



SHETRON LIMITED

THE NAME BEHIND THE NAMES

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

(Approved at the Board Meeting held on 31.01.2014)

(Amended at the Board Meeting held on 12.12.2017)

Registered Office:

Plot No. 1, Bommasandra Industrial Area
Hosur Road, Bangalore – 560 099
Tel: +91 80 27832290/92; Fax: +91 80 27832293
CIN: L21014KA1980PLC003842

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

In accordance with the ‘Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013’ (“the act”), the Company has framed a Policy for Prevention of Sexual Harassment at workplace and adopted the same.

The Ministry of Women and Child Development vide notification dated 9th December, 2013 have introduced Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013. The Policy shall be into force with immediate effect.

The objective of the Policy is to provide its women employees, a workplace, free from harassment/ discrimination and every employee is treated with dignity and respect.

I. COMMITMENT:

Our Company is committed to provide a work environment that ensures every woman employee is treated with dignity and respect and afforded equitable treatment.

The Company is also committed to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity.

The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its women employees are not subjected to any form of harassment.

II. SCOPE:

This Policy applies to all categories of employees of the Company, including permanent management and workmen, temporaries, trainees and employees on contract at its workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates. This Policy shall be applicable to all office premises and areas which can be termed as notional extension of employer’s premises.

III. DEFINITIONS

a. “aggrieved woman”:

in relation to a 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;

b. “employee”

a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;

c. “employer”

(i) in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf;

(ii) in any workplace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace.

Explanation. —For the purposes of this sub-clause “management” includes the person or board or committee responsible for formulation and administration of policies for such organisation;

(iii) in relation to workplace covered under sub-clauses (i) and (ii), the person discharging contractual obligations with respect to his or her employees;

d. “Sexual Harassment”

includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:

- i. Physical contact and advances; or
- ii. A demand or request for sexual favors; or
- iii. Making sexually colored remarks; or Showing pornography; or
- iv. Any other unwelcome physical, verbal or non verbal conduct of sexual nature.

e. “workplace”

(i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local authority or a Government company or a corporation or a co-operative society;

(ii) any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service;

(iii) any place visited by the employee arising out of or during the course of employment including transportation by the employer for undertaking such journey;

IV. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT:

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy.

All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

V. COMPLAINT MECHANISM:

Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism in the form of “Internal Complaints Committee” has been created in the Company for time-bound redressal of the complaint made by the victim.

VI. INTERNAL COMPLAINTS COMMITTEE:

The Company has instituted an ‘Internal Complaints Committee’ for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

In accordance with the sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Internal Complaints Committee will comprise of the following:

1. Chairperson - Shall be a woman employed at a senior level at workplace amongst the employees;
2. Members – At least two members who shall be amongst employees preferably committed to the cause of woman or who have had experience in social work or have legal knowledge.
3. One Member - Amongst Non-Governmental Organizations or associations committed to cause of woman or a person familiar with the issues relating to sexual harassment.

The Chairperson and every member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as many be specified by the employer.

At least one-half of the total Members so nominated shall be women.

The Member appointed from amongst the non-governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the employer, as may be prescribed.

The Internal Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment.
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- Discouraging and preventing employment related sexual harassment.

VII. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

The Company is committed to providing a supportive environment in which the concerns of sexual harassment shall be resolved as follows:

A. Informal Resolution Options:

- a. When an incident of sexual harassment occurs, the victim of such conduct can communicate her disapproval and objections immediately to the harasser and request the harasser to behave decently.
- b. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, she can bring her concern to the attention of the Internal Complaints Committee for redressal of her grievances. The Internal Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. Complaints:

1. Any employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Chairperson of the Internal Complaints Committee constituted by the Management.
2. The complainant shall submit 6 (six) copies of the Complaint to the Complaint Committee along with supporting documents and the names and addresses of the witnesses in writing and can be in form of a letter, within 3 months from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the employee can send complaint through an email at harassmentredressalcommittee@shetrongroup.com. The employee is required to disclose her name, department, division and location she is working in, to enable the Chairperson to contact her and take the matter forward.
3. The Complaint Committee shall send 1(one) of the copies received from the aggrieved woman to the accused (respondent) within a period of 7 working days.

