

# Public Private Partnership Authority (P3A)

## Gender Diversity and Inclusion (GDI) Policy 2023

### Policy Statement

**P3A commits to a fair and equitable work culture, based on gender equality by promoting a diverse and inclusive workforce guarded against all forms of discrimination.**

P3A believes in equal opportunities to attract and retain top talent. It aims to improve its decision making by actively investing in diverse human resource across all hierarchical levels, leading to superior corporate governance, and risk management.

P3A endeavors to make the concerns and experiences of its workforce an integral dimension of the planning, implementation, monitoring and evaluation of policies and initiatives.

### Policy Objectives

The objectives of this Gender Diversity and Inclusion Policy (hereinafter referred to as “GDI Policy”) are:

- Embed gender inclusiveness as a core pillar of P3A’s organizational culture, values, human talent and leadership
- Promote measurable, gender-sensitive policies and practices to facilitate a fair, discrimination-free, and safe work environment
- Ensure gender inclusion at decision-making hierarchical positions, including P3A’s Board of Directors (“P3A’s Board”)
- Raise awareness and encourage adoptability of gender sensitive policies and measures through measurable quantitative and qualitative indicators

### GDI Policy Framework

The GDI Policy shall be operationalized using five (5) main domains. Four (4) of these provide policy interventions, while the fifth (5<sup>th</sup>) domain is related to monitoring and evaluation. The four (4) main Intervention-driven domains are as following:

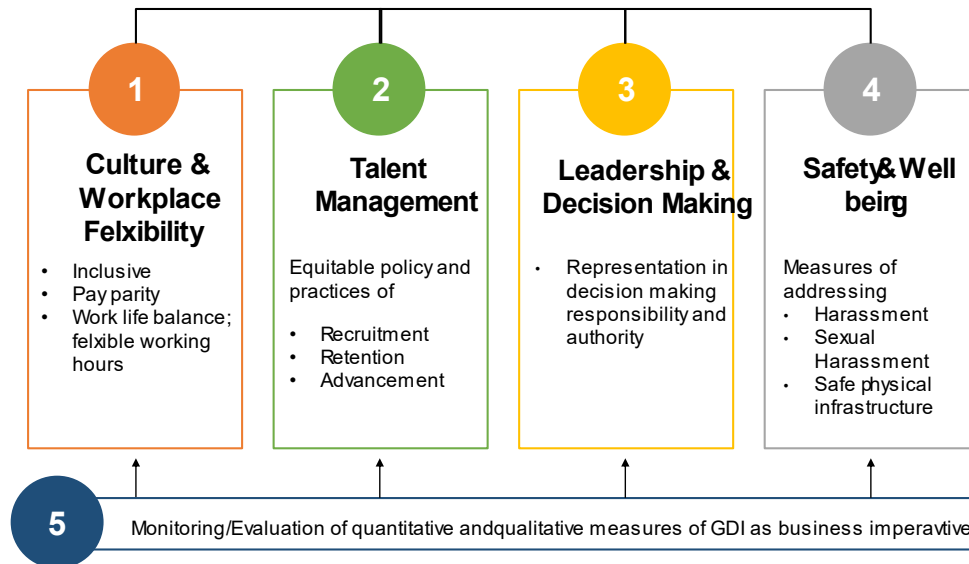
1. Gender sensitive organizational culture and workplace flexibility
2. Effective talent management
3. Diverse leadership for improved decision making
4. Safe workplace defined by physical and social well-being

These four (4) domains shall be assigned quantifiable key performance indicators which shall be supported by the fifth (5<sup>th</sup>) domain of monitoring and evaluation of domain indicators to complete the feedback loop.



The feedback loop may include qualitative measures (for example, employee satisfaction survey) to analyze the progress of GDI adoptability and take corrective actions for improvement. (See figure below for graphical representation of the five domains).

## Gender Diversity & Inclusion (GDI) Framework



### Domain 1: Culture and Workplace Flexibility

#### Inclusive Organizational Culture

P3A will promote diversity, gender equality, and inclusiveness as a **core value** of its organizational culture. It will uphold its regulations and policies that are relevant to the matter, including (but not limited to) P3A’s HR Regulation 2023, Civil Servants (Efficiency and Discipline) Rules 2020, and the Disciplinary and Dismissal Policy of Erstwhile IPDF (the latter two adopted by P3A upon its Executive Committee’s approval, as ratified by P3A’s Board).

The organizational culture shall focus on a performance-based work environment that will uphold P3A’s core values, including those of diversity, gender equality, and inclusiveness. This will be measured through the inclusion of related parameters in the employees’ annual appraisal to ensure adherence to this Policy across P3A. These diversity and inclusiveness-related parameters shall be determined by P3A’s Capacity Building/Human Resources Management (HRM) function as part of developing and operationalizing the annual appraisal process and accompanying tools, including the annual appraisal forms. These parameters will vary across hierarchical levels, and from function-to-function. Examples may include (but are not limited to):



- Undertaking gender diversity and inclusiveness related trainings;
- Ensuring social and gender responsiveness in pipeline of PPP projects, also in adherence with P3A's Environmental and Social Safeguards Framework (this is specific to PPP pipeline development and project review);
- Gender sensitive data gathering; and
- Diversity and inclusion related culture and team-building efforts.

