

# IN-THE-MOMENT

## Creating respectful workplaces



**PCVC**  
INTERNATIONAL FOUNDATION  
FOR CRIME PREVENTION  
& VICTIM CARE

Support  
a potential survivor

Intervene with a  
potential perpetrator

Create a  
respectful  
work environment

*This tool box was created to support the HR, managers and supervisors in creating respectful workplaces with the goal to \*understand sexual harassment and obligations to prevent it \*respond appropriately to sexual harassment concerns and identify risk factors and \*develop strategies to mitigate them.*

A safe and respectful work environment, free from any form of harassment, is a basic human right. In the wake of #MeToo movement, we have witnessed a surge of experiences of sexual harassment at the workplace bringing to light the magnitude of the issue.

These personal stories have also woken the society to the devastating impact of sexual harassment on the lives of the survivors as well as the significant costs to business and the community.

This spotlight on sexual harassment has turned the tide and shed light on the need for a culture change in workplaces. 'In-The-Moment', is a toolkit designed to enable this change at this crucial point.

Simply satisfying basic legal requirements is a thing of the past. The future, instead, is focused on creating and fostering a workplace culture of respect and inclusion. This kit is for those who want to "go the extra mile". We encourage you to be part of that change.



Dear Fellow Employee,

(Company Name) is committed to providing a work environment that is supportive and comfortable for you to discuss your concerns regarding sexual harassment in the workplace. Every effort is made to ensure fair and equal treatment to all involved in the inquiry process.

We comply with the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and all reasonable effort will be made to protect the privacy of the parties involved and keep the information confidential to the extent required by the law.

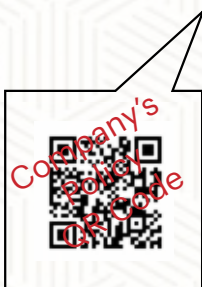
If you decide to file a complaint (Company Name) will:

- Ask you to provide a signed written complaint
- Provide witness names and/or evidences if any
- Conduct an inquiry, as per the Act
- Keep you informed of the progress of the inquiry
- Share the findings of the inquiry, for which you have the right to appeal
- Share the inquiry report on its completion with the recommendation (if allegation/s proved)

(Company Name) prohibits retaliation against a complainant or witness for filing a complaint or participating in the inquiry process. If you feel you are unsure of the incidents/conduct that is making you uncomfortable or the nature of the complaint you want to file, please contact .....

Signed

**Review the POSH policy**



**GOT A QUESTION TO ASK?  
Call:**

# Who Can a Harasser Be?

Harasser	Harasser	Harasser	Harasser
Men can harasser men	Women can harasser women	Men can harasser women	Women can harasser men

It is the behaviours that count, not the gender








# Unlawful sexual harassment ...

- Hostile work environment
- Quid pro quo
- Bystander
- Third party

## Hostile work environment sexual harassment

Is a pattern of unwelcome sexual or gender-based conduct that unreasonably interferes with the individual's job performance or creates a work environment that a reasonable person would find it intimidating, hostile and offense.

### Verbal or Written such as...

 Derogatory comments	 Slurs	 Epithets	 Notes	 Jokes	 Invitations	 Posts, emails, texts
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### Visual conduct such as...

Leering & gesturing	Sexually suggestive pictures, posters, calenders	Internet or email materials that contain sexually explicit or suggestive pictures	Cartoons	Pornography
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### Physical conduct such as...

Unwelcome touching, hugging, or blocking someone's path in an inappropriate or sexual way

### Unwanted romantic contact such as...

Sexual advances	Invitations	Attention
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## Quid Pro Quo sexual harassment

- Is an unwelcome sexual advance with request for sexual favours where submission to such conduct is made an explicit or implicit working term or condition of employment or where submission to or rejection of such conduct is made the basis of employment decisions affecting an individual
- Even one instance is illegal

## Bystander sexual harassment


Occurs when an employee is harassed even though he or she is not the intended target of the sexual misconduct. It can be a pattern of offensive behaviours that create a hostile work environment or a quid pro quo type of situation.

## Third Party Sexual Harassment

Occurs between an employee and a non-employee (for example a vendor, supplier, delivery person, customer, client, etc.) and is a pattern of offensive behaviours that create a hostile work environment or a quid pro quo situation.

## Harassment based on...

- Gender
- Pregnancy
- Gender identity
- Gender expression
- Sexual orientation



is also against the law...

## Retaliation is also against the law

It is unlawful to retaliate against anyone who:

- Resists or rejects sexual misconduct
- Reports any incidents of sexual harassment perceived sexual harassment
- Cooperates in an investigation or a legal case

# What if you are being **sexually harassed?**

## **When it is coming from someone in authority**

The only way to handle sexual misconduct that comes from someone in authority is to report to HR, another manager or the ICC

## **When it comes from a co-worker**



Ask the person to STOP.



If you are uncomfortable addressing the person directly, or if you have tried and the behaviour continues, then report it to the manager or the HR or to the ICC

If you witnessed some kind of misconduct or the actions of a co-worker

# SPEAK UP!







### What defines a respectful workplace?

In a respectful workplace, employees are valued, communication is polite and courteous, and people are treated as they wish to be treated. Unwelcome and disrespectful behaviour, and harassment are addressed in a positive and respectful manner.



### Why do we need to maintain a respectful workplace?

Employees are more likely to perform to the best of their abilities when they work in an environment where respect, diversity, opportunity, and inclusion are high priorities. At (company name) we value all our employees and work towards providing a conducive environment where high employee morale and confidence will empower every employee to give their best efforts and talents for the company.



