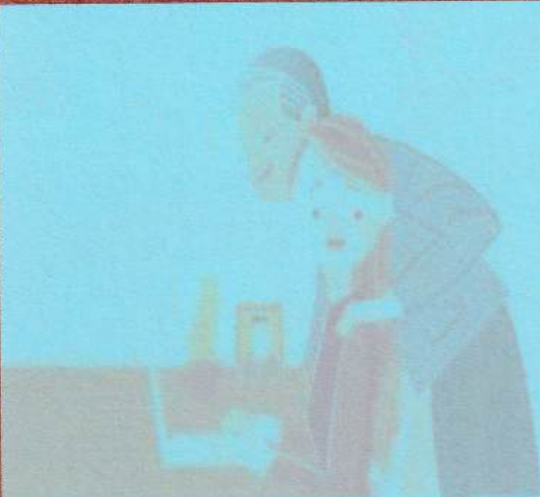




SEXUAL HARASSMENT POLICY

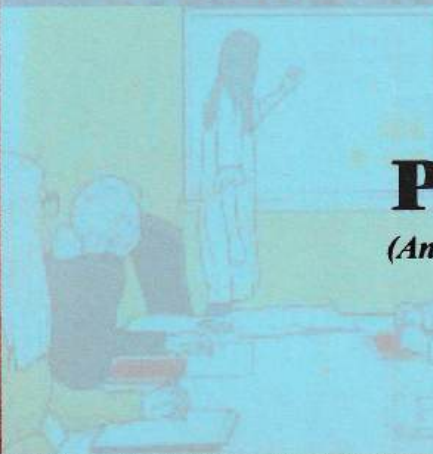
STOP
SEXUAL
HARASSMENT



PALLI CHETANA

(An Organization for Social Development)

Jordia, Bangdaha, Satkhira



STOP
SEXUAL
HARASSMENT



SEXUAL HARASSMENT POLICY

POLICY TITLE : Sexual Harassment Policy

WRITTEN BY : Its senior management team

REVIEWER : Director, Palli Chetana

APPROVING : Members of Governing Board
Syed Hasan Mahmood
President, Executive Committee and
Md. Anisur Rahman
Secretary, Executive Committee

DATE OF APPROVAL : July 25, 2020

DATE OF EFFECTIVENESS: July 25, 2020

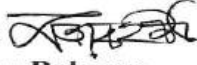
VERIFICATION : Signature 
Md. Anisur Rahman
Director, Palli Chetana
DIRECTOR
PALLI CHETANA
Kordia, Bangdaha, Satkhira

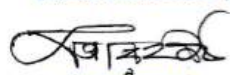


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APPROVED


President
PALLI CHETANA
Jordia, Bangdaha, Satkhira.

Sexual Harassment Policy

DIRECTOR
PALLI CHETANA
Jordia, Bangdaha, Satkhira.



01 Introduction

Palli Chetana strives to provide a workplace and study free from sexual harassment. There is zero tolerance for any form of sexual harassment. Whenever an incident of sexual harassment is reported or observed, Palli Chetana will take all measures to stop the harassment with immediate effect and take necessary disciplinary and legal action against the perpetrator.

Sexual harassment violates the core values of Palli Chetana and it violates the rights of human beings and workers. Anyone can be a victim of this behavior, regardless of age, gender, marital status, education or occupation. Therefore, the aim of this policy is to protect every individual of the Palli Chetana irrespective of religion, caste, gender, sexuality and ethnicity.

02 This policy is designed to:

- Provide a system for the protection of victims of sexual harassment;
- To create awareness of zero tolerance against sexual harassment in Palli Chetana.
- Define procedures for complaints, investigations and disciplinary action;
- Ensure implementation of policies and related codes of conduct.

03 What is sexual harassment?

The issue of sexual harassment has been defined as harassment by the recipient as inappropriate, unwanted and unwanted behavior or behavior of sexual instinct, which adversely affects the dignity of women and men both outside the organization and in certain situations. Any unreasonable sexual advances, requests for sexual favors, and any invisible sexual behavior can also be identified as sexual harassment.