Detailed gender sensitive non-remunerative policies shall also be enacted to ensure healthy employee engagement (see section on Retention below for further details).

Gender awareness and sensitivity training to all employees shall be mandatory. This would include trainings on gender sensitive communication. The same shall be adopted by P3A for all internal and external communications.

### Pay Parity

P3A believes in fair and transparent pay structure free of any discrimination. The remuneration (including benefits of each level and position) shall be based on best practices, local market and comparable pay analysis. This assessment shall either be undertaken in-house or by hiring specialist individuals or firms. The compensation packages (or any revision and/or updation to them) shall come into effect after obtaining the approval of P3A's Board and shall comply with P3A's HR Regulations, 2023. Special consideration shall be provided to women employees to ensure no difference in pay structures exist from those of male employees in the same hierarchical grade<sup>1</sup>. Compensation and benefits packages shall be prepared by the HRM function (either in-house or through third party support) and shall be presented annually to P3A's Board for review and any necessary adjustments deemed appropriate in view of prevailing inflation and market rates. This report shall also include an annual analysis providing a comparison of male and female employees across P3A's various hierarchical structures, along with their pay-scales, to ensure that the Board is informed of any gender disparity within the Authority.

### Parental Leave

P3A's staff is entitled to Maternity and Paternity Leave in accordance with the Maternity and Paternity Leave Act, 2023. The salient features of the said Act are as follows:

- Maternity leave shall be granted on full pay outside the leave account to a female employee on her option to the extent of one hundred and eighty (180) days on the first birth, one hundred and twenty (120) days on second birth and ninety (90) days on third from the date of commencement thereof.

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<sup>1</sup> This action item to be incorporated in consultation with the HR regulations, and duly approved by P3A's Board within the next 3 years from the approval of this policy.



- A male employee expecting his wife to give birth to a child shall, at his option, be granted paternity leave on full pay not exceeding thirty days outside his leave account from the date of its commencement.
- Maternity/Paternity leave may not be granted for more than three times in the entire service of an employee except when such leave is granted within her leave account due and admissible to her or as an extra ordinary leave without pay.

Any employees rejoining after extended leave shall not be discriminated against for salary increments, bonuses, and benefits. See [Domain 2](#) for more details.

## Domain 2: Talent Management

### Recruitment

As an equal opportunities' employer, P3A will recruit women, minorities across all ethnic groups at all levels ensuring that the critical principles of meritocracy and performance-based recruitment are upheld. P3A shall aim to reach 25 percent women participation at all job levels within a period of five (5) years. In this regard, the following strategies shall be employed at a minimum:

- All advertisements will clearly include a statement regarding equal opportunity employment especially encouraging qualified women to apply.
- In the event of two (2) finalist candidates of different genders equally qualifying for the same position during the screening, selection and interview process for that respective position, the woman candidate shall be preferred each time.
- Exclusively in consideration of meeting the women inclusion target, in case a suitable female candidate meeting all the required selection criteria cannot be found for a senior hierarchical position, the appointment of a capable female candidate on a performance basis who meets all the required selection criteria shall be made in the position immediately lower, subject to the approval of P3A's Board. An explicit career development plan shall be chalked out for the selected candidate to ensure promotion into the desired grade, within the specified time-period of the development. Any and all hiring shall remain compliant with P3A's HR Regulation 2023.
- The interview panel for the recruitment process shall include at least one female panelist. The female panelist (if available) shall be at least one position higher than the position being recruited for, in terms of seniority.
- All interview panels shall formulate their questions in a gender sensitive manner, the guide for which shall be provided by the Capacity Building (HR) function in case the panelists have not undergone gender sensitivity training already.
- All candidates appearing before the panel interview shall be asked questions to ascertain their gender awareness and sensitivity. The answers so provided by the successful candidate shall feed into the customized training and capacity building plan of the recruited individual.



## Retention

P3A commits to offering flexible careers to all genders as part of its retention strategy. Special consideration shall be provided to women in the age bracket of 20 to 45 years to allow work-life balance, especially during their child-bearing years. The strategy may include:

- Adoption of flexible hours, working remotely, and the ability to dial-down and dial-up working hours.
- Providing appropriate training/orientation to the supervisors of the employees availing the option of flexible hours, in order to develop the requisite skillset to manage remote workers, whether they are working outside typical office hours or working from home.
- Enabling internal staffing mobility in compliance with P3A's HR Regulation 2023 with a view to advancing high-performing women in the organization.
- Identifying the financial and non-financial needs of talented female employees through "stay interviews" to ensure continued provision of conducive work environment and strengthen employee engagement. The employee satisfaction survey referred to in Domain 5: Monitoring and Evaluation can also be used for this purpose.

