) eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- iv) act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex;
- v) conduct of such an act at work place or outside in relation to an Employee of FIEO, or vice versa during the course of employment; and
- vi) any unwelcome gesture by an employee having sexual overtones.

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2.3 "Employee" means any person on the rolls of FIEO, including those on deputation, contract, temporary, part time or working as consultants.

### 3. **COMPLAINT REDRESSAL COMMITTEE**

3.1 An Internal Complaint Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Chairman and Members of the Committee shall be as follows:

#### Committee

- a. Mrs Debdatta Nandwani ,Chairperson
- b. Mr Naval Baveja, Member
- c. Mr Ashish Jain, Member
- d. Mrs Nirmala Tete, Member
- e. Mrs Rekha Vohra - Member representing NGO-LAKSHYA

The tenure of the Chairperson and Members will be for a period of 2 years.

3.2 A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two, one of whom shall be a lady.

### 4. **REDRESSAL PROCESS**

4.1 Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with his/her signature. Wherever such complaint is received by DG&CEO /President directly, the same shall be forwarded to Chairperson of Internal Complaint Committee.

4.2 The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

4.3 The Committee will initiate action within seven working days of the receipt of the complaint.

4.4 A copy of the complaint shall be given to the person against whom complaint is made. Thereafter, the person against whom complaint is made may be called for deposition before the Committee and an opportunity will be given to him / her to give an explanation.

4.5 The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint.

4.6 In the event, the complaint does not fall under the purview of The Sexual Harassment of Women at the Workplace Act or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.

4.7 In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

## 5. ENQUIRY PROCESS

5.1 The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.

5.2 The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if she / he so desires within 7 working days of receipt of the same.

5.3 The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.

5.4 If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.

5.5 If the Complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.

5.6 The Committee shall call upon all witnesses mentioned by both the parties.

5.7 The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.

5.8 The Committee shall complete the "Enquiry" within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the HoD (Pers). The report of the Committee shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.

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5.9 The DG & CEO or President, in case of complaint by or against DG&CEO, will direct appropriate action in accordance with the recommendation proposed by the Committee.

5.10 The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

**6. OTHER POINTS TO BE CONSIDERED**

6.1 The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.

6.2 The Committee shall analyse and put up report on all complaints of this nature at the end of the year for submission to DG&CEO.

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