Disrespectful behaviors or actions towards an employee irrespective of her/his performance, position, skills or socio-economic status is violation of her/his right to a life with dignity



### Why are we implementing a Prevention of Sexual Harassment at Workplace (POSH) Policy and what does it mean?

(Company name) has always held respect as a value under the code of conduct specifying inappropriate behaviours like discrimination and sexual harassment. At this time, the company is mandated to comply with the Sexual Harassment at Workplace (Prevention, Prohibition & Redressal) Act, 2013. This policy stands as one of our endeavours towards our commitment to employees in creating and maintaining a respectful working environment.



### How can I demonstrate respect?

It is easy to contribute to a respectful workplace. You can make a difference by:

- Trying to understand your colleagues' point of view.
- Accepting values and opinions that are different from your own.
- Identifying your own feelings before sharing your concerns with another person.
- Refraining from blaming, threatening, or name-calling even if you are angry or hurt.





## As a manager, how can I help promote a more respectful workplace?

It is the company's responsibility to provide a respectful and harassment-free workplace, as a manager, you also have an important part to play. You can help promote a more respectful workplace by:

- Observing yourself and setting the standard for respectful behavior.
- Recognizing your situation by being aware of circumstances that might become an issue.
- Observing how your team members communicate and being sensitive to how they react.
- Being thoughtful about your tone – how you say it is often as important as what you say.



Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature regardless of a person's gender that affect an individual's workplace.



## What are some examples of unacceptable behaviour under the POSH Policy?

- Written or verbal comments, behaviours, or jokes that are degrading, offensive, demeaning, embarrassing, or insulting.
- Intrusive questions about your private life or physical appearance.
- Inappropriate staring or leering.
- Unwelcome touching, hugging, or cornering or other types of inappropriate physical contact.
- Sexually explicit text messages, images, phone calls or emails.
- Making decisions based on personal preferences or influences that are not related to work.
- Attempts to discredit an employee by spreading false information about him or her.



Sexual Assault is any type of sexual contact that occurs without consent, whether through the use of force, physical threat or abuse of authority for personal gains of a sexual nature. The victim of Sexual Assault may be male or female, and the perpetrator may be of the same or opposite sex.

Sexual harassment is any unwelcome conduct of a sexual nature.

If a reasonable person would anticipate this behaviour might make you feel offended, humiliated or intimidated, it may be sexual harassment. Sexual harassment is unlawful under the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013.



## Where does workplace sexual harassment take place?

Under the POSH Policy and the Sexual Harassment of Women at

Workplace (Prevention, Prohibition & Redressal) Act, 2013, a 'workplace' can be:



- Where the harasser works.
- Where the person being harassed works.
- Where they both work.

Examples of Sexual Harassment:  
Visual conduct such as derogatory and / or sexually oriented posters, photography, cartoons, drawings or gestures.

'Work related' sexual harassment, can take place:

- At the location of someone working remotely who is harassed by email, on a social networking site, or by mobile phone.
- On work-related trips (such as training and or in hotels, cars or on trains etc).
- At work-related social events (such as work lunches, office parties, at bars and restaurants).
- In training facilities or in the other workplaces where your employees go as interns, trainees and apprentices.
- In shops, restaurants, or anywhere that goods and services are provided (sexual harassment can be perpetrated by customers towards employees or by employees towards customers besides employees towards employees).

Examples of Sexual Harassment:  
Physical conduct such as unwanted touching, blocking normal movement or interfering with work because of refusal of sexual advances or sexual orientation. Threats and demands to submit to sexual requests as a condition of continued employment or to avoid discipline



## What should I do if I face disrespectful behaviour or sexual harassment?

No employee of (company name) is required to tolerate disrespectful behavior. Everyone is responsible and accountable for his or her own actions, and all employees have a responsibility to treat one another with respect. If you have experienced or are experiencing unacceptable behavior, we encourage you to bring forward your concerns right away. All allegations of disrespectful behavior will be considered and responded to appropriately, quickly, fairly, and confidentially. You may consult your manager or Human Resources representative, regarding next steps and course of action. Go through the flow chart given at the end of this information brochure that outlines the complaint process as given in the POSH policy.





## How do I make a complaint to the Internal Complaints Committee (ICC)?

A person who has been sexually harassed in the workplace can make a complaint to the ICC alleging sexual harassment under the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013. Contact details: .....



## What does a typical ICC Inquiry look like?

When you report sexual harassment, the company is obligated under the law to investigate the issue in a timely manner. The ICC is a quasi-judicial body that has all the powers of a civil court. It's an independent body that is specialised to deal with complaints of sexual harassment.



### Typically an inquiry would involve:

1. Meet with the complainant to collect details and evidence, if any.
2. Establish safety of complainant, change in reporting if supervisor/manager, grant paid leave if necessary.
3. Share the complaint with the respondent, giving him stipulated time to respond.
4. Meet with the respondent to collect details and evidence, if any.
5. Meet with potential witnesses, such as people on the same team or office floor.
6. List the findings, share report with upper management.
7. Decide on final recommendations, such as disciplinary actions or warnings or termination.
8. Share the report with management to implement the recommendations
9. Close inquiry and let both parties know the outcome (separately).
10. Share report with both parties, they have the right to appeal to the tribunal.



## How much evidence do I need?

Any kind of physical evidence like photos, screenshots of messages, or even recordings help in establishing facts. However, in many instances there could be no such evidence at all. Don't be scared or hesitant to report because you might not have enough physical evidence.



**Circumstantial evidence can also support allegations raised.**

- Document every inappropriate interaction as thoroughly as possible. (Remember the 4W's; What, When, Where, Who was around)
- Screenshot conversations and text your friends/colleagues about your experience.
- You can also build a stronger report if another employee submits a similar report against the same harasser or a witness corroborates your report.
- If you need counseling or therapy contact HR immediately. In addition to helping you through the experience, documenting mental and/or physical health assessments can further shed light on the effects of harassment.