## Advancement

P3A believes in gender inclusive strategies for career advancement keeping in view the competing demands on women's work and personal life. P3A recognizes the changing nature of the acquired skill set throughout a woman's career and ensures development of women-specific **mentorship** and **sponsorship programs**. This may include (subject to the approval of P3A's Board):

- Access to conferences, career advancing courses, and education
- Identification of stretch assignments to develop and polish skills
- Visibility to female employees with leadership potential by assigning varied responsibility and increased authority

Special programs shall be designed for women who wish to rejoin office after availing extended leaves. This would include:

- Comeback plan for women returning from maternity leave or other extended leave. This may include training, work access from home, flexible hours, etc.
- Flexible online training and skill enhancement programs during leave periods to ensure women stay engaged with the formal workforce
- Annual appraisal shall entail performance-based criteria focusing on tasks completed, and targets achieved, appropriated for the leave period, to reflect an equitable work environment



# Domain 3: Leadership & Decision Making

## Gender inclusive representation at governing bodies' level

P3A's Board of Directors will have a gender diverse composition, and the Board will set targets for female representation at the Board level and key decision making committees as part of the Board conduct regulations, keeping in mind the highest standards of corporate governance. Such recommendations will be forwarded to the Federal Government which is a higher forum that has ultimate authority over Board composition.

All governing body members shall be required to undergo a mandatory GDI training as part of their induction into the respective governing body to ensure a gender sensitive corporate governance structure.

## Gender inclusive representation at senior executive levels

P3A will recruit in an inclusive manner for its senior/decision-making level positions (this includes Level 1 and Level 2 as per P3A's organization structure approved during its 21<sup>st</sup> Board of Directors meeting). A target of 10 percent is to be achieved over a period of 3 years. See [Recruitment](#) for more details. Senior management bonuses and increments shall be linked to non-financial KPIs, (specific to values of the organization) and assigned a weightage of 10 percent<sup>2</sup>. These may include, for instance:

- evidence of promoting/ fostering a gender sensitive organizational culture,
- increase in employee satisfaction tested in the annual survey,
- operationalization of employee wellbeing policies and practices,
- identification and development plan of women in succession planning.

The above, or any such related KPIs, shall be subject to the approval of P3A's Board.

# Domain 4: Safety and Wellbeing

## Protection against harassment in the workplace

P3A shall establish an in-house GDI Focal Person within a period of three (3) months from the time of approval of this GDI Policy. The GDI Focal Person role shall be performed by a senior female member of P3A's senior management<sup>3</sup>. The GDI Focal Person shall undergo extensive and thorough training on, including conducting fair and impartial inquiries, and making appropriate recommendations post conclusion of an inquiry, not including inquiries of complaints made under Protection against

<sup>2</sup> The evaluation methodology shall be introduced after year 3.

<sup>3</sup> The GDI Focal Person would be a senior female member of P3A's staff at Level 1 or Level 2 of P3A's organization structure approved during its 21<sup>st</sup> Board of Directors meeting. In the absence of a senior woman in P3A leadership structure, P3A's Board may advise alternative solutions provided the Ombudsperson remains a woman.



Harassment of Women at the Workplace Act, 2010 (“Anti-Harassment Act, 2010”). See [Annexure A](#) for explanation of harassment and its forms.

The roles and responsibilities of the GDI Focal Person, are detailed in Part I of [Annexure B](#).

In particular, to ensure protection against harassment of women in the workplace, the provisions of Anti-Harassment Act, 2010 will be applicable. Further, where any action taken under this Policy is in conflict with the Anti-Harassment Act, 2010, then the Act will prevail.

The P3A Board shall appoint the Competent Authority for purposes of this Policy, which shall be a committee or individual member of the Board. However, in the event that a complaint is filed against any individual appointed as a member of the Competent Authority then the P3A Board (or the Executive Committee thereof) shall replace such individual for the purposes of that complaint (if the individual is declared guilty then he/she shall not resume his/her responsibilities as member of the Competent Authority unless the charge is reversed through an appellate process).

### Infrastructure

P3A shall endeavor to establish a working environment that is conducive for both men and women; this includes provision of facilities such as (but not limited to):

- Clean and separate washrooms for women
- Daycare facility/nursery room
- Dedicated prayer area
- Common rooms for women
- Well-lit parking lots
- Presence of security guards within the building and parking area to ensure security of staff members.

The provision of on-site facilities shall be subject to the approval of P3A’s Board, availability of adequate space and budgetary considerations. P3A will endeavor to complete its envisioned suite of facilities within a period of five (5) years from the approval of this GDI Policy.

## Domain 5: Monitoring and Evaluation (M&E)

The four (4) domains shall be supported by thorough monitoring and evaluation performed by P3A’s Capacity Building (HR) function. This would include both qualitative and quantitative measures tracked annually. An M&E report shall be submitted directly to P3A’s Board, or such persons or group nominated for the said purpose by P3A’s Board, with recommendations for improvement. P3A’s Board may conduct an annual employee satisfaction survey at its discretion to gauge staff sentiment at P3A. The results would be viewed in conjunction with the subject M&E report to ascertain future course of action. See [Annexure C](#) for more details.

