

SAHAYYA FINSERVE

Prevention of Sexual Harassment

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1. Introduction

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed thereunder (hereinafter “the Act”). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

We treat each other with respect and dignity and expect everyone to promote a sense of personal responsibility. We recruit competent and motivated people who respect our values, provide equal opportunities for their development and advancement; protect their privacy and do not tolerate any form of harassment or discrimination.

The ‘Policy on Prevention of Sexual Harassment of women at workplace- Guidelines for Sahayya Finserve Private Limited’ intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

2. Objective

Sahayya Finserve Private limited (“Sahayya”) is committed to creating a safe work environment that is free from any form of sexual harassment and where all employees are treated with dignity and respect.

Sahayya shall adopt certain procedures and guidelines to govern cases against sexual harassment.

The purpose of this policy is to prevent sexual harassment in the workplace and to provide guidelines for addressing and reporting incidents of sexual harassment.

3. Scope

This policy applies to all employees, contractors, vendors, and visitors in the workplace. It covers all forms of sexual harassment, including but not limited to verbal, non-verbal, physical, and visual harassment.

4. Definition

Any behavior (physical, verbal, written, graphic, electronic, emotional, psychological or through gestures that offend) which has been defined as inappropriate by the Policy, whether intentional or not, which offends the dignity of the person towards whom the behavior is directed by fellow employee(s), supervisor(s), customer(s), or supplier(s) will be considered as sexual harassment and shall invite serious disciplinary action. Sexual harassment would mean and include (whether direct or by implication) any of the following:

- i. unwelcome sexual advances, requests, or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any Sahayya activity;
- ii. advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, indecent exposure, physical contact, sounds, display of pictures, intrusive questions about a person’s private life or body, signs, insults or taunts based on sex, obscene communication, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance;
- iii. eve teasing, innuendos and taunts, unwelcome invitations to go out, suggestive comments or jokes, physical confinement against one’s will and likely to intrude upon one’s privacy;
- iv. act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex;
- v. conduct of such an act at work place or outside in relation to an employee of Sahayya, or vice versa during the course of employment;
- vi. any unwelcome gesture by an employee having sexual overtones;
- vii. physical contact and advances;

- viii. a demand or request for sexual favours;
- ix. Staring, leering or unwelcome touching;
- x. Suggestive comments or jokes;
- xi. sexually coloured remarks;
- xii. showing pornography;
- xiii. any unwelcome sexual activity tied to employment decision or benefits; and
- xiv. any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.

This is only an indicative list of the possible acts which could be treated as sexual harassment and is no way intended to be constructed as an exhaustive list.

5. Roles and Responsibilities

It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- a) Refusing to participate in any activity which constitutes harassment
- b) Supporting the person to reject unwelcome behavior
- c) Acting as a witness if the person being harassed decides to lodge a complaint

6. Internal Complaints Committee

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, Internal Complaints Committees (ICC) have been appointed for all administrative units / offices of the company. The detail of the committee is notified to all covered persons across all locations. The committee comprises of:

1. Presiding Officer: A woman employed at a senior level in the organization or workplace
2. At least 2 members from amongst employees, committed to the cause of women or who have had experience of social work or have legal knowledge
3. One external member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment
4. At least one half of the total members nominated being women

The committee will be responsible for the following:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting 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

7. Redressal Mechanism

Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment meted out to her/him within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the Internal Complaints Committee, for reasons to be recorded in writing. In compliance with the Act, any complaint under this policy shall be followed by a formal redressal mechanism as described in this Policy.

7.1 Resolution through conciliation

The Internal Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation. However, Internal Complaints Committee shall ensure that:

- a) Monetary settlement will not be made as a basis of conciliation.
- b) Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.

It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared. Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Internal Complaints Committee.

7.2 Resolution through formal inquiry

- a) Within 5 working days from the receipt of original complaint, the Committee shall respond in writing to the complainant informing him/her about the initial steps taken by Sahayya in order to stop the alleged act(s)
- b) Within 15 days from receipt of the complaint, the Internal committee shall record and accordingly communicate in writing to the complainant and the Respondent, its prima facie findings, upon giving the concerned parties a fair and due opportunity to represent themselves and upon conducting fact finding, truth verification and counseling sessions with persons involved in alleged act(s). No legal practitioner can represent any party at any stage of the inquiry procedure.
- c) During the pendency of an inquiry, on a written request made by the aggrieved employee, the Committee may consider transfer of the aggrieved employee or the respondent to any other workplace, grant leave to the aggrieved employee up to a period of three months, grant such other relief to the aggrieved employee as may be prescribed by the act.
- d) A complaint will be closed no later than 90 days from receipt of complaint by recording the decisions of the internal committee, accordingly informing to the complainant and the Respondent of the same.
- e) Employees are duty bound to assist in investigative steps, employees' wholehearted participation shall be mandatory in this regard. Whistleblowers shall be protected from exposure, retaliation or hostility.
- f) On the completion of an inquiry, the Committee shall provide a report of its findings within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.
- g) Within 2 working days from receipt of prima facie findings or the charges, if the complainant or the Respondent is dissatisfied with the decision of internal committee, she or he may appeal specifying the reasons in writing to Managing Director. Within 5 working days from the receipt, the appeal shall be finally disposed of by written communication to the said party.

Annual report summarizing complaints and Redressal of Sexual harassment shall be prepared by the committee. The said report as well as all documents regarding Sexual Harassment complaints shall be in the custody of designated person and will be termed as 'Strictly Confidential'.

8. Action

Where the Committee arrives at the conclusion that the allegation against the respondent has not been proved, then no action is required to be taken in the matter. The committee has to ensure that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither will be disadvantaged within the company.

Where the Committee arrive at the conclusion that the allegation against the respondent has been proved, or if such complaint is proved to be false or malicious, it shall recommend to take action for sexual harassment as a misconduct and this may include:

- a) Counselling
- b) Written formal apology from offender

- c) Transfer
- d) Debarring from supervisory duties
- e) Denial of employee benefits like increments/promotion/salary correction etc.
- f) Cancellation of specific work Assignment
- g) Suspension
- h) Termination / dismissal from employment
- i) Any other action that the employer may deem fit

9. Confidentiality

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials and will not be published or made known to public or media. Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the Act

10. Monitoring and Review

This Policy and Procedure will be reviewed whenever required from the date of implementation. Reviews will be initiated by the HR Department. Where changes in employment legislation occur that directly affect this Policy, these will be reflected with immediate effect and communicated through HR.