



# **Policy on Prevention of Sexual Harassment at Workplace (POSH Policy).**

**Version – 2025**

**Effective from 01-08-2025**

*APPROVED BY:*

*Board of trustees in its meeting on 28-07-2025*

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## 1. Title

This document shall be known as the **Asian Bridge India (ABI) Policy on Prevention of Sexual Harassment at Workplace (POSH Policy)**.

## 2. About Asian Bridge India (ABI)

Asian Bridge India (ABI), founded in 2009 in Varanasi, is a non-profit organization registered under the Indian Trust Act, 1882. ABI is committed to empowering vulnerable and marginalized communities, including children, women, youth, Dalits, Denotified Tribes, and sexual minorities, through work rooted in the values of justice, equality, dignity, and human rights as enshrined in the Constitution of India.

As part of its commitment to gender equity and a safe work environment, ABI shall ensure that at least one-third (1/3rd) of the members of the Board of Trustees are women. ABI is committed to fostering a workplace where all employees, volunteers, and stakeholders can work free from sexual harassment or gender-based discrimination.

This policy is framed in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and its Rules, to ensure that complaints are addressed in a timely, confidential, and fair manner.

## 3. Objectives Of the Policy

- Prevent sexual harassment at workplace.
- Provide a structured complaint and inquiry mechanism.
- Ensure time-bound redressal of complaints.
- Protect rights of complainants, respondents, and witnesses.
- Build a culture of gender sensitivity and accountability.

## 4. Scope & Applicability

This policy applies to:

- All employees of ABI (regular, contractual, consultants, part-time, trainees, interns, volunteers).
- Visitors, vendors, service providers, and partners engaged with ABI.
- Workplace includes:
  - ABI offices, project sites, and field locations.
  - Places where work-related meetings, training, workshops, or social functions are held.
  - During work-related travel, online/virtual meetings, and use of official communication systems.

## 5. Definition of Sexual Harassment

*As per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):*

### a) Physical conduct:

- Unwelcome physical contact and advances.
- Intentional touching, pinching, brushing against the body, or invading personal space.

### b) Verbal conduct:

- Making sexually coloured remarks, jokes, or comments.
- Unwelcome sexual advances, propositions, or requests for sexual favours.

- Persistent unwanted communication of a sexual nature (including calls, messages, or emails).

**c) Non-verbal conduct:**

- Staring, leering, making gestures, or displaying body language of a sexual nature.
- Showing pornography or sexually explicit material.
- Displaying sexually offensive pictures, screensavers, calendars, or graffiti.

**d) Quid pro quo harassment (this-for-that):**

- Promising preferential treatment in employment (promotion, raise, posting) in return for sexual favours.
- Threatening dismissal, demotion, poor performance review, or transfer for refusing sexual advances.

**e) Hostile work environment:**

- Creating an intimidating, offensive, or hostile work environment that affects an employee's dignity, safety, or ability to work.
- Humiliation, exclusion, or retaliation against someone who raises a complaint.

## 6. Internal Complaints Committee (ICC)

ABI shall constitute an **Internal Complaints Committee (ICC)** at the Head Office and Local Committees where required.

**Composition:**

- **Presiding Officer:** A senior woman employee, (Chief Functionary/President or designated staff member). (Chairperson).
- Two employee members committed to gender equality.
- One external member from an NGO, legal, or social background with knowledge of gender issues.
- At least 50% of members shall be women.

**Tenure:** 3 years from the date of formation.

**Powers & Functions:**

The ICC at Asian Bridge India (ABI) is empowered to ensure a **safe, respectful, and gender-sensitive workplace**. Its key powers and functions include:

- **Receiving Complaints**
  - Receive complaints of sexual harassment or gender-based discrimination from employees, volunteers, interns, or third parties.
  - Provide assistance to complainants who are unable to submit written complaints.
- **Inquiry and Investigation**
  - Conduct prompt, fair, and impartial inquiries in accordance with the principles of natural justice.
  - Collect evidence, interview complainants, respondents, and witnesses, and review documents or other materials.
  - Maintain complete confidentiality throughout the process.
- **Interim Measures**
  - Recommend interim relief to protect the complainant during the inquiry, which may include:
    - Temporary transfer of complainant or respondent.
    - Granting paid leave.