**The GDI Policy shall be reviewed every three (3) years for amendments, or earlier, at the discretion of the P3A Board.**





## Annexure A: Gender and Diversity (GDI) Policy Definitions and Explanations

The terms and concepts used in the GDI Policy are defined below. The GDI Policy is to be read in conjunction with the HR Manual. In case of absence of explicit gender guidelines, the processes detailed in the HR manual shall prevail, once established and operationalized.

**Competent Authority** is the authority responsible for decision-making on Inquiries raised under P3A's GDI Policy (for composition of Competent Authority see the section titled "Domain 4: Safety and Wellbeing" of this Policy).

**Discrimination** means the unjust or prejudicial treatment of different categories of people, especially on the grounds of ethnicity, age, sex, or disability.

**Employee Engagement** means an employee's involvement with, commitment to, and satisfaction with work.

**Enabling or Inclusive Workplace** means that the workplace is a welcoming, nurturing, safe and an empowering environment, containing established rules, regulations, procedures and conditions that facilitate a sense of belonging and inclusion, thus enabling work.

**Formal Complaint** is as described in Part III Clause 3(c).

**Gender** is a concept which broadly refers to the roles, behaviors, activities and attributes that a given society assigns to male and female persons. Such expectations are referred to as **gender norms**. For the purposes of this document, given the social context, special attention will be given to equal opportunity for women.

**Gender diversity** is an umbrella term that refers to a wide range of gender-related identities and ways of expression. **Diversity** means the fact or quality of being different or having a variety. It denotes a variety of similarities and differences among people, including but not limited to: gender, gender identity, race, ethnicity, native or indigenous origin, age, generation, culture, religion, belief system, marital status, parental status, socio-economic difference, appearance, language and accent, disability, mental health, education, geography, nationality, work style, work experience, job role and function, staff position (covering hierarchy and national/international status), thinking style, and personality type.

**Gender equality** refers to equal chances or opportunities for groups of people, regardless of gender, to access and control social, economic and political resources, including protection under the law (such as health services, education and voting rights). Gender equality means that we all enjoy the same rights, resources, opportunities and protections. Because power structures in societies across the world often privilege boys and men, advancing gender equality most often requires addressing disadvantages faced by girls and women. At the same time, gender inequality pervades personal, family and social relationships and institutions, and affects not only women and girls, but also men and boys, and requires the engagement of all sexes to make progress towards justice and equality. Shifts in gender equality require not only awareness and behavior change, but also changes in the fundamental power dynamics that define gender norms and relationships.





**Gender Equality** focuses on creating the same starting line for everyone, while **Gender Equity** has the goal of providing everyone with the full range of opportunities and benefits to reach the same finish line.

**Gender Inclusion** is acknowledging that everyone deserves to be treated with respect regardless of gender, and ensuring that systems and processes treat all genders equally.

**Harassment** – Definitions of Harassment can be found in Part II and Part III of this Policy. It is noted that there can be various types of harassment at the workplace, other than physical harassment, such as verbal, psychological, and harassment using digital means (e.g. online and social media).

**Informal Complaint** is as described in Part III Clause 3(c).

**Inquiry** is an official investigation initiated by the (i) Inquiry Committee under Part II (ii) GDI Focal Person and/or Inquiry Committee under Part III.

**Inquiry Committee** – Details of the Inquiry Committee can be found in Part II and Part III of this Policy.

**Pay Parity** means paying women and men the same gross rates for work of equal value in the relevant employment market; and having equal rights in the workplace (see “equity”).

**SOP** means institutional level Standard Operating Procedures

**Talent Management** means the process of nurturing, developing and retaining talent in the organization.

**Values** means shared principles that underpin the work and culture of an organization and guide the actions of its workforce.



# Annexure B: Protection Against Harassment

## PART I

### Role of the GDI Focal Person

The GDI Focal Person shall act as a mentor and guide for all matters related to harassment. The GDI Focal Person shall:

- Be the point of contact for complainants who wish to file complaints under this policy. In case a complainant approaches the GDI Focal Person regarding a complaint to be filed under the Anti-Harassment Act, 2010, she shall facilitate the complainant, including by (a) sharing a copy of the Anti-Harassment Act, 2010 and (b) informing the complainant they may file their complaint directly with the inquiry committee as per the law (see Part II below).
- Create awareness, by conducting trainings amongst other activities, about issues related to GDI and should be well versed with the GDI Policy.
- For purposes of appointing Inquiry Committee members, create and maintain a roster of well-trained members<sup>4</sup>, at least 60 percent of whom shall be women members, regardless of the total number of members. Individuals who are a part of the roster shall be considered as potential Inquiry Committee members.
- Maintain a meticulous record of all complaints received, resolved, and under process for resolution, along with all relevant documents/ evidence and requisite reports produced under this GDI Policy.
- Report directly to the CEO, the P3A's Board or such persons or committees nominated by P3A's Board (as applicable under Part II and III) for the purpose or on any complaints received and resolved within the reporting period, including on-going investigations.
- Maintain, at all times, strict confidentiality of matters brought to her attention, to ensure safety and security of those involved, and to maintain a conducive work environment.
- Intervene in situations where retaliatory behavior has been observed upon initiation, during or conclusion of Inquiry proceedings.
- Be a point of contact for informal complaints, and play a role in their resolution as provided under Part II and Part III of this annexure.
- Not act as a GDI Focal Person for any complaint(s) that is received against the GDI Focal Person herself.

