



MADANAPALLE INSTITUTE OF TECHNOLOGY & SCIENCE
(UGC-AUTONOMOUS INSTITUTION)

Affiliated to JNTUA, Ananthapuramu & Approved by AICTE, New Delhi
NAAC Accredited with A+ Grade, NIRF India Rankings 2021 - Band: 201-250 (Engg.)
NBA Accredited - B.Tech. (CIVIL, CSE, ECE, EEE, MECH), MBA & MCA
<https://mits.ac.in/posh>



PREVENTION OF SEXUAL HARRASMENT AT WORK PLACE

Madanapalle Institute of Technology & Science is committed to provide a safe workplace for all women employees and girl students. In this direction, MITS has implemented Government of India's Prevention of Sexual Harassment (POSH) Act of 2013 and as amended in 2016. A committee is in place to address any Sexual harassment related complaints. Girl students or lady faculty members can lodge any sexual harassment complaint: **posh@mits.ac.in** or contact POSH Cell Coordinator Mrs. U. Vijaya Lakshmi or Principal, MITS.

Committee Members:



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Annexure - 40

OFFICE ORDER No: 35B – DATED: 13.09.2023
Committee of Prevention of Sexual Harassment Cell (POSHC)

In continuation of the office order dated 03.03.2023, the Sexual Harassment Cell has been reconstituted with immediate effect

MITS is committed to provide congenial and conducive atmosphere for the Lady Employees and Girl Students in the Institute premise. Therefore, to make the employee and students feel welcome and secure, Institute has implemented Prevention of Sexual Harassment (POSH) ACT, 2013 as per the guidelines of Supreme court and formed a Prevention of Sexual Harassment Cell for preventing and redressing sexual harassment complaints at the workplace.

The Cell comprises of members of administration, faculty, service staff, and students' representatives. The members of the cell are:

S.No	Name	Designation	Chairperson /Member	Email ID	Contact Number
1	Mrs. U. Vijaya Lakshmi	Sr. Manager - IRO Cell & Students Councilor	Chairperson	vijsyalakshmiu@mits.ac.in	9100600773
2	Mrs. M. Prathibha	Sr. Administrative Officer (G.A.D)	Member	admin@mits.ac.in	9160020772
3	Dr. Sreemant Basu	Dean –Administration, Intl. Relations & UGC Affairs	Member	dean-administration@mits.ac.in	9100907329
4	Dr. C. Kamal Basha	Vice Principal - Administration	Member	viceprincipaladministration@mits.ac.in	8008570686
5	Dr. R. Kalpana	Professor & Head - CSE	Member	csehod@mits.ac.in	9791358061
6	Dr. S. Kusuma	Assistant Professor & Head - DS	Member	kusumas@mits.ac.in	9160023384
7	Mrs. J. Rajamma	Nurse	Member	principaloffice@mits.ac.in	9177197265
8	Ms. G. Dharami	Student-Civil	Member	22691A0108@mits.ac.in	9391304138
9	Ms. N. Vasundara	Student- CSE	Member	22691A0504@mits.ac.in	9553482858

We wish them all the very best.


PRINCIPAL
 Madanapalle Institute of Technology & Science
MADANAPALLE

To The concerned Faculty members, Students
Copy to The Concerned HoDs / In-charges
Copy Submitted to: The Secretary & Correspondent for Information

AN ENGINEERING COLLEGE SPONSORED BY : **RATAKONDA RANGA REDDY EDUCATIONAL ACADEMY**
 P.B. No. 14, Angaliu, MADANAPALLE - 517 325, Chittoor Dist, Andhra Pradesh, India.
 Phone : 08571 - 280255, 280706 Fax : 08571 - 280433

THE ACT

Having raised the bar of responsibility and accountability in the Vishaka Guidelines, the Supreme Court placed an obligation on workplaces, institutions and those in positions of responsibility, to uphold working women's fundamental right to equality and dignity at the workplace. Three key obligations were imposed on institutions to meet that standard, namely:⁴ (AIR 1997 Supreme Court 3011)

- ◆ Prohibition
- ◆ Prevention
- ◆ Redress

In 2013, the Government of India notified the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (referred to as Act hereinafter). Consistent with the Vishaka judgment, the Act aspires to ensure women's right to workplace equality, free from sexual harassment through compliance with the above mentioned three elements.

