



Konty Yoga - A Family Yoga Center

Konty Yoga Ashram, Near Sadolxem Bridge Delem Village, Canacona. Goa, 403702

Grievance Policy

Overview

At **Konty Yoga – a Family Yoga Center** - Our Grievance Policy gives teachers and students an easy and safe way to address troubling or sensitive issues and provides insight on how these issues will be handled.

Reporting of Policy Violations

We At **Konty Yoga – a Family Yoga Center** encourage anyone who has been the subject of sexual misconduct or of any other actions that violates our policies and Code of Conduct to report the incident to our Ethics Committee, Human Resources department, or school management (henceforth referred to as the “reviewing body”).

The report should contain the following information:

- Your full name;
- Your email and phone number;
- The name of the person who the grievance is against;
- A description of the alleged policy violation;
- The date and location of the policy violation;
- Names and contact information of any witnesses with first-hand knowledge of the situation; and
- Any other credible evidence that is available to support the grievance.

In the interest of fairness and privacy, all reports must be made by the person who has personally experienced the misconduct. We will not investigate a matter based upon a third-party report of misconduct.

All reports must be made in good faith based on information the person reporting the incident reasonably believes to be accurate.

We At **Konty Yoga – a Family Yoga Center** may request additional information from the person reporting the incident during the review of the report.

We At **Konty Yoga – a Family Yoga Center** will take appropriate action to ensure compliance with our policies. The reviewing body will impose any sanctions that it feels are fair, just and reasonable under all of the circumstances.

We At **Konty Yoga – a Family Yoga Center** will not allow anyone to retaliate against any person for making a report in good faith or providing information in connection with an investigation into an alleged violation.

Confidential Treatment

The reviewing body has an important obligation to maintain the confidentiality of all information they may receive in connection with reviewing ethical complaints. This includes any information provided by victims or witnesses in their investigations and any documents, emails, or notes they may gather. The reviewing body should make each person who is interviewed feel comfortable that the discussion will be held strictly confidential.

This information is extremely sensitive. Its exposure could damage the reputations of the school, the teacher and the student, it could make the situation impossible to resolve fairly, and it could lead to legal liability.

The reviewing body will make sure that the forum where they will be discussing the matter is secure. They will not meet in an environment where someone may overhear what is being discussed. These meetings will not occur in a public place. Restaurants and coffee shops are public places and should not be used for meetings. Discussions will not be held in bathrooms and common areas at the yoga school or studio.

Timeline for Reporting Violations and Complaints

If an individual wants to file a complaint about the possible unethical conduct of a teacher or other person, he or she shall file the complaint within thirty (30) days after learning of the facts which may establish a potential violation. Complaints filed more than thirty (30) days after the violation of the Code of Conduct occurred may be reviewed at the discretion of the reviewing body.

A complaint should not be filed unless the person filing the complaint has:

- i.* material and credible evidence that may establish a violation school policy;
- ii.* Personal knowledge of the facts that form the basis of the complaint.

After the complaint has been filed, all persons with personal knowledge about the complaint are encouraged to assist the review by providing relevant and factual information about the potential policy violations. This will assist the reviewing body in promptly and effectively responding to the complaint.

Due Process and Procedure

We At **Konty Yoga – a Family Yoga Center** recognize that our reviewing body has an obligation to give a person accused of misconduct a reasonable level of due process. Because the person may lose his or her job and their reputation may be tarnished, the decision-making process must be fair and objective. Due process in this context does not mean that the reviewing body will conduct a mini trial but it will gather all of the relevant facts surrounding the matter and make a fair and objective decision based on the facts. The reviewing body may need to interview the person who reported the situation, the person who perpetrated the misconduct, and any other people who have direct knowledge about the situation. The reviewing body will examine all other credible and objective evidence about the situation.

Dismissal or Acceptance of a Complaint

Upon the receipt of a complaint, the reviewing body will evaluate the complaint to determine if it should be dismissed or reviewed.

The reviewing body may dismiss a complaint if it determines that any of the following is true:

- i.* the complaint is clearly frivolous or insubstantial;
- ii.* the information contained within the complaint is not credible;
- iii.* the complaint is not within the scope of school policies;
- iv.* the complaint has not been timely filed;
- v.* a policy violation would not exist even if the complaint were true;
- vi.* no credible evidence could be provided which could support a finding that a policy violation has occurred;
- vii.* the complaint is anonymous; or
- viii.* the alleged violation has been cured by a good faith effort of the parties involved in the complaint.