- Restricting contact between parties.
- **Redressal and Recommendations**
  - Submit a detailed inquiry report with recommendations to the management or Board of Trustees.
  - Suggest appropriate disciplinary action against the offender if the complaint is substantiated.
  - Recommend measures to prevent recurrence, such as counselling, training, or workplace modifications.
- **Awareness and Sensitization**
  - Organize regular gender sensitization, awareness, and POSH training sessions for all staff.
  - Promote a workplace culture of respect, inclusivity, and equality.
- **Record-Keeping and Reporting**
  - Maintain confidential records of complaints, inquiries, and actions taken.
  - Submit annual compliance reports to the management/Board of Trustees, summarizing complaints received, actions taken, and preventive measures implemented.
- **Protection Against Retaliation**
  - Ensure no retaliation or victimization occurs against complainants, witnesses, or ICC members.

## 7. Complaint Mechanism

### Who can complain?

- Any woman employee, intern, volunteer, or third party who has experienced sexual harassment.
- If the complainant is physically/mentally unable, a relative, friend, co-worker, or NGO can file the complaint with written consent.

### How to complain?

- Complaints must be submitted in writing, either as a hard copy or via official email to the ICC.
- WhatsApp messages, text messages, or oral complaints will not be entertained.
- If unable to write, the ICC shall provide assistance.
- Complaint should be filed within 3 months of the incident (extendable to 6 months if justified).

### Complaint contents:

- Name, designation, and contact details of complainant.
- Name and designation of respondent.
- Date(s), place(s), and description of incident(s).
- Names of witnesses, if any.
- Supporting documents (emails, messages, photos, etc.).

A **Complaint Form (Annexure II)** will be provided by ABI to the complainant.

## 8. Inquiry Process

### Step 1: Acknowledgement

- ICC acknowledges complaint within 7 working days.

### Step 2: Response from Respondent

- Respondent must submit written response with supporting documents within 10 working days.

### Step 3: Inquiry Hearings

- The Internal Complaints Committee (ICC) will conduct hearings in a fair, impartial, and confidential manner.

- Separate hearings will be held for the complainant and the respondent to ensure privacy and prevent intimidation.
- Both parties have the right to present evidence, including documents, emails, messages, or any relevant material.
- Both parties may call witnesses to support their case; the ICC may also summon witnesses if required.
- All proceedings, statements, and evidence will be documented in writing. Both complainant and respondent will be asked to verify and sign the records to ensure accuracy.
- Legal representatives or lawyers are not allowed to appear during the hearings. However, the complainant or respondent may be accompanied by a colleague or staff member for support.
- ICC may ask clarifying questions, review documents, and ensure that both parties fully explain their version of events.
- The hearings aim to establish facts, maintain fairness, and protect the dignity and confidentiality of all involved.

#### **Step 4: Interim Relief**

While an inquiry is ongoing, the Internal Complaints Committee (ICC) may recommend interim measures to ensure the safety, dignity, and well-being of the complainant and to maintain a fair work environment. Possible interim measures include:

- **Transfer of Employees:** Temporary transfer of the complainant or respondent to another location or project site to prevent direct contact and avoid intimidation.
- **Paid Leave:** Granting paid leave up to 3 months to the complainant, if required, to ensure safety and mental well-being during the inquiry.
- **Restricting Contact:** Restriction on the respondent's interaction with the complainant, including limiting access to emails, workspaces, or project meetings.
- **Other Measures:** Any additional measures deemed necessary by the ICC to prevent harassment, protect the complainant, and maintain workplace harmony.
- Interim relief is temporary and will remain in effect until the inquiry is completed or the ICC decides otherwise.

#### **Step 5: Completion of Inquiry**

- The Internal Complaints Committee (ICC) shall complete the inquiry within 90 days from the date of receipt of the complaint.
- The inquiry process includes:
  - Reviewing all written complaints and responses.
  - Examining evidence and documents.
  - Recording statements from the complainant, respondent, and witnesses.
  - Ensuring all proceedings are confidential and impartial.
- After completion, the ICC shall prepare a detailed inquiry report, including:
  - Findings of fact.
  - Assessment of whether sexual harassment occurred.
  - Recommendations for disciplinary action or other measures.
  - Suggestions for preventive measures and awareness programs.
- The inquiry report shall be submitted to the President/Board of Trustees within 10 days of completion.
- The report will be used to implement appropriate action and to guide any further preventive measures.

### Step 6: Action

Based on the findings of the inquiry, the Internal Complaints Committee (ICC) will recommend appropriate action to the Management/Board of Trustees.