4. The Accused (respondent) shall file his reply to the Complaint along with supporting documents and the names and addresses of the witnesses, within a period not exceeding 10 working days from the date of receipt of the documents.
5. The Complaint Committee have the right to terminate the inquiry proceedings or to give an *ex-parte* decision on the complaint, if the Aggrieved (complainant) or Accused (respondent) fails, without sufficient cause, to present herself or himself for 3 consecutive hearings convened by the Chairperson, as the case may be, provided that such termination or *ex-parte* order may not be passed without giving a notice in writing, 15 days in advance, to the party concerned.

In conducting the inquiry, a minimum of 3 Members of the Complaints Committee including the chairperson, as the case may be, shall be present.

6. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Complaints Committee.
7. The Internal Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the employer as soon as practically possible and in any case, not later than 10 days from the date of completion of inquiry. The Employer shall act upon the recommendation within 60 days of its receipt by him.
8. The Complaint's Committee report will also be made available to concerned parties.

C. Action during pendency of inquiry:

- (1) During the pendency of an inquiry on a written request made by the aggrieved woman, the Internal Committee may recommend to the employer to
 - (a) transfer the aggrieved woman or the respondent to any other workplace; or
 - (b) grant leave to the aggrieved woman up to a period of three months; or
 - (c) grant such other relief to the aggrieved woman as may be prescribed.
- (2) The leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled.
- (3) On the recommendation of the Internal Committee the employer shall implement the recommendations made and send the report of such implementation to the Internal Committee.

VIII. MANNER OF TAKING ACTION AGAINST THE RESPONDENT:

Where the Complaints Committee arrives at the conclusion that the allegation against the respondents been proved, it shall recommend to the employer to take action which may include the following:

- a. Written apology;
- b. Warning;
- c. Reprimand or Censure;
- d. Withholding of Promotion;
- e. Withholding of pay rise or increments; or
- f. Terminating the respondent from service; or
- g. Undergoing a counseling session or carrying out community service.
- h. Deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs

Determination of compensation

For the purpose of determining the sums to be paid to the aggrieved, the Internal Committee shall have regard to

- (a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
- (b) the loss in the career opportunity due to the incident of sexual harassment;
- (c) medical expenses incurred by the victim for physical or psychiatric treatment; (d) the income and financial status of the respondent;
- (e) feasibility of such payment in lump sum or in instalments.

IX. PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE:

Where the Internal Complaints Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action in accordance with the provisions of the service rules applicable to her or him.

X. CONFIDENTIALITY:

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter

confidential. To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.

XI. ACCESS TO REPORTS AND DOCUMENTS:

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

XII. PROTECTION TO COMPLAINANT / VICTIM:

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will ensure that victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

XIII. DOCUMENTATION AND ANNUAL REPORT:

The Internal Committee shall maintain a Register and record all the details of the Complaints of the sexual harassment.

The Internal Committee shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the employer and the District Officer. The Annual Report, shall have the following details:

- a) Number of complaints of Sexual harassment received in the year.
- b) Number of complaints disposed off during the year.
- c) Number of cases pending for more than ninety days;
- d) Number of workshops or awareness programme against sexual harassment carried out.
- e) Nature of action taken by the employer or District Officer.

XIV. APPEAL:

Any person aggrieved from the recommendations made by internal or local committee under the provisions of the Act, or non-implementation of such recommendations may prefer an appeal to appellate authority notified under Industrial Employment (Standing Orders) Act, 1946.

XV. CONCLUSION:

In conclusion, the Company reiterates its commitment to providing its women employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

Annexure

Duties of employer

Every employer shall

- (a) provide a safe working environment at the workplace with shall include safety from the persons coming into contact at the workplace;
- (b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee;
- (c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;
- (d) provide necessary facilities to the Internal Committee for dealing with the complaint and conducting an inquiry;
- (e) assist in securing the attendance of respondent and witnesses before the Internal Committee;
- (f) make available such information to the Internal Committee as it may require having regard to the complaint made;
- (g) provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code (45 of 1860) or any other law for the time being in force;
- (h) cause to initiate action, under the Indian Penal Code (45 of 1860) or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
- (i) treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- (j) monitor the timely submission of reports by the Internal Committee.