

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE

PHILOSOPHY

We as a Company respect the dignity of all employees working for the Company irrespective of their gender or hierarchy and we expect responsible conduct and behaviour on the part of all our employees at all levels. Providing for a safe and congenial work environment to all employees is an integral part of the Company's employment policy.

OBJECTIVE / PURPOSE

This policy has been framed with a view to:

- Promote a workplace based on equality & respect.
- Provide a safe and congenial work environment.
- Create awareness & sensitization about sexual harassment at the workplace.
- Prevent sexual harassment.
- Provide formal and informal mechanism for redressal in case of complaint of sexual harassment at the workplace.
- Define the implications and outcome of sexual harassment.
- Ensure protection against retaliation to complainants, witnesses, committee members and other employees involved in prevention and complaint resolution.

SCOPE

This policy shall be applicable to all employees of the Company and its subsidiaries including any associate engaged on fixed term contract, short term engagement, temporary, apprentice, trainees, summer trainees, in-plant trainees, contractor associates and visitors on our premises. The policy shall also cover any unwelcome behaviour of a sexual nature mentioned in the policy by any Vendor/Supplier/Contractor including their agents, supervisors, managers and their employees to any of our employees on our premises.

DEFINITIONS

Sexual Harassment

Sexual harassment includes such unwelcome sexually determined behaviour (whether direct or by implication) such as:

- a. Physical contact and sexual advances ;
- b. Demand or request for sexual favors;
- c. Sexually - coloured remarks ;
- d. Showing pornography ; and
- e. Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

"Unwelcome sexually determined behaviour" includes but is not limited to:

- Subjecting another person to an unwelcome act of physical intimacy including grabbing, brushing, touching, including sexual flirtations, advances or propositions
- Making any unwelcome remark with sexual connotations like sexually explicit, remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks etc
- Showing any sexually explicit visual material in the form of pictures / cartoons / pin-ups / calendars / screen-savers on computers / any offensive written or electronic material / including pornographic material

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- Engaging in any other unwelcome conduct of a sexual nature, verbal or even nonverbal, staring to make the other person uncomfortable, making offensive gestures, etc
- Sending unwelcome communication of a sexual nature, through e-mail, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of a sexual nature
- Making an unwelcome demand or request whether directly or by implication for sexual favours and/or making it a condition of employment / payment of wages / increments /promotion / preferential treatment / threat to detrimental treatment in employment / threat to current or future employment status or similar act
 - Cases where a Supervisor requests sexual favours from a junior (or any other person) in exchange for actual or promised job benefits such as favourable reviews, salary increases, promotions, increased benefits or continued employment or threatens to terminate any such person for non-co-operation
 - Cases where a boss or other senior person intrudes into the private life of employees or persistently asks them out
 - Cases where any employee(s) make(s) sexual epithet, jokes, written or oral references to sexual conduct, and/or gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess in an attempt to humiliate or make another person uncomfortable
 - Behaviour which creates an environment that is intimidating, hostile, offensive, humiliating for women employee

Workplace

Any place where working relationship and/or employer-employee relationship between the company and the person exists. This includes our premises (including transit houses & guest houses) and any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such a journey.

Aggrieved Woman

In relation to workplace, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent.

Respondent

The person against whom the aggrieved woman has made a complaint

Internal Complaints Committee

The "Internal Complaints Committee" shall consist of a Presiding Officer and up to 5 other members. Out of these Committee members, 2 or more shall be women. One of the women shall be the Presiding Officer. One of the Committee members shall be a member from an NGO or association committed to the cause of women or a person familiar with issues relating to sexual harassment. The tenure of the committee shall be 3 years. At each location & each city there will be a women representative.

The Head-Corporate Affairs shall be the authority for disciplinary action on issues relating to sexual harassment at the Company's workplace at Noida and The CHRO and VPO shall be the authority for disciplinary actions on issues relating to sexual harassment at the workplace at Rewari Plant, Bangalore Plant, Chennai Plant and Gujarat Plant.

GRIEVANCE REDRESSAL MACHINERY

Given that this policy highlights a preventive focus, there is a need to distinguish between an informal and formal process.