**What if it's my fault?**

At times, we blame ourselves or believe that sexual harassment is our fault, or rationalise the harasser's behavior as a way of making sense of how this happened.



*Did I put myself in that situation? Maybe I didn't make it clear enough. Maybe I should have worn something else. Maybe I'm overreacting. Did I deserve it? It's my fault.*

Sexual harassment is never your fault, not ever. Don't blame yourself. Don't try to rationalize someone else's behavior. And don't listen to those who do not believe you. The company believes in you.



**Who should I contact if I have questions about the POSH Policy or process?**

Should you have any questions or require further information about the POSH policy, please visit ..... website or contact a Human Resources member or email the Internal Complaints Committee (ICC) at .....



**Why take action?**

Evidence shows that reporting and taking action is an effective way to make sexual harassment stop. It's never going to go away by itself.





## **I'm worried about what will happen if I make a complaint?**

Many people are worried they will make things worse if they report their experience of sexual harassment to their employer. It is unlawful for an employee to be disadvantaged because they've reported sexual harassment. For example, it may be unlawful for your employer to move you to a position with fewer responsibilities or give you a critical reference just because you've reported sexual harassment. This is retaliation and is prohibited by the law.



## **What if I'm not a woman and I'm facing harassment?**

Sexual harassment can happen to persons of any gender. Although the current law in India is for women, other redressal mechanisms in the organization can be used to file a complaint against the harassment.



## **If I'm not comfortable complaining to my organization what other option do I have?**

The Ministry of Women and Child Development, Govt. of India maintains a portal, Sexual Harassment electronic Box (SHe-Box), which is a single window access to every woman, irrespective of her work status, whether working in organised or unorganised, private or public sector, to facilitate the registration of complaint related to sexual harassment. Once a complaint is submitted to the 'SHe-Box', it will be directly sent to the concerned authority having jurisdiction to take action into the matter. ([www.shebox.nic.in](http://www.shebox.nic.in))



## **How can I take action as a bystander?**

People who see or hear about harassment in their workplace are called bystanders.

Active bystanders play a role to reduce the harm of sexual harassment and ensure there is no tolerance for sexual harassment in their workplace.



### **You can talk to the person experiencing harassment:**

- Listen to them without judgement,
- Assist them in finding information or on how to make a complaint.
- You can make the person aware about the POSH policy and redressal procedure.

**There are also other things you can do:**

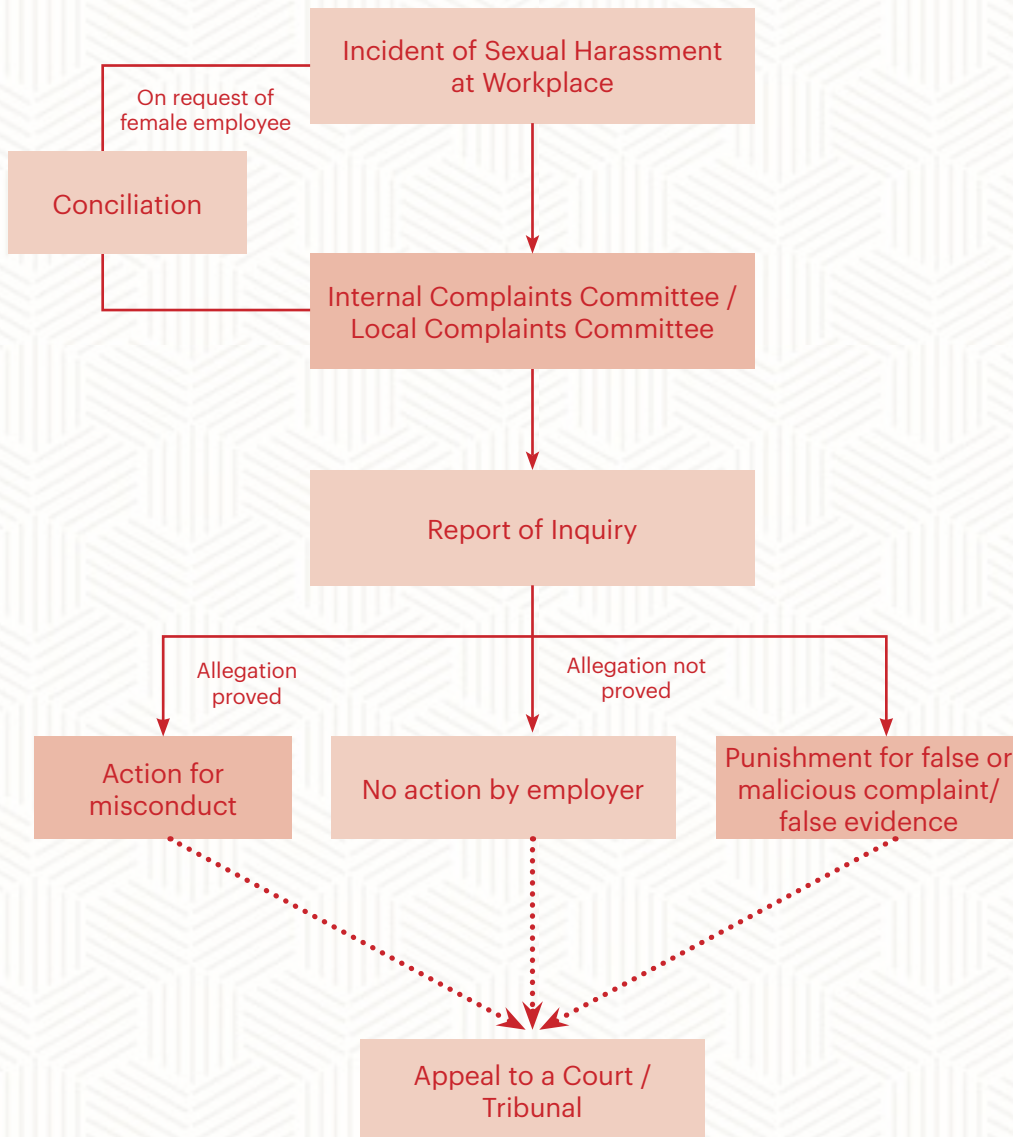
- Talk to Human Resources about sharing the POSH policy or an awareness training on sexual harassment in the workplace.
- If you have the permission of the person experiencing the harassment you can also report it to your employer.
- The best thing you can do is to listen to the person who has been harassed and ask them what support they would like.

