

GROUP POLICY FRAMEWORK ON GENDER EQUALITY



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DRUK HOLDING AND INVESTMENTS LIMITED

2021

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FOREWORD

Gender Equality and Diversity are fundamental rights outlined in the Constitution of the Kingdom of Bhutan and considered prerequisites for achieving sustainable development and growth. Evidence shows that promoting gender equality fosters social and economic development and contributes to improving the overall outcomes and sustainability of activities. People are an organization's most important asset and, in this respect, careful attention must be paid to ensure that the most favorable conditions are created for people to work in. A working environment free of harassment and discrimination remains a key element of staff performance. DHI believes that organizations must address gender equality issues as part of the Human Capital Excellence Thematic.


Furthermore, encouraging gender equality and diversity in the workplace has been shown to encourage innovation and improve individual and organizational performance. Organizations today must capitalize persons from diverse backgrounds who can bring different skills and perspectives. To take full advantage of everybody's competencies, the workplace should therefore present equal opportunities and internal policies in place should eliminate discrimination and unfair advantages to anyone in the organization.

DHI is a fairly safe and a professional organization that strives to provide the most conducive environment for one's professional growth with equal opportunities for all. We believe that all employees have the right to work in a positive and non-threatening work environment, free from any form of harassment. All employees should feel safe to learn, work and grow.

Thus, Druk Holding & Investments (DHI) has conceptualized the Policy Framework on Gender Equality for DHI and its Group of Companies. The premise in formulating the Policy Framework on Gender Equality is in view of global as well as national consensus and commitments to achieve gender equality in all spheres of life. These consensus and commitments have increasingly challenged organizations to address gender inequalities in their internal systems, processes and culture.

The Policy Framework on Gender Equality is therefore, a timely response to this challenge and an explicit commitment and mechanism to promote gender inequalities systematically within DHI and its Group. This Policy Framework reinforces and complements existing tools and guides that articulate the importance of promoting gender equality within DHI and its Group.

While it is possible to tackle internal gender inequalities, policy commitments alone do not create gender equality. The challenge for any organization is to take this first step to institutionalize a gender policy in its systems and processes. This undoubtedly requires sustained and full commitment and leadership in order to translate gender policy commitments into practical action.



Dasho Ugen Chewang
Chairman.

CHAPTER 1

INTRODUCTION

Gender equality is a fundamental human-rights issue that cuts across all spheres of life. Gender equality in the workplace is achieved when all employees irrespective of whether they are male or female are able to access and enjoy the same rewards, resources and opportunities at the workplace. As such, this internal framework has been developed to address the gender related issues at workplace and to enable a conducive working environment for gender responsive participation. The achievement of gender equality can be greatly facilitated through the introduction of internal gender policies that are supported by clearly defined plans for their implementation.

The legal and policy context is also premised on the provisions of several national, regional and international legal instruments which Bhutan has adopted, signed and/or ratified for the promotion and achievement of gender equality. Some of the policies and legislations at the national level that emphasize on addressing discrimination against women including at workplace are the Constitution of the Kingdom of Bhutan, Domestic Violence Prevention Act 2013, Penal Code of Bhutan 2011 (Amendment) and the Labour and Employment Act of Bhutan 2007. At the International front, Bhutan has ratified the Convention on Elimination of all form of Discrimination Against Women (CEDAW) without any reservations in 1981 and adopted the Beijing Declaration and Platform for Action in 1995.

Gender equality within organizations will not be achieved accidentally and as such a strategic and systematic approach is required. An internal gender policy helps foster recognition of gender equality as an integral issue in organizational systems and processes. An explicit gender policy would thus make gender equality visible and an integral aspect in the designing, planning, implementation, monitoring and reporting on internal operations, systems and processes of the organization.

OBJECTIVES

This Policy Framework aims to ensure a workplace that is free from discrimination from gender bias and to provide a working environment in which all employees can realize their full potential and contribute to organizational success.

The Policy Framework has been developed with the following objectives:

- (1) To streamline the mechanisms to address gender related issues and enhance working environment;
- (2) To address harassment issues including sexual harassment at workplace;
- (3) To build gender awareness, understanding and the internal capacity of the companies on promoting gender equality; and
- (4) To integrate gender in the planning, management and working systems and practices.

RESPONSIBILITY

The Chief Executive Officer and the Executive Management Team are responsible for the implementation of this strategy. The Executive Management Team shall appoint a Gender Focal Person.