Sexual harassment occurs when any behavior creates a frightening, hostile or aggressive environment, even if the crime is not intentional. Sometimes considered sexual harassment through one person that does not seem so to another person. The defining characteristics are that the behavior will be considered offensive and unwanted by the recipient and sexual harassment by a reasonable person.

Sexual harassment is any direct or indirect form of the following behaviors:

- Unwanted sexual appealing behavior / physical touch or such attempts directly or through gestures
- Unlawful application / harassment / harassment of someone for sexual harassment or harassing remarks / comments / postures or sexual opportunities using institutional and professional powers
- Making fun of using sexually suggestive language
- Showing pornography, digital images, images, cartoons, leaflets, posters and still images
- Offensive letters, emails, SMS, sending pictures, making cartoons
- Making sexual requests or insults on the telephone or mobile phone
- Bench chairs-tables, posters, and graffiti, notice boards, factories, classrooms, toilets.
- Capture still or moving images for the purpose of blackmail / hotspotting or character deprivation
- Attempt to have sex through fear / intimidation / false assurance / temptation or deception
- Applying pressure or threatening to be rejected by offering love

Sexual Harassment Policy



- ☛ Touching or injuring any part of a woman's body with malicious intent
- ☛ To call a woman beautiful with malicious intent.
- ☛ Spreading rumors about sexual problems to socially humiliate or insult someone;
- ☛ Discriminate on the basis of gender or sex.

04 Complaints

- ☛ The names of the accused and the victim must be kept secret until the allegations are proven;
- ☛ The concerned authorities will ensure the safety of the complainant,
- ☛ The complainant can lodge the complaint in writing by himself / friend / letter / lawyer via email.
- ☛ The complainant may lodge a complaint with the female member of the grievance committee.

05 Complaints Committee and its Procedure

- ☛ In order to receive complaints, to conduct investigations and to make recommendations, the concerned authorities in all public and private workplaces and educational institutions will form committees to receive complaints.
- ☛ There will be a committee of five (5) members. A woman will be the head of the committee. (If any)
- ☛ The committee will have a majority of women.
- ☛ Two (2) members of the committee should be taken from the organization and others from outside organizations that work against gender and sexual harassment.
- ☛ The grievance committee will submit an annual grievance report to the government regarding the implementation of this policy.

06 Complaints Committee Management Procedure

- ☛ Complaints must be submitted to the Complaints Committee within 30 working days.
- ☛ In case of minor harassment, the grievance committee will take action to resolve the grievance with the consent of both the parties concerned and will submit an application in this regard to the concerned authorities of all government and non-government workplaces and educational institutions.
- ☛ In all other cases the Complaints Committee will investigate the matter.
- ☛ The Complaints Committee shall have the power to send notices registered by post to both parties and witnesses, conduct hearings, collect evidence and observe all relevant documents.
- ☛ In the case of such allegations, emphasis will be placed on circumstantial evidence in addition to oral evidence.
- ☛ In order to ensure the functioning of the Complaints Committee, all government and non-government workplaces and the concerned offices of educational institutions will be required to provide all kinds of assistance.
- ☛ As much confidentiality as possible should be maintained while taking evidence.
- ☛ No questions which are intentionally harassing and insulting may be asked while taking the testimony of the complainant.



- The grievance committee will submit the investigation report along with their recommendations to the concerned authorities of the workplace and Palli Chetana within 30 working days. Can be extended up to 60 working days.
- If it is proved that a false allegation has been lodged on purpose, then the appropriate authority may be recommended to take appropriate punishment against the complainant.
- Decisions will be made based on the verdict of the majority of the members of the Complaints Committee.

07 Punishment of crime

- On the recommendation of the Complaints Committee, the concerned authorities may suspend the accused person.
- In the case of students, prevent them from attending class.
- If the accused is found guilty, the concerned authorities will consider it as misconduct and take appropriate action against him / her within 30 days as per the rules of discipline or if the conduct is a punishable offense under the Penal Code, the matter will be referred to appropriate court or tribunal.