You can Contact your HR at ..... OR

Email your ICC: .....

# India: Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

## PROCEDURE TO BE FOLLOWED



## Timelines

A written complaint has to be filled by the female employee within 3 months of the last incident.

The inquiry has to be completed within 90 days.

The inquiry report has to be issued within 10 days from the date of completion of inquiry.

Employer is required to act on the recommendations of the committee within 60 days of receipt of inquiry report

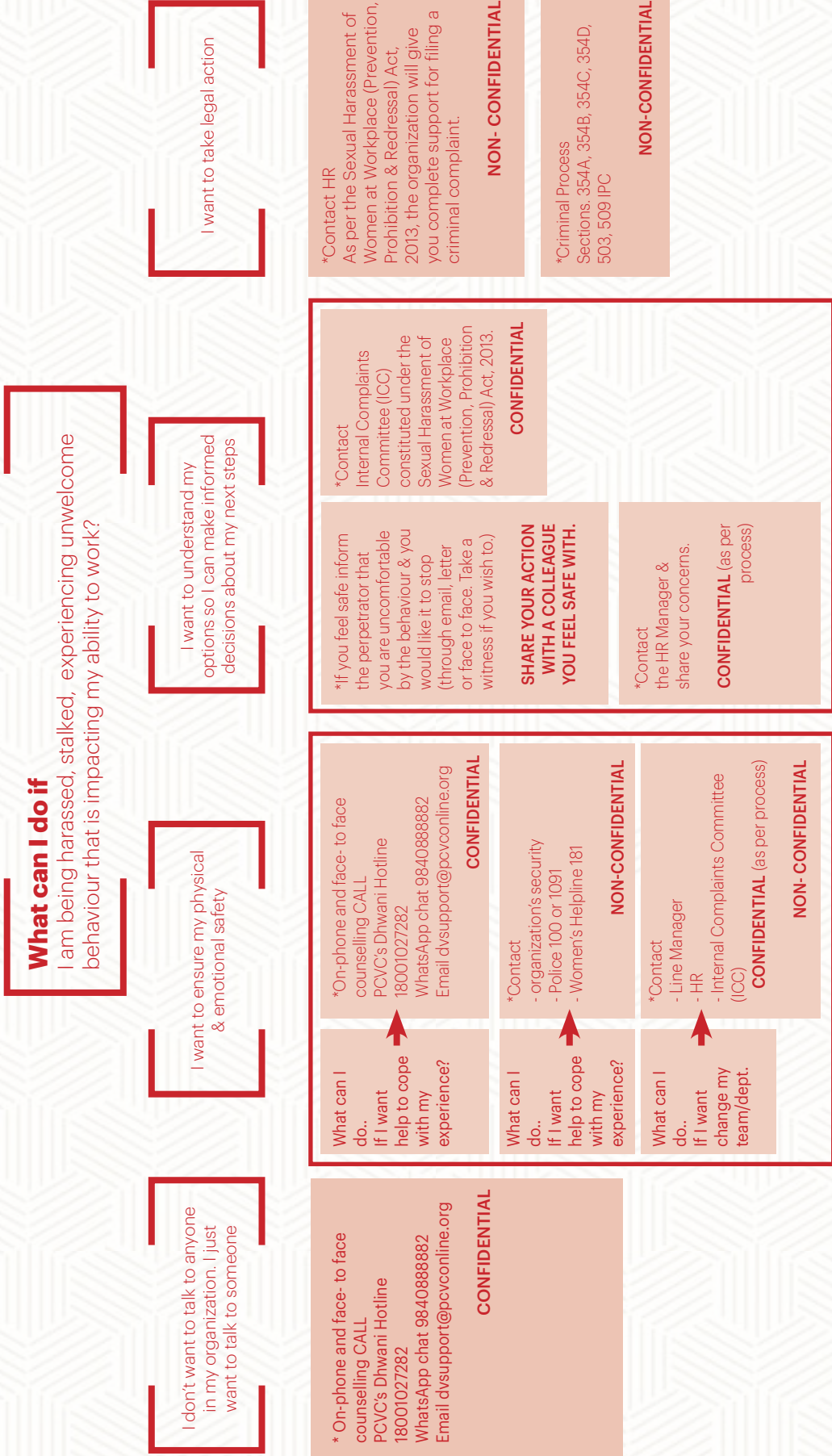
Appeal against the decision of the committee is allowed within 90 days of the date of recommendations.

@Neshith Desai Association, 2013



# OPTIONS FOR RESPONDING TO SEXUAL HARASSMENT AT WORKPLACE

Everyone's experience to sexual harassment is unique. A respectful workplace is your right. Choose an option that makes you feel safe and comfortable. The bottom line is the harassment has to stop.



# EMPLOYEE BEST PRACTICE

## Basic **DO's** & **DON'Ts**



- ✓ Report all prohibited behaviors – If You See Something, Say Something!
- ✓ Treat others with the same respect you expect to receive.
- ✓ Treat others equally regardless of gender, sexual orientation or identity.
- ✓ Participate in training and keep yourself informed of current policies and procedures.
- ✓ Ensure you and your colleagues are aware of your reporting options.
- ✓ Be aware of your surroundings and never over step professional boundaries.
- ✓ Understan'd that “No means No”.



