

## **POLICY FOR PREVENTION OF SEXUAL HARASSMENT (POSH)**

### **1. PURPOSE:**

To create and maintain safe work environment, free from sexual harassment & discrimination for all its employees. Establish guidelines as per the guidelines of “The Sexual harassment of women at workplace (prevention, prohibition & redressal) Act, 2013.

### **2. SCOPE:**

Mizoram Pollution Control Board aims to adopt zero tolerance attitudes against any kind of Sexual Harassment or discrimination caused by any employee during their tenure in the Board towards any other person being an employee of the Board, Client, Vendor and Contractor in office premises.

### **3. APPLICABILITY:**

All employees of Mizoram Pollution Control Board.

### **4. DEFINITION:**

- I. **Employee of Mizoram Pollution Control Board** – An "employee" of the Mizoram Pollution Control Board (MPCB) refers to anyone employed by the MPCB to carry out its functions and duties related to environmental protection, pollution control, and waste management. This includes individuals in various roles, such as the Chairman, Member Secretary, technical and scientific staff, administrative and field staff.
- II. **Sexual Harassment** – Harassment of a Female/Male employee consisting of any unwelcome sexually determined behavior, whether directly, indirectly, by any male/female in charge of the management or a male/female co-employee either individually or in association with other persons to exploit the sexuality of co-employee to harass him/her in a manner which prevents or impairs his/her full utilization of full benefits, facilities or opportunities or any other behavior which is generally considered to be derogatory .
- III. **Aggrieved Women** - In relation to workplace, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent.
- IV. **Respondent:** Employees against whom the complaint has been filed.

### **5. POLICY GUIDELINES:**

Sexual Harassment shall include but not limit to: -

- Physical Contact & Sexual advances
- Demand or request for sexual favors;
- Sexually- colored remarks;
- Showing pornography;

- Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

## **6. GRIEVANCE MECHANISM: PROCEDURE TO REGISTER**

### **COMPLAINTS:**

A complaint shall be submitted in written to the ICC or can be discussed during the meeting with any member of the Internal Committee mentioned herein within 3 months of occurrence of an act of Sexual Harassment. If the respondent is direct supervisor of the complainant, or person influencing the career growth of the complainant, the reporting structure will be changed till the time the enquiry is completed.

### **7. INTERNAL COMMITTEE:**

- Each complaint of Sexual Harassment shall be dealt with utmost confidentiality and urgency by an Internal committee consisting of:
  - Presiding Officer - 1 member
  - Internal Member - 2 members
  - External Member - 1 member (MHIP, Khatla West Branch)
- Within 3 working days, the internal committee shall commence Official Internal Enquiry by:
  - By informing the said complaint to the respondent.
  - By instructing to stop the alleged act of Sexual Harassment immediately
  - By informing not to reach out to the complainant directly or indirectly
  - By asking an immediate explanation from him/her the same.
- Within 5 working days from the receipt of original complaint, the designated person shall respond in writing to the complainant informing him/her about the initial steps taken by the ICC in order to stop the alleged act(s)
- Within 15 days from receipt of the complaint, the Internal committee shall record and accordingly communicate in writing to the complainant and the Respondent, its prima facie findings, upon giving the concerned parties a fair and due opportunity to represent themselves and upon conducting fact finding, truth verification and counseling sessions with persons involved in alleged act(s)
- A complaint will be closed no later than one month from receipt of complaint by recording the decisions of the internal committee, accordingly informing to the complainant and the Respondent of the same.

- f. Employees are duty bound to assist in investigative steps, employees' wholehearted participation shall be mandatory in this regard. Whistleblowers shall be protected from exposure, retaliation or hostility.

## **8. REDRESSAL:**

- a. An amicable resolution of the complaint is possible only with the written consent of the complainant.
- b. Within 24 hours of closing the case file, the internal committee shall present the same to and inform its decision to the Member Secretary, Mizoram PCB.
- c. In case of decision establishing the offence of Sexual Harassment of the complainant, within 3 working days, the internal committee shall recommend Disciplinary action against the offender considering the nature and extent of injury caused to the complainant, prior complaints or repetition of offence etc and the impact of the offence on the company profile as a whole.
- d. The position of the offender and the criticality of the position occupied by the offender shall not be any hindrance to the disciplinary action taken against the offender.
- e. The disciplinary action that shall be commensurate with the nature of the gravity of the offence, shall include but not limited to,
  - Warning
  - Written apology from offender,
  - Bond of good behavior
  - Transfer
  - Debarring from supervisory duties
  - Denial of employee benefits like increments/promotion/salary correction etc.
  - Cancellation of specific work Assignment
  - Suspension
  - Dismissal

Annual report summarizing complaints and Redressal of Sexual harassment

shall be prepared by designated person. The said report as well as all documents regarding Sexual Harassment complaints shall be in the custody of designated person and will be termed as 'Strictly Confidential'.