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PROCEDURE FOR INFORMAL GRIEVANCE REDRESSAL

Informal processes normally involve an intermediary means for resolving a problem. In the case of Sexual Harassment, at first instance, the person (i.e. HOD/ SBU Head/ HR / Woman representative of the location) may be the point of first contact for anyone seeking informal support/intervention to stop unwelcome behaviour.

Benefits of an informal process are:

- It is consistent with the preventive approach
- It helps to diffuse a minor incident either without diluting the problem or escalating the problem
- Often people just want unwelcome behaviour to stop without drawing undue attention; an informal process makes this option more possible.
- It involves employees to share in the responsibility of eliminating unwelcome behaviour at work

A sense of restraint and responsibility on the part of all concerned is critical for the effective functioning of these guidelines.

The preventive / informal process that can be adopted is as follows:

1. Convey to the person who is the cause of distress, about what that person's actions, words, behaviour is doing and convey in no uncertain terms that such behaviour is not appreciated. What is important is the "Way" a particular behaviour, action or word is perceived; "Intent" is of no consequence.
2. The second step would be to approach someone within the company - preferably the Superior of the aggrieved or HR Representative. The Superior or HR Representative would then try and counsel / talk it over with a view towards closing the matter amicably.
3. In any case, all such incidents along with the resolution need to be reported to the Head-Corporate Affairs OR CHRO and VPO, as the case may be, who will then provide a short report to the Internal Complaints Committee and the matter will be closed.
4. However, in the event of it not being resolved, then it would need to be escalated to the Internal Complaints Committee.

PROCEDURE FOR FORMAL GRIEVANCE REDRESSAL

In the event of the complaint not being resolved through informal mechanism, then it would need to be escalated to the Internal Complaint Committee for redressal.

1. The aggrieved woman may make, in writing, a complaint of sexual harassment at the workplace to the Internal Committee, within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of the last incident. The complaint can also be routed through the women representatives at respective locations. The Internal Complaints Committee will render reasonable assistance to women for making the complaints in writing. This time limit may further be extended for 3 months if the complaints committee is satisfied that there were circumstances that prevented the woman from filing a complaint within the specified timeline.
2. A member of the Internal Complaint Committee would then hold an investigation and give a report to the Internal Complaint Committee.
3. The Committee, before initiating the inquiry at the request of the aggrieved woman, will take steps to settle the matter between her and the respondent through mutual settlement. Wherever such settlement has been arrived, the internal committee shall record it and send the same to the Head-Corporate Affairs OR CHRO and VPO, as the

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case may be, for them to take action as per recommendation. Once such settlement has been arrived at no further enquiry shall be conducted by the Internal Complaint Committee, however, a woman can further refer the same to Internal Complaint Committee for redressal if the terms of settlement have not been complied.

- The Committee, while investigating the complaint referred to it, will call upon both the parties separately, listen, look at proof (if any), verify documents produced by the parties, allow the parties to produce witnesses and to put forth their say. Both the parties during the course of enquiry are given an opportunity of being heard.
 - At the end of the investigation, a member of the Committee shall prepare a report of findings on the complaint and submit it to the Presiding Officer of the Committee. The findings of the report should be made available to the respondent and aggrieved woman within 10 working days from the date of completion of enquiry.
 - The Presiding Officer of the Committee shall ensure that the complaint is attended to within 10 working days after receiving it and that the investigations are completed within 30 working days.
 - During the pendency of an inquiry, on a written request made by the aggrieved woman, the committee may recommend to the HR, to
 - i. Transfer the aggrieved woman or person accused to any other location of work.
 - ii. Grant leave to the aggrieved woman up to the period of 3 months (over and above the entitled leave).
 - iii. Grant such other relief to the aggrieved woman as may be prescribed
4. The Presiding Officer after studying the report & discussion with the Committee members shall submit her recommendation to the Head-Corporate Affairs OR CHRO and VPO, as the case may be, within 10 days of completing the inquiry.
5. The implementation of the recommendation of Internal Complaint Committee by Head-Corporate Affairs OR CHRO and VPO, as the case may be, should be done within 30 days of receipt of such recommendation.
6. Pursuant to a finding of Sexual Harassment by the Committee against any person accused of the same, the Committee may initiate any one or more of the following actions:
- Actions in accordance with misconduct mentioned in service rules /appointment letter, including legal action, where appropriate
 - Issue a verbal warning
 - Issue a warning in writing
 - Issue a suspension
 - Deprived of increment or promotion
 - To deduct, notwithstanding anything in the service rules applicable, from the salary or wages of the accused person the such sum as it may consider appropriate to be paid to the aggrieved woman
 - Order dismissal depending upon the severity & sensitivity of the incident
 - Financial Penalty (In accordance with the mental, physical trauma, loss of career opportunity, medical expenses) in lump sum or in instalments.
7. In case the Internal Complaints Committee on conclusion of the enquiry finds that the allegation was malicious or has made the complaints knowing it to be false, or has produced any forged / misleading document, it will recommend action to be taken by Head-Corporate Affairs, CHRO and VPO against the woman who has made the complaint. In all such cases the malicious intent on the part of the woman must be established before any action is recommended.