All managers and supervisors are expected to be role models for their staff and colleagues in terms of gender equality. It is otherwise the responsibility of all staff to put this strategy into practice and to be accountable for their own actions and for the performance and reputation of its organization in respect of gender equality.

SCOPE

This framework shall extend to all the employees under DHI and its Group Companies (fully owned and controlled). The DHI linked companies shall however be encouraged to apply the Policy Framework. Employees include regular, contractual and intern/temporary staff of the organization.

CHAPTER 2

2.1 GENDER SMART WORK POLICIES

1. One of the ways to achieve gender equality is by adopting gender-smart work policies. Such policies address the challenges employees particularly women commonly face in the work place. Such policies benefit, not only the female and male employees but also the organization as a whole.
2. Another gender-smart solution is the adoption of robust anti-harassment mechanisms.

2.1.1 GENDER FRIENDLY FACILITIES

The organization shall consider the different needs of its male and female employees and provide gender friendly workplace by providing facilities that enables employees to perform to their ability. Some of the facilities that shall be provided include:

1. Separate toilets

- a. All offices under the Group shall provide separate toilets for male and female employees with clear and visible signboards.
- b. All offices shall ensure that the basic amenities such as sanitary bins are provided in the female toilets.

2. Breast feeding /Cre'che Facilities

- a. The Group shall ensure to establish private space/facilities to facilitate working parents to nurse their baby. Where applicable, common creche facilities shall be explored and considered rather than establishing an independent facility.

3. Implementation of Flexi-timing

- a. The Group shall ensure implementation of flexi timing for breast feeding mothers. A nursing mother, upon return from maternity leave, shall be permitted to interrupt her work to nurse the child until the child is two years old. This provision shall be included in the Company Service Rules.

2.1.2 EQUAL REPRESENTATION

1. The Group shall strive to ensure representation of both male and female employees particularly in the Company Boards, Committees and Panels to ensure at a minimum that gender bias is reduced.
2. The Company shall assess all the existing Committee/Panel composition & recommend change if necessary to ensure representation of both male and female employees.

2.1.3 GENDER INCLUSIVE LANGUAGE

1. The companies shall ensure gender inclusive language in all its communications and correspondences.
2. Using gender-inclusive language means speaking and writing in a way that does not discriminate and does not perpetuate gender stereotypes.
3. Using a gender inclusive language is a powerful way to promote gender equality and eradicate gender bias.

2.1.4 GENDER EQUALITY

1. Gender discrimination occurs any time a company treats men and women differently without any rational basis for doing so.

2. It doesn't have to be intentional or malicious.
3. Companies shall not hire based on sex, race, religion or similar criteria, and shall promote the principle of equal pay for equal work.
4. Companies shall ensure equal rights, responsibilities and opportunities for women and men.

2.1.5 GENDER MAINSTREAMING

1. Companies shall ensure that the implications on women and men are assessed while designing, planning, implementing, monitoring and evaluation of policies, programs, rules, and regulations in all areas and at all levels so that women and men benefit equally and inequality is not perpetuated.
2. Companies shall ensure that for all programs and activities any related data maintained is gender disaggregated, which would allow for analysis later on, if required.

2.1.6 HARRASSMENT INCLUDING SEXUAL HARRASSMENT

1. Harassment including sexual harassment is a criminal offence under Law.
2. Harassment is any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person.
3. Harassment may take the form of words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, traumatize, belittle, humiliate or embarrass another or which creates an intimidating, hostile or offensive work environment.
4. This also includes technology assisted harassment such as cyberbullying, cyber violence and online harassment.
5. One of the most common harassment at work place includes sexual harassment and sexual harassment disproportionately impacts women.
6. Sexual harassment refers to any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another including the fear of losing one's job/opportunities or otherwise.
7. Sexual harassment may occur between persons of the opposite or same sex.
8. Both males and females can be either the victims or the offenders.
9. Disagreement on work performance or on other work-related issues is normally not considered harassment and is not dealt with under the provisions of this policy but in the context of performance management.
10. Companies shall adopt robust anti-harassment mechanisms as follow:
 1. It shall be mandatory for all employees to attend at-least one session on sexual harassment.
 2. For new employees, the policy on Gender Equality shall be included as part of the new employee's induction and have the employee sign an acknowledgement of receipt and understanding.
 3. The anti-harassment policies shall not only provide recourses for victims but also develop a culture of awareness and support reporting, red flags and violations.
 4. All other rules, policies and guidelines of the companies in vogue shall be reviewed to ensure its alignment to the company's commitment to gender equality and its commitment to prevent, address and protect its employees from all forms of harassment including harassment based on ethnic background, sexual orientation, gender identity and/or religion.

