

## Policy On Prevention of Sexual Harassment at Workplace

### Philosophy:

- a. Ensure complete alignment with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 & the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013;
- b. Committed to provide safe work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment;
- c. Committed to promote a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity;
- d. Adopts zero tolerance for any form of Sexual Harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of Harassment;
- e. Commits to ensure the Policy is gender neutral in all its actions and redressals (both interim and final).

### Scope:

This Policy applies to all categories of employees of the Company, including permanent employees, workmen, temporary employees, trainees, consultants, advisers, ad-hoc employees, probationers, apprentices, employees on contract, etc., at its workplace.

The Policy shall also be applicable to all third parties such as visitors, clients, contractors, service providers, and any other person authorized to operate out of our workplace.

The workplace includes:

- a. All offices or other premises where the Company's business is conducted;
- b. All Company related activities performed at any other site away from the Company's official premises including accommodations and facilities provided by the Company as part of official business;
- c. Any social, business or other functions sponsored by the Company.

### Definition of Sexual Harassment:

Sexual Harassment includes any and all unwelcome sexually determined behaviour (whether direct or implied) such as:

- a. physical contact and advances;
- b. a demand or request for sexual favours including quid pro quo;
- c. sexually coloured remarks;
- d. showing pornography;
- e. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Additionally, acts that are committed during ‘Work from Home’ arrangements that are authorized and/or mandated by the Organization would fall within the ambit of Sexual Harassment at the Workplace. “Work from Home” here refers to a situation wherein Employees are working from a remote location which is not the Organization’s physical premises, client/vendor premises, or any other location. Actions which take place in personal capacity will not be considered workplace concerns unless there is connection with the workplace by way of creation of a hostile work environment for the aggrieved person.

### Responsibilities Regarding Sexual Harassment:

All employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this Policy in its letter and spirit. Employees are encouraged to reinforce the necessity to ensure safe and healthy work environment to all.

### Internal Committee:

The Company has constituted an Internal Committee for Redressal of Sexual Harassment Complaint (made by the victim or a witness) and for ensuring time-bound treatment of such complaints.

Till further notice, the Internal Committee will comprise of the following members;

Name	Role	Contact No.	Email ID
<b>Susmita Paul</b>	Presiding Officer	+91 8296898527	<a href="mailto:posh@goevive.com">posh@goevive.com</a>
<b>Srividya Sriram</b>	External Member		<a href="mailto:posh@goevive.com">posh@goevive.com</a>
<b>Dr. Arun Rajagopalan</b>	Internal Member		<a href="mailto:posh@goevive.com">posh@goevive.com</a>
<b>Bharathraj Chumbalekar</b>	Internal Member		<a href="mailto:posh@goevive.com">posh@goevive.com</a>
<b>Shravan K M</b>	Internal Member		<a href="mailto:posh@goevive.com">posh@goevive.com</a>
<b>Subhajit Podder</b>	Internal Member		<a href="mailto:posh@goevive.com">posh@goevive.com</a>
<b>Aarushi Sharma</b>	Internal Member		<a href="mailto:posh@goevive.com">posh@goevive.com</a>
<b>Vidhyalakshmi Shenoy</b>	Internal Member		<a href="mailto:posh@goevive.com">posh@goevive.com</a>

The Internal Committee Members are responsible for:

- Investigating every formal Written Complaint of Sexual Harassment including interviewing and collating written documentary proof, where available;
- Present the case to the Full Committee and discuss the merits and demerits of the case while ensuring the gender neutrality in its decisions;
- Taking appropriate remedial measures to respond to any substantiated allegations of Sexual Harassment;

- d. Document the Minutes of all such Meetings for regulatory reporting as and when required;
- e. Conduct Periodic Sensitisation Programs for all employees of the Company.

### **Complaint Mechanism:**

An appropriate complaint mechanism has been created for time-bound redressal of the complaint made by any employee. It is the obligation of all employees to report Sexual Harassment experienced by them personally. A concerned co-worker may also inform the Internal Committee of any instance or behaviour of Sexual Harassment by a co-worker towards another employee.

