

## **Checklist and abridged pointers for drafting an effective sexual harassment prevention policy**

The recital clause or introduction paragraph has mentioned the objectives of the policy and stated the organisation's stance on sexual harassment.

- Policy drafted in compliance and accordance to the 2013 Act
- Effective date of the policy

### **Scope defined**

- Employees including part-time and contract employees, interns, trainees, retainers, consultants working on-site
- Third party complaint covered?
- Harassment which occurred outside the office premises while on assignment has been covered?
- Harassment of employees by third parties covered?

### **Definition of sexual harassment**

- Is it in compliance with the provisions of the Act?
- Quid-pro-quo harassment covered?
- Hostile environment covered?
- Examples given?
- Non-covered activities mentioned?

### **Internal Complaints Committee**

- Minimum 3 internal members, 1 outside member
- Presiding officer and at least half of the members to be women
- Selection of members
- Term of members cannot be more than 3 years
- Removal of members
- Powers of ICC
- Removal procedure – as per Act
- Meetings of ICC members

### **Complaint mechanism**

- Written submission mandatory
- Whom to approach?

- Complaint must be filed within 3 months, and max 6 months under special circumstances
- Complaint in case of mental or physical incapacity

### **Inquiry mechanism**

- Settlement process
- Approaching police within 7 days once a prima facie case has been made
- Following principles of natural justice
- Enquiry to be complete within 90 days
- Inquiry mechanism as per the Act or the applicable service rules?

### **Disciplinary action**

- Punishments
- Recommendation of ICC to be forwarded to management
- Punishment for false and malicious complaint

### **Confidentiality and protection against retaliation**

### **Compliances**

- Annual reports to District officer
- Sexual harassment related information should be mentioned in the annual report of the organisation

### **Preventive actions**

- Awareness and sensitization workshops
- Policy to be put on notice board
- Policy to be made part of the employment agreement and signed by the employees