

## PURPOSE

FH India believes that all employees are entitled to work in an environment free from any kind of harassment, intimidation, coercion and such behaviors which may interfere with good working conditions or job opportunities. To that end, FH India has created a policy for reporting and addressing harassment in the workplace and will take all actions necessary for its implementation and enforcement.

*Please note that this policy conforms to all provisions of the “Sexual Harassment of Women in the Workplace (Prevention, Prohibition and Redressal) Act, 2013”. Sexual harassment is a particularly pernicious form of harassment, and FH India extends protection to include all individuals, regardless of gender or sexual orientation.*

## SCOPE

This policy applies to all FH India employees and vendors/ agents, regardless of gender or sexual orientation, taking into consideration any applicable local labor laws. It applies to behaviors, including actions and language, whether intentional or unintentional, in all work-related settings and activities, whether inside or outside the workplace, including field visits, business trips and business related social events, and includes any non- employees present in FH India workspace or who interact with FH India employees in connection with their work.

In accordance with the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” (the “Act”), this policy specifically addresses sexual harassment in the workplace.

## DEFINITIONS

**Harassment** – Prohibited harassment can arise from a broad range of physical behavior and offensive visual or verbal conduct related to an individual’s race, color, religion, sex, pregnancy, national origin, disability, age, sexual orientation, veteran status, genetic information or other characteristic or activity protected by Indian law. Harassment may include, but is not limited to:

- Physical or mental abuse;
- Derogatory insults, jokes, epithets, slurs or comments; and
- Displays of suggestive, offensive, derogatory or discrimination-oriented pictures, cartoons, posters or other materials.

**Sexual Harassment** – as defined by this policy and in compliance with the Act includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:

- Physical contact and advances
- Demand or request for sexual favors
- Making sexually colored remarks
- Showing pornography
- Physical, verbal or non-verbal conduct of sexual nature that is unwelcomed

- Actions or behaviors that interfere with work, create an intimidating or hostile work environment or are in any way humiliating, degrading or a threat to an employee's health or safety may constitute sexual harassment.

Additionally, any implied or explicit promise of preferential treatment, threat of detrimental treatment or any other action with respect to present or future employment status may constitute sexual harassment.

## **POLICY**

### **General Statement of Policy**

1. FH India prohibits any form of harassment and will be proactive in monitoring its employment practices and policies to ensure a work environment free from harassment. Harassment in any form is considered gross misconduct, and an employee who engages in such conduct will be subject to serious disciplinary action up to and including immediate termination of employment. An employee who engages in sexual harassment may also be subject to possible penal consequences.
2. FH India will promptly investigate all reported or suspected incidents of unlawful harassment and will take prompt corrective action to end the harassment. Employees who violate this policy are subject to discipline, including possible termination.
3. New employees will receive a copy of this Policy on Harassment in the Workplace. The employee will be provided with an opportunity to read this policy and to ask any questions they may have. Afterward, they will be required to sign an acknowledgement of their receipt of the policy.

### **Complaint Guidelines**

1. FH India has constituted an Internal Complaints Committee (the "ICC") to receive all complaints of harassment and to investigate and address such claims. The ICC will be comprised of at least three members appointed by the employer, each for a term of three (3) years, at least 50% of which are women.
  - Presiding Officer; senior female employee
  - Core Members (Two employee members from New Delhi Location)
  - Alternate Member (one employee from the complaint location if other than New Delhi)
  - Independent Member (only for cases of sexual harassment) – 1 non-employee with professional experience relative to women's rights and/or sexual harassment.

See Attachment 1 for the current list of members.

2. If you believe that you or another employee have been subjected to harassment, you should report the facts of the incident(s), the names of the individuals involved and the names of any witnesses verbally or in writing to any member of Internal Complaints Committee immediately, but not later than three (3) months of the incident. If you are not comfortable reporting the information to the ICC, you can report it to Human Resources, your supervisor or any member of management. Complaints against a member of the Internal Complaints Committee should be made to the Director-Family Health India, Project Director or Human Resources.

- Complaints received by anyone outside of Human Resources or the Harassment Committee, should be referred immediately to HR and the Harassment Committee for action.
- Complaints against the Director should be made to the Human Resource.
- Complaints against any individual not employed by FH India should be made to the Director, FH India.

### **Investigation of Complaint**

The Internal Complaints Committee will review and investigate all complaints of harassment. It is the obligation of all employees to cooperate fully in the investigation process. After reviewing the evidence, a determination will be made concerning whether reasonable grounds exist to affirm that harassment has occurred.

