

PREVENTION OF SEXUAL HARASSMENT (POSH) Policy

HRM

Policy Effective Date: August 01, 2020

Our People



PRIDE. PASSION. PERFORMANCE

Corporate Human Resource Group
WAISL Ltd.

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1 Document Control Information

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Revision Number	Version 1.3
Date of Release	16-Oct-2023
Approved by	CEO
Issued by	HR Team

1.1 Revision History:

Rev. No.	Date	Prepared by	Approved by	Released by	Significant changes
1.0	28 Jan 2022	Sulakshana Maitra	CHRO	HR	-
1.1	01-Apr-2022	Biswajit Chowdhury	CHRO	HR	-
1.2	01-Apr-2023	Biswajit Chowdhury	CHRO	HR	-
1.3	16-Oct-2023	Biswajit Chowdhury	CEO	HR	POSH committee restructured with location wise new members

1.2 Policy Ownership and Review Frequency:

S. No	Ownership	Minimum Review Frequency	Last Reviewed	Remarks
1.	CEO	Yearly	March 2023	-

2 Introduction

2.1 Objective:

This policy has been framed in accordance with the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("**POSH Act**") was enacted as a comprehensive legislation to provide a safe, secure and enabling environment, free from sexual harassment to every woman.

2.2 Scope & Eligibility:

This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

3 Policy Details

3.1 Sexual Harassment:

The term 'sexual harassment' includes conduct of associates, managers, vendors and/or customers who engage in verbally or physically harassing behavior, which has the potential for humiliating or embarrassing an associate of the Company. Sexual harassment would include any of the following:

- 1) Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed such as:
 - Physical contact or advances.
 - A demand or request for sexual favors
 - Making sexually colored remarks
 - Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature
 - Eve teasing, innuendos and taunts, physical confinement against one's will.
 - 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.
 - Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes
- 2) The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment
 - Implied or explicit promise of preferential treatment in employment
 - Implied or explicit threat of detrimental treatment in employment
 - Implied or explicit threat about the present or future employment status
 - Humiliating treatment likely to affect her health or safety.

The reasonable person standard is used to determine whether the conduct was offensive and what a reasonable person would have done. Further, it is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

3.2 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 and includes contractual, temporary, visitors.

3.3 Respondent

A person against whom a complaint of sexual harassment has been made by the aggrieved woman.

3.4 Employee

A person employed at the 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 coworker, a contract worker, probationer, trainee, apprentice or by any other such name.

3.5 Workplace

In addition to the place of work [Head office / Branch offices] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with WAISL Limited, including transportation provided for undertaking such a journey.

3.6 Responsibilities:

1. Responsibilities of Individual

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

- Refusing to participate in any activity which constitutes harassment & supporting the person to reject unwelcome behavior.
- Acting as a witness if the person being harassed decides to lodge a complaint.
- All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

2. Responsibilities of Managers:

All managers must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaint will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

4 Redressal Process

In compliance with the Act, any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee.

4.1 Internal Committee (IC):

The committee at each location comprises of:

- Presiding Officer: A woman employed at a senior level in the organization or workplace.
- At least 2 members from amongst employees, committed to the cause of women having legal knowledge.
- One external member, familiar with the issues relating to sexual harassment.
- At least one half of the total members is women.

4.2 Lodging of Complaint:

The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace or should be mailed to posh.ic@waisl.in . Only the IC members will be having access to the mentioned mail id. The complaint must be lodged within 3 months from the date of incident/ last incident.

- Complainant can also submit any corroborative material with a documentary proof, oral or written material etc., to substantiate his / her complaint.
- Committee members shall hear the Complainant and record her/his allegation.
- If the Complainant does not wish to depose personally due to embarrassment of narration of event, Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him / her to give an explanation.
- In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.
- Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section.

4.3 Resolution Procedure:

1. Resolution procedure through Conciliation:

The POSH Law also provides for conciliation between the interested parties in its provisions. This option is only seen as an attempt by the legislature to ensure the aggrieved woman and the respondent can settle the incident(s) of alleged sexual harassment in an amicable manner such conciliatory efforts are ordinarily adopted when the complaint of sexual harassment is centered around a misunderstanding, rather than an egregiousness error of the respondent.

On the conciliation process itself, the IC, may, before initiating an inquiry and at the request of the aggrieved woman, take steps to settle the matter between her and the respondent through conciliation. However, no monetary settlement shall be made as a basis of the conciliation.

2. Resolution procedure through Inquiry:

- The Committee proceeds to make an inquiry into the complaint within a period of 1 week of its receipt of the original complaint/closure of conciliation/repeat complaint.

- The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- 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
- All proceedings of the inquiry are documented. The Committee interviews the respondent separately and impartially. Committee states exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc.

If the situation so requires, or upon request of the complainant, respondent or witness, Management may decide to take interim measures such as transfer, changing of shift, grant of leave etc. to protect against victimization or distress during or subsequent to the course of inquiry, pending the final outcome.

4.4 Complaint unsubstantiated/ substantiated:

1. Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter.
2. Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:
 - Counseling
 - Censure or reprimand
 - Apology to be tendered by respondent
 - Written warning
 - Withholding