



Frequently Asked Questions (FAQs) on the Policy for Prevention of Sexual Harassment at Fazlani Altius Business School (FABS)

Q1. What are some examples of Sexual Harassment?

Ans. Sexual Harassment is a form of illegal sexual discrimination. As a result, when it occurs on your job it violates the laws against discrimination due to sex in the workplace, including the fundamental rights of working women under Articles 14, 19 and 21 of the Constitution of India.

It is unwelcome behavior that happens to you because of your sex. On most occasions, the fact that it is sexual is a clear sign that, but for your sex, you would not have been targeted. Our policy protects staff, faculty and students from harassment by any other staff, faculty, student or vendor. The FABS Policy for Prevention of Sexual Harassment at its premises defines what conduct actually constitutes Sexual Harassment. Over and above that definition provided for in the Policy, the following are additional examples for better understanding:

- Leering, staring at someone or looking at someone with “elevator eyes” (i.e., looking some one up and down);
- Displaying sexually suggestive objects, pictures, videotapes, graffiti and/or visuals that do not pertain to any business or academic purpose;
- Using unwelcome sexually degrading language, sexual jokes, innuendos and / or gestures; Stalking or cyber-bullying;
- Making unnecessary and unwanted physical contact, such as hugging, rubbing, touching, patting, pinching or massages;
- Making unwelcome suggestive or insulting sounds, such as whistling and cat calls; Repeatedly asking someone for a date after the person has expressed disinterest;
- Displaying or transmitting sexually suggestive electronic content, including inappropriate emails.

Q2. Does Sexual Harassment have to involve Physical contact?

Ans. No. Harassment does not have to involve any physical contact at all; words alone may be enough. Conduct that is sexual in nature but does not include any sexual activity is still sexual harassment.

Q3. Is it possible to be harassed by someone who is not my Faculty or Supervisor?

Ans. Yes. A Harasser could be a Supervisor, a Supervisor in another department, a co-worker, a Faculty member, a fellow student, a subordinate or even a customer or client.

Q4. What should I do if I feel sexually harassed?

Ans. Very often, individuals who are experiencing unwelcome behavior feel comfortable approaching the individual who is causing the problem and letting him or her know that the conduct is inappropriate and must stop. At times the individual concerned is not even aware that his / her behavior is offensive and on being alerted of the same they immediately apologize and change their behavior on realizing that their conduct is unwelcome.

Direct communication with the harasser is often more effective than merely ignoring the behavior, unless you fear it will jeopardize your physical safety or your job. If verbal requests are ineffective, write the harasser a memo asking him to stop. You can also tell someone else in a position of authority whom you trust.

You are not required or expected to confront your harasser prior to reporting unwelcome behavior, if any. It is also a good idea to document the harassment and keep records or copies of any offensive notes or pictures pertaining to the harassment. Ignoring Sexual Harassment does not make it go away. You should promptly report any incident of Sexual Harassment by contacting the ICC at icc@fabedu.com.

Q5. Who can approach the ICC?

Ans. The right to approach the ICC lies with:

- Victim
- Victim's family
- Witness of the Act
- Suo moto by the Committee

Q6. What can I expect if I internally report the harassment to the ICC?

Ans. The ICC will promptly investigate the complaint made by you. The members of the ICC will need to know all the details of the harassment, however difficult or embarrassing these details may be to reveal, including information such as the names of any potential witnesses or other victims of the same harasser, a chronology of what happened and when, specific descriptions of the offensive conduct and reasons of why you delayed reporting the incident of harassment (if you did).

Q7. How much time do I have to file a Sexual Harassment Complaint?

Ans. You have to file a complaint in writing with the ICC, within 3 months from the date of the incident or the date of the last incident in case of a series of incidents. The ICC can extend the time limit not exceeding another 3 month if it is satisfied that the circumstances were such which prevented the Complainant from filing the complaint within the said period. It is at the discretion of the ICC to consider / entertain complaints that are filed after the lapse of 3 months and would depend entirely on the reasons for the same

Q8. I'm being harassed by someone who isn't an employee or a student of FABS, but who visits FABS to conduct business. Is there anything I can do?

Ans. FABS's Policy on Sexual Harassment protects you from Sexual Harassment by Vendors, Contractors and third-parties you encounter at the Institute while undergoing employment or learning at FABS

Q9. What if I am sexually harassed by a co-worker / co-student while we are off-campus?

Ans. It is possible that off-campus conduct of employees of students of FABS may result in a hostile working or learning environment and the same may constitute a quid pro quo form of sexual harassment in violation of FABS's Policy. You may contact any member the ICC or simply drop in an email at icc@fabsedu.com for further information and / or help if you are subjected to unwelcome conduct of a sexual nature either off-campus or on-campus.

