

**WCS-India policy for
PROTECTION FROM SEXUAL HARASSMENT AT WORKPLACE**

| Version | Date | Reason / Change | Prepared By | Reviewed By | Authorized By |
|---------|-----------|--|-------------|------------------------------|--------------------------|
| 1.0 | 06-Sep-21 | Initial Release | IC & ECM* | Head- Ops & Program Managers | Country Program Director |
| 1.1 | 26-10-21 | Sec.1- Policy statement Sec 4.7- Definition of witness Sec 5.1- Internal Committee Sec 6.1-Conciliation Sec 7- Reliefs and remedies Flowchart | IC & ECM | Head- Ops | Country Program Director |

*IC- Internal Committee,

*ECM- External Chair Member

1. The Policy Statement

The policy has been prepared by Wildlife Conservation Society-India (“WCS-India”) to provide a safe and equitable working environment for all its employees in accordance with the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“the Act”) and The Sexual Harassment of Women at Workplace Rules, 2013 (“the Rules”).

Any act of Sexual Harassment by its very nature is a form of misconduct, gravely undermines the employment relationship. All employees of WCS-India should hold a personal responsibility to ensure that their behavior is not contrary to this Policy and they are encouraged to maintain a work environment free from any harassment.

2. Objectives

- (i) To prevent any form of sexual harassment at the workplace irrespective of any gender or sex.
- (ii) To redress complaints of sexual harassment seriously and with confidentiality.
- (iii) To protect every stakeholder against retaliation.

3. Scope and Applicability

- 3.1. This policy applies to all categories of employees at WCS-India irrespective of their gender, sex, age, or employment, who alleges to have been subjected to any form of sexual harassment.
- 3.2. The policy covers third-party harassment which refers to a situation where sexual harassment occurs as a result of an act or omission by any third party or outsider.
- 3.3. It applies to all the workplaces of WCS-India including the program offices at various locations, places from where the employees are working remotely, various field stations, or any other location that falls within the course of employment.

4. Definitions

4.1. Sexual Harassment

Under this policy, Sexual Harassment includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:—

- (i) unwanted physical contact and advances; or

- (ii) a demand or request for sexual favors; or
- (iii) making sexually colored remarks; or
- (iv) showing pornography; or
- (v) giving gifts or leaving objects that are sexually suggestive; or
- (vi) persistent watching, following, contacting of a person; or
- (vii) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

4.2. Employee

An employee includes any person irrespective of the gender or sex employed directly or indirectly at WCS-India for any work on a regular, temporary, ad hoc, or daily wage basis, with or without the knowledge of the Employer, whether for remuneration or working on a voluntary basis, whether the terms of employment are express or implied and it includes employees called by any other names.

4.3. Employer

The Country Director of WCS-India or any such person as may be appointed by the Country Director shall act as the Employer for the purpose of this Policy.

4.4. Workplace

Workplace not only includes WCS-India's primary place of employment located in head office Bangalore but also its field offices in Guwahati, Pokhran, Kanoi, Kolkata, Guwahati, and Hyderabad, or any other field office and includes any place visited by the employee arising out of or during the course of employment including transportation by the Employer for undertaking such journey or any dwelling place or a house or where the employee resided.

4.5. Aggrieved Person

An 'Aggrieved Person' concerning a workplace can be any person irrespective of their sex, gender, age, or employment at WCS-India, who alleges to have been subjected to any form of sexual harassment.

4.6. Respondent

A 'Respondent' is any person irrespective of their sex or gender, against whom the Aggrieved Person has made a complaint about sexual harassment.

4.7. Witness

A 'Witness' is any person who provides information on any incident of sexual harassment or participates in an investigation regarding the matter under inquiry.

5. Complaint

5.1. Internal Committee (IC)

A written complaint of sexual harassment by an aggrieved person or by any other person who has the knowledge of the incident, with the written consent of the

aggrieved person, can be filed with the IC (email: ic@wcsindia.org) or it may be raised with the manager/ directly to any IC member.

5.2. Filing the Complaint

The Aggrieved person shall make such complaint within 3 (Three) months from the date of the incident or in case of a series of incidents within a period of 3 (Three) months from the date of the last incident. The procedure laid down in **Annexure-I** should be followed for filing and redressal of a Sexual Harassment Complaint of an Aggrieved Person.

6. Process of Redressal

6.1. Conciliation

Before initiating an inquiry, the IC may, at the written request of the Aggrieved Person, take steps to settle the matter through conciliation. Conciliation is a formal negotiated settlement between the aggrieved and the respondent and overseen and conducted by the IC. Where a settlement is arrived at, the IC shall conduct no further inquiry. No monetary settlement shall be made a basis of conciliation.

6.2. Investigation/ Inquiry proceedings

The IC shall proceed to make an inquiry into the complaint, after which it will submit its findings and recommendations of the inquiry to the Employer and Parties. The Employer shall then act upon the recommendations of the IC. Please see Annexure I for timelines.

7. Reliefs and Remedies

During the pendency of the inquiry, on a written request made by the Aggrieved Person, the IC may recommend to the Employer to -

- (i) Transfer the Aggrieved Person or the Respondent to any other workplace
- (ii) Grant leave to the Aggrieved Person of a maximum of 3 months, in addition to the leave she would be otherwise entitled
- (iii) Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the Employer will inform the IC regarding the same

If the Respondent is proved guilty, the IC may recommend one or more of the following actions to the Employer, to be taken against the respondent:

- (i) a written apology or
- (ii) warning, reprimand or censure or
- (iii) withholding of a promotion or
- (iv) withholding of pay rise or increments or

- (v) terminating the Respondent from service or
- (vi) Respondent undergoing a counseling session or
- (vii) Respondent carrying out community service

8. Non- Retaliation

This Policy seeks to encourage all Employees to express freely, responsibly, and in orderly way opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about sexual harassment or behavior that might constitute sexual harassment, or participate in an inquiry is also strictly prohibited.

