



Uttaran

Anti Sexual Harassment Policy

Community Mobilization

Poverty Eradication

Environmental Justice

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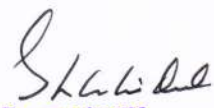
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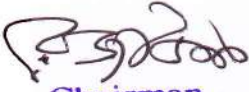
Date:01 January 2012 Approved by on behalf of executive board Update – 1 Date: 01 July 2017 Approved by on behalf of executive board Update – 2 Date: 02 November, 2020 Approved by on behalf of executive board	Shahidul Islam Director Shahidul Islam Director Shahidul Islam Director Sarder MD Rezaul Karim Chairman	MD Nazrul Islam Chairman MD Nazrul Islam Chairman
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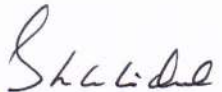

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Anti Sexual Harassment Policy

Uttaran

1. Introduction:

Uttaran is committed to the principles of gender equality and to creating a gender-sensitive working environment. Uttaran adopted a Gender Policy on July 2000 in order to achieve equality between men and women, and in the light of Uttaran Service Rules, Policies and Guidelines. Uttaran ensures that its entire staff, interns, volunteers, members and other relevant stakeholders with whom Uttaran engages professionally are treated with dignity and respect and that they are able to work in an environment that is free from discrimination, harassment and abuse of any kind.

Uttaran practices zero tolerance against violence against women in all its manifestations from both organizational and programmatic perspectives. Uttaran has robust provisions in its Gender Strategy, Code of Conducts and the Personnel Management Policy that aim to ensure an enabling environment where all staff and relevant stakeholders of the organization shall work and interact with each other with utmost respect, decency and sensitivity. Uttaran recognizes that women are usually more vulnerable to such victimization. Discrimination and harassment, including sexual harassment, are often accompanied by abuse of authority or misuse of power.

2. Scope:

This Policy shall be applicable for all staffs and stakeholders of Uttaran. This policy is called "Anti Sexual Harassment Policy". Any staff or relevant stakeholder of Uttaran can invoke this Policy against another (or more than one) staff and/or relevant stakeholder(s) in the event the latter commits an act of sexual harassment in or outside the office premises during or in the course of employment/involvement with Uttaran. Provided that this Policy shall be enforceable upon the members of the Governing Committee and Executive Committee. The complainant and the accused can be of any gender. Uttaran encourages a spirit of openness in the workplace so that staff and relevant stakeholders feel confident in challenging unacceptable conduct and lodge complaints in the due process.

3. Aims and Objectives:

Uttaran is committed to ensuring a pleasant, safe, harassment free and friendly working environment for all staffs, and the aims and objectives of this are as follows:

- 3.1 To create and maintain a work environment in which people are treated with dignity, decency and respect.
- 3.2 To create awareness about sexual harassments and it's demerits;
- 3.3 To create awareness that sexual harassment is punishable offence.
- 3.4 To initiate an effective mechanism for prevention and restrictions of Sexual Harassment at Organization for prevention and restrictions of Sexual Harassment at Organization.
- 3.5 To prevent, correct and discipline behavior that violates this policy.

All staffs of Uttaran regardless of their positions are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken as per the rules and regulations of Uttaran Personnel management Policy against any employee who violates this policy.

4. Discrimination

Discriminate in the provision of employment opportunities is a violation of Uttaran's policy. The basis of discriminatory treatment is, in whole or in part, the staff's color, race, religion, national origin, age, disability status, gender, sexual orientation, gender identity, genetic information or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act of 1964. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.



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5. Harassment

Uttaran prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce any person working at Uttaran.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- 5.1 Distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status or other protected status are the nonverbal harassment.
- 5.2 Offensive or unwelcome comments regarding any staff's color, race, national origin, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping etc. are the verbal harassment.

6. Sexual harassment

Uttaran strongly discourages romantic or sexual relationships between any of its staff. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staffs. Moreover, given the uneven balance of power within such relationships, consent by the staffs is suspect and may be viewed by others, or at a later date by the staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment.

If there is such a relationship, the parties need to be aware that one or both may be moved to a different department or other actions may be taken as per Personnel Management Policy. If any staff of Uttaran enters into a consensual relationship that is romantic or sexual in nature with a member of his or her staff or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the Admin Coordinator or Project Coordinator. Once the relationship is made known to Uttaran, the organization will review the situation with human resources in light of all the facts and will determine whether one or both parties need to



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be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not chosen for the position to which he or she applied, finally the senior management will decide which party will be moved. That decision will be based on which move will be least disruptive to the organization as a whole. If no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.

