



Anti-Discrimination & Equal Employment Opportunity

Policy Manual

Version 2.0



www.defindia.org

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1 Introduction

Indian constitution encapsulates social safeguard measures for all citizens of India in Article 15 and Article 16.

Article 15 mandates prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

Article 16 mandates equal opportunity in matters of public employment. Article 16(2) further states that no citizen shall on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

The United Nations Convention on Elimination of Discrimination against Women, 1979, United Nations International Convention on the Elimination of All Forms of Racial Discrimination (1965), the Universal Declaration of Human Rights International Covenant on Economic, Social and Cultural Rights (1966), strongly advocate against discrimination in their respective domains.

Digital Empowerment Foundation (“DEF”) has endeavored to capture the spirit of the above national and international statutes in EEO and Anti-discrimination Policy.

DEF is committed to promoting equal employment opportunities and a workplace that is free of all forms of discrimination. Equal opportunity means that all staff experience fairness, impartiality and equal access to all career initiatives in the DEF.

DEF commitment to equal opportunity promotes an inclusive work environment that values and accepts the diverse cultural and social backgrounds of its staff.

This EEO and Anti-Discrimination Policy is consistent with the DEF’s pursuit of excellence. This policy is underpinned by a set of values and key guiding principles in the building of a community of all employees.

2 Policy Objectives

The objectives of this Equal Employment Opportunity (EEO) and Anti-Discrimination Policy are to ensure that all:

1. DEF's employees or potential employees do not suffer unfair discrimination in the workplace.
2. Individuals and groups within the DEF work in an environment where all decisions are free of discrimination, where they have equal opportunity based on relevant abilities and merit.
3. Employees are encouraged to take positive action towards promoting equal opportunity throughout the organization.
4. Personnel actions, such as compensation, benefits, transfers, layoffs, company-sponsored training programs, and social and recreational programs, will be administered on a non-discriminatory basis.
5. Application of labour laws to be uniformly applied in the organization.

3 EEO and Provision of Services

It refers to the principle which ensures that all employees and potential employees of DEF are treated equitably and fairly, regardless of their race, sex or disability. Everyone has an equal chance when applying for jobs or promotions, training opportunities and in their working conditions. The following activities shall be conducted in a uniform manner-

1. Recruitment procedure and selection criteria, for appointment or engagement of a person as an employee;
2. Promotion and transfer of an employee;
3. Training and staff development for an employee; and
4. Terms of employment or any other employee related activity.

4 What is Workplace Discrimination?

Discrimination occurs when someone is treated unfavorably because of a certain attribute. Discrimination may involve some or all of the following:

1. Conduct that can be considered harassing, coercive or disruptive, including sexual harassment
2. Making offensive 'jokes' about another worker's clan, ethnic background, colour, sex or disability
3. Expressing negative stereotypes about particular groups e.g. "married women shouldn't be working."
4. Judging someone on their political or religious beliefs rather than their work performance.
5. Using selection processes based on irrelevant attributes such as ethnic or clan group, age, sex or disability rather than on knowledge, skills and merit.

5 Parameters of Discrimination - Strictly Prohibited

DEF and its employees shall strive to create a workplace that is free from discrimination in their employment practices against any potential or existing employees, and shall not discriminate on a person's:

- Age or other circumstances
- Color
- Cultural or social beliefs such as religious
- Educational Background
- Race, ethnicity or nationality
- Spiritual, traditional or customary beliefs
- Political opinion
- Physical features
- Gender identity and expression
- Marital status
- Pregnancy or judging the impacts of potential pregnancy on decisions
- Breastfeeding
- Sexual orientation
- Health or physical disability or impairment
- Medical record

- HIV status
- Family responsibilities
- Trade Union membership
- Reserve disciplinary forces, e.g., police

6 Complaint Process and Procedures

How to make a complaint

A person wishing to make a complaint of discrimination can consult and file a complaint with the EEO & Anti-Discrimination Committee. The complaint should be made in writing and addressed to chairperson of the committee within 5 working days of any such incident of discrimination.