1. Prior to an investigation, a complainant may request that the ICC facilitate a conciliation process with the alleged harasser (respondent) in an effort to settle the matter less formally.
2. A Complainant may request protection from further harassment during the investigation by submitting a written request to the ICC. The ICC will consider the request and make a recommendation to HR and the appropriate management staff.
3. The ICC will provide anyone accused of sexual harassment with a copy of the complaint made against them within seven (7) working days. The respondent must file their response within ten (10) working days.
4. The ICC will conduct and conclude an investigation within ninety (90) working days and will report the findings and recommendations to HR and the appropriate management staff within ten (10) working days of reaching a conclusion. Copies of the report will be provided to the claimant and respondent.
5. If harassment is found to have occurred, FH India will take prompt corrective action reasonably calculated to end the harassment and to deter future harassment. Any employee engaging in harassing behavior, attempting to discourage or prevent another employee from reporting harassment or falsifying information or facts during an investigation may be subject to discipline, up to and including termination.

### **Confidentiality**

FH India will maintain confidentiality of all parties to the extent possible. All employees and Harassment Committee members are strictly prohibited from disclosing to anyone the names or addresses of any complainant, respondent or witnesses, or any information about any complaint, inquiry, recommendations or actions taken in response. Anyone who does so may be subject to disciplinary action.

### **Protection Against Retaliation**

1. FH India wants to assure all of its employees that measures will be undertaken to protect those who complain about harassment from any further acts of harassment, coercion or intimidation, and from retaliation due to their reporting an incident or participating in an investigation or proceeding concerning the alleged harassment. Employees need not fear retaliation or reprisal for making a good faith report of harassment or for participating in the investigation of harassment.

2. If in response to an employee's report of suspected harassment, a supervisor, manager or other employee retaliates or threatens to retaliate against the employee or otherwise impact his job, the affected employee should promptly report the incident to his or her supervisor, any management staff member, Human Resources, or any member of the Harassment Committee. Retaliatory actions will not be permitted, and employees who engage in retaliation will be subject to potential disciplinary action, up to and including immediate termination.
3. While every effort will be made to investigate and resolve unlawful harassment complaints made in good faith by employees, FH India prohibits claims that an employee knows are false, spurious or made with the intent to take revenge against or otherwise harm a fellow employee. Employees who make such accusations knowing that they are not justified by the facts are subject to discipline up to and including termination.
4. No action will be taken against any employee in any manner for opposing harassment or for filing a complaint with, or otherwise participating in an investigation, proceeding or hearing conducted by a governmental agency with respect to harassment.

#### **RELATED DOCUMENTS:**

##### **1. Laws**

- Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (G.S.R. 769(E), 9 December 2013)

##### **2. Policies**

- Harassment Free Workplace

##### **3. Standard Operating Procedures**

- N/A

##### **4. Appendices**

- Attachment 1

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**Title** Family Health India: Policy on Harassment in the Workplace

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**PROCEDURE FOR REPORTING A COMPLAINT**

If you believe that you or another employee have been subjected to any form of sexual harassment, please take the time to report the incident in writing to the Internal Complaints Committee as soon as possible. If you are not comfortable reporting the incident to the ICC you may report it to Human Resources, your supervisor or any member of management.

Make sure that you include:

- Time, date and location of the incident
- Names of any individuals involved
- As many details as possible
- Other pertinent information

Within seven (7) working days of filing a complaint, the Internal Complaints Committee will provide the accused harasser with a copy of the complaint. The accused harasser will be given ten (10) working days from receipt to respond in writing. The investigation is to be concluded, as mandated by law, within ninety (90) days and a report delivered to the employer and the concerned parties within ten (10) days of conclusion of the investigation.

Your help in reporting such instances helps to ensure that all workers enjoy a workplace with a professional atmosphere, free from harassment or other intimidating or demeaning behavior.

**INTERNAL COMPLAINTS COMMITTEE**

Members of the Internal Complaints Committee are appointed by management, each for a three (3) year term, 50% of which must be women. Members will be selected for their awareness of and sensitivity to sexual harassment.

Current members of the Internal Complaints Committee:

**(a) Presiding Officer**

- Ms. Kanchan Singh, District Coordinator, EMBED Project, FH India | +91-7999-268-392 | [ksingh@fhiindia.org](mailto:ksingh@fhiindia.org)

**(b) Employee members**

- Mr. Som Kumar Sharma, Associate Director, FH India | TEL: 011-4048-7705; +91-991 999 1025 | [somksharma@fhiindia.org](mailto:somksharma@fhiindia.org)
- Mr. Neeraj Kumar Sinha, Finance and Administrative Officer, FH India | TEL: 011-4048 7705; +91 9654 154 154 | [nksinha@fhiindia.org](mailto:nksinha@fhiindia.org)

**(c) Independent member (for incidents of sexual harassment only)**

- Ms. Sumita Taneja, Director, Program Management Unit | TEL: 011-4048-7777; +91-98-9933-4568 | [staneja@fhi360.org](mailto:staneja@fhi360.org)