

## HARASSMENT PREVENTION POLICY

### Purpose

To outline and define VisionFund India's policy regarding harassment prevention in the workplace.

### Scope

This policy applies to VisionFund India and all staff, interns, and volunteers regardless of location; it is also applicable to non-employees such as vendors, independent contractors (consultants), visitors, and other entities doing business with VisionFund India, such as donors and clients. This policy governs conduct in the workplace or any place where each employee performs work on behalf of VisionFund India as well as off-premises situations with a relationship to the workplace or that affect the workplace.

### Policy

VisionFund India promotes a global culture of dignity, respect, and courtesy in line with our Core Value, "We value people." As such, VisionFund India is committed to building a work environment that is free of discrimination\* and actively prohibits and prevents sexual harassment and any other kind of harassment based on race, color, national origin, age, , disability, gender, religion and sexuality, or any other unlawful or inappropriate bases. VisionFund India is also committed to compliance with local laws in the communities in which it operates, and shall comply with such laws as they relate to harassment in the workplace. VisionFund India expects all its personnel and relevant stakeholders to abide by all tenets of this Harassment Prevention Policy.

VisionFund India's policy on harassment prevention aims to:

- Take appropriate measures to prevent harassment;
- Rigorously investigate all complaints of harassment in a timely and thorough manner;
- Take appropriate corrective and disciplinary action against any behavior that qualifies as harassment in accordance with local policies, procedures, and local laws;
- Take appropriate corrective action in cases of false claims of harassment (also in accordance with local practices and laws);
- Provide clear guidelines on how cases of alleged criminal offenses (such as sexual assault) will be addressed;
- Provide access to a safe place where personal support and counseling for victims of harassment can be obtained.

Such policies shall contain the following elements at a minimum, subject to adjustment if required by applicable local laws:

- All allegations of harassment will be investigated promptly, impartially, and confidentially by an individual or team, normally appointed by the Human Resources or People & Culture department. Any employee of VisionFund India found to have acted in violation of this policy shall be subject to corrective action, up to, and including termination.
- VisionFund India will not tolerate retaliatory action against any party who complains of harassment in good faith, or who does not cooperate in an investigation.

- The Human Resource Management (National Office) will incorporate the VisionFund India policy against sexual harassment into the employee orientation program as a mandatory element for internal supervisory and management training. Directors/Managers and Immediate Supervisors are responsible for enforcing standards of appropriate office behavior, and are expected to take prompt action against any conduct identified as sexual harassment, or any other type of harassment, under this policy. Directors/Managers and Immediate Supervisors may also be personally liable for failing to act upon a complaint that they have been made aware of.

VisionFund India is committed to eliminating all forms of harassment (including sexual harassment) from the workplace.

### **Legal Aspects**

VisionFund India will also take into consideration national law, and consult appropriate legal counsel as to the applicability of national law. To the extent that the VisionFund India's policy is inconsistent with national law on this issue, the former will prevail. Where national law is consistent with the VisionFund India's policy or is silent, the VisionFund India policy will apply.

The Constitution of India confers on its citizens certain fundamental rights, and Right to Life is perhaps the most important. "Rights to Life" has been interpreted by various High Courts and the Supreme Court of India to mean not only "mere physical existence" but also a "life with dignity." This Harassment Prevention Policy aims to promote this fundamental right of all our staff and stakeholders.

### **Harassing Conduct - Non-employees**

VisionFund India expects its clients, vendors, contractors/consultants, and partner organisations to not engage in any harassment behaviour when engaging with VisionFund India. These individuals are expected to meet the same behavioral standards as VisionFund India personnel. VisionFund India personnel are also expected to refrain from harassing behaviour towards such individuals, the same as if such individuals were VisionFund India employees. Such individuals can report any harassment behaviour toward them by a VisionFund India staff member.

### **Criminal Offenses (e.g., Sexual Assaults)**

In the event of alleged criminal offenses (such as rape and other forms of assault), VisionFund India will report the incident to appropriate local authorities, local law enforcement, and/or diplomatic authorities. VisionFund India employees who are victims of such offenses in connection with their employment will be provided by VisionFund India with appropriate and timely physical, medical, and psychological support.