08 Investigation Procedure: Complaints process step by step

- A formal, written complaint must be filed as soon as possible after that incident.
- Palli Chetana will send the complaint to the sexual harassment committee.
- The complaint will be investigated by a member of the sexual harassment committee.
- The Sexual Harassment Committee will begin hearings and may seek legal advice as necessary.
- Palli Chetana will maintain contact with the complainant and sit with the complainant during the hearing in the committee.

09 Guidelines for investigation

- In small cases, Palli Chetana will be able to settle the matter briefly with the consent of both the parties;
- There shall be transparency in the acceptance of any bribe, gift, bribe, etc. by the committee or members of the committee;
- In all other cases the sexual harassment committee will investigate the matter;
- The committee will first discuss / analyze the written complaint;
- The committee may call the complainant for a meeting for clarification / further evidence;
- The committee may call the offender for a hearing and record a version of the incident / complaint;
- The committee and the complainant may seek legal advice if necessary;
- The committee shall decide on the basis of the opinion of the majority;
- In case of any false or unreasonable allegation, the committee may suggest disciplinary action against the complainant.



10 Harmful, false or illegal allegations

If the plaintiff's allegation is proved to be false after investigation or with malicious intent, he must accept disciplinary action. He must be held accountable in writing for who or what persuaded him to do so.

11 Revenge

If an employee or the public applying for employment comes to seek advice on any form of sexual harassment / assault and to lodge a complaint of sexual harassment / assault, it cannot be a matter of retaliation in any way to stop or coerce him. If necessary, any member of the investigation committee can act as a witness to the allegation of sexual harassment / abuse.

12 Resolve complaints

The inquiry committee will complete the investigation within two weeks (14 days) of receiving the complaint and report the results to the committee. The trial will be completed within 30 working days after the complainant and the accused are informed of the result. If the complex stage complaint cannot be completed within 30 working days, a maximum of 60 working days cannot be exceeded.

If there is not enough evidence to substantiate the allegation, no further action will be taken, but in the event of future harassment or retaliation, action will be taken again. If the allegation is proved, disciplinary action will be taken. Further assistance and advice to complainants and harassers will be provided once the investigation is complete.

13 Disciplined arrangements

A full range of disciplined processes is possible. Depending on the severity of the incident, disciplinary action may include:

-  Written warning
-  Demotion
-  Transfer
-  Suspension
-  Dismissed
-  Expulsion
-  Referral to external legal authority

The results of the complaint and investigation will be recorded in the personal files of the complainant and the alleged harasser and the incident will have to be recorded in a register.

14 Promises of Palli Chetana

Palli Chetana seeks to ensure a campus culture that is free from sexual harassment. Palli Chetana will continue its commitment to prevent any form of sexual harassment by applying four general principles;

-  Prohibited behavior will inform individuals.
-  Ensure that all employees are aware of their rights.
-  This policy will inform the authorities about the correct way of violation and complaint.
-  This policy will help train employees about the problems they face.





15 Training

The sexual harassment policy will be introduced among all employees and officials. Sexual Harassment / Sexual Harassment Prevention Training, Workshops and Professional Development Seminars will be provided free of cost to all staff and officials.

16 Dissemination of information

Copies of the sexual harassment policy are available at the head office of Palli Chetana. Any staff and officers have the right to view this policy. In future this policy will be linked to Palli Chetana web portal.

17 Sexual Harassments Committee

1. Focal person

Must be women

Address

Mobile no

2. Member

Project Coordinator

APPLE project, Palli Chetana

Jordia, Bangdaha, Satkhira.

Mobile No. 01754-203 893

3. Name

Women members

APPLE project, Palli Chetana

Jordia, Bangdaha, Satkhira.

Mobile no

4. Name

Women members

To be another institution

Address

Mobile no

5. Name

To be another institution

Address

Mobile no

Sexual Harassment Policy



Appendix-A

Palli Chetana is a human resource management and sexual harassment policy-Recognition Form

Name of officer or employee or intern-----

Designation-----

Division / Unit-----

I have received, read and fully understood all the policies, guidelines and procedures or procedures included in the Palli Chetana Human Resource Manual.