The role of the GDI Focal Person and the Inquiry Committee (see below) may be made operational within three (3) months and twelve (12) months respectively from the date of approval of this GDI Policy.

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<sup>4</sup> The members of the inquiry committee shall have received trainings in the subject matter, to equip them with the special skills needed to conduct investigations without prejudice, or bias. Displaying skills of empathy, confidentiality and secrecy, the members shall display high ethical conduct as individuals of the committee.



## PART II

### Complaints under the Protection against Harassment of Women at the Workplace Act, 2010 (the “Anti-Harassment Act, 2010”):

1. The Anti-Harassment Act, 2010, is the applicable law for the following instances of harassment, defined under the said act as:

“(i) any unwelcome sexual advance, request for sexual favours, stalking or cyber stalking or other verbal, visual or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, including any gestures or expression conveying derogatory connotation causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment; or

(ii) discrimination on basis of gender, which may or may not be sexual in nature, but which may embody a discriminatory and prejudicial mind-set or notion, resulting in discriminatory behavior on basis of gender against the complainant;”

2. In the event that any complaint falls within the aforesaid definition provided under the Anti-Harassment Act, 2010, then the following procedure has been laid down under the law in order to address complaints under the Anti-Harassment Act, 2010. For ease of reference, salient features of the law have been summarized below (it is recommended that the Anti-Harassment Act, 2010 be consulted when dealing with complaints):

**a) Competent Authority:**

The Competent Authority shall be the authority responsible for decision-making on Inquiries raised under this Part II (for composition of Competent Authority see section on “Domain 4: Safety and Wellbeing” of this Policy).

**b) Ombudsperson:**

An Ombudsperson has been appointed under the Anti-Harassment Act, 2010. As per Section 8 of the Act, Complainants have the option to prefer a complaint either to the Ombudsperson or the Inquiry Committee.

**c) The Inquiry Committee**

**i) Constitution of Inquiry Committee:**



For complaints under the Anti-Harassment Act, 2010, the Executive Committee of P3A shall constitute an Inquiry Committee to enquire into such complaints. The Inquiry Committee shall consist of three members of whom at least one member shall be a woman, at least one member shall be from senior management (Level 1 or 2 in P3A Organization Structure approved as a part of P3A HR Regulations 2023) and one shall be a senior representative of the employees or a senior employee.

One or more members can be co-opted from outside the P3A if the P3A is unable to designate three members from within. A Chairperson shall be designated from amongst them.

No individual who has been found guilty by the Inquiry Committee shall be eligible to serve on the Inquiry Committee.

In case a complaint is made against one of the members of the Inquiry Committee, that member shall be replaced by another for that particular case and possibly future cases. The individual member of the Inquiry Committee complained against shall be relieved of all their duties as a member of the Inquiry Committee till the time the matter has been fully investigated and concluded.

Once an Inquiry Committee has been constituted, a notification shall be issued to all employees regarding the names of the members of the Inquiry Committee and the relevant contact information for filing of complaints.

ii) Powers of the Inquiry Committee:

- To summon and enforce attendance of any person and examine him/her on oath;
- To require the discovery and production of any documentary, audio or video evidence;
- To receive evidence on affidavits; and
- To record evidence

Under the Anti-Harassment Act, 2010, the Inquiry Committee shall also have the power to inquire into matters of harassment, to get the complainant or the accused medically examined by an authorized doctor, if necessary, and may recommend appropriate penalty against the accused from the penalties mentioned under the Anti-Harassment Act, 2010.

iii) Procedure of the Inquiry Committee:

The complainant may file a complaint through his/her incharge, supervisor, GDI Focal Person, CBA nominee or worker's representative, as the case may be, or directly to any member of the Inquiry Committee.

The Inquiry Committee shall, within three (3) days of receiving the written complaint:



- Communicate to the accused, the charges and statement of allegations leveled against him/her, the formal written receipt of which will be given;
- Require the accused within seven (7) days from the day the charge is communicated to him/her to submit a written defense and on his/her failure to do so without reasonable cause, the Inquiry Committee shall proceed *ex-parte*; and
- Enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defense of the accused as the Inquiry Committee may consider necessary and each party shall be entitled to cross-examine the witness against him/her.

