

Sexual harassment policy

“Company Name “is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias, and sexual harassment. The Company also believes that all employees of the Company have the right to be treated with dignity.

Sexual harassment at the workplace or other than work if involving employees is a grave offense and is, therefore, punishable.

□ Definition

The term Sexual Harassment is defined in Section 2 (n) of the ‘Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013’ as any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:-

- a. Physical contact or advances; or
- b. A demand or request for sexual favors; or
- c. Making sexually colored remarks; or
- d. Showing pornography; or
- e. Any other unwelcome physical, verbal or nonverbal conduct of sexual nature;

Section 3 (2) states that the following circumstances among other circumstances if it occurs or is present about any act or behavior of sexual harassment may amount to sexual harassment:

- a. Implied or explicit promise of preferential treatment in her employment; or
- b. Implied or explicit threat of detrimental treatment in her employment; or
- c. Implied or explicit threat about present or future employment; or
- d. Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- e. Humiliating treatment likely to affect her health or safety.

A simpler understanding of the term sexual harassment consists of any physical or verbal behavior and any form of communication that has unnecessary, improper or unwelcome sexual connotations. Sexual harassment may vary in form depending on circumstances. It may consist of, but not be limited to, any of the following:

- Unwelcome sexual advances, requests for sexual favors, display of sexual

visuals, sexual

audios, pornographic or obscene material and any other verbal or physical conduct of a sexual nature

- Transmitting any message, by mail, telephone, e-mail, etc. which is obscene, lewd, suggestive or blatantly sexual
- Any explicit or implicit communication wherein a sexual favor or demand, whether by words or actions, is made a condition for an individual's employment, career progress, promotion, etc. thereby creating a hostile environment.
- Sexually charged jokes or remarks and behavior which have sexually-oriented innuendoes
- A consistent pattern of unnecessary physical contact, staring or targeting unreasonable attention at an individual in day to day dealings
- Any pervasive pattern of behavior which makes employees uncomfortable, insecure or feel humiliated or disadvantaged based on gender differentiation
- Actual sexual assault.
- As mentioned above, this is an indicative but not an exhaustive list of possible forms of sexual harassment.

This policy is to prohibit and deter any employee/ staff employed with the Company any form advancing any form of sexual harassment in the way employees behave with each other. This applies equally to relations between superiors and subordinates as well as between peers. Any incident of sexual harassment will be viewed with extreme seriousness. A complaint or report of sexual harassment will be immediately investigated and appropriate action will be taken against the offending employee or employees. For every incident of Sexual Harassment, the accused/ respondent shall be prosecuted under the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as 'the Act') and such other laws enforced in India at the time of the commission of the offense.

□ **Internal Committee**

The Company at this moment constitutes an Internal Complaints Committee (from now on referred to as 'Committee') as required under section 4 of the Act. The Committee has been established to ensure that any incidence of sexual harassment is dealt with appropriately, sensitively and expeditiously ;

- Internal Complaints Committee for Sexual Harassment comprises of
- Presiding Officer: A woman employed at a senior level in the organization or workplace

- At least 2 members from amongst employees, committed to the cause of women and or having the legal knowledge
- One external member, familiar with the issues relating to sexual harassment
- At least one-half of the total members is women

The committee is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting an inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

Process for dealing with incidents of sexual harassment

- Any employee who experiences sexual harassment may make a complaint reporting the incidence of Sexual Harassment in writing to the Committee. In case the employee is unable to report the said incident in writing, the committee member shall render all the necessary resources & support to the aggrieved employee to make the complaint in writing. The Contents of the said complaint should narrate the incident of Sexual Harassment and should also contain the name and details of the accused employee.
- The aggrieved employee shall report the said incident within a period of three months from the date of the last incident.
- The Committee may before initiating an inquiry and at the request of the aggrieved person take steps to settle the matter between her and the accused, provided that the settlement shall be in form of conciliation and not monetary settlement. On arriving at a settlement, the settlement shall be formally recorded and shall be forwarded to the employer, the parties to the conciliation and the Committee.
- On failing conciliation, the Committee will immediately arrange to fully investigate all relevant details of the matter. It will do so with all possible care, sensitivity and discretion in protecting the sensibilities of the affected employee. The employee or employees, who have allegedly committed the offense, would be given all reasonable opportunity to be heard by the Committee.

- The result of this investigation will be formally recorded and communicated to the Director, along with a recommendation for appropriate action.
- The Committee will normally complete this process and make its first formal recommendation within 15 days after receiving the complaint unless there are exceptional circumstances.
- In the case of a multi location context, one of the committee members may travel to the location in question as is required to ascertain the facts based on which the committee would discuss and assess the complaint in question.
- Necessary action will then be taken with regard to the offending employee or employees based on the circumstances and seriousness of the offense.
- Where the company is legally advised that any such incident constitutes a criminal offense, the company will inform the relevant authority, provide full details and request appropriate action. If the aggrieved employee directly takes any action, against the offending employee, either civil or criminal, the Committee, on becoming aware of such action by the aggrieved employee, shall be entitled to, suo moto, start the internal inquiry/ investigation and recommend appropriate action.
- The company will ensure that the career interests of the complainant are not adversely affected by the individual having drawn attention to such an offense. In order to ensure that this important matter is not trivialized, any complaint, which, in the opinion of the Committee, is blatantly false or frivolous or has been motivated by, reasons that are clearly unconnected with gender issues, would be viewed very seriously by the company and an appropriate action shall be taken against such complainants.
- If the Committee receives an anonymous reference related to sexual harassment, it will draw the attention of the senior executives concerned with the relevant business or location. The matter will be fully examined by the concerned senior management and its conclusions and plans for necessary action will be communicated to the Committee.
- Heads of departments and Senior Managers at all company locations will also be expected to be sensitive to any circumstances or behavior among their colleagues which appear to go against the company policy on this matter. In case they become aware of any such incidence, they will immediately inform the head of the Committee and take appropriate action as advised.