Any act of retaliation, including internal interference, coercion, and restraint by an Employee/ Employer, violates this Policy and will result in appropriate disciplinary actions.

It is important for all Employees to be aware that:

- (i) Retaliation will be treated as misconduct.
- (ii) Retaliation against those reporting sexual harassment will not be ignored under this Policy.
- (iii) Retaliation would include any hurtful employment action against an individual/s.
- (iv) Suspected or actual cases of retaliation must be reported.

9. Mala fide/ Malicious Complaints

If an allegation made by the Aggrieved Person is proven by the IC, to be mala fide or malicious, disciplinary action after such investigation shall be initiated against the Aggrieved Person by the IC. This may include any of the actions mentioned under point 7 depending upon the decision of the IC.

10. Confidentiality

WCS understands that it is difficult for the survivors of sexual harassment to come forward with a complaint of sexual harassment and recognizes the Aggrieved Person's interest in keeping the matter confidential. To protect the interests of the Aggrieved Person, the Respondent, and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any inquiry process to a reasonable extent.

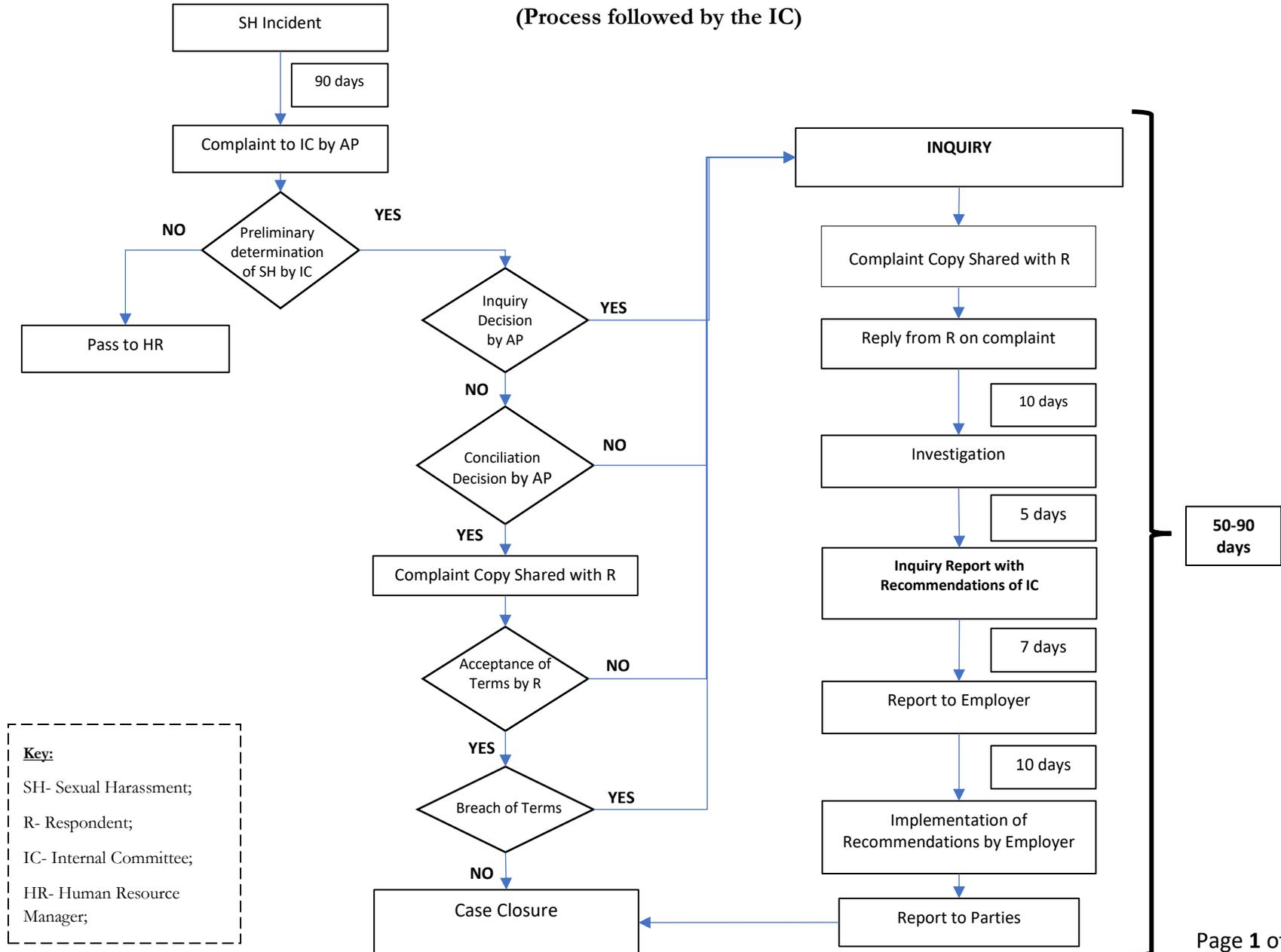
The IC members, Employer, and the Human Resources Manager shall exercise due diligence in maintaining confidentiality regarding any information that comes within the ambit of Sexual Harassment.

11. Responsibilities of IC

The IC shall prepare an annual report of the matters referred to the IC, the status and decisions taken in each of the matters referred during each financial year of the Company. The annual report will be submitted to the Employer within 30 days from the close of each financial year provided that the identity of the parties shall be kept strictly confidential.

ANNEXURE I

(Process followed by the IC)



Key:
 SH- Sexual Harassment;
 R- Respondent;
 IC- Internal Committee;
 HR- Human Resource Manager;

50-90 days