In particular

I have read the Sexual Harassment Policy of Palli Chetana and fully understood all its contents. I would like to assure you that I will fully abide by all the rules of this policy and I will abide by the essence of my commitment in all my work for the sake of rural consciousness. At the same time, I will abide by the guidelines set out in these policies and understand that if I fail to do so, I will face disciplinary or legal action.

Date: ----- Signature:-----

(Please sign this certificate and submit it to the Human Resources Department. This acknowledgment will be kept in the personal documents of the officer or employee or intern)

Appendix-B

Terms of Service for Sexual Harassment Officer / Sexual Harassment Focal Person (TOR)

Background

Palli Chetana has formulated sexual harassment policies for officers and employees. Palli Chetana believes that all people, irrespective of age, gender, gender, disability, religion and ethnicity, have the right to live independently without fear of sexual harassment and abuse, sexual violence, exploitation and any other power. There are. Palli Chetana is committed to the principle of "zero tolerance" for any form of sexual harassment, exploitation and harassment at the hands of its officers and employees, volunteers, consultants, partners or any other representative involved in any of its activities. All these kinds of behavior are against the beliefs, values and mission of the rural consciousness; and ensuring protection from sexual harassment is a priority of rural consciousness. Palli Chetana has decided to appoint or assign a sexual harassment officer or focal person to ensure the implementation of this sexual harassment protection policy.

Responsibilities

Sexual Harassment of Palli Chetana The role and responsibility of the focal person is to assist in the daily implementation of Palli Chetana's sexual harassment policy with the technical assistance of the senior management authority. His specific works include:

- ↳ To act as a means of communication within the rural consciousness to ensure protection against sexual harassment;
- ↳ Provide guidance to ensure that Palli Chetana employees are adequately informed about the policy of sexual harassment and their responsibilities mentioned in it;

Sexual Harassment Policy



- ↳ Advise and assist staff in implementing sexual harassment policies, including risk analysis;
- ↳ Ensure that all staff and affiliates of Palli Chetana have a proper understanding of the sexual harassment policy.
- ↳ Ensure that everyone understands their role and responsibilities as described in the Sexual Harassment Policy, as well as learn appropriately to understand, identify and address the symptoms of abuse, neglect and other sexual harassment concerns associated with children, women and traumatized people To ensure that opportunities are given;
- ↳ Ensure that sexual harassment focal person's name and means of communication are detailed so that people know where, how and with whom they will contact for consultation if necessary;
- ↳ To be the first person to take care of the safety of children, women and people in distress and to raise those concerns to the senior management authority where applicable;
- ↳ Ensure that confidential, detailed and accurate records of all security concerns are properly maintained and protected from danger;
- ↳ Immediate risk analysis of a serious incident to ensure that there is a current or potential risk to any party or stakeholder involved in that incident and, if necessary, to plan for its solution;
- ↳ Risk analysis and necessary planning on a regular basis throughout the time, and if necessary after the incident;
- ↳ All decisions arising out of the outcome of the incident should be recorded clearly and confidentially, and
- ↳ A plan with all the necessary steps after filing a complaint with the senior management authority to assist in the implementation and monitoring of the sexual harassment policy.

Skills and features

- ↳ Knowledge and experience about the safety and security of sexual harassment of children, women and vulnerable people;
- ↳ He has a respectful and authoritative position in the office so that his views are properly evaluated;
- ↳ Easily accessible to her and adult women also have excellent communication skills with children;
- ↳ Stay calm if you have any concerns, especially if someone asks for their help;
- ↳ The mentality of working together with others in implementing sexual harassment policies to ensure the safety of children, women and vulnerable people in the event of an incident;
- ↳ Commit to the protection of children, women and abused people against sexual harassment and uphold their rights, as well as the ability to advocate for their protection;
- ↳ Advice and presentation skills, and
- ↳ Protect the confidentiality of all information obtained.