- ⊘ Use slang or slurs to refer to a person based on their gender, sexual orientation or any other identity.
- ⊘ Participate in behaviors or actions towards others that could be perceived as harassing.
- ⊘ Violate, “bend”, or circumvent company policies and procedures.
- ⊘ Retaliate. There is ZERO TOLERANCE for retaliating against anyone reporting an incident.
- ⊘ Avoid giving demeaning labels irrespective of the kind of personal/ professional relationship you share with your colleagues.

**Consent** means words or overt acts by a competent person indicating freely given agreement to sexual conduct. An expression or refusal through words or conduct means there is no consent. The use of alcohol or drugs may affect a person's ability to give consent. Consent can be withdrawn at any point and time.

It is everyone's right, responsibility and obligation to speak up! *If you see something, say something!*



## INFOCARD

# KNOW THE LINE

Sexual Harassment. See. Talk. Support

**SEE.** Know where the line is. If you see something or hear something that makes you feel uncomfortable, don't ignore it.

**TALK.** It takes courage to speak up. Talk with your manager, your colleagues or with the person who is crossing the line.

**SUPPORT.** Don't underestimate the power of support. It can help a colleague stand up and take action.

## DO I FEEL **SAFE** AT WORK?

### AM I EXPERIENCING **SEXUAL HARASSMENT** AT WORKPLACE?

- Is someone treating me with disrespect?
- Is someone threatening me, hurting me or making me feel afraid?
- Am I experiencing or have experienced unwanted conduct?
- Is someone following or waiting to see me when I am coming to or leaving office?
- Is someone sending me repeated unwanted emails, forwards, texts and whatsapp messages or constantly calling me?

If you answered **YES** to any of these questions, there are resources that can help.

### IS WHAT I'M EXPERIENCING IMPACTING MY **WORK**?

- Have I been late or missed work because of the harassment?
- Am I finding it hard to concentrate on work?
- Do I keep checking if I have received unwanted calls or messages at work?
- Do I fear the perpetrator will come near me or call me for a meeting?
- Are there any reasons I feel unsafe at work or outside of work due to a colleague?

If you answered **YES** to any of these questions, you and others in the workplace, maybe at risk.

### YOUR WORKPLACE CAN BE **SAFE AND RESPECTFUL**.

1. Send a mail or speak to the HR manager.
2. Send a mail or speak to your supervisor or line manager, if you feel safe.
3. Speak to a co-worker in office, with whom you feel safe.
4. Send a mail or speak to the Internal Complaints Committee (ICC).

YOU CAN CONNECT TO A LOCAL NGO, OR PCVC's Helpline

**1800 102 7282**

IF IN IMMEDIATE DANGER

CALL POLICE : **100** OR **1091** OR  
WOMEN'S HELPLINE : **181**

## DO I FEEL **SAFE** AT WORK?

### **KNOW YOUR** RIGHTS

- You cannot be removed from your job or asked to resign if you do not give in to unwelcome demands of another employee.
- You cannot be fired or asked to resign from work because you complained against sexual harassment.
- You have a right to file a complaint to the ICC under the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013.
- It's not your fault, if you are facing sexual harassment at the workplace. You deserve to be safe and treated with respect.

## SAFETY **PLANNING**

If you experience sexual harassment, domestic violence or stalking, it is not your fault. You deserve to be safe and treated with respect.

If you have been attacked or believe your safety is at risk:

- Call 100 if you are in immediate danger
- Talk to someone you trust for help in calling the local or national domestic or sexual violence hotlines for information on safety planning and local resources.
- Prepare a kit in case you suddenly have to leave or relocate, with:

- a. Important papers and documents: birth certificate, Aadhar card and Pan card, driver license, passport , medical records, lease, bills, etc.
- b. House keys, car keys, cash, checkbook, credit cards, medicine, important numbers, cell phone.
- c. If you are bringing your children, remember to pack their important papers, legal documents, and a change of clothes.

## WORKPLACE SAFETY PLANNING

Your employer and/or union can make changes at work to help you and your co-workers stay safe and productive. Some options include:

- Time off to talk to the police, get an order of protection, see a doctor, or meet with an NGO.
- Different work location.
- Different work hours.
- New telephone extension.
- Inclusion of the workplace in an order of protection, and notification of security.

## RESOURCES IN THE WORKPLACE

- Should you ask anyone at work for help?
- Will they be helpful – for example, will they help me get contact information local NGOs. Will they help me stay safe?
- Will they maintain my privacy and confidentiality?
- Will they respect my decisions? For instance if I don't want to go to the police, will they respect that?

If you answered **YES** to any of these questions, considering reaching out to a co-worker, a supervisor, union representative, human resources, or the employee assistance program (EAP) in your workplace. Find local resource to help you get safe.

# TWO MAIN CHALLENGES THAT LIE AHEAD OF HR

With the widespread visibility of the **#MeToo Movement**, what can HR expect to happen soon?

# 1. Increased reporting of complaints:

With renewed visibility of sexual harassment in workspaces, there is a potential for increased reporting of complaints.

- Heightened awareness of legal rights under the IPC, and the Sexual Harassment of Women at Workplace (Protection, Prohibition & Redressal) Act, 2013, may lead to increased reporting of sexual harassment allegations.
- They could be reporting of more than sexual harassment allegations involving women and men like gender identity, sexual orientation, caste, religion, disability and age, etc.
- With the striking down of Section 377 IPC and the legalising of consensual same sex relationships, there can be increased reporting of sexual harassment from the same gender.

## What can **HR** do?

- ✓ Update policies and trainings to include focus on gender neutrality regarding who may experience sexual harassment.
- ✓ Share the POSH policy with employees with highlights of the internal reporting/complaint redressal process and the ICC.  
Respond in-the-moment, delay will mean risk for the complainant and the company.
- ✓ Open up more reporting options (telephone, email and live chat) and take a proactive approach
- ✓ Offer options to disclose anonymously, with a disclaimer that anonymous complaints are often difficult to investigate.