The constitution of the Committee shall be-

1. Chair of the "Anti-discrimination & EEO" Committee
2. Internal Officers- 2 Members from Middle Level Management [One Female and One Male]
3. HR Department Head, DEF

7 EEO & Anti-Discrimination Committee

S.No.	Name	Designation	Role in Committee
1.	Mr Amarendra Srivastava	GM - Operations, Digital Empowerment Foundation	Chairperson
2.	Mr Rajen Varada	Board Member, Digital Empowerment Foundation	Presiding Officer
3.	Ms Ritu Srivastava	Dy. Program Manager, Digital Empowerment Foundation	Internal Officer
4.	Mr Sanjay Kapoor	Sr. Officer - HR, Digital Empowerment foundation	Supporting Officer
5.	Anonymous (Outsider/lawyer)*		

Once a complaint has been filed:

Investigation

Once a complaint has been filed an investigation will be undertaken immediately. In instances where there is an alleged respondent, the respondent will be notified immediately. The complainant and the respondent will both be interviewed along with any individuals who may be able to provide relevant information.

Where the alleged discrimination is an organizational practice or procedure, that practice or procedure will be investigated immediately. Where the investigation finds systemic discrimination within the organization, that practice or procedure will be changed promptly.

Mediation

DEF supports resolving matters through mediation provided that it is consistent with organizational duties, obligations and needs. Mediation can only be undertaken voluntarily. If both parties agree to participate, matters may be resolved through mediation in the following circumstances. Once the matter has been investigated and DEF has determined the facts of the case, DEF may use meditation to develop appropriate solutions to the complaint; and, in rare instances, where the incident is an isolated event and the parties do not dispute the facts, DEF will act diligently to ensure that matters are dealt with in a manner that ensures the safety and protection of everyone within the organization.

Timelines

DEF will investigate all complaints immediately and will work towards the prompt resolution and prevention of discriminatory acts and practices. The first round of investigation and conclusion shall be arrived at within 10 working days from the date of filing of the complaint.

Fairness

All complaints will be investigated in the same manner with the aim of promoting, fairness and equality.

Confidentiality and the Right to Privacy

DEF will preserve the confidentiality of all individuals involved in a discrimination complaint. The preservation of confidentiality may be affected by the employer's duty to prevent discrimination in/at DEF and by the alleged respondent's right to know the nature of the complaint being made against them and who has made it so that they can respond.

If the investigation fails to find evidence to support the complaint, no documentation concerning the complaint will be placed on the file of the respondent. DEF will retain all documentation for 12 months for informational purposes in the event that there is an internal appeal or a complaint filed with an outside agency.

Outcomes and Remedies

DEF will act swiftly to ensure that the discriminatory practice is stopped as soon as possible and may remedy the situation in a number of ways. Where the investigation determines that discrimination has occurred or the matter has been successfully mediated, outcomes may include moving the respondent to another department, changing the respondent's job duties, or a letter of apology. Actions taken to remedy a discriminatory situation should not have a negative effect on the complainant. The main concerns of the employer will be to ensure that the discrimination ends and to restore workplace harmony.

Appeal Process

Within 10 days from the result of first round of investigation, either the complainant or the respondent may make a written request that an investigation be reviewed stating which aspect of the investigation is inadequate. The request must be submitted to Mr. Osama Manzar, who will determine if the investigation is to be re-opened in order to address the concerns raised.

In case the appeal is taken up, then the investigation shall be completed within 15 working days by the same committee with the inclusion of an independent member. The result of the appeal shall be binding on the complainant for all purposes.

Approved by:
Management Committee / Working Committee

Mr. Osama Manzar
Founder Director,
Digital Empowerment Foundation

Mr. Shahid Ahmad
Dy. Director,
Digital Empowerment Foundation

Mr. Syed Kazi
Dy. Director,
Digital Empowerment Foundation

Ms. Ravi Kanta
Head – Admin, HR & Operations,
Digital Empowerment Foundation

Ms. Ritu Srivastava
Sr. Manager – Research & Advocacy,
Digital Empowerment Foundation

Mr. Ravi Guria
Dy. Manager – Comm. & Media,
Digital Empowerment Foundation

About

DEF believes access to the Internet together with digital literacy can empower people to use information and knowledge to improve their lives on their own in various ways using different digital tools. DEF has adopted a multi-stakeholder approach and a seven-fold path to enable communities, governments, schools, civil society organisations and micro-enterprises avail the benefits of the Information Age. It promotes more extensive use of ICTs for development and has created platforms for discovering and honouring ICTD innovators and practitioners so as to create a knowledge hub and database and an ecosystem that can enable digital innovators to share knowledge, forge partnerships and scale up. It is also engaged in advocacy and research on all digital areas and such issues as Internet rights and right to information.



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