The following provisions, *inter alia* shall be followed by the Inquiry Committee in relation to the Inquiry:

- The statements and other evidence acquired in the inquiry process shall be considered as confidential;
- An officer in an organization, if considered necessary, may be nominated to provide advice and assistance to each party
- Both parties, the complainant and the accused, shall have the right to be represented or accompanied by a Collective Bargaining Agent representative, a friend or a colleague;
- Adverse action shall not be taken against the complainant or the witness;
- The Inquiry Committee shall ensure that the employer or accused shall in no case create any hostile environment for the complainant so as to pressurize him/her from freely pursuing her complaint; and
- The Inquiry Committee shall give its findings in writing by recording reasons thereof.

d) **Penalties:**

The Anti-Harassment Act, 2010 lays down penalties in the form of major and minor penalties. Once an inquiry has concluded, Inquiry Committee shall recommend its findings and recommendations to the Competent Authority, within thirty days of the initiation of the inquiry, including the imposition of one or more of the penalties. For penalties please refer to Section 4(4)(i) and 4(4)(ii) of the Anti-Harassment Act, 2010.

e) **Appeal:**

Where any employee is aggrieved of the penalty imposed under the Anti-Harassment Act, 2010, may within thirty days of communication of written decision prefer an Appeal to the Ombudsperson that has been established under the Act.

f) **Code of Conduct**

Further, a Code of Conduct against harassment of women at the work place under Schedule of the Anti-Harassment Act, 2010, lists three significant manifestations of harassment in the



work environment which are abuse of authority, creating a hostile environment and retaliation.

3. The complainant also has the option of adopting an informal approach for resolving his/her complaint under the Anti-Harassment Act, 2010. Process followed shall be as follows:

- The complainant or a staff member designated by the complainant for the purpose may report an incident of harassment – orally or in writing – informally to his/her supervisor, the GDI Focal Person, or a member of the Inquiry Committee, in which case the supervisor or the Committee member may address the issue at his/her discretion in the spirit of the Code of Conduct under the Anti-Harassment Act, 2010.
- If the case is taken up for investigation at an informal level, then a senior manager (appointed by the Competent Authority) of the P3A may conduct the investigation in a confidential manner. The alleged accused will be approached with the intention of resolving the matter in a confidential manner.
- If the incident of the case reported does constitute harassment of a higher degree and the officer or member reviewing the case feels that it needs to be pursued formally for a disciplinary action, with the consent of the complainant, the case can be taken as a formal complaint.

Note: A copy of the recent version of the Anti-Harassment Act, 2010, has been annexed with this GDI Policy. The current version of the law can also be accessed at [www.pakistancode.gov.pk](http://www.pakistancode.gov.pk).





## PART III

### Other Harassment-Related Complaints

1. In addition to matters discussed above, P3A recognizes that there are other types of harassment that may affect the functioning of the workplace.
2. For types of harassment that are not covered under the Anti-Harassment Act 2010, the process set forth below shall be followed. For the purposes of this Part III, harassment includes:

- a) **Abuse of Authority on the basis of race, religion, ethnicity and disability:** Depriving the complainant from obtaining certain job benefits, be it a wage increase, a promotion, training opportunity, a transfer or the job itself on the basis of race, religion, ethnicity and disability.
- b) **Creating a hostile environment for employees on the basis of race, religion, ethnicity and disability:** Creating an intimidating, hostile, abusive or offensive work environment for the complainant on the basis of race, religion, ethnicity and disability.

The typical “hostile environment” claim, in general, requires finding of a pattern of offensive conduct, however, in cases where the harassment is particularly severe, such as in cases involving physical contact, a single offensive incident will constitute a violation.

**Retaliation:** Reporting instances of harassment can result in retaliation, which may include limiting the employee’s options for future promotions or training, distorting the evaluation reports, generating gossip against the employee or other ways of limiting access to his/her rights.

- c) **Other types of discrimination** on basis of race, religion, ethnicity or disability, which may embody a discriminatory and prejudicial mind-set or notion, resulting in discriminatory behavior and/or outcomes on basis of race, religion, ethnicity or disability against the complainant.
3. In the event that a complainant intends to file a complaint of harassment, falling under any of the categories mentioned above, and provided that the complainant can produce cogent evidence to this effect, then the following procedure shall be followed:

- a) Competent Authority:

The Competent Authority shall be the authority responsible for decision-making on Inquiries raised under this Part III (for composition of Competent Authority see the section titled “Domain 4: Safety and Wellbeing” of this Policy).

- b) The Inquiry Committee:



Complaints shall be referred to the same inquiry committee as constituted under Part II above.

No individual who has been found guilty by the Inquiry Committee shall be eligible to serve on the Inquiry Committee. In case a complaint is made against one of the members of the Inquiry Committee, that member shall be replaced by another for that particular case and possibly future cases. The individual member of the Inquiry Committee complained against shall be relieved of all their duties as a member of the Inquiry Committee till the time the matter has been fully investigated and concluded.