2.1.7 PARENTAL LEAVE

1. Companies shall provide paid maternity leave of six months per confinement and shall be uniform for all births including twins, caesarean and premature births and as per the provisions prescribed in the service rules.
2. An employer cannot exclude a woman from a position due to pregnancy as long as she can perform her duties satisfactorily.
3. Male employees shall be granted paid paternity leave of 10 working days uniformly for all births and shall commence from the date of delivery.
4. In case of demise of mother during delivery or within six months from birth of child, the father shall be eligible for six months or the remaining months of the maternity leave as extraordinary paid paternity leave until the child is six months old.

2.2 GENDER AUDIT

1. A Gender Audit shall be conducted periodically to assess the extent to which gender equality is effectively institutionalized in policies, programs, organizational structures and proceedings (including decision-making processes) and in the corresponding budgets.
2. A gender audit shall consider, normally in a participatory manner, whether internal practices and related support systems for gender mainstreaming are effective and reinforce each other, and whether they are being followed.
3. It establishes a baseline, identifies critical gaps and challenges, and recommends ways of addressing them, suggesting possible improvements and innovations and document good practices towards the achievement of gender equality.

2.3 GENDER EQUALITY COMMITTEE(GEC)

1. The GEC shall be constituted as a body to review and assess the complaints or grievances related to harassment at work place including sexual harassment.
2. The complaint or grievances for harassment at work place including sexual harassment shall be dealt as per the procedures prescribed under this framework.
3. The GEC shall forward the report for appropriate administrative action to the Human Resource Management Committee.
4. The GEC shall advise and monitor the implementation of provisions pertaining to gender friendly facilities, equal representation and awareness.

2.3.1 Composition of the GEC

1. The GEC shall comprise of a minimum of 5 members including the Gender Focal Person who will chair the meetings.
2. Members to the GEC shall include a mix of representatives from within the organization and shall include a mix of both male and female as well as senior and junior members of the company. At least one member shall be from the Legal Unit.
3. A member secretary to the GEC shall be appointed from within the members.
4. The GEC shall meet at least once in 6 months and shall also convene as and when required.

2.4 GENDER FOCAL PERSON

1. A Gender Focal Person shall be nominated ideally from senior management to ensure the inclusion of gender mainstreaming in all the plans and programs of the company

- and take forward the gender commitments.
2. The GFP shall advocate the highest standards of conducts to achieve harassment free environment in the organization.
 3. The GFP shall provide guidance to deal with gender related complaints and harassment including sexual harassment by any individuals in the company.
 4. The GFP must be formally introduced to all the employees in the organization as the person to approach in case of any issues pertaining to gender issues and harassment at work place. This must not however, preclude the employees to reach out to their colleagues within the organization including the Head of the Organization as they deem appropriate to inform, consult, and/or seek counsel on gender issues and harassment at work place.
 5. The GFP shall ensure that incidents of harassment including sexual harassment are promptly and adequately addressed.
 6. The GFP shall demonstrate fairness, impartiality, respect for confidentiality and be free from intimidation or favoritism.
 7. The GFP shall take all necessary measures to prevent and address retaliation.
 8. The GFP shall develop and maintain a knowledge database on gender and gender issues, relevant laws and policies.
 9. The GFP shall conduct and raise awareness amongst staffs through gender sensitization/ gender capacity building training/ workshops in the organization.
 10. The GFP shall ensure that gender is mainstreamed in all plans, policies and programs of the organization.
 11. Upon resignation or transfer from the post, the GFP shall ensure proper handing taking over and provide detailed briefing to the new GFP.
 12. The GFP from all companies (The Group) shall meet annually to review gender mainstreaming practices and share best practices.

2.5 AWARENESS AND SENSITIZATION

1. The GEC shall advise on conducting sensitization programs periodically for the employees on how to prevent sexual harassment and harassment at work place in collaboration with the relevant agencies if necessary.
2. The GFP shall create awareness on sexual and other forms of harassment at workplace, related legal provisions and operational mechanisms to all employees in the organization.
3. The Company shall support the institutionalization of mainstreaming gender issues by integrating gender sensitization modules within existing programs such as the Board Director's Training program, Management/Leadership Programs, Induction program (new recruits orientation programs) and other Forums such as CEO, CFO, CXO, etc.

