

# ICC in USP-India pursuant to Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013.

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USP-India is committed to providing a work environment for everyone that is free of all forms of harassment including but not limited to sexual harassment and/or bullying.

USP-India does not tolerate any form of harassing behavior in the workplace. General harassment, gender-based harassment and sexual harassment in the workplace are not permitted and contrary to USP-India's policy to foster a productive work environment, free from any form of harassment, intimidation, or insult USP-India policy has always included policy on harassment at workplace – now it has been amended to comply with local laws also

In compliance with Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013; every employer needs to constitute an Internal Complaints Committee. USP-India has also constituted an Internal Complaints Committee in accordance with the law vide Order of Management dated 27-Feb-2014. It plays a critical role in prevention, prohibition and redressal of sexual harassment at the workplace. The ICC has a responsibility to establish an effective internal complaints procedure.

## **DEFINITION OF SEXUAL HARRASSMENT**

Sexual harassment - includes any one or more acts of unwelcomed acts or behavior (directly or by implication)

- Physical contact and advances
- A demand for sexual favours
- Making sexually coloured remarks
- Showing pronography
- Other unwelcomed physical, verbal or non-verbal conduct of sexual nature; or,

According to Section 3 (2) of the Act which further elaborates that if any of the following circumstance occurs or is present in relation to or connected with any act or behavior of sexual harassment among other circumstances, it may amount to sexual harassment-

- Implied or explicit promise of preferential treatment in her employment, or
- Implied or explicit threat of detrimental treatment in her employment, or
- Implied or explicit threat about her present or future employment status, or
- Interference with her work or creating an intimidating or offensive or hostile work environment for her, or
- Humiliating treatment likely to affect her health or safety

## **MECHANISM TO DEAL WITH COMPLAINTS**

### **1. Complaints Redressal**

- A Complaint by aggrieved woman has to be made within 3 months of event to Internal Committee. Internal Committee before initiating enquiry at the request of aggrieved woman – take steps to settle the matter through conciliation
- Monetary settlement shall not be basis of settlement
- No enquiry if settlement arrived
- Else enquiry shall be conducted;
- Internal / Local Committee – same powers of civil court under CPC, 1908 concerning summoning attendance, discover and production of documents, other prescribed matters.

### **2. Inquiry into complaint**

- Inquiry as per service rules;
- Pendency of inquiry – on written request of aggrieved women ICC may recommend to employer to transfer, grant leave or such other relief to aggrieved women as prescribed;
- Leave in addition to entitled leave
- Inquiry has to be completed within 90 days. The report has to be provided within 10 days of completion of inquiry
- Conclusions of Internal Committee – Not been proved; Proved
- Malicious, knowingly false, forged or misleading
- Mere inability to substantiate complaint or provide adequate proof – not to attract action
- Note: Complaint / Inquiry proceeding, names etc confidential irrespective of Right to Information Act.

### **3. Result of inquiry:**

- Internal Committee arrives at the conclusion that charges have been proved **it shall** recommend to employer to;
- Take action against respondent to penalize as per service rules;
- In addition, deduct a sum of compensation from salary of respondent;
- Compensation arrived on the basis of;
- Mental trauma, pain, suffering
- Loss of career opportunity
- Medical expenses
- Income and financial status

### **CONFIDENTIALITY-**

The Company understands the sensitivity of the matter and how difficult it is for an employee to come forward and report such an event. Keeping that in mind, the Committee guarantees to keep the investigatory process confidential to the most practical extent possible and according to the provisions of the Act in the interest of the Victim, Accused and others who might have reported the event or witnessed it.

**NON RETALIATION-**

The intent of this policy is to encourage and enable officers, trustees, volunteers, employees, and representatives to raise Concerns within USP for investigation and appropriate action. With this goal in mind, if you report a Concern in good faith, and/or assist or participate in an investigation of a Concern, you will not be subject to retaliation or adverse employment consequences. This policy also prohibits retaliation against any individual who assists or participates in any investigation or proceeding relating to any alleged violation of the policy or other rule or procedure.

To register a complaint please click here: [IndiaComplaintsCommittee@USP.org](mailto:IndiaComplaintsCommittee@USP.org)





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# Memo

**To: All USP Employees, Contract Labour Staff & Employers, visitors**

**Date: 24<sup>th</sup> March 2017**

**Re: ORDER OF MANAGEMENT on re-constitution of Internal Complaints Committee (“ICC”) at USP-India in compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“Act”) & the rules and regulations made thereunder;**

Your attention is drawn to the fact that the composition of the Internal Complaints Committee (ICC) has undergone a change and this memo is an update to all employees on the same.

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Sexual Harassment of women employees at workplace is illegal and unlawful and such activities are prohibited under the Act. In compliance with the Act, the Management of USP-India has formed the ICC, details of which are notified in this order.

USP-India  
IKP Knowledge Park  
Genome Valley  
Shamirpet  
Turkapally Village  
Medchal District  
Hyderabad 500 101  
Telangana, India  
CIN: U24230TG-  
2005PTC046362  
Tel: +91-40-4448-8888

Name of the Member	Designation /Role	Contact
Ms. Mrunal A Jaywant	Employee Member	ICC members are reachable at; <a href="mailto:IndiaComplaintsCommittee@usp.org">IndiaComplaintsCommittee@usp.org</a>
Ms. Sireesha Yadlapalli	Employee Member	
Mr. B. Jayaraman	Employee Member	
Mr. Ruben Arun Kumar	Employee Member – HR Representative of USP India	
Ms. Purnima Kamble	External Member	

All are requested to take note.

By order of Management, display at USP-India premises;

**For and on behalf of United States Pharmacopeia – India Private Limited**

*24-March-2017*  
**Dr. Sameer G. Navalgund**  
Vice President & USP India Site Head.



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Rockville

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