This handbook is meant for the benefit of women employees/ girl students to provide to provide a basic understanding of sexual harassment at places of work. The guideline gives information on sexual harassment; what is expected of Complaints Committee/s to redress a complaint; and what the inquiry process and outcome should include.

The Act recognizes the right of every woman to a safe and secure workplace environment irrespective of her age or employment/work status. Hence, all women, students, faculty members, non-teaching staff, working on temporary basis, adhoc or daily wages and any women visiting the institute is protected under the Act.

EXAMPLES OF BEHAVIOURS AND SCENARIOS THAT CONSTITUTE SEXUAL HARASSMENT

Below are examples of behaviour that may or may not constitute workplace sexual harassment in isolation. At the same time, it is important to remember that more often than not, such behaviour occurs in cluster. Distinguishing between these different possibilities is not an easy task and requires essential training and skill building.

Some examples of behaviour that constitute sexual harassment at the workplace:

1. Making sexually suggestive remarks or innuendos.
2. Serious or repeated offensive remarks, such as teasing related to a person's body or appearance.
3. Offensive comments or jokes.
4. Inappropriate questions, suggestions or remarks about a person's sex life.
5. Displaying sexist or other offensive pictures, posters, mms, sms, whatsapp, or e-mails.

6. Intimidation, threats, blackmail around sexual favours.
7. Threats, intimidation or retaliation against an employee who speaks up about unwelcome behaviour with sexual overtones.
8. Unwelcome social invitations, with sexual overtones commonly understood as flirting.
9. Unwelcome sexual advances which may or may not be accompanied by promises or threats, explicit or implicit.
10. Physical contact such as touching or pinching.
11. Caressing, kissing or fondling someone against her will (could be considered assault).
12. Invasion of personal space (getting too close for no reason, brushing against or cornering someone).
13. Persistently asking someone out, despite being turned down.
14. Stalking an individual.
15. Abuse of authority or power to threaten a person's job or undermine her performance against sexual favours.
16. Falsely accusing and undermining a person behind closed doors for sexual favours.
17. Controlling a person's reputation by rumour-mongering about her private life.

Some examples of behaviour that may indicate underlying workplace sexual harassment and merit inquiry:

1. Criticizing, insulting, blaming, reprimanding or condemning an employee in public.
2. Exclusion from group activities or assignments without a valid reason.
3. Statements damaging a person's reputation or career.
4. Removing areas of responsibility, unjustifiably.
5. Inappropriately giving too little or too much work.
6. Constantly overruling authority without just cause.
7. Unjustifiably monitoring everything that is done.
8. Blaming an individual constantly for errors without just cause.
9. Repeatedly singling out an employee by assigning her with demeaning and belittling jobs that are not part of her regular duties.
10. Insults or humiliations, repeated attempts to exclude or isolate a person.
11. Systematically interfering with normal work conditions, sabotaging places or instruments of work.
12. Humiliating a person in front of colleagues, engaging in smear campaigns.
13. Arbitrarily taking disciplinary action against an employee.
14. Controlling the person by withholding resources (time, budget, autonomy, and training) necessary to succeed.

Some examples of workplace behaviours that may not constitute sexual harassment:

1. Following-up on work absences.
2. Requiring performance to job standards.
3. The normal exercise of management rights.

4. Work-related stress e.g. meeting deadlines or quality standards.
5. Conditions of works.
6. Constructive feedback about the work mistake and not the person.

FORMS OF WORKPLACE SEXUAL HARASSMENT

Generally, workplace sexual harassment refers to two common forms of *inappropriate behaviour*:

- Quid Pro Quo (literally ‘this for that’)
 - Implied or explicit promise of preferential/detrimental treatment in employment
 - Implied or express threat about her present or future employment status
- Hostile Work Environment
 - Creating a hostile, intimidating or an offensive work environment
 - Humiliating treatment likely to affect her health or safety

Any woman employee/girl student in the institute can complain to the POSH Committee. It is the responsibility of POSH Coordinator or Principal, to receive the complaints of workplace sexual harassment from women. The Principal will forward all such complaints within **seven days** of its receipt to the concerned for appropriate action.

DO’S AND DON’TS FOR COMPLAINTS COMMITTEE

DO’S

1. Create an enabling meeting environment.
2. Use body language that communicates complete attention to the parties.
3. Treat the complainant with respect.
4. Discard pre-determined ideas.
5. Determine the harm.