Sexual Harassment Policy



Appendix-C

Terms of References for Anti-Sexual Harassment Committee (TOR)

Terms of Reference (TOR) Anti-Sexual Harassment Committee

Introduction:

Palli Chetana as a human rights organization is following zero tolerance policy for sexual harassment issue. It existed in the Palli Chetana Child Protection Policy, Human Resource Policy and Gender Policy. At the beginning of any partnership, these policy commitments are integrated in the Deed of Agreement signed between donor organization and Palli Chetana.¹

High Court Division of the Supreme Court of Bangladesh has passed the direction of Anti sexual harassment of girls and women in the educational institutions and workplaces in Bangladesh in 2009. The Direction provides protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected therewith or incidental thereto.

The concluding portion of the judgment runs as under:

*"Accordingly, we direct that the above guidelines and norms would be strictly observed in all work places for the preservation and enforcement of the right to gender equality of the working women. These directions would be binding and enforceable in law until suitable legislation is enacted to occupy the field."*²

Rational to Formation of Internal Anti-Sexual Harassment Committee

Constitution of the Republic of Bangladesh in several articles ensures gender equality and the State's firm and consistent stand against all sorts of discrimination on the ground of sex, and also ensures equal rights of women with men in all spheres of the State and public life. As per High Court Direction of Anti-sexual harassment it shall be the duty of the employers and other responsible persons in work places, to maintain an effective mechanism to prevent or deter the commission of offences of sexual abuse and harassment, and to provide effective measures for prosecution of the offences of sexual harassment resorting to all available legal and possible institutional steps. As a Human Rights organization and showing due respect to the Bangladesh constitution and the High Court Direction Palli Chetana is going to build up an internal anti-sexual harassment committee.³

Formation of Anti-Sexual Harassment Committee

MJF Concerned Authority will constitute an Anti-Sexual Harassment Committee in order to receive complaints, investigate against complaints and write recommendations after investigation.

- The Anti-Sexual Harassment Committee will have minimum five members and majority of the members will be women. The head of the Complaint Committee should be a woman, if available.
- The Complaint Committee should have at least two (2) members from outside the organization, the organizations who are working on gender issues and sexual abuse will be in preference list.
- The Complaint Committee will submit annual reports to the Government on the compliance of these guidelines. (if necessary)

Sexual Harassment Policy



Objectives of the Anti-Sexual Harassment Committee:

The objectives of the Internal Anti-Sexual Harassment Committee are as follows:

- 🌿 To prevent and protect Sexual Harassment of Women and girls at Palli Chetana
- 🌿 To devolve mechanism for the prevention and protection of sexual harassment cases and other acts of gender-based violence at Palli Chetana;
- 🌿 To ensure the implementation of anti-sexual harassment policy through proper reporting of the complaints and their follow-up activities;
- 🌿 To raise awareness among Palli Chetana's staffs and beneficiaries on sexual harassment in its various forms;
- 🌿 To support capacity development unit for developing anti sexual harassment policy of downstream partners.

Responsibilities of the Committee:

The committee is not to act as a moral police; neither will it intrude on anyone's privacy. The role of the Committee is to create awareness about sexual harassment and to deal with and recommended punishment for non-consensual (not agreed to by one) acts of sexual harassment, and not to curtail sexual expression within the office arena. Members are expected to be sensitive to the issue and not let personal biases and prejudices (whether based on gender, caste, class) and stereotypes (e.g., predetermined notions of how a "victim" or "accused" should dress up or behave) affect being an active member of the committee.

Take Preventive Measures⁴

All employers and persons in charge of work places and authorities shall take effective measures for prevention of sexual harassment. To discharge these obligations, they shall take, amongst others, the following steps:

- a) Prohibition of sexual harassment and sexual torture as defined in **clause 4** of the High Court Direction of Anti-Sexual Harassment should be informed, published and circulated widely at all level of Palli Chetana's staff and in an effective manner;
- b) Constitutional and statutory provisions against gender discriminations and sexual harassment and punishment for the offences of sexual harassment and torture should be widely circulated;
- c) To ensure that there is no hostile environment towards women at workplaces and to engender confidence and trust in women workers that they are not placed in a disadvantaged position in comparison to their male colleagues.