### **Powers of the Inquiry Committee**

For the purposes of conducting an inquiry under this Part, the Inquiry Committee shall have the power to:

- Summon and enforce attendance of any person and examine their involvement with the matter under investigation
- Require the discovery and production of any document in support of thorough investigation of harassment
- Document facts and evidence examined and analyzed for investigative purposes
- Provide a report with findings and recommendations to the GDI Focal Person for onward submission to P3A's Board for approval

The Inquiry Committee shall recommend appropriate disciplinary action to the Competent Authority, against a complainant, if allegations levelled against the accused are found to be false and made with mala fide intentions. The Inquiry Committee shall also recommend appropriate disciplinary action to the Competent Authority against parties who are found to have misrepresented statements or documents during Inquiry proceedings.

Making a false allegation of harassment with full knowledge of its falsehood, shall constitute as a serious violation of creating a conducive working environment under this GDI Policy. However, a complaint cannot be taken as false or as an illustration of nefarious intention simply on account of it not being proved.

The Inquiry Committee, in conjunction with the GDI Focal Person, shall ensure that no individual creates a hostile environment for the complainant or other employees (sympathizers or friends of the complainant) in order to hinder the course of Inquiry proceedings.

P3A employees have the right to report retaliatory behavior during or immediately after the conclusion of Inquiry proceedings to either the GDI Focal Person or members of the Inquiry Committee. The GDI Focal Person (and/or members of the Inquiry Committee) shall recommend to the Competent Authority, measures to check retaliation which may lead to a hostile working environment. Some of these preventative measures may involve:



- Mandatory leave for accused employee(s), or
- Work from home to ensure a smooth working environment
- Change of reporting line
- Temporary reassignment of function, role or duties etc.

Competent Authority may direct P3A's Capacity Building (HR) function, along with CEO, to ensure a friendly environment at large.

In due course<sup>5</sup>, the Competent Authority shall establish an official retaliation-mitigation-SOP to ensure that there are no reprisals or threats levelled against any member(s) of the Inquiry Committee, or persons involved in Inquiry proceedings (i.e. including witnesses, complainants or the accused). If the Inquiry Committee confirms/ proves the occurrence of retaliatory behavior, strict disciplinary action shall be taken against the employee(s) for impeding conclusion of Inquiry proceedings

c) Filing of Complaint:

The complaint may be filed formally or informally contingent upon the complainant's consent.

**Informal Complaint(s):** A complainant may request the GDI Focal Person to intervene and resolve a complaint informally by addressing offensive behavior with the intent towards its resolution. Informal Complaints may be communicated either orally or in written form. This may involve the GDI Focal Person to intervene by:

- Convening an informal dialogue with the accused and seeking an amicable resolution; or
- Convening an inter-party dialogue for reaching a re-conciliation to the offensive behavior.

Upon receiving an Informal Complaint, the GDI Focal Person shall:

- Seek recourse to resolution of the complaint within fifteen (15) working days.
- Maintain a confidential record of all Informal Complaints addressed, resolved and findings thereof; and share the same with the incumbent upon charge relinquishment.

Where a complainant wants to file a complaint against the GDI Focal Person, or can establish that the GDI Focal Person may be biased, the complaint shall be filed with any of members in the roster maintained for constitution of Inquiry Committee.



<sup>5</sup> Within a period of five (5) years, but no later than seven (7) years from the time of approval of this GDI Policy.

**Formal Complaint(s):** A complaint that is filed with the Inquiry Committee or any of its members or file the same through the GDI Focal Person. The Inquiry Committee may recommend a no-contact approach between the complainant and the accused by suggesting one or more of the following:

- Immediate reassignment of duties to a different supervisor
- Temporary transfer to another unit based on skill-set transferability subject to compliance with P3A's approved HR Regulation 2023
- Recuse the employee(s) on temporary/ special leave without negatively affecting pay or job security
- Advise work from home options or flexible hours/ days whereby interaction between the two parties' is eliminated.

d) Timeline for Complaint Resolution:

Upon receiving a Formal Complaint:

- The Inquiry Committee shall officially commence Inquiry proceedings no later than three (3) working days from the date of receiving of Formal Complaint.
- The Inquiry Committee shall complete its findings and submit a report, along with its findings and recommendations, no later than thirty (30) working days from date of initiating official proceedings.

To ensure timely resolution of all complaints, the Inquiry Committee shall update the GDI Focal Person with respect to the progress of the proceedings.

e) Appeals:

Appeals under this Part may be made, in writing, to 3-member appellate committee appointed by the P3A Board within a period of thirty (30) days of communication of written decision. Contact information for the 3-member appellate committee may be obtained from the GDI Focal Person.

f) Penalties:

P3A shall determine disciplinary actions including minor and major penalties, within eighteen (18) months of approval of this GDI Policy by P3A's Board. In the interim period, penalties provided under Part II above may be applied by the Competent Authority.