#### 1. If the complaint is substantiated:

The ICC may recommend one or more of the following actions, depending on the severity of the misconduct:

- Written apology from the respondent to the complainant.
- Warning, reprimand, or mandatory counselling to address behavioural issues.
- Withholding promotion, increments, or benefits as a disciplinary measure.
- Suspension or termination of the respondent in severe cases.
- Filing a police complaint if the act constitutes a criminal offence under the law.
- Other measures to prevent recurrence and protect the complainant, such as relocation, monitoring, or additional training.

#### 2. If the complaint is not substantiated:

- The case will be closed with a written explanation detailing the reasons for the decision.
- Both the complainant and respondent will be informed of the outcome.
- No punitive action will be taken against either party if the complaint is found to be unsubstantiated, unless it is proved that the complaint was malicious or false, in which case action may be taken against the complainant.
- All actions will be implemented promptly and confidentially to ensure fairness and maintain workplace integrity.

## 9. Rights & Duties of Parties

### A. Rights of the Complainant- The complainant has the right to:

- A fair, unbiased, and impartial hearing of the complaint.
- Confidentiality throughout the complaint and inquiry process.
- Interim relief, such as temporary transfer, paid leave, or restriction of contact with the respondent, if necessary.
- Protection against retaliation or victimization from the respondent, colleagues, or supervisors.
- Be informed of the status and outcome of the inquiry.

### B. Rights of the Respondent- The respondent has the right to:

- Be informed promptly of the complaint filed against them.
- Present evidence, documents, and witnesses in their defence.
- A confidential and fair hearing in accordance with principles of natural justice.
- Be informed of the findings and recommendations of the ICC.

### C. Duties of All Employees

- Treat all colleagues, subordinates, and stakeholders with respect and dignity.
- Report any incidents of sexual harassment or gender-based misconduct promptly.
- Cooperate fully with the ICC during inquiries, including providing statements or evidence if called upon.
- Avoid any retaliation, intimidation, or victimization of the complainant, respondent, or witnesses.
- Participate in awareness and training sessions to promote a safe and gender-sensitive workplace.

## 10. Confidentiality

- The identity of the complainant, respondent, and witnesses shall be kept strictly confidential at all stages of the complaint and inquiry process.
- All documents, evidence, statements, and proceedings related to the complaint shall be maintained securely and access shall be limited to the ICC and authorized management personnel only.
- No information about the complaint or inquiry shall be disclosed to any third party, including colleagues, media, or community members, except as required by law or for the purpose of legal proceedings.
- Any breach of confidentiality by the complainant, respondent, witness, or any employee, including disclosure or discussion of the complaint outside official channels, will be considered misconduct and may attract disciplinary action.
- Confidentiality obligations remain in effect even after the conclusion of the inquiry or closure of the complaint.

## 11. False or Malicious Complaints

- The inability to substantiate a complaint does not automatically mean the complaint is false or malicious. Complaints made in good faith, even if unproven, will not attract any penalty.
- If, after a thorough inquiry, it is established that a complaint was filed with malicious intent, or knowingly false information was provided, the complainant may face appropriate disciplinary action, which may include:
  - Written warning or reprimand.
  - Withholding of benefits or promotion.
  - Suspension or termination, depending on the severity.
- The ICC will carefully assess evidence before determining malicious intent, ensuring that the principle of natural justice is followed.
- Any disciplinary action taken will be documented and communicated to the complainant in writing.

## 12. Appeal

- Either the complainant or the respondent may file an appeal against the recommendations or findings of the Internal Complaints Committee (ICC).
- The appeal must be submitted within 90 days from the date of the ICC's final decision.
- Appeals can be made to:
  - The Board of Trustees of Asian Bridge India (ABI), or
  - Any appropriate legal authority as permitted under the law.
- The Board or legal authority shall review the matter and may:
  - Uphold the ICC's findings,
  - Modify the recommendations, or
  - Direct further investigation if required.
- The appeal process will also be conducted in a confidential, impartial, and time-bound manner, ensuring natural justice for both parties.
- All decisions arising from the appeal will be documented and communicated in writing to the parties concerned.