- The concerned employee shall approach one member of the Internal Committee in person or give a written complaint and provide details of the incident;
- Complaint can also be sent to [posh@goevive.com](mailto:posh@goevive.com);
- Once the complaint is received, it will be kept strictly confidential;
- The person accused of such behaviour will be informed that a Complaint has been filed against him/her and no unfair acts of retaliation or unethical action against the Complainant will be tolerated;
- The Committee shall ensure that a fair and just investigation process is initiated;
- All interviews with the Complainant and Witnesses would be duly recorded. The Accused would receive fair opportunity to present his/her version of the incident and may nominate Witnesses to support his/her claims. The Committee is bound to interview all such Witnesses before arriving at the final decision;
- Both the Complainant and Accused would be allowed to request presence of a support person (either a colleague or an external person) with prior written intimation;
- The Committee can place the Accused on suspension if it feels the outcome of the investigation can be influenced by him/her. In such cases, the Accused is considered to be on Paid Leave of Absence until the matter is resolved;
- The Complainant and the Accused shall be informed of the outcome of the investigation;
- Where any misconduct is found by the Internal Committee, strict Disciplinary Action shall be taken against the Accused;
- This action shall be in addition to any legal recourse, if sought by the Complainant;
- Entire process would be managed with complete anonymity and information shared, if any, is purely on need-to-know basis.

### **Timelines Mandated Under The Act:**

Sl. No.	Action Point	Authority/Concerned Person	Time Limit
1	Complaint	Complaint to be lodged by aggrieved woman before Internal Committee	Within the period of 3 months from the date of the incident, or in case of series of incidents, within the period of 3 months from the date of last incident.
2	Initiation Proceedings of Inquiry	By the Internal Committee, by sending the Copy of Complaint to the Respondent	Within the period of 7 working days of Receipt of the Complaint.
3	Reply by the Respondent along with List of Documents, Names and Addresses of Witnesses	To the Internal Committee	Within 10 working days from the day of receipt of the Copy of Complaint forwarded by IC.
4	Completion Proceedings Of Inquiry	By Internal Committee	Within 3 months from the Date of Receipt of Complaint.
5	Submission of Inquiry Report and Findings along with recommendations by IC	To the Employer	Within 10 days of Completion of Inquiry Proceedings by IC.
6	Implementation of Recommendations made in the Inquiry Report of IC	By the Employer	Within 60 days of the receipt of the Recommendations made in the Inquiry Report by IC.
7	Appeal	By the Aggrieved Person	Within a period of 90 days of Recommendations by IC.

### Inquiry Procedure:

- o The Complainant shall submit/send by e-mail copy of the complaint, supporting documents and list of witnesses to the IC.
- o One copy of the complaint to be sent to Respondent, after receipt of the complaint, within 7 (seven) working days by the IC.
- o The Respondent shall file his/her reply within 10 (ten) working days from the date of receipt of the complaint with his/her list of documents and the list of witnesses.
- o IC shall follow the principles of natural justice during the course of the proceedings.
- o IC may at its discretion conduct the inquiry ex-parte if the Complainant or the

Respondent fails without sufficient cause to present themselves for 3 (three) consecutive hearings convened by IC. However, such ex-parte order may not be passed without giving a notice in writing at least 15 (fifteen) days in advance to the party remaining absent from the proceedings.