DON’TS

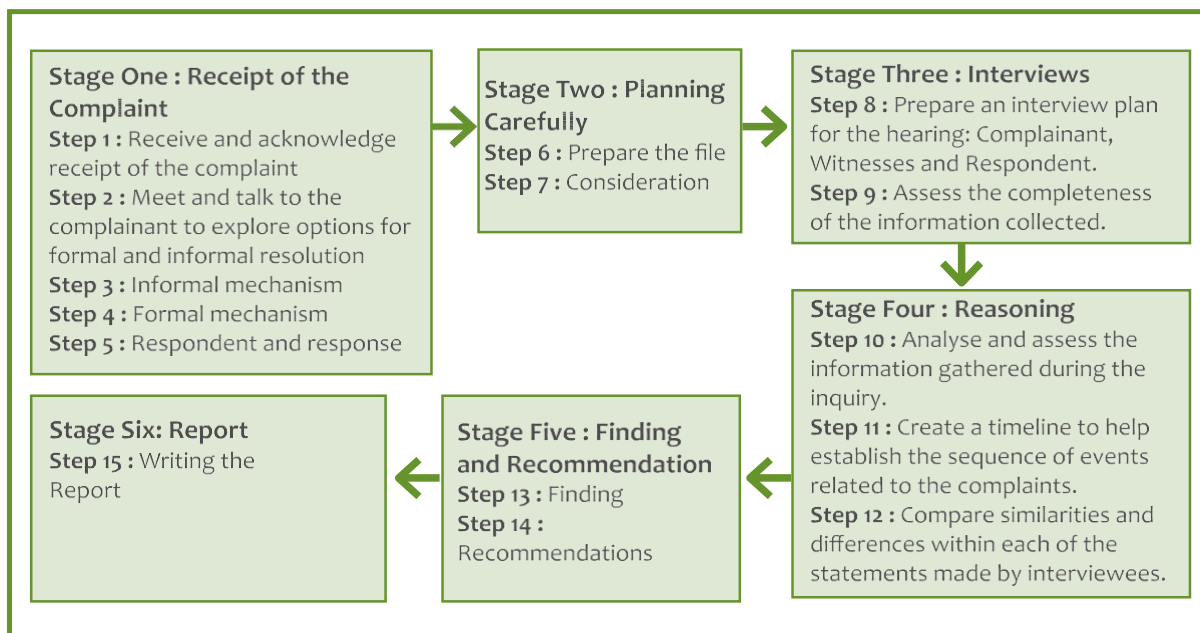
1. Get aggressive.
2. Insist on a graphic description of the sexual harassment.
3. Interrupt.
4. Discuss the complaint in the presence of the complainant or the respondent.

NON-NEGOTIABLES DURING THE INQUIRY PROCESS

During a redress process the Complaints Committee/s are required to assure confidentiality, non-retaliation and recommend interim measures as needed to conduct a fair inquiry.

THE SEXUAL HARASSMENT COMPLAINT PROCESS

The Complaints Committee/s needs to have information on the six stages (including fifteen steps), detailed below, for addressing a complaint of workplace sexual harassment.



RECOMMENDATIONS

Based on its findings, the Complaints Committee shall then make appropriate recommendations which may include:

1. Where the Complaints Committee is unable to uphold the complaint, it shall recommend no action.
2. Where the Complaints Committee upholds the Complaint, it may recommend such action as stated within the relevant Policy or Service Rules, which may include a warning to terminate.

In case service rules do not exist, recommended action may include:

- Disciplinary action, including a written apology, reprimand, warning, censure;
- Withholding promotion/ pay raise/ increment;
- Termination;
- Counselling;
- Community service.

The Complaints Committee may also recommend financial damages to the complainant, while deciding the amount they shall take into consideration:

- Mental trauma, pain, suffering and emotional distress caused;
- Medical expenses incurred;
- Loss of career opportunity;
- Income and financial status of the respondent.
- If the amount is not paid it can be recovered as an arrear of land revenue.

The Complaints Committee can also give additional recommendations to address the underlying factors contributing to sexual harassment at the workplace.

Given that most workspaces today are gender unequal and male-dominated, it is important that complaints by women be treated fairly and not dismissed. The mere inability to substantiate a complaint or provide adequate proof will not attract legal action against the complainant. However, making a false or malicious complaint or producing a forged or misleading document is an offence.