

16th June 2022

Internal Complaint Committee

In pursuance of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Internal Complaint Committee (ICC) is constituted as under to deal with the complaints relating to sexual harassment at workplace.

OBJECTIVES

1. To develop a policy against sexual harassment of women at workplace.
2. To evolve a permanent mechanism for the prevention and redressal of sexual harassment cases and other acts of gender-based violence at workplace.
3. To ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and their follow-up procedures.
4. To uphold the commitment of the Institute to provide an environment free of gender-based discrimination.
5. To create a secure physical and social environment to deter any act of sexual harassment.
6. To promote a social and psychological environment to raise awareness on sexual harassment in its various forms.

WHAT IS SEXUAL HARASSMENT AT THE WORKPLACE?

Sexual harassment includes anyone or more of the following unwelcome acts or behavior (Whether directly or by implication), namely:

1. Physical contact or advances;
2. A demand or request for sexual favours;
3. Making sexually coloured remarks;
4. Showing pornography;
5. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

WHO CAN COMPLAIN?

1. The complainant
 2. In case of physical incapacity by
 - Complainant's friend
 - Complainant's relative
 - Co worker
 - Guardian or authority under whom the complainant may be taking treatment
- Any other person who has the knowledge of the incident with the consent of the complainant

WHAT SHOULD THE COMPLAINT CONTAIN?

- The written complaint should contain a description of each incident(s)
- It should include relevant dates, timing and location; name of the respondent(s); and the working relation between the parties
- The complaint Should Not be anonymous
- The complaint should be in a sealed cover

WHEN CAN THE COMPLAINANT COMPLAIN?

The submission of complaint to the Internal Complaint Committee (ICC) need to be within **3 months** of the last incident of alleged act of sexual harassment.

WHAT CAN EMPLOYEE/WORKER EXPECT?

Right of Complainant

- A time bound process
- A copy of statement along with all the evidence and a list of witnesses submitted by the respondent
- Information and personal confidentiality
- In case of fear of intimidation from the respondent, recording of complainant statement in absence of the respondent
- Assurance of non-retaliation
- Counselling or other enabling support where needed
- Legal assistance if the complainant opt for criminal proceeding
- Right to appeal

Right of Respondent

- A patient hearing to present his case in a non-biased manner
- A copy of the statement along with all the evidence and a list of witnesses submitted by the complainant
- Keeping his identity confidential throughout the process
- Right to appeal in case not satisfied with the recommendations/findings of the complaint committee

WHAT IS THE DURATION OF THE REDRESS PROCESS A COMPLAINANT CAN EXPECT?

An inquiry must be completed within 90 days and a final report submitted to the CEO within 10 days thereafter. Such report will also be made available to the concerned parties. The authority is obliged to act on the recommendations within 60 days. Any person not satisfied with the findings or recommendations of the complaint committee or non-implementation of the recommendations, may appeal in an appropriate court or tribunal.

Submission of Complaint	Within 3 months of the last incident
Notice to the Respondent	Within 7 days of receiving copy of the complaint
Completion of Inquiry	Within 90 days
Submission of Report by ICC	Within 10 days of completion of Inquiry
Implementation of Recommendations	Within 60 days
Appeal	Within 90 days of the recommendations

If the Respondent is found guilty by ICC, the employer shall take appropriate action against the as per the terms prescribed by the act and as per the internal policies within 60 days of receipt of inquiry report. While taking action against the Respondent, recommendations made by the ICC in its inquiry report shall also be taken into consideration.

CONSTITUTION OF ICC (16th June 2022)

Designation	Name	Contact Details
Chairperson	Dr Abhilasha Gaur	ceo@essc-india.org
Member	Ms Gagan Handa	ea@essc-india.org
Member	Mr Saleem Ahmed	saleem@essc-india.org
Member	Ms Anjali Mehta	anjali@essc-india.org
External Member	Advocate Rekha Rathi	rathi.rekha@gmail.com

It is hereby also declared that while we have an established mechanism of Prevention of Sexual Harassment-POSH and a POSH Committee in place, the council has not received any application for grievance from any employee and thus the not initiated any process under the POSH mechanism




Dr. Abhilasha Gaur
Chief Operating Officer
Electronics Sector Skills Council of India (ESSCI)