- o No legal practitioner is allowed to be brought by the parties to represent them in their case at any stage of the proceedings before the IC.
- o Minimum of 3 (three) members including Presiding Officer and the external member shall be present while conducting the inquiry.
- o For the purpose of making an inquiry, the IC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:
  - a. summoning and enforcing the attendance of any person and examining him on oath;
  - b. requiring the discovery and production of documents; and
  - c. any other matter as may be prescribed.
- o While the inquiry/ conciliation proceedings shall ordinarily be conducted face-to-face with the parties and witnesses physically appearing for meetings at the office premises or any other location specified by the IC, in certain circumstances, the IC may allow the parties or witnesses to appear before it through videoconference or telephonic means. In such situations, the following guidelines shall also be observed:
  - a. Videoconference or telephonic proceedings shall be conducted only with the consent of the parties and witnesses involved.
  - b. The parties or witnesses who are required to depose before the IC shall be given adequate notice of 24 hours to ensure that they have enough time to set up the infrastructure required for taking a video-conference call.
  - c. The IC members/parties/witnesses to any inquiry or conciliation will be bound by the same standards of confidentiality as in the case of face-to-face proceedings. Audio or video recording of proceedings shall not be permitted. The IC member/party/witness appearing through virtual means must ensure that they are alone in the room when taking the call and that no part of information relating to the proceedings is made known to any unauthorized individual.
  - d. Parties/witnesses will be sent a copy of the minutes of meetings or other relevant documentation (such as inquiry/ findings reports, evidence etc.) via email.
  - e. Any and all communication (including but not limited to consent, confirmations, questions, comments, responses, statements) shall be made

through email and/ or digital signatures.

- f. In the event that videoconference or telephonic proceedings are not feasible, the IC may postpone the same until physical meetings can be conducted.

### **Complaints With A Malicious Intent:**

This Policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of Sexual Harassment. However, if upon investigation, it is revealed that the Complaint was made with a malicious intent and with the motive of maligning the concerned individual/tarnishing his/her image and/or to settle personal/professional scores, strict Disciplinary Action will be taken against the Complainant. The employees who are victims of false complaint, in addition to the above, may seek legal remedies as may be provided under the various laws in force.

### **Disciplinary Action/Consequences:**

Depending on the severity of the case, the Company reserves its right to impose any Disciplinary Action against the employee found guilty – based on the severity of the incidence, which may include any or any combination of the following:

- (a) Formal Apology, (b) Counselling, (c) Written Warning, a copy of which maintained in the employee's file, (d) Change of Work Assignment/Transfer, (e) Reprimand or Censure, (f) Withholding of Promotion, (g) With-holding of Pay Rise or Increments (h) Termination of Services, (i) Monetary Compensation to the Victim.

### **Protection Against Retaliation:**

Regardless of the outcome of the Complaint made in good faith, the employee lodging the Complaint and any person providing information or any Witness, will be protected from any form of Retaliation. While dealing with Complaints of Sexual Harassment, the Internal Committee shall ensure that the Complainant or the Witness are not victimized or discriminated against by the Accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the Accused against the Complainant while the investigation is in progress should be reported by the Complainant to the Internal Committee as soon as possible. Disciplinary Action will be taken by the Internal Committee against any such Complaints which are found to be genuine.

### **Examples of Instances Construed as Sexual Harassment:**

Sexual harassment is classified as below, which includes but is not limited to the following:

- surreptitiously looking or prolonged staring at a person, giving rise to gross discomfort to the person;
- telling sexually colored jokes or sending these through text, electronic mail or other similar means, causing embarrassment or offense, and the same being carried out after the offender has been advised that they are offensive or

embarrassing or, even without such advice, when they are by their nature clearly embarrassing, offensive or vulgar;

- malicious leering or ogling;
- the display of sexually offensive pictures, materials or graffiti;
- unwelcome inquiries or comments about a person's sex life;
- unwelcome sexual flirtation, advances, propositions;
- making offensive hand or body gestures;
- persistent unwanted attention with sexual overtones;
- unwelcome phone calls, text messages, online messages/communication, video calls, or any such verbal or virtual communication with sexual overtones causing discomfort, embarrassment, offense or insult to the receiver;
- unsavory remarks about a person's physical characteristics, dressing, attitude, etc.;
- sexual assault;
- malicious and/or unwanted touching or brushing against a victim's body;
- requesting for sexual favors in exchange for employment, promotion, local or foreign travels, favorable working conditions or assignments, a passing grade, the granting of honors or scholarship, or the grant of benefits or payment of a stipend or allowance;
- derogatory or degrading remarks or innuendoes directed toward the members of one sex, or one's sexual orientation or used to describe a person;
- verbal abuse with sexual overtones; and
- other analogous cases.