## 2. Avoidance Approach:

- Men opting out of one on one conversations and collaborations with women colleagues, customers/clients or potential employees.
- This approach suggests that the mere presence of women is a threat rather than the potential aggressor 's behaviour and understanding of boundaries.
- This can have a chilling effect on performance appraisals, team hiring, promotion of women, or inclusion in meetings and events.

### What can **HR** do?

- ✓ Promote an in-the-moment awareness to decision makers and managers that this avoidance approach is not acceptable or appropriate.
- ✓ Managers having any questions on how to conduct with women employees in the team or one on one meetings can get the guidance of the HR.

**With strategic foresight and planning and a proactive approach and proactive approaches and mindset, companies can effectively tackle the challenges arising from the #Me Too movement.**

**POSTER**

**A  
Respectful  
Workplace  
is your right**

If a supervisor or co worker's behaviour is making you feel uncomfortable and disrespected, call ..... or email:

.....



**POSTER**

**RESPECT is  
every  
manager's  
responsibility.**

Sexual harassment is not just wrong,  
**it's illegal!**



# SEXUAL HARASSMENT AT WORKPLACE **INQUIRY CHECKLIST FOR ICC\***

With the widespread visibility of the #MeToo Movement, and increased complaints of sexual harassment, what is vital for any company is a prompt and competent inquiry process.

## For **ICC members only**

# ICC Inquiry Checklist

Upon receiving the complaint, the role of the ICC is to establish a solid foundation for a fair and respectful inquiry process.

## >>Getting **started**

- ✓ Create a confidential file with the hard copies or electronic documents (including trail emails, evidence attachments) the the complainant has shared.
- ✓ Arrange for a space outside the complainant's department or work area.

## >>Prepare for the **first meeting**

- ✓ Review employee files of those involved.
- ✓ Review company's POSH policy and other relevant policies in light of the alleged incidents.
- ✓ Review inquiry process documentation.

## >> Meeting with **Complainant**

- ✓ Begin by introducing the ICC members and an overview of the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013.
- ✓ Explain the inquiry process.

- ✓ Assure the complainant that the company will keep the inquiry confidential (to the extent possible) and the company will not subject the employee to any retaliation for filing the complaint.
- ✓ Ask the employee to maintain confidentiality as well.
- ✓ Advise the complainant to report immediately if there is retaliation from anyone in the company for filing the complaint.
- ✓ Interview the complainant to gather facts that pertain to:
  - o What happened during these incidents (specifically).
  - o Effects of the alleged harassment on the complainant.
  - o The involvement or names of any witnesses.
  - o What outcomes the complainant is looking for as an outcome of the inquiry.
- ✓ Ask open-ended questions (more than 'yes' or 'no' answers).
- ✓ Assess the complainant's credibility by analysing the body language, eye contact, and the consistency of the responses.
- ✓ Take the person seriously and don't take sides- reserve your judgment until the inquiry is completed where all evidence is gathered and reviewed.
- ✓ Take notes during or after the meeting.

## >> Meeting with **Respondent** (will most often be one meeting)

- ✓ Start by asking biographical questions (ie. name, position, tenure) to establish baseline for assessing the person's behaviour and demeanour.
- ✓ Ask general questions designed to illicit broad responses where the person may answer, sometimes inadvertently, the questions and issues raised by the complainant, without yet being told of the underlying subject matter.

- ✓ Ask increasingly narrow questions if answers to the broader questions are not responsive.
- ✓ Disclose and explain the purpose of the meeting but advise that no decision has been made on whether the allegations are true or what kind of response is warranted.
- ✓ Identify the specific basis for the sexual harassment complaint, the email/written complaint and the meeting of the ICC with the complainant.
- ✓ Acknowledge the response to the allegations received by the ICC through email/written from the respondent and request sharing the response in the meeting.
- ✓ Collect names and contact information of witnesses who can corroborate or support the respondent's account.
- ✓ Assess the respondent's credibility by analysing body language, eye contact, and the consistency of the responses.
- ✓ Take notes during or after the meeting.

## >> Meeting with the **witnesses**

- ✓ Explain the purpose of the meeting, but do not give away specifics.
- ✓ Do not identify the complainant or the respondent at the beginning of the meeting; ask general questions about whether the witness has seen any instances of sexual harassment.
- ✓ Collect specifics on what he or she knows.
- ✓ Distinguish between first hand knowledge and hearsay.
- ✓ Assess the witness's credibility by analysing body language, eye contact, and the consistency of the responses.
- ✓ Take notes during or after the meeting.

## >>Evaluating **facts**

- ✓ After concluding all meetings, update the complainant about the status of the inquiry but no decision has been made whether allegations are true or false or what kind of response is warranted.
- ✓ Evaluate all facts from a neutral perspective.
- ✓ Draft a conclusive report that:
  - o Is chronological in nature.
  - o Provide details of the allegations in the verbal/email complaint, written complaint and any other evidence/allegation collected in the inquiry meetings.
  - o State whether there were any policy violations (any violation of the law).
  - o Provide a recommendation, if misconduct as per service rules; should be reasonable and justifiable.