CHAPTER 3

3.1 PROCESS FOR REDRESSAL OF COMPLAINT OR GRIEVANCES

1. The GEC shall review and assess the complaints or grievances related to discrimination and harassment at work place including sexual harassment.
2. The GEC shall advise on the incidences of sexual harassment and harassment at work place immediately to the HRM Committee.
3. The complaint or grievances for discrimination and harassment at work place including sexual harassment shall be dealt as per the procedures prescribed under Process for Complaint Filing (section 3.2).
4. The GEC may forward the report for appropriate administrative action to the HRM Committee.

1.2 PROCESS FOR COMPLAINT FILING

1. An individual person shall file a complaint against the alleged accused to GFP, any GEC members or its immediate supervisor or any other person in authority, regardless of the position of the alleged accused. However, in the event the supervisor is the alleged accused, the complainant may file the written complaint directly to the GFP/any GEC members/person of authority.
2. When the designated person receives the complaint of harassment including sexual harassment, he /she shall seek to resolve the matter by conducting a fact-finding exercise in dialogue with the alleged accused and the aggrieved person. In the event, the designated person detects the occurrence of any nature of harassment including sexual harassment, the matter shall be forwarded to GEC for review and assessment.
3. The designated person shall in consultation with the Legal Officer conduct the preliminary fact finding of the incident received in writing within 5 working days and submit the complaint before GEC, if there is a requirement to conduct further investigation.
4. The GEC shall review the complaint and establish an investigation team to verify the allegations.
5. The complainant may withdraw the complaint at any time prior to the conduct of preliminary assessment by the designated person. However, in doing so an adequate justification for the withdrawal need to be provided.
6. Irrespective of the withdrawal of the complaint by the complainant prior to the conduct of preliminary fact-finding/inquiry, the case may be forwarded to the GEC to determine whether the aggrieved person has been put under pressure, coerced or subject to intimidation to withdraw the case.

3.3 FACT FINDING AND VERIFICATION

1. The complaint shall be investigated if it fulfills the following requirements;
 - a. If the complaint is made in good faith;
 - b. Proper name and designation of the complainant as well as the details of the alleged accused is reflected;
 - c. Falls within the definition of harassment and sexual harassment under this framework; and
 - d. There exists reasonable ground to belief that alleged incident would have occurred.

2. The Investigation team shall;
 - a. Establish the facts of the complaint and collect evidence in compliance with the laws.
 - b. Remain neutral at all times to ensure that the process is fulfilled without any prejudice.
 - c. Collect the statements from the victim, witness and any other relevant individuals.
 - d. Provide full opportunity to respond to the allegation made against him or her.
 - e. Ensure that the victims' rights are given due regard and maintain confidentiality while conducting investigation.
 - f. The opportunity related to his or her work shall not be discriminated until the investigation is completed.

3.4 INVESTIGATION REPORT

1. The investigation team shall submit the report to the GEC.
2. The report shall consist of facts, issues, evidence and recommendation.
3. Upon completion of the investigation, if there is any evidence of physical assault or abuse then a report shall be prepared by the team and submitted to the GEC.

3.5 ASSESSMENT BY GEC

1. The report of the investigation team shall be submitted to the GEC by the investigation team leader.
2. The GEC shall convene to assess the investigation report and provide recommendation on a priority basis.
3. The investigation report including physical assault or physical harassment shall then be reported immediately to the HRM Committee.
4. In the event the investigation report warrants any administrative action, the matter shall also be forwarded to HRM Committee through HRD.
5. The GEC shall dismiss the complaint if the investigation report proves the complaint as false and misleading. The GEC may forward such complainant for administrative action to HRM Committee through HRD.

3.6 ADMINISTRATIVE ACTION BY HRM COMMITTEE & LEGAL RECOURSE

1. The HRM Committee of the Company shall take appropriate administrative action against the accused if found liable by following the due process in keeping with the Company Service Rules and other applicable laws.
2. The administrative action under the Company Service Rules shall not preclude any other liability under the relevant law.
3. The HRD shall fulfill the due process for all the administrative actions.
4. The complainant shall be liable for an administrative action, in the event the complaint is found to be false and misleading.
5. Notwithstanding the foregoing, the aggrieved may seek legal recourse beyond the office administration, to any lawful authority.

3.7 MONITORING

1. The GFP shall maintain proper record of all the complaints including the assessment reports and administrative actions.

3.8 COUNSELLING

1. Throughout the process and aftermath of the grievance's redressal mechanism, the company shall ensure that the victim is supported and guided by providing counselling services, as deemed fit.

3.9 CONFIDENTIALITY

1. The confidentiality of information shall be maintained at all levels by individuals involved in the process dealing with complaint.

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