In making its determination the reviewing body may obtain and consider information relevant to the matter other than that included within the complaint or provided by the subjects of the complaint.

Within thirty (30) days after the receipt of a complaint, the reviewing body will either dismiss the complaint or accept the complaint for evaluation. After it has made its decision, the reviewing body will advise the person who filed the complaint as to whether it has dismissed or accepted the complaint. If the reviewing body elects to dismiss a

complaint, it shall provide the person who submitted the complaint with its reasons for dismissing the complaint.

Rules of Procedure after Acceptance of a Complaint

If the reviewing body decides to accept a complaint and determine if there has been a violation of school policy, the subject of the complaint will be given written notice of the complaint. The notice shall include information sufficient enough to provide the subject with a fair opportunity to respond to the complaint.

The subject of the complaint will have thirty (30) days from receipt of notice to submit a written response to the complaint. The response may contain any information which the subject feels is relevant and responsive to the complaint. The reviewing body may extend the response period for additional periods upon request.

The reviewing body may consider the matters alleged in the complaint, the written responses of the subject of the complaint, and other interested parties, other relevant facts, and ethical and legal principles. The reviewing body may question the parties (and, in its discretion, third parties) and obtain such other information as it shall determine is necessary, relevant and proper. The reviewing body may conduct its own investigation into the complaint in its discretion.

If the subject of the complaint fails to respond to the notice within the thirty (30) day period, it will constitute sufficient grounds for the reviewing body to act on the evidence in hand and impose appropriate sanctions. The reviewing body may extend the response period for additional periods upon request.

Determination of Violation

After its evaluation of all information relating to the complaint, the reviewing body will determine whether a violation of school policy has occurred. If the reviewing body determines that a violation of school policy has occurred, it may impose sanctions. The reviewing body will give the subject of the complaint written notice as to its decision on the complaint and the imposition of sanctions, if any.

The subject of the complaint may file a written appeal of the sanctions, setting forth all information relevant to the appeal, within ten (10) days of receiving the notice, by sending notice of appeal to the reviewing body. The reviewing body will evaluate the appeal and render a decision on the appeal within seven (7) days. The reviewing body may extend the response period for additional periods upon request. The decision on the appeal shall be final.

Sanctions

We At **Konty Yoga – a Family Yoga Center** recognize the principle “the punishment must fit the crime.” We do not sentence someone to life imprisonment for jaywalking.

There must be a sense of fairness and moral proportion in judging these situations. All cases of abuse and misconduct, from inappropriate commentary to physical assault, will be judged objectively and the reviewing body will fashion a sanction that fairly and equitably addresses the situation, and giving due considerations, to all the facts.

In many cases, it may be hard to uncover all of the facts, there may be conflicting facts, there may be conflicts of interest, and there may be circumstances and facts that weigh on both sides of the scales of justice.

However, the reviewing body will use sound and careful judgment in deciding what type of sanctions to impose. There are four options:

- 1. Do Nothing.** The facts do not show that the person committed the policy violation.
- 2. A Warning.** The facts show that the person's actions were minor and that a warning is a fair sanction. The warning could be coupled with counseling.
- 3. Time Out.** The facts show that the person's actions were serious and warrant suspending the person from the studio or community for a decided amount of time. However, the actions were not so serious that they support termination of employment. For example, the person may be good hearted but made a mistake in judgment. This may weigh toward leniency.

The "Time Out" period is usually one year but it may be shorter depending upon the circumstances. During the "time out" the person gets counseling, does spiritual work, contemplates their actions, etc.

After the "Time Out" period expires, the person can approach the reviewing body to ask to re-commence their teaching activities or allow them to rejoin the community. The reviewing body then will determine as to whether the person has resolved their issues and that it is appropriate for them to return. The reviewing body should consider whether there has been a sincere apology and contrition, appropriate reparation to the injured parties, rehabilitation and heart-felt change before the person may return. This decision will entirely at the discretion of the reviewing body.

- 4. Dismissal.** The facts show that the person's actions were so serious that they warrant dismissing the person from the studio or community. The person is dismissed, and their employment or independent contractor agreement is terminated.