

POLICY ON PREVENTION OF SEXUAL HARASSMENT (POSH POLICY)

1. OBJECTIVE:

- i. To provide work environment free of sexual harassment, where all the employees, especially female, are treated with respect and dignity.
- ii. To educate the employees what constitutes sexual harassment, the ways and means we are adopting to prevent the occurrence of such events, and in the unlikely chance of such an occurrence, to enable a fair mechanism for dealing with such occurrence.

2. APPLICABILITY:

- i. The policy is applicable to all persons on the rolls of the Company including those on deputation, contract, temporary, part time or working as consultants.
- ii. All office premises and other premises where the Group's/company's business is conducted.
- iii. All the Group/ company related activities performed at any other site away from the Group/ company's premises.
- iv. All visitors and vendors (outsiders/third parties) associated with us and visiting any premises of the companies in the Group or whose premise our employees are visiting during the course of business.

3. PROCEDURE:

3.1 Sexual Harassment Defined:

"Sexual Harassment" includes such unwelcome sexually determined behaviour, (whether directly or by implication) as:

- i. physical contact and advances;
- ii. a demand or a request for sexual favours;
- iii. sexually colored remarks
- iv. showing pornography
- v. And any other unwelcome physical verbal or nonverbal conduct of a sexual nature.

When any of these acts are committed in circumstances where the victim of such conduct has a reasonable apprehension that such conduct can be humiliating and may constitute violation of privacy, health and safety problem.

It would constitute sexual harassment where a woman has reasonable ground to believe that her objections would disadvantage her in connection with her employment or work including recruitment or promotion or when it creates a hostile work environment and adverse consequences might occur if the victim does not consent to the conduct in question or raises any objection thereto.

3.2 Responsibility:

It is duty/ responsibility of all the employees in the company to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps required as stipulated in the policy.

The management and employees have the mutual responsibility to ensure that the working environment remains clean and free from all forms of harassment. Collectively we also have the duty to report all cases of harassment to the Human Resources Department, should this behavior be witnessed by any employee, direct or indirect at any time in the workplace. Management (including Assistant Managers and Team Leaders) has a particular duty to ensure that harassment does not occur in areas, which are under their charge.

3.3 Sexual Harassment Complaints Redressal Committee:

Under Section 4 of the POSH Act, at all workplaces with 10 or more employees, the employer must form an Internal Complaints Committee (ICC). This is an obligation that must be adhered to by public and private organizations.

The “Internal Complaints Committee” shall consist of minimum 4 members being: -

- **A Presiding Officer:** This must be a senior female employee of the organization.

Two employee members: These employees must be aware and sensitive to gender issues and dedicated to the cause of women or possess some legal knowledge on related matters. The prerequisite for the selection of employees as members demands some legal knowledge or experience in the social sector or committed to the women’s cause. These are desirable but not mandatory as it may not be always easy to find such employees.

- **One external member:** This should be from an NGO or Association committed to the cause of women and issues related to sexual harassment.

While constitution of Committee the disqualification of the members of the Internal Complaints Committee as prescribed in the POSH Act, in details must be adhered. The Managing Director of the Company shall be the authority for disciplinary actions on issues relating to sexual harassment at the workplace, as per the following norms.