Q10. If I witness inappropriate conduct or someone tells me about it, what should I do?

Ans. Anyone who witnesses any inappropriate conduct or comment, irrespective of whom it is directed at, the same should be reported to the ICC. If you are a faculty member or Supervisor, you are under an obligation to seek advice and / or help if you witness conduct that may violate the Institute's Policies on Sexual Harassment.

Q11. Are there any rules about looking at pornography on the Computer?

Ans. FABS Policy prohibits the use of the Institute's electronic resources (including Computers, networks, servers, phones, etc.) for threats and harassment including but not limited to Sexual Harassment. This Policy also prohibits use of the Institute's electronic resources by faculty, staff and students for viewing or sending pornographic or obscene content, except as otherwise provided in the policy. Use by anyone of the Institute's electronic for purposes of viewing or sending pornographic material is a violation of FABS Policy on Sexual Harassment.

Q12. Will my complaint be treated confidentially by the ICC?

Ans. FABS makes every reasonable effort to handle inquiries, complaints and related proceedings in a manner that protects the privacy of all parties although the Institute cannot promise complete confidentiality in its handling of harassment complaints, despite its best efforts to. Information is shared with only those individuals who need to know in order to enable them to investigate and resolve the matter as discreetly as possible under the circumstances of the Case.

In certain situations, the Institute may be able to address your concerns and stop the behavior without revealing your identity to the alleged harasser. However, this is not possible in every matter, as some situations require the disclosure of the complainant's identity in order to fully investigate the matter and / or enable the accused to fully respond to the allegations against him / her.

The Institute has a compelling interest to address all allegations of sexual harassment brought to the notice of the ICC. FABS reserves its right to take appropriate action in such circumstances, even in case where the Complainant is reluctant to proceed.

Q13. What if I am retaliated against for complaining about Harassment or participation in an investigation?

Ans. The Institute's Policy on Prevention of Sexual Harassment expressly forbids retaliation against anyone initiating a Complaint or assisting in investigation of a Complaint in good-faith. Retaliation is a serious violation of the Policy and will be strictly dealt with by the Institute, independent of the merits of the allegation of Sexual Harassment. Anyone who is subject to any conduct that he / she believes to be retaliatory, should immediately report it to a members of the ICC.

Q14. Can contents of the complaint and inquiry proceedings be made public?

Ans. The contents of the complaint, identity and address of the aggrieved / complainant, respondent and witness, information pertaining to conciliation and inquiry proceedings, recommendations of the ICC and the action taken by FABS shall not be published, communicated or made known to the public, press or media.

However, information may be disseminated regarding the justice secured to the victim of sexual harassment without disclosing the name, address, identity or any other particulars.

Q15. What is the penalty for publication or making known contents of complaint or inquiry?

Ans. If any person publishes or makes known the contents of a complaint or inquiry, he / she shall be liable to penalty in accordance with the HR Policy and Rules of FABS, which may include termination of services and / or expulsion from FABS.

Q16. What is a false allegation? How are false allegations of Sexual Harassment dealt with by the Institute?

Ans. Failure to prove a claim of Harassment is not equivalent to a false allegation. A false allegation occurs when someone intentionally reports information or incidents that they know to be untrue.

The Institute maintains a strict stand in respect of anyone who knowingly or with reckless disregard for the truth makes a false allegation of sexual harassment against another. Any person who is found to have initiated a false allegation against another shall, in the case of a student, be expelled from the Institute (without refund of the fees) and, in the case of an employee or associate of FABS, his / her services shall be terminated with immediate effect.

The same applies for an individual who acts as a witness to a false allegation.

Q17. May the Complainant or the Respondent have a support person with me during the investigation process?

Ans. During the course of the investigation process, both the complainant and the Respondent may have a friend or colleague present with them during the investigatory interview to support them during the process. The parties shall however not be allowed to get any legal practitioner to represent them in their case in any stage of the proceedings.

Q18. Is settlement between the Complainant and Respondent an option for resolution of a dispute? If yes, on what basis can a settlement be reached between the parties?

Ans. The Act provides the option of a settlement between the Complainant / Aggrieved Woman and the Respondent through Conciliation but only on the request of the Aggrieved Woman. However, money compensation cannot be a basis for the settlement.

Q19. Where can I obtain additional information?

Ans. For more information, please refer to the Policy on Prevention of Sexual Harassment at FABS and the Guidelines that are available at www.fabsedu.com. All inquiries will be handled as confidentially as possible.

Please Note that the ICC will not entertain any anonymous complaints.