### 13. Training & Awareness

- **Annual POSH Training:** Asian Bridge India (ABI) will conduct mandatory POSH awareness and gender-sensitization training for all employees every year to ensure understanding of rights, responsibilities, and complaint procedures.
- **Orientation for New Employees:** All new staff, interns, volunteers, and consultants will receive orientation on this policy, including how to recognize sexual harassment and how to report it.
- **Communication Materials:** Posters, notices, and visual aids displaying Internal Complaints Committee (ICC) details, complaint procedures, and helpline contacts will be prominently displayed in offices, field sites, and project locations.
- **Ongoing Awareness:** Additional refresher sessions, discussions, and workshops may be organized periodically to maintain a gender-sensitive and harassment-free workplace culture.
- **Monitoring Effectiveness:** The ICC will periodically assess the effectiveness of training programs and update content as needed to reflect new legal provisions or organizational learnings.

### 14. Record Keeping & Reporting

- The Internal Complaints Committee (ICC) shall maintain confidential and secure records of all matters related to sexual harassment complaints, including:
  - Complaints received, along with the date and nature of the complaint.
  - Inquiry proceedings, including statements, evidence, and hearing notes.
  - Actions taken, including interim relief, recommendations, and final outcomes.
- The ICC shall prepare and submit an annual report to the Management/Board of Trustees and other relevant authorities, detailing:
  - Number of complaints received during the year.
  - Number of complaints disposed of and pending.
  - Actions taken on substantiated complaints.
  - Preventive measures implemented and awareness/training programs conducted.
- Records shall be kept confidential and stored securely for future reference, audit, or legal compliance purposes.
- The report will help monitor trends, improve policies, and ensure accountability in addressing sexual harassment

### 15. Non-Retaliation Policy

Asian Bridge India (ABI) strictly prohibits retaliation or victimization against complainants, witnesses, or ICC members. Any such action will be treated as misconduct and may attract disciplinary action. The organization will take all necessary measures to protect individuals from intimidation, harassment, or adverse consequences for reporting or participating in the inquiry. Employees are encouraged to come forward without fear, knowing that ABI is committed to maintaining a safe and supportive workplace.



## 16. Policy Review and Amendments

- This POSH Policy shall be reviewed once every three years, or earlier if required due to changes in law, regulations, or organizational requirements.
- The review will be coordinated by the President/Chief Functionary in consultation with the Internal Complaints Committee (ICC) and approved by the Board of Trustees.
- Amendments may be made to address legal updates, operational challenges, or recommendations from the ICC.
- All changes will be documented, approved by the Board, and communicated to all employees via email, circulars, or staff meetings.
- Updated versions shall carry a revision number and date of effect, and all previous versions will be maintained for record-keeping and compliance purposes.

## Annexure II – Complaint Form

### Complaint of Sexual Harassment

| Details                                                                                                                                                                                                                                    | Information to be Provided                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Name of Complainant                                                                                                                                                                                                                        |                                                       |
| Designation/Department                                                                                                                                                                                                                     |                                                       |
| Employee Type                                                                                                                                                                                                                              | (Permanent/Contract/Intern/Volunteer) _____           |
| Contact Information                                                                                                                                                                                                                        | Phone: _____ Email: _____                             |
| Name of Respondent                                                                                                                                                                                                                         |                                                       |
| Designation/Department of Respondent                                                                                                                                                                                                       |                                                       |
| Relationship with Respondent                                                                                                                                                                                                               | (Colleague, Supervisor, Field Contact, etc.)<br>_____ |
| Date(s) and Time(s) of Incident(s)                                                                                                                                                                                                         |                                                       |
| Place(s) of Incident(s)                                                                                                                                                                                                                    |                                                       |
| <b>Description of Incident(s)</b> Provide a detailed account including:<br>- Nature of the conduct<br>- Specific words, gestures, or actions<br>- Context or circumstances of the incident<br>- Impact on you personally or professionally |                                                       |
| Witnesses (if any)                                                                                                                                                                                                                         | Name, designation, and contact details:<br>_____      |
| <b>Supporting Documents</b><br><br>Attach emails, messages, photos, screenshots, or any relevant material                                                                                                                                  | List here the details of supporting documents         |
| <b>Previous Action Taken (if any)</b> (Reported to supervisor, HR, etc.)                                                                                                                                                                   |                                                       |
| <b>Declaration</b><br><br>I declare that the information provided above is <b>true and accurate</b> to the best of my knowledge. I understand that knowingly providing false information may result in disciplinary action.                |                                                       |
| <b>Signature of Complainant:</b> _____ <b>Date:</b> _____                                                                                                                                                                                  |                                                       |