



**Fortune Institute of International Business
New Delhi, India**

Serial Number	Reference	Description
1	Name of the document	The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Policy
2	Purpose & scope	
3	Date of last approval/amendment	January 2023
4	Indicative Date of Next review	January 2024
5	Administering entity	Department of Academic Affairs / Department of People Success
6	Approving authority	Registrar Office
7	Reference to related policies, procedures, guidelines & regulations	Service Rules Student Handbooks Student Charter Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act and Rules, 2013

Purpose and Scope:

- a) The Fortune Institute of International Business (FIIB) manages all gender issues in accordance with the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act and Rules, 2013* and regulations applicable to higher educational and technical institutions.
- b) FIIB has constituted an Internal Complaints Committee (ICC) to proactively move to curb all forms of sexual harassment of employees and students; and for creating a campus free from discrimination, harassment, retaliation or sexual assault at all levels.
- c) FIIB goes beyond what is mandated by the Act and rules; and works towards mindfully fighting gender based prejudices. The institute strives to create an inclusive work culture, where each gender is genuinely appreciating the challenges for the other.
- d) This Policy is applicable to all employees, students and people working in the institute premises either permanent, contractual or visiting.

Definitions:

The term and expression Sexual Harassment shall mean and include all unwelcome sexually determined behaviour committed in the institute (whether directly or by implication), such as:

- a) Physical contact and advances;
- b) A demand or request for sexual favours;
- c) Sexually – coloured remarks;
- d) Showing pornography;
- e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- f) Sexual or indecent gestures and indication;
- g) Entry into a private place marked for male/female employees and students, with the intent to commit mischief and harassment;
- h) Taking of photographs of students/ staff without permission and/or converting it in to pornographic material and circulating the same by means electronic media;
- i) All such acts and conducts against women employees and students, which amount to commission offence defined in the Indian Penal Code.
- j) The following circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment
 - i. Implied or explicit promise of preferential treatment for the student in class performance / or employee employment
 - ii. Implied or explicit threat of detrimental treatment for the student in class performance / or employee employment
 - iii. Interference with the student's / employee's work or creating an intimidating or offensive or hostile work environment for her/him, or humiliating treatment likely to affect her/his health or safety.

Policy:

The process for making a complaint

- a) FIIB's Internal Complaints Committee (ICC) shall comply with the procedure prescribed in this Policy and the Act, for making a complaint and inquiring into the complaint in a time bound manner.
- b) An aggrieved person is required to submit a written complaint to the ICC within three months from the date of the incident and in case of a series of incidents within a period of three months from the date of the last incident.
- c) Provided that where such complaint cannot be made in writing, the ICC shall render all reasonable assistance to the person for making the complaint in writing.
- d) Provided further that the ICC may, for the reasons to be accorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the person from filing a complaint within the said period.
- e) Friends, Relatives, Colleagues, Co-students, or any other representative of the victim may file the complaint in situations where the aggrieved person is unable to make a complaint on account of physical or mental incapacity or death.

Inquiry and disciplinary proceedings

- a) Following an initial screening, the ICC may, at the written request of the Complainant take steps to settle the matter between the Complainant and the Respondent through conciliation.
- b) Conciliation is only a choice of the Complainant and shall not be forced or done by fraud, coercion or undue influence on either the Complainant or Respondent.
- c) Any settlement brought about must be mutually acceptable to both, the Complainant and the Respondent.
- d) Monetary settlement cannot be made the basis of such conciliation.
- e) In case a settlement has been arrived at, the ICC shall record it and provide copies of the settlement as recorded to the Complainant and the Respondent.
- f) If settlement has been reached, the ICC will not be required to conduct any further inquiry.
- g) If Complainant feels that the terms of settlement are not being complied with by the Respondent, the Complainant can make a written request to the ICC to conduct an inquiry into the complaint.

The process for conducting inquiry

- a) On receipt of the complaint, the Chairperson of ICC shall send one copy of the complaint to the respondent within a period of seven days of such receipt.
- b) Upon receipt of the copy of the complaint, the respondent shall file his or her reply to the complaint along with the list of documents and names and addresses of witnesses within a period of ten days.
- c) The inquiry has to be completed within a period of ninety days from the receipt of the complaint.
- d) Copy of the findings or recommendations shall also be served on both parties to the complaint.
- e) The institute shall act on the recommendations of the committee within a period of thirty days from the receipt of the inquiry report, unless an appeal against the findings is filed within that time by either party.
- f) The identities of the aggrieved party or victim or the witness or the offender shall not be made public or kept in the public domain.
- g) The ICC, depending of severity of particular case, may take appropriate steps in the interim to provide a conducive environment of safety and protection to the complainant against retaliation and victimization as a consequence of making a complaint of sexual harassment.

Action against frivolous complaints

ICC takes false, mischievous or malicious complaints seriously. If the ICC concludes that the allegations made were false, mischievous or malicious or the complaint was made knowing it to be untrue, or forged or misleading information has been provided during the

inquiry, the complainant shall be liable to be punished as per the recommendations of the ICC.

Confidentiality

All the complaints can be made without any fear of retaliation. It shall be the duty of all persons and authorities designated to ensure that the complaints lodged with ICC remains confidential. After the initiation of an enquiry, confidentiality of proceedings shall be maintained so far as is possible.

FIIB's Responsibilities

- a) FIIB shall place a copy of this Policy on its website or such prominent places as a continual reminder to the employees and students of the FIIB's Policy on Sexual Harassment.
- b) Sensitizing the employees and students related to Sexual Harassment issues.
- c) Encouraging women employees and students to raise their concerns and issues on Sexual Harassment in the workplace at appropriate forum for affirmative discussion from time to time.

Expectations from FIIB employees and students

- a) Set an example of dignified workplace behaviour in line with FIIB's values.
- b) Speak up if you come across Sexual Harassment
- c) Provide support during any inquiry of a complaint, giving full and truthful disclosure of all factual information when asked by ICC, while ensuring that complete confidentiality is maintained, throughout, about any case of Sexual Harassment within the organization.

Sanctions:

- a) Anyone found guilty of sexual harassment shall be punished in accordance with the service rules of FIIB, if the offender is an employee.
- b) The ICC may recommend: (i) a written apology (ii) a letter of warning (iii) removal from holding an administrative position (iv) withholding the promotion (v) Compulsory retirement (vi) withholding of pay rise or increments (vii) immediate transfer or suspension without pay (viii) suspension from service for a limited period (ix) termination from service or other appropriate steps deemed fit in that particular case.
- c) Where the respondent is a student, depending upon the severity of the offence, the ICC may recommend: (i) a written apology (ii) a letter of warning (iii) removal from holding an administrative position (iv) withhold privileges of the student such as access to the library, scholarships, identity card, taking classes, participating in placement process etc; (v) suspend or restrict entry into the campus for a specific period; (vi) award reformative

punishments like mandatory counseling; (vii) expel and strike off name from the rolls of the institution, including denial of readmission, if the offence so warrants.

Amendments:

FIIB reserves the right to amend the Policy from time to time in order to comply with any laws / rules / regulations that come into effect from time to time, related to Sexual Harassment at workplace