3.4 Redressal Process:

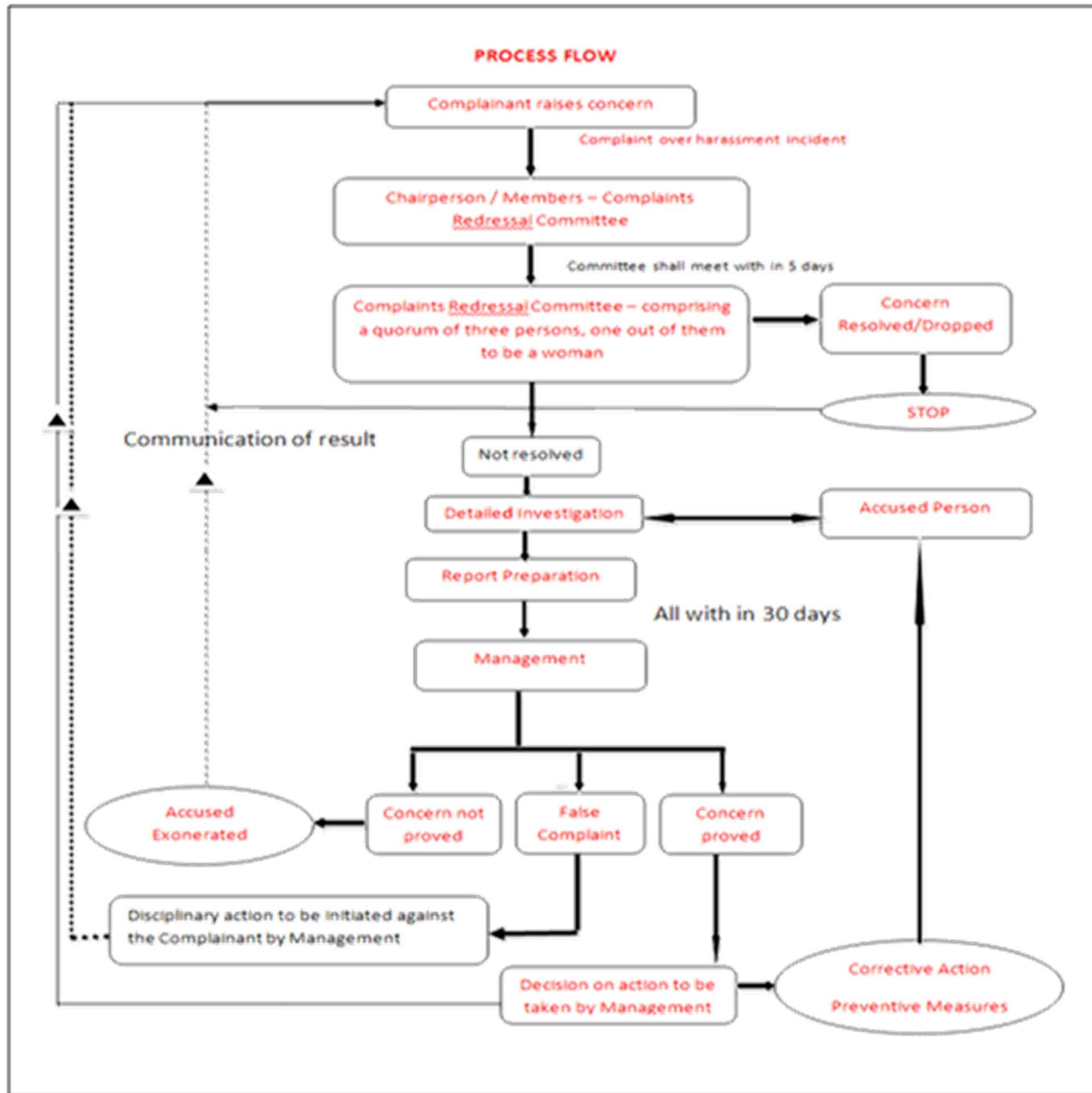
- i. Any employee of the Companies, who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with his/her signature within 10 days of occurrence of incident.
- ii. The Committee will maintain a register to record the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- iii. The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint.

- iv. At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employees involved and a male officer for male employees, involved, shall assist in the investigation.
- v. Thereafter, the person against whom complaint is made may be called before the Committee and an opportunity will be given to him / her to give an explanation, where after, an “enquiry” shall be conducted and concluded.
- vi. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- vii. In case the complaint is found to be false, the Complainant shall be liable for appropriate disciplinary action by the Management.

3.5 Enquiry Process:

- i. The Chairman of the committee may appoint an Investigator to conduct the investigation. Even such Investigator may also be identified out of the Complaints Redressal Committee.
- ii. The Investigator shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her opportunity to submit a written explanation within 7 days of receipt of the same.
- iii. The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- iv. If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es.
- v. If the Complainant desires to tender any documents by way of evidence before the Committee, she/he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee, he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.
- vi. The Committee shall call upon all witnesses mentioned by both the parties separately or together as deemed fit.
- vii. The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.
- viii. The Committee shall complete the “Enquiry” within reasonable period but not beyond one month and communicate its findings and its recommendations for action to the HR Department. The report of the committee as per **Annexure 1** shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.

- ix. The committee shall submit the report of its findings to the Management in the format as per the annexure enclosed.
- x. The Chairman shall consider and dispose of appeals if any, within a period of 30 days and communicate the decision to the party's concerned.
- xi. The Management will direct appropriate action in accordance with the recommendation proposed by the Committee.
- xii. The Committee may recommend to the Management, action which may include transfer or any other appropriate disciplinary action.
- xiii. Where sexual harassment occurs as a result of an act by any third party/outsider, the Management shall take all steps necessary to assist the affected persons.
- xiv. In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.
- xv. The victim of sexual harassment shall have the option to seek transfer of the perpetrator or his/her own transfer, in case of possibility of retaliatory action.
- xvi. The terminated employee on grounds of sexual harassment charges will not be hired in Group companies in future; hence a communication to that effect should go to all the units.
- xvii. HR Department shall ensure this policy is communicated, explained and handed over at the time of induction of each employee and conduct necessary communication and training across the employees, with respect to sexual harassment at work place.





V-Marc India Limited

Annexure 1

Check list/Format for Reporting & Findings by The Sexual Harassment Complaints Committee

S No	Item	Particulars
1	Date of receipt of Complaint	
2	Name/Contact details of the Complainant(s)	
3	Date /Location of the incident	
4	Brief Description of the complaint (may enclose the Complaint Documents)	
5	Name/Contact details of the alleged harasser/s	
6	Names of the Committee members	
7	Dates of meetings/investigations Enter beginning and closing dates	
8	Documents Referred/verified/collected /Enclosed	1 Statement from the complainant 2 Statement from witnesses if any 3 Statement from the alleged Harasser/s 4 Any other circumstantial evidence
9	Analysis/Observations of the Committee	
10	Conclusion	
11	Recommendations of the Committee	

COMMITTEE MEMBERS DETAILS

S. No.	Name of the committee Members	Designation	Signatures

Place & Date