

PREVENTION OF SEXUAL HARASSMENT POLICY

Aim:

To provide a workplace environment free from any kind of sexual harassment and to prevent the occurrence of any act of sexual harassment. To prevent the occurrence of any act of sexual harassment in the Hospital premises. To form a committee to ensure quick and hassle free redressal of any complaint related to sexual harassment.

Applicability:

1. The policy covers all the female employees employed at Jupiter Life Line Hospitals Limited (Jupiter Hospital all Units) including the contractual staff irrespective of their grade, designation, and age.
2. The act also covers any complaint of sexual harassment raised by the patient with respect to any act committed by any of the employee of Jupiter Hospital in the premises of the hospital.
3. The act shall also cover any complaint raised by the employee (direct/contractual) of Jupiter Hospital against a relative, visitor or any other third party of any such act that has occurred within the premises of the hospital.
4. The policy shall also cover all female students, Interns, and observers studying or undergoing a training /observation period at Jupiter Hospital.
5. The act also covers any incident of sexual harassment that occurs in the premises of the accommodation /hostel provided by the hospital as well as any incident that has occurred at any other place that the employee visited during her course of employment including transportation provided by the employer for undertaking such a journey.

Process:

Constituents of Sexual Harassment

The list is elaborative but not exhaustive

1. Physical contact and advances
2. A demand or request for sexual favors
3. Sexually colored remarks or Innuendoes
4. Showing pornography or sharing any obscene SMS, images or videos emails or any other pornographic material
5. Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.

In addition to the above mentioned circumstances the following if they occur or are present along with any act related to sexual harassment then the same may amount to sexual harassment:

1. Implied or explicit promise of preferential treatment in her employment
2. Implied or explicit threat of detrimental treatment in her employment
3. Implied or explicit threat about her current or future employment status
4. Humiliating treatment that is likely to affect her health or status

Internal Complaint Committee (ICC)

Requirements for the Committee are as follows:

1. The Committee must at least have a minimum of 5 members.
2. The Chairperson has to be a female member employed at a senior position at Jupiter Hospital

3. Two other female members holding senior positions in the organization.
4. The Committee shall also include an external member preferably from an NGO or one who has handled cases of sexual harassment in the past.
5. There has to be at least 50% women representation on the Committee.
6. The Committee members have to be from level of Sr. Manager & above.
7. In addition to this the committee shall have one Convener from the HR department who shall co-ordinate the meetings of the committee and process all the documentation related to record keeping
8. The Committee will make an annual report to the concerned Government department of the complaints and action taken.
9. The committee shall meet on all such occasions wherein an enquiry needs to be conducted into any case of sexual harassment.
10. The committee shall also meet on quarterly basis for a review meeting.
11. All the members of the committee shall hold office for a period of 3 years.

Complaint Mechanism:

1. An aggrieved employee can raise concern either through verbal, written or electronic communication media or a fellow employee can inform about the same.
2. Such a concern can be made to the Chairperson of the Internal Complaint Committee for Sexual Harassment at Jupiter Hospital within 3 months from the date of incident.
3. In cases where a series of incidents are involved such a complaint can be made within 3 months from the date of the last incident.
4. The aggrieved employee can make the complaint directly to the POSH committee or en route it through the departmental head to HR .
5. The aggrieved employee can also make a complaint directly to the HR department .
6. The HR department can also take a direct cognizance of any such matters that it comes across and wherever is of the opinion that the aggrieved employee is unable to raise the complaint in writing shall provide him with all the necessary assistance .
7. Any other employee on behalf of the aggrieved could raise a complaint before the committee. However, such a document shall be countersigned by the aggrieved to ensure the authenticity of the same.

Conducting Inquiry

1. On receipt of any complaint of sexual harassment, the committee shall make a thorough investigation on the charges made against the accused and initiate appropriate proceedings.
2. The onus of not proving guilty shall rest with the accused.
3. The committee shall ensure complete confidentiality of the proceedings.
4. Though the committee must consist of minimum 5 members, a particular incident can be investigated by 2/3rd members.
5. The Committee has to establish a prime facie case that the incident has occurred.
6. The committee shall conduct an enquiry within 30 days from the date of the receipt of the complaint of sexual harassment from the victim.
7. Based on the facts of the inquiry the ICC committee shall confirm or dismiss the charges. The committee shall then forward its recommendations in writing to the HR department.
8. The ICC committee should submit the report to the HR department within 10 days from the date of completion of the enquiry.
9. If charges are proved, the management has to take an appropriate action within 60 days from the date of receipt of the report.
10. Any corrective/preventive measure has to be taken within 90 days of the receipt of the complaint by ICC.

Action during Pendency of the Enquiry

1. Transfer the aggrieved employee or the accused to some other department.
2. Grant leave to the aggrieved woman for 3 months /till the completion of the inquiry

On completion of a case, the Committee may:

1. Dismiss the complaint.
2. Prove the allegation and give a finding to that effect.
3. Recommend a punishment according to the seriousness of the offence.
4. Shall suggest the necessary corrective/preventive measures to be taken to avoid any further similar incidence.

Recommendation by Committee:

1. If the allegation is proved, then the ICC committee shall recommend action to be taken in accordance with the service rules of the organization.
2. Deduction of salary or wages of the accused should be such a sum that it may be considered appropriate to be paid to the aggrieved employee.
3. In case the hospital is unable to recover the sum from the salary of the accused employee due to him being absent from the duties, then in such a case it may direct the accused employee to pay the same to the aggrieved employee
4. Wherever the ICC committee during its investigation has reached the conclusion that the complaint is false and misleading and has been made by the aggrieved woman with a malicious intent then in such a case it shall recommend to the HR department the appropriate action to be taken in accordance to the service rules of the organization.

Appealing Body:

In all such cases of harassment, an appeal can be made to the CEO if either of the parties is not satisfied with the decision made.

Jupiter Life Line Hospitals Limited reserve the right to modify, add and cancel the points in the Prevention of Sexual harassment policy