4. Confidentiality and fair treatment of all parties to a complaint shall be strictly adhered to throughout Inquiry proceedings. Any breach may be addressed with appropriate disciplinary action as decided by the Competent Authority.



5. P3A shall determine specialized and needs-based trainings for the GDI Focal Person and members of the Inquiry Committee.



## Annex C: Monitoring and Evaluation Framework (indicative non-exhaustive sample indicators)

Domain	Sub-domain	Target	Indicator (non-exhaustive list)	Frequency of Monitoring
Culture & Workplace Flexibility	Inclusivity		Absolute no. of female employees No. of female employees in support staff positions No. of female employees in middle mgt Ratio of men to women in <ul style="list-style-type: none"> <li>○ Support staff roles</li> <li>○ Junior employees</li> <li>○ Middle mgt</li> </ul>	Annual
	Pay Parity		<ul style="list-style-type: none"> <li>● PayScale variance between male and female employees in                             <ul style="list-style-type: none"> <li>○ Support staff roles</li> <li>○ Junior roles</li> <li>○ Middle mgt</li> <li>○ Senior mgt</li> </ul> </li> <li>● Annual Increment assignment variance between male and female employees in                             <ul style="list-style-type: none"> <li>○ Support staff roles</li> <li>○ Junior roles</li> <li>○ Middle mgt</li> <li>○ Senior mgt</li> </ul> </li> <li>● Annual benefits assignment variance between male and female employees in                             <ul style="list-style-type: none"> <li>○ Support staff roles</li> <li>○ Junior roles</li> <li>○ Middle mgt</li> <li>○ Senior mgt</li> </ul> </li> </ul>	Annual
	Flexible working hours		<ul style="list-style-type: none"> <li>● No. of employees availing flexi-working                             <ul style="list-style-type: none"> <li>○ male employees</li> <li>○ female employee</li> </ul> </li> <li>● Average duration of flexi-working availed (no. of days per year)                             <ul style="list-style-type: none"> <li>○ Male employees</li> <li>○ Female employee</li> </ul> </li> <li>● No. of requests received for flexi-hours by                             <ul style="list-style-type: none"> <li>○ Male employees</li> <li>○ Female employee</li> </ul> </li> <li>● No. of requests denied for flexi-hours for                             <ul style="list-style-type: none"> <li>○ Male employees</li> <li>○ Female employee</li> </ul> </li> </ul>	Annual
Talent Management	Recruitment		No. of applications received for advertised positions. <ul style="list-style-type: none"> <li>● Males</li> <li>● Females</li> </ul> No. of females selected for advertised positions <ul style="list-style-type: none"> <li>● Support staff roles</li> <li>● Junior positions</li> <li>● Middle mgt</li> <li>● Senior mgt</li> </ul>	Annual
	Retention		Employee turnover during the period <ul style="list-style-type: none"> <li>● Males</li> <li>● Females</li> </ul> No. of staff on extended leave during the reporting period <ul style="list-style-type: none"> <li>● Males</li> <li>● Females</li> </ul> No. of staff on extended leave during the period who resigned. <ul style="list-style-type: none"> <li>● Males</li> <li>● Females</li> </ul> No. of females identified for 'stay interviews' at all hierarchical positions No. of development plans developed	Annual
	Advancement		No. of mentorship programs for females No. of females availing 'back to office' programs No. of trainings identified for female staff No. of trainings availed by female staff	Annual



Leadership & Decision Making	Representation		Absolute no. of female staff at senior positions Ratio of males to females at senior positions Absolute no. of female staff at governing bodies Ratio of males to females at governing bodies	Annual
Safety & Well Being	Harassment		No. of Informal Complaints received by <ul style="list-style-type: none"> <li>• Males</li> <li>• Females</li> </ul> No. of Informal Complaints resolved. No. of Informal Complaints resolved formally. No. of Informal Complaints still not resolved past the stipulated time-period No. of Formal Complaints received by <ul style="list-style-type: none"> <li>• Males</li> <li>• Females</li> </ul> No. of Formal Complaints resolved. No. of Formal Complaints still not resolved past the stipulated time-period No of complaints received per category <ul style="list-style-type: none"> <li>• Workplace harassment</li> <li>• Sexual harassment</li> </ul>	Annual
	Infrastructure		No. of female washrooms No. of female washrooms as a proportion of total number of female employees No. of male washrooms as a proportion of total number of male employees Employee common rooms available for <ul style="list-style-type: none"> <li>• Males (yes/No)</li> <li>• Females (yes/No)</li> </ul> No. of complaints received regarding physical infrastructure by category (office equipment, cafeteria, building, supplies, etc.) <ul style="list-style-type: none"> <li>• Males</li> <li>• Females</li> </ul> No. of suggestions received regarding physical infrastructure by category (office equipment, cafeteria, building, supplies, etc.) <ul style="list-style-type: none"> <li>• Males</li> <li>• Females</li> </ul>	Annual



*Mohammad Awais*

**(Mohammad Awais)**

Head Legal Affairs, P3A

\*Each Page signed and stamped.