8. The Internal Complaints Committee will protect the identity of all individuals involved during the process, including the aggrieved woman and respondent and contents of complaints and enquiry proceedings.

Guidelines for members of Grievance Redressal Machinery

- Believe in the reality of the complaint lodged
- Empathize with the complainant. Do not function like a criminal court
- Remember that it may be difficult for an employee to talk about anything 'sexual'. Hence there can be a long time interval between the harassment and the actual complaint
- Handle complaints in a confidential manner and within 30 working days
- Submit annual report on sexual harassment cases, if any and actions taken to address the same MD
- Maintain all the data related to sexual harassment cases in the company
- Provide safety for the complainant and his / her supporters, if such a need be felt and that the committee can recommend action against persons indulging in intimidation of the complainant or witness to a complaint
- Discard pre-determined notions of how an accused should look or behave or dress. Be aware of stereotypes
- Do not insist on detailed description of harassment. This could increase the complainant's trauma
- Most sexual crimes are committed in private; hence there may not be any eye-witnesses. Since this is a human rights issue, balance of probabilities is a sufficient measure of proof. Help the complainant regain his / her self-respect
- Make 'discreet' enquiries as to whether other employees have experienced similar problems
- Document results of any sexual harassment complaint or investigation. Not only the results, but also document any corrective action that the employee or supervisor was asked to take
- Inform all employees that it is their obligation to report sexual harassment that they either experience or witness
- The inability to substantiate a complaint or provide adequate proof need not attract action against the woman

Mechanisms to strengthen implementation of Policy

- Communication of policy and making it available on the website and also displayed on the notice board for employees to refer
- Display constitution of Internal Complaints Committee
- Making it a part of the Corporate Induction
- Inclusion of the number of cases reported and resolution in the Annual Report
- Appropriate Government can call upon companies / inspect records related to Policy on sexual harassment and its implementation

Please Note:

The ICC will not entertain any anonymous complaints. The constitution of the Committee for each workplace is given below.

Noida Location

S.No.	Name	Position in Committee
1.	Mrs. Meghna Kashtwal	Presiding Officer
2.	Mr. Abhay Pratap	Member
3.	Mr. Farhan S. Kidwai	Member
4.	Mr. Upendra Kumar Raghav	Member
5.	Ms. Richa Kanchan, SME Gurukul Foundation, NGO	Member

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Rewari Location

S.No.	Name	Position in Committee
1.	Mrs. Manju	Presiding Officer
2.	Ms. Praveen Bala	Member
3.	Mr. Dharmender Kumar	Member
4.	Mr. Mukesh Kumar (Production)	Member
5.	Ms. Nisha Mehta	Member
6.	Adv. Meenakshi	External Member

Chennai Location

S.No.	Name	Position in Committee
1.	Mrs. Manju	Presiding Officer
2.	Ms. Praveen Bala	Member
3.	Mrs. Meghna Kashtwal	Member
4.	Ms. Richa Kanchan, SME Gurukul Foundation, NGO	Member

Gujarat Location

S.No.	Name	Position in Committee
1.	Mrs. Manju	Presiding Officer
2.	Ms. Praveen Bala	Member
3.	Mr. Chirag Joshi	Member
4.	Ms. Richa Kanchan, SME Gurukul Foundation, NGO	Member

Bangalore Location

S.No.	Name	Position in Committee
1.	Mrs. Manju	Presiding Officer
2.	Ms. Praveen Bala	Member
3.	Mr. D. Senthil Kumar	Member
4.	Ms. Richa Kanchan, SME Gurukul Foundation, NGO	Member