## >>Submit report to **management** (highest authority)

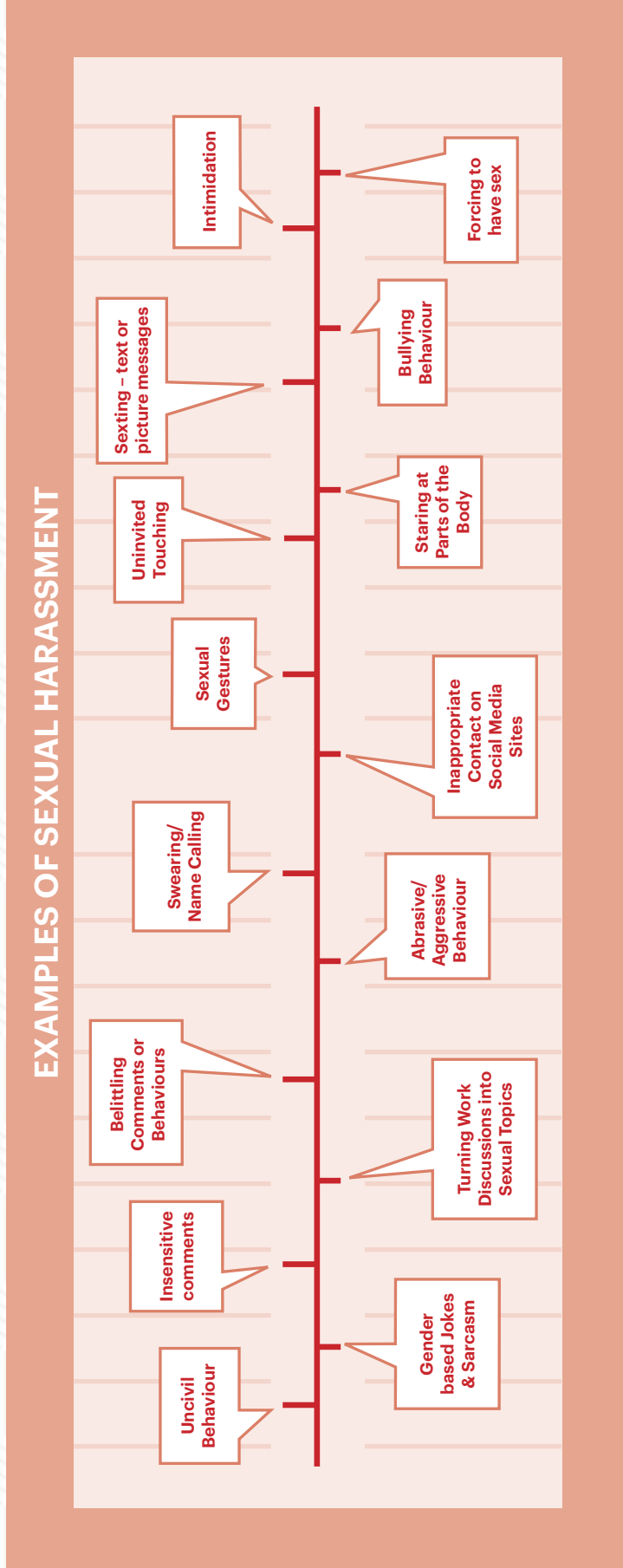
- ✓ Management to carry out the recommendation.
- ✓ Inform ICC of the execution of the recommendation.

With strategic foresight, planning, proactive approach and mindset, workplaces can reaffirm the voices of #MeToo Movement and demonstrate support and solidarity.



# POSTER

## When RESPECT Derails it is HARASSMENT



Harassment is based on the receiver's experience, not the harasser's intent.

### Avoid Harassment

- Remember, a person's friendliness does not equal sexual interest.
- Don't assume your behavior is okay just because no one has objected to it.
- Stop immediately when someone indicates your behavior is unwanted.
- If in doubt, don't say it/don't do it.

# SHARP - **Sexual Harassment Prevention in the Workplace**



## A **PCVC** initiative

International Foundation for Crime Prevention and Victim Care (PCVC) is a not for profit organization based in Chennai, working relentlessly for the last two decades for women and children face violence and harassment in interpersonal relationships and interactions. Our programs and endeavours seek at all times to enable empowerment and strengthen equality and safety and uphold the principle that everyone deserves to be treated with respect and dignity.

*\*Towards equalising roles, opportunities and capabilities for men and women*

Influential workplaces are built as much through a stringent checklist of programme and benefits as they are by day-to-day relationships that employee's experience. The underlying principle of credibility and sustainability of a workplace is trust—how fairly employees are treated, the respect and dignity accorded to them and also their own relationships with their co-workers that is equally mindful of dignity and respect. We are sure that as an employer your efforts at creating a productive work environment must involve aligning work and its targets with a work culture that is free of misconduct, harassment, discrimination, violence and fear. Your investments into the selection of programmes and policies—that enrich the employees and become powerful, regenerative assets and drivers of dramatic turnarounds are—perhaps constant. At this point, we wish to draw your attention to investing on the issue of preventing, prohibiting and redressing sexual harassment at workplace, a crucial determinant in the metric of creating a vibrant workplace. Understanding its gender-equity fundamentals of and weaving it into the fabric of your organisation's daily workings, could boost credibility, lend sustenance to initiatives, and create a culture which inspires every employee (irrespective of gender, class, caste or religion) to give their best and build their talents and capabilities—individually and collectively.

Why embed **SHARP** within your organisation?

**Many reasons, really.**

- **We open up the discourse on sexual harassment and allay the unease surrounding the issue**

Organisations are reluctant to broach this subject. The fear of stirring up unpleasant consequences is real. Yet as a legally required mandate, the issue can no longer be indefinitely deferred. Our interactive, immersive and

collaborative interactions bring the issue into regular work discourse with ease and in a relaxed environment. The emphasis is on equitable gender relationships minus the fear of discrimination, harassment, bias or violence. Inclusive dialogues on this issue ensure that no section of the employees feel singled out for criticism or penalisation. We deepen an understanding of a safe working environment for women at the workplace and its attendant spaces by clarifying behaviours that constitute sexual harassment and through a focus on prevention training. Participants are taught to identify, take action and prevent sexual harassment issues before they occur (in consonance with the Vishaka guidelines on sexual harassment, the substratum on which the current Indian laws are contoured).