### **Reporting and Investigating Harassment Complaints**

Staff who experience sexual harassment are encouraged to inform their supervisors immediately. If the complaint is against the Immediate Supervisor, then the staff can inform the HR personnel at the Regional Office or at the National Office. Supervisors / P&C personnel, in turn, are expected to take positive and prompt action in response to the complaint within five (5) working days. This case should be reported immediately in the Integrated Incident Management (IIM) system.

If the staff does not receive a satisfactory response/resolution from the immediate supervisor / HR person in the Regional Office, the staff may appeal to the Head of HR in writing or verbally who will refer the matter to the committee no later than 5 working days.

The Committee will include the following and will be constituted every two years:

- One Human Resource representative;
- One Female representative from the Senior Management member;
- One Senior staff.

One of the female members will be appointed as the Chairperson of this Committee. The Committee will receive the complaint and will review, gather facts, and substantiate the allegation and give their final summary of findings and recommendations for action/punishment within 7 days. The committee members must have a gender balance and must have at least one male member.

The Committee members are required to maintain absolute confidentiality. A committee member may undergo disciplinary action if there is evidence to show that the matters discussed in the Committee have been discussed outside.

VisionFund India's deliberations on harassment complaints shall abide by policies, such as our Service Rules, Code of Conduct Policy, and Sexual Harassment Policy & Grievance Policy. We will also comply with local national law.

### **Investigation results**

The complainant and the alleged perpetrator will be informed of investigation findings as soon as they have been finalized.

- If the investigation finds no basis for harassment, no permanent record of the incident will be kept in employee files. However, the investigation report will be maintained in P&C. Appropriate counseling services may be provided to both complainant and the alleged perpetrator.
- If there is a reasonable basis to believe that harassment did occur, appropriate corrective action will be taken and full documentation will be kept on record.
- If it is established that knowingly and intentionally false allegations have been made, full documentation will be kept and corrective action will be taken against the complainant.

### **Treatment of the complainant**

The complainant will be treated respectfully and with dignity. Statements made by the complainant will be kept in appropriate confidentiality. The complainant will be:

- Given the opportunity to provide relevant information;
- Given the opportunity to participate in the investigation by providing names/identities of other witnesses and also recommend questions to be asked by the investigators during the investigation;
- If the complainant desires, counseling will be made available.

### **Treatment of the alleged perpetrator**

The alleged perpetrator will be treated respectfully and with dignity. Statements made by the alleged perpetrator will be kept in appropriate confidentiality. The alleged perpetrator will be:

- Advised of the allegations, orally or in writing;
- Given the opportunity to provide relevant information and respond to specific allegations. This response may be made verbally or in writing;
- Given the opportunity to participate in the investigation by providing names/identities of other witnesses who can provide testimonies that provide useful context to the complainant's allegations; the alleged perpetrator may recommend questions to be asked by the investigators during the investigation.
- If the alleged perpetrator desires, counseling will be made available.

## **Retaliation**

Retaliation against any employee filing a complaint, or assisting in the investigation of a complaint, covered under this policy is prohibited. Persons who believe that they have been retaliated against for reporting a complaint or assisting in the investigation process, should report the incident to their P&C Representative.

## **Harassment prevention**

In a continued effort to prevent any type of harassment, all employees will be educated about this Harassment Prevention Policy during new hire orientation, and regular reminders or training will be provided to staff on a periodic basis.

## **Remedial Measure**

This policy aims to address the mental, psychological, emotional, and spiritual issues of both parties

## **Definitions**

### **A. What is Sexual Harassment?**

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where either:

- Submission to such conduct is made an explicit or implicit term or condition of employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals;
- Or, such conduct has the purpose of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- **Note:** Because WV is a diverse organisation, it is important that staff exercise cross-cultural sensitivity. Conservative professional decorum should be exercised to prevent misunderstandings.

### **B. What are Other Types of Harassment?**

Harassment is any conduct that denigrates or shows hostility or aversion towards an individual, or creates a hostile work environment because of his/her:

- Race, ethnic origin, ancestry, nationality, or color;
- Age;
- Gender;
- Sexuality;
- Religious beliefs;\*
- Denominational allegiance;
- Disability;
- Other unlawful or inappropriate bases;