

MAMATA DENTAL COLLEGE Rules and Procedures for the Prevention, Prohibition and Punishment of Sexual Harassment of Women at the Workplace.

1. Short Title

These Rules and Procedures will be called the Rules and Procedures for the Prevention, Prohibition and Punishment of Sexual Harassment of Women at the Workplace, 2013. These have been formulated to implement MAMATA DENTAL COLLEGE POLICY FOR THE PREVENTION, PROHIBITION AND PUNISHMENT OF SEXUAL HARASSMENT OF WOMEN, 2013.

2. Definitions

- a. All the staff includes any person of the Mamata Dental College who is appointed as teaching and non teaching staff whether full time, temporary, ad-hoc, part-time, visiting, honorary, or on special duty or deputation and shall include persons employed on a casual or project basis and also all the students on role.
- b. **College** includes all places of work at the MAMATA DENTAL COLLEGE insofar as it is used for MAMATA DENTAL COLLEGE activities. It includes all places of work / study and administration, as well as hostel, lanes and canteens, etc. on the MAMATA DENTAL COLLEGE campus.
- d. **Centre / Department** includes any centre /Department of MAMATA DENTAL COLLEGE.
- e. **Division** includes any division of MAMATA DENTAL COLLEGE.
- f. **Employee** includes a person employed for any work directly, or by or through any agency (including a contractor), with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis, whether the terms of employment are express or implied, and includes any person employed as a temporary, casual, piece-rated or contract worker, probationer, trainee, apprentice and students or by any other name called.
- g. **Members** includes all the employees, staff and Students MAMATA DENTAL COLLEGE., or anyone working in a managerial capacity including persons on the Board of Management, MAMATA DENTAL COLLEGE.. It also includes employees, of its affiliated Centres and Partner institutes only to the extent that they are performing MAMATA DENTAL COLLEGE .related activities.
- h. **Outsider** includes any person who is not a member of the MAMATA DENTAL COLLEGE. It also includes but is not limited to any private person offering residential, food or any other facilities to members of MAMATA DENTAL COLLEGE.
- i. **College /School** includes any School of Study of MAMATA DENTAL COLLEGE.
- i. **Sexual harassment:** The following shall constitute sexual harassment of women


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1. When submission to unwelcome sexually determined behaviour such as sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature, are explicitly or implicitly made a term or condition of employment, participation or evaluation of a woman's engagement in any MAMATA DENTAL COLLEGE activity.

2. When unwelcome sexually determined behaviour, including but not limited to, sexual advances, physical and /or verbal or non-verbal or conduct, such as loaded comments, remarks or jokes, letters, phone calls, sms or emails, gestures, exhibition of pornography, lurid stares, physical contact, stalking, sounds or display of a derogatory nature have the purpose and /or effect of interfering with a woman's work or of creating an intimidating, hostile or offensive employment, educational or living environment.

3. When a man uses with a sexual purpose, the body or any part of it or any object as an extension of the body in relation to a woman without her consent or against her will, such conduct will amount to sexual assault.

Explanation (a): It is clarified that it is the reasonable perception of the woman that would be relevant in determining whether any conduct was sexually determined and, if so, whether such conduct was unwelcome or not and that her objection would disadvantage her in connection with her education or employment, including evaluation, grading, recruitment or promotion, or when it creates a hostile working, or living environment.


(b) "Hostile Environment" is said to be created when any act of Sexual Harassment has the purpose or effect of interfering with an individuals work performance or creating an intimidating, hostile or offensive employment, living environment.

3. Scope of the Policy and Rules and Procedures

JURISDICTION

These Rules and Procedures shall be applicable to all complaints of sexual harassment made by a woman against a man only:

- i. By a woman member of MAMATA DENTAL COLLEGE against any male member of the College irrespective of where the harassment is alleged to have taken place.
- ii. By a woman against a male member of the College irrespective of whether sexual harassment is alleged to have taken place within or outside the campus
- iii. By a woman member or resident against a male resident when sexual harassment is alleged to have taken place within the campus.
- iv. By an outsider woman against a male member of the College when sexual harassment is alleged to have taken place within the campus.
- v. In the case of third party / outsider harassment, with the consent of the aggrieved woman, the College can take immediate steps and initiate action by making a complaint with the appropriate authority having jurisdiction over the offence. Further the College and the committee will actively assist and provide available resources to the complainant woman in pursuing the complaint.


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