Procedure of the Anti-Sexual Harassment Committee⁵:

Normally the complaint has to be lodged with the Complaint Committee within 30 working days of the occurrence. To verify the complaint the Complaint Committee will take the following measures:

- 🌿 It must be ensured that the identity of the complainant (petitioner) and also that of the accused (suspected) will not be disclosed until the allegation is proved; The Complaint Committee will keep the identities of the complainant/s confidential.
- 🌿 Security of complainant will be ensured by the Concerned authority;
- 🌿 Complaint can be lodged by the victim or through her relatives, friends or lawyers, and it can be sent by mail also;
- 🌿 A complainant can file the complaint with a female member of the Complaint Committee

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separately;

- The complaint will be lodged with the Complaint Committee to be constituted as provided in **clause-4** of the High Court Direction of Anti Sexual Harassment.
- The Complaint Committee will have the power to send registered notice by mail to the parties and the witnesses;
- While recording the testimony of the complainant/s any question or behavior which is intentionally base, insulting or harassing should be avoided. The testimony must be recorded in camera. If the complainant wants to withdraw the complaint or stop the investigation then the reason behind this has to be investigated and mentioned in the report;
- Complaint Committee will receive complaints, investigate it and provide their recommendations.
- The Complaint Committee will have the power to conduct hearing both of the parties and the witnesses;
- The Complaint Committee will gather evidence and examine all relevant papers. For this type of complaint, apart from oral evidence emphasis should be given on circumstantial (secondary) evidence.
- Smoothly and effectively run the activities of the Complaint Committee concern office of the workplaces in both public and private sectors will be bound to extend any sort of cooperation which is requested from them.
- The Complaint Committee shall submit the investigation report with recommendation within 30 working days to the Concerned Authority of the work place. The period of 30 days may be extended up to 60 days where it is found necessary.
- If it is proved that a false complaint has been filed intentionally, then a report will be submitted to the Concerned Authority recommending taking appropriate action against the false complainant/s. The Complaint Committee will take decisions based on the views expressed by most of its members
- Palli Chetana will develop anti sexual harassment policy and take action against any compliant related to sexual harassment among their staff and beneficiaries. They will follow the investigation procedure according to their policy. Finally they will submit an investigation report to the Palli Chetana. If Palli Chetana received any complaint against sexual harassment issue Palli Chetana communicates with them where necessary, further investigations are carried out and administrative actions are taken based on the findings.

Meetings of the Committee:

The members of the Committee shall meet at least three times in a year. The Team leader shall preside over the meeting. In the absence of the team lead, the other committee member shall preside over the meeting. The team leader may upon the request of not less than one third of the total members of the Committee, call a meeting on a date not later than fifteen days after the receipt of such complaint or requisition.

- 1) The quorum of the meeting of the Committee shall be three of its members. If the quorum is not full-fill in any meeting, it shall be adjourned for half an hour and thereafter, the meeting shall precede with those members who are present in the meeting.
- 2) All decisions in the meeting will be taken through mutual consent from the members of the Committee present in the meeting. In the case of any disagreement among the

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members regarding any decision, team leader of the Committee shall hold the authority to take the final decision and quorum members (3 committee members) decision would be considered as final.

Scope of Work:

- Develop Anti-Sexual Harassment Policy in English and Bangla for Palli Chetana;
- Organize and conduct awareness session of Palli Chetana's staff on Anti-Sexual-Harassment issue and role & responsibilities of the committee;
- Orient Palli Chetana on Anti-Sexual Harassment issue- During Partners Orientation;
- Follow up partner organizations' policy on Anti-Sexual Harassment issue in association with Palli Chetana program contact person and capacity development unit;
- Ensure the clause of Anti-Sexual Harassment issue in the Deed of agreement of partner organizations;
- Develop complaint mechanism within the organization. A complain box can be kept where complainants can keep their complaints or written complain can be received by the committee members;
- Organize meeting at least three times in a year;
- Develop annual report;
- Receive complain, concern, hearing and investigation on sexual harassment issue.

APPROVED

President
PALLI CHETANA
Jordia, Bangdaha, Satkhira.

DIRECTOR
PALLI CHETANA
Jordia, Bangdaha, Satkhira