For the purposes of this Policy, sexual harassment means and includes:

- 6.1 Attempts or efforts to establish physical relations having sexual implications
- 6.2 Unwelcome sexually determined behavior as physical contact and/or advances
- 6.3 Sexually colored verbal representations
- 6.4 Demand or request for sexual favors
- 6.5 Showing pornography
- 6.6 Sexually colored remarks and gestures
- 6.7 Indecent gesture use of abusive language, stalking, joking having sexual implications
- 6.8 Insult/harassment through any media, social media, including letters, telephone/cellphone calls, SMS, notices, cartoons, writing of any kind having a sexual implication on any fixtures and furniture of any office, conference room, meeting room, classroom, washroom or any other facility in office premises
- 6.9 Taking pictures or video or audio recording another in a sexual act or in any other private activity without the consent of all involved in the activity
- 6.10 Preventing participation in sports, cultural, recreational, organizational, professional and academic activities on the ground of sex and/or for the purpose of sexual harassment
- 6.11 Making any inappropriate/unwelcome love proposal and exerting pressure or posing threats in case of refusal of the said proposal
- 6.12 Attempt to establish sexual relations by intimidation, deception or any false assurance
- 6.13 Any other act or behavior that Uttaran's Anti Sexual and Harassment Committee may consider being tantamount to sexual harassment.

Aforesaid conduct can be humiliating and may constitute a health and safety problem for the women at workplaces. Such conduct shall be deemed as discriminatory when the

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women has reasonable grounds to believe that her objection would disadvantage her in connection with her employment in various ways or when it creates a hostile environment at workplaces.

This Policy draws on the definition provided in the High Court Division Guidelines to signify Sexual Harassment. However, it is important to note that the acts described in the checklist below are not exhaustive. Uttaran's anti sexual and Harassment Committee shall have the authority to accept, investigate and analyze any complaint based on any act beyond the checklist in order to arrive at an informed decision.

The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets and Internet postings; or other forms of communication that are sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, non coercive interactions between staffs that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.



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7. Responsibilities of the Authority

The Constitution of the country ensures gender equality, and since the Constitution ensures equal rights of women with men in all spheres of state and public life, it shall be the duty and responsibility of Uttaran's authority and other responsible persons to maintain effective mechanisms to prevent the commission of offences of sexual abuse and harassment, and to provide effective measures for prosecution of the offences of sexual harassment resorting to all available legal and organizational steps.

8. To create awareness in work place:

8.1 In every work place of the organization, the authority shall give the most importance to awareness raising publication and campaign. To this end, orientations shall duly be arranged for all newly appointed staffs. To create a safe environment and to deter and prevent discrimination, sexual harassment and violence.

8.2 If required, necessary counseling shall be arranged for any concerned person.

8.3 The relevant articles of the Constitution and statutory laws which provide for women's rights shall publish in simply language in the manner of notifications to build the awareness of all.

9. Confidentiality

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the Director will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the Administration department.

10. Steps for Prevention

Although the High Court Guidelines mention gender discrimination they do not give any directions regarding this.

The organization's Gender Policy sets out various steps to remove gender discrimination.

The organization's employers, engaged employers and authority shall take effective measures to prevent sexual harassment. The following steps shall be taken to fulfill such duties:

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10.1 Taking extensive and effective measures to notify publish and communicate the prohibitions on sexual violence and harassment contained.

10.2 To extensively communicate the provisions on gender discrimination and sexual harassment contained in the constitution and statutory laws, and all offences regarding sexual violence and harassment;

10.3 It must be ensured that the work environment is not hostile for women and the belief and confidence must be created among women employees of the organization that they are not in an unwelcome environment compared to their male co-workers.

11. Complaints:

The following procedure shall be followed as Complaint mechanism:

11.1 The complainant may separately complain to a member of the Complaints Committee.

11.2 The security of the complainant must be ensured by the concerned authority.

11.3 The complaint may be lodged by the victim or through a relative, friend, lawyer by appearing in person or through SMS to Administration department and e-mail to complain@uttaran.org.bd

11.4 Until the allegation is proved, the identity of the complainant and the accused person shall not be disclosed.

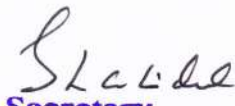
11.5 A complain Box shall be preserved at a visible place in all offices of Uttaran including Head Office, and the complainant may drop her complain into this Box. Provided that the Complain Box shall be opened and examined by any member of the complaint committee/ responsible officer and if any complain found, the complaint shall be deemed as received on the date of receipt.

11.6 The complaint may be filed to the Committee or to any member of the complaint committee was formed in writing and be sent to the Member Secretary of the Committee.



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12. Complaint Committee:

12.1 The concerned authority of the organization shall constitute a Complaint Committee to receive complaints, conduct investigations and to make recommendation.

12.2 The Complaints Committee shall be comprised of a minimum of 3 members of whom any of a woman must. If possible, the head of the Committee shall be a woman.

12.3 The Complaints Committee shall present an annual report regarding the implementation of this Policy to the Director of Uttaran.

12.4 The names, e-mail IDs and addresses of the members of the Committee shall be displayed in a visible place of Head Office and other local offices of Uttaran.

13. Working Procedures of the Complaints Committee:

Generally, any complaint must be submitted to the Complaint within stipulated time, shall require explanation of delay, to verify the truth of the complaint, the Committee shall;

13.1 In cases of minor harassment, the Complaint Committee shall with the consent of both parties resolve the complaint and shall send a report to the concerned authority of the organization regarding this matter.

