JANA SMALL FINANCE BANK
paise ki kadar

Jana Anti-Sexual Harassment Policy 2020-21

Policy Name	**Jana Anti-Sexual Harassment Policy**
Policy Version	1.1
Policy Owner	Human Resources
Policy Approver	Management Committee (MANCO)
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1. Purpose

The **Jana Anti-Sexual Harassment Policy** seeks to create and maintain a safe work environment, free from sexual harassment and discrimination for all employees in accordance with the guidelines of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013." The policy also outlines the process to be followed when an employee believes that a violation of the policy has occurred.

2. Scope

The policy applies to all employees, including permanent, part-time, temporary, contract, consultant, trainee, on probation etc. regardless of whether they have been engaged directly by Jana Bank or through an agency or contractor and irrespective of whether such employees are working for remuneration or otherwise.

The policy is also applicable to all third parties, such as visitors, customers, service providers, partners, suppliers, and any other person authorized to be present within the premises/workplace of Jana Bank. The policy shall cover sexual harassment of and by any gender.

3. Definitions

"*Complainant*" means, in relation to a workplace, a man or a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent

"*Respondent*" means an employee against whom the complainant has made a complaint of sexual harassment

"*Sexual harassment*" refers to sexual advances, a request or demand for sexual favours, sexual connotation, showing pornography and other verbal or physical conduct of a sexual nature. Sexually harassing conduct may be verbal, visual, or physical in nature. Offensive or intimidating behaviour may also include use of sexually-oriented comments, posters, e-mails and jokes, especially when they contribute to a hostile or offensive working environment.

"*Workplace*" refers to and includes Jana Bank offices as well as the premises of other third parties, vendors and contractors of Jana Bank where the employee works. It includes premises visited by employees arising out of or during the course of employment and includes transportation provided by Jana Bank for the purpose of commuting to and from the place of employment.

"Behaviour amounting to sexual harassment"

The following circumstances, among others, if they occur, or are present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

• Implied or explicit promise of preferential treatment or threat of detrimental treatment in the complainant's employment

• The implied or explicit threat about the complainant's present or future employment status; or

• Interference with the complainant's work or creating an intimidating or offensive or hostile work environment for the complainant; or

• Humiliating treatment likely to affect the complainant's health or safety

4. Internal Complaints Committee (ICC)

An ICC nominated by the Management Committee (MANCO) with a minimum of four members, as follows, will be constituted in the Head Office and will investigate all sexual harassment complaints:

• A Presiding Officer who will be a senior level woman employee of Jana Bank

• Two other senior employees of Jana Bank

• One external lady member from an NGO or an eminent psychologist or lawyer

In addition to the above, each zone will have a Zonal Complaints Committee (ZCC) comprising at least two representatives (Band 1/2/3) from the zone who will be nominated by the zonal management team. Of the two representatives from each zone, one representative should be a woman.

5. Process for registering and dealing with complaints:

• A complaint shall be submitted in writing or by email to ashc@janabank.com within a period of three months from the date of an incident and, in case of a series of incidents, within a period of three months from the date of the last incident

• If the employee is unable to make a complaint on account of physical or mental incapacity or death, the employee's legal heir can submit a complaint on the employee's behalf

• All complaints shall be accompanied by the requisite supporting documents and a list of witnesses to the extent possible

• The ICC is empowered to extend the time limit beyond three months from the date of the incident, but not exceeding three months thereafter, for reasons to be recorded in writing if the ICC is satisfied that the circumstances were such which prevented the person from filing the complaint within the said period

• If the complaint does not rise to the level of sexual harassment, the ICC can dismiss the complaint without any further investigation

• Withdrawal of the complaint made or filed at any stage of the proceedings shall not preclude the Presiding Officer or any member of the ICC from proceeding with the investigation of the complaint

5.1. Conciliation Process

- The ICC may on receipt of a complaint (verbal or written), speak to the Complainant to see if there is a possibility of a conciliation process instead of going into an inquiry or investigation

- ICC should lay down the options before the Complainant as part of the redressal mechanism
- The complainant may then agree for a conciliation
- No monetary settlement shall be made as a basis of conciliation
- Respondent to agree to abide by terms and conditions laid down by the Complainant
- ICC to finalize on the recommendations, if any

- Documentation: ICC to record the conciliation terms and the conciliation report shall be forwarded to the CEC for action as specified in the recommendation. Conciliation report to be shared with both parties.
- Where a settlement has arrived under conciliation, no further inquiry shall be conducted by the ICC
- In case of violation of terms of conciliation/breach of conciliation, the Complainant can approach the ICC. ICC can then initiate a further inquiry on the matter and/or direct that the matter is reported to the police.