- **We create a supportive environment to make men and women comrades in business success**

Men are key to promoting equity and gender-equitable attitudes. When sensitised to what constitutes sexual harassment and its adverse, long term consequences for men, women and the organisation as a whole, their altered attitudes can transform the work place dynamics for the better. It could contain and prevent sexual harassment, and facilitate common problem solving efforts and shared leadership trends where men and women work as allies rather than adversaries. Our frameworks are designs to make this happen.

- **We institute affirmative behaviour-change actions of different kinds within the workplace for enhanced productivity**

We know that current gender-inequitable social attitudes support gender bias and violence that deny women's choices, opportunities, capabilities and rights. We also know that such social attitudes will decline if they become unacceptable. By encouraging the steady adoption of gender-equal principles within an organisation's work ethic and culture, we ensure that they radiate out several benefits beginning with enhanced contributions of women to the organisation to far more integrated work patterns through collective synergies.

- **We enable employees to change from within and create a conducive work environment**

Our trainings place the choice of change in the hands of individuals. Allowing employees to see the problem of treating women as people of less value

and amend their ways is part of our sensitisation process. Empowering and emboldening them to discard such perceptions and practices, we believe, cannot be imposed. It stems out of their own personal reflection and understanding. Our trainings help them see the problem; understand its scale, severity and consequences; search for behaviour alternatives that are respectful of women; and convince others to do the same. The resulting conducive environment spins off better relationships, results and encourages women to take on leadership roles.

- **We help stall costly litigation measures and costs**

Our preventive trainings tussle the bind organisations face when entangled in costly and lengthy legal tangles, which drain company time and resources.

- **We help in protecting victims**

Sexual harassment has serious and negative consequences for women's physical, emotional and economic health. Women suffer from physical symptoms like anxiety, depression, sleep disturbance, and weight loss in the aftermath of harassment. Apart from creating emotional stress for the victims, sexual harassment has serious economic repercussions with severe financial setbacks for victims as many of them let go of their jobs. We aid victims find redress and reprieve. And, help organisations stand by the victim.

- **We demonstrate how to integrate gender equality and diversity (GED) principles into all organisational programmes and future plans**

We actively seek to actively change norms that negatively impact both men and women and accommodate all differences in perspectives (ensuring that each individual's unique qualities and abilities irrespective of sex, caste, class and religion is fully recognised). We address both women's empowerment and men's engagement as the former can emerge only with the combined effect of changes in a woman's own knowledge, skills and abilities, societal norms, institutions and policies that shape her choices, and the power relationships through which she negotiates her path.

- **We embed the seven Women's Empowerment Principles (WEP) into the fabric of organisations**

SHARP collates a range of practical, evidence-based methods, tools,

strategies, resources and models to instill the widely recognised and practiced seven WEP principles into business models and work culture of organisations for significant transformation in a women's social and economic lives. An initiative of UN Global Compact's Indian Local Network and UN Women, the principles are as follows: establish high-level corporate leadership for gender equality; treat all women and men fairly at work - respect and support human rights and non-discrimination; ensure the health, safety and well-being of all women and men workers; promote education, training and professional development for women; implement enterprise development, supply chain and marketing practices that empower women; promote equality through community initiatives and advocacy; and measure and publicly report on progress to achieve gender equality.

- **We promote evidence-based models and good practices that are rights-based**

Our trainings are based on evidence-based models and good practices that use techniques, approaches and methodologies that have proven most successful (through experience and research); have had a positive impact on huge numbers of people; are relevant to other current interventions; are guided by a vision; and are sustainable, replicable and innovative.

- **We anchor the readiness process within organisations to handle sexual harassment complaints**

We offer a first-step initiation to companies on—the rules, laws, mechanisms and processes required to be instituted; clear communication of anti-harassment policies; protection of the organisation in the event of a claim; simplifying the organisation's legal defense against incidences of sexual harassment; ways to safeguard the interests of the complainant; civil and criminal remedies available; and a medley of other issues depending on user needs.

Trainings under **SHARP**:  
galvanising thought-and-action triggers

Conceptualised under four broad categories that are further refined as per client needs, the focus areas of SHARP trainings are:

- *Work in Dignity* (which equips organisations to foster a culture of diversity so that people from different cultures, class, caste, religion and gender are respected, treated as equals in an organisation and their problems redressed) .
- *Building Capacity of Internal Complaints Committee Members* on matters of sexual harassment .
- *Sexual Harassment Prevention Training for Supervisors and Managers.*
- *Sexual Harassment Prevention Training for Employees.*

Each of these modules foster integrated, team-based learning by synthesising technical information, strategies, resources, models and visually powerful actionable learning aids to enable organisations deal with the issue and change the work culture and perceptions and actions of people from within. We normally conduct trainings that are half a day or a day long.

## **SHARP's** value to organisations

### **Our trainings can lead the way to:**

- Safe and secure working environments becoming a reality.
- a coordinated force of men and women within organisations who will work without friction towards unified objectives and plans.
- affirmation of policies for gender equality and the taking on of gender equality as a sound business strategy by the top management in an organisation.
- systemic capacity building of women employees whose talents, competencies, innovation and leadership skills are harnessed.
- women's accomplishment of new skills, adoption of new roles and responsibilities, refinement of learnings, fostering of innovative, untried experiments and their venturing into non-traditional fields of work.
- opening up possibilities of mentoring, career growth and retention of women.
- the coming to stay of inclusiveness as a concept (it could prove to be a tipping point to organisational transformation by galvanising lasting changes that anchor value creation and lasting profits for the company, affecting dramatic economic turnarounds for women and fostering greater global acceptability and sustainability), and
- enabling organisations to showcase their commitment to gender equality.



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