13.2 In every other case, the Complaints Committee shall investigate the matter;

13.3 The Complaints Committee shall have powers to give notice to both parties and to the witnesses by registered post, courier service or e-mail, to conduct hearings, to collect information and evidence and to examine all relevant documents.

13.4 In case of such complaints, in addition to oral testimony, other circumstantial testimony shall also be given importance. The concerned authority of the organization shall be bound to provide all kinds of support to the Complaints committee at its request for its effective functioning. The Complaints Committee shall ensure the anonymity of the identities of the complainant(s) and witnesses. The identities of the persons against whom the complaints have been filed shall be kept unpublished until the guilt is proved during investigations. When taking the oral evidence of the complainant(s), demeaning, insulting and harassing questions shall be refrained from.

13.5 The testimony shall be recorded in camera;

If the complainant wants to withdraw the complaint or stop the investigation, then the reason behind this has to be investigated and to find out the reason for this and mention it in the report.

13.6 The Complaints Committee shall submit their investigation report along their recommendations to the concerned authority of the organization within 30 days. If necessary the time limit of 30 working days may be increased to 60 working days.

13.7 If it is proved that a false complaint has been intentionally filed, then the Complaints Committee shall recommend authority of the organization that appropriate action be taken against the complainant(s).

13.8 The Complaints Committee shall make its decisions in accordance with the opinion of the majority of its members.

14. Complaint procedure

Uttaran has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. The organization will treat all aspects of the procedure confidentially to the extent reasonably possible.

14.1 Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The Admin Coordinator may assist the complainant in completing a written statement or, in the event a staff refuses to provide information in writing, the Admin Coordinator will dictate the verbal complaint.

14.2 The Admin Coordinator will initiate an investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.

14.3 If necessary, the complainant and the respondent will be separated during the course of the investigation as per the rules of investigation of Personnel management Policy.

14.4 During the investigation the anti sexual harassment team, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred. The Committee shall gather evidence and examine their veracity. In addition to oral and documentary evidence, and evidence adduced by witnesses, if any, the Committee will also consider other circumstantial evidence in accordance with the applicable law.

14.5 The Committee will record the complainant's testimony, a transcript of which shall be signed by the complainant with a copy to be provided to her/him.


14.6 The Committee shall complete the investigation and prepare its report within 15 working days of receiving the complaint.

14.7 Upon conclusion of an investigation, anti sexual harassment team conducting the investigation will submit a written report of his or her findings to the Director of Uttaran. If it is determined that a violation of this policy has occurred, the Director of Uttaran will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:

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- 15.5.1 The severity, frequency and pervasiveness of the conduct;
- 15.5.2 Prior complaints made by the complainant;
- 15.5.3 Prior complaints made against the respondent; and
- 15.5.4 The quality of the evidence (e.g., firsthand knowledge, credible corroboration).

If the investigation is inconclusive or if it is determined that there has been no violation of policy but potentially problematic conduct may have occurred, the Director may recommend appropriate preventive action.

- 14.8 Senior management will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the Director and anti sexual harassment team as appropriate, and decide what action, if any, will be taken.
- 14.9 Once a final decision is made by anti sexual harassment team, the Director will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.
- 14.10 The Committee shall prepare the report and recommendations and submit it to the Executive Director, except where the complaint concerns the Executive Director, in which case it shall submit the report directly to the President of Executive committee.
- 14.11 Based on recommendations by the Committee, the Executive Director will communicate the outcome and decision to the complainant(s) and the accused through Admin Coordinator. Where the complaint is against the Director, the Executive committee will directly communicate the outcome and decision to the complainant and the accused.
- 14.12 False Complaints: If the complainant is proved to have filed a false complaint with malicious intent, the Committee will recommend appropriate disciplinary action against her/him. However, failure on the part of the complainant to prove sexual harassment shall not amount to a false complaint, unless her/his mala fide intentions are proved beyond reasonable doubt.
- 14.13 Withdrawal of Complaint: If the complainant wishes to withdraw the complaint or stop the investigation at any stage, s/he must furnish the Committee with a written request along with grounds for such decision. If the Committee is not convinced of the grounds cited, it will consult with the complainant to ensure that s/he has taken the decision to withdraw the complaint of her/his own free will.

15. Punishment

If the Committee finds a staff or relevant stakeholder (volunteers, members) guilty of sexual harassment, s/he will face the disciplinary actions under the sexual 16 of Uttaran's Personnel Management Policy depending on the degree and gravity of the offence. If the said complaint is considered an offence under the Penal Code or any other if the said complaint is considered an offence under the Penal Code or any other prevailing law, then it shall send the matter to the appropriate Court or Tribunal.

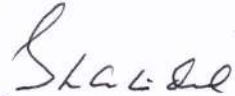
This Policy shall be complied with and monitored at all levels within Uttaran, until any appropriate law is enacted.

16. Policy Review

Unless warranted more frequently for specific reason, this Policy will be reviewed at least once in every five (5) years to accommodate emerging challenges.



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