5.2 Inquiry Process

• Once a conciliation process is ruled out, the ICC shall commence an official internal inquiry by asking the complainant to prepare a detailed statement of the incident/allegations

• The respondent shall be asked to prepare a response to the statement of allegations and submit it to the ICC within the given timeline

• The ICC will arrange an in-person or telephonic hearing with the complainant and respondent

• The ICC will take evidence of other relevant persons, including the ZCC, and review the evidence wherever it deems necessary. The ICC shall ensure sufficient care is taken to avoid any retaliation against witnesses.

• During the inquiry, the complainant and respondent would be expected to refrain from any form of threat, intimidation or influencing of witnesses

• The ICC shall arrive at a decision after carefully and fairly reviewing the circumstances, evidence and relevant statements. The statements and evidence obtained during the inquiry process will be considered ‘strictly confidential.’

• Both parties shall be given reasonable opportunities to be heard along with witnesses and to produce any relevant documents

5.3 Redressal of Sexual Harassment

Once the investigation is completed, a determination will be made regarding the validity of the harassment allegation. If a decision is made establishing the complainant has been sexually harassed, the ICC shall recommend disciplinary action to the CEC.

The position of the respondent and the criticality of the position occupied by the respondent shall not be a hindrance to the disciplinary action taken against the respondent.

The disciplinary action shall be commensurate with the nature and gravity of the offence and can include, but is not limited to, a written apology from respondent, a warning, transfer, debarring from supervisory duties, denial of employee benefits (e.g. increments/promotion/salary/superannuation benefits etc), suspension, dismissal or any other action as may be deemed fit by the CEC.

6. Annual Report

An annual report for all sexual harassment complaints investigated should be filed by Jana Bank with the respective State Level labour offices (where the complaint occurred) and also in Bangalore (where Jana Bank's registered office is located).

7. Annexures

The two Annexures (1 and 2) which follow this policy document (see below) give additional details of the process and timelines under the policy and the responsibilities of employees ('Dos and Don'ts) as part of the requirements under the policy.

8. Amendments

Jana Bank reserves the right to amend the policy from time to time in order to comply with any laws/ rules/regulations or any other changes related to sexual harassment that may come into effect.

Annexure - 1

Process flow chart/Inquiry timelines

Sl. No	ACTION POINT	AUTHORITY/CONCERNED PERSON	TIME LIMIT
1	Complaint	Complaint to be lodged by the complainant before the ICC	Within the period of 3 months from the date of the incident, or In case of a series of incidents, within the period of 3 months from the date of the last incident
2	Initiation of inquiry proceedings	By the ICC, by sending the copy of the complaint to the respondent	Within the period of 7 working days of receipt of the complaint
3	Reply by the respondent along with his list of documents, names and addresses of witnesses	To the ICC	Within 10 working days from the day of receipt of the copy of complaint forwarded by the ICC

Sl. No	ACTION POINT	AUTHORITY/CONCERNED PERSON	TIME LIMIT
4	Completion of inquiry proceedings	By ICC	Within 3 months from the date of receipt of the complaint
5	Submission of inquiry report and findings along with ICC recommendation	To CEC	Within 10 days of completion of inquiry proceedings by ICC
6	Review of ICC recommendation and finalize action to be taken	By CEC*	Within 10 days of submission of inquiry report
6	Implementation of recommendations made in the ICC enquiry report	By HR	Within 10 days of the receipt of the recommendations made in the enquiry report by ICC
7	An appeal under the policy	By the respondent	Within a period of 15 days of receipt of the disciplinary letter

******Depending on the scheduled date of the CEC meeting*

Annexure-II

Responsibilities of employees

Dos

• Know your rights. Sexual harassment is illegal.

• Treat others with respect and dignity

• Refrain from actions that may offend, embarrass or humiliate others (whether deliberate or unintentional)

• Speak up. If you can, tell the person to stop. State clearly and firmly that you want a particular behaviour to cease.

• Get information and support. If you feel you cannot speak up, ask your colleague to help you.

• Bring it to the notice of the ICC. The colleague may also bring it to the notice of the ICC. Keep records/evidence that might be useful for pursuing the case.

Don’ts

• Do not blame yourself. Sexual harassment is not something one brings on oneself. It is not a consequence of certain ways of dressing or acting. It is a violation of an individual’s right to work and live with dignity.

• Do not ignore it. Ignoring sexual harassment does not make it go away. The harasser may misinterpret a lack of response as approval of the behaviour.

• Do not delay. Delay in action increases the probability that unwanted behaviour will continue or escalate.

• Do not hesitate to ask for help. Speaking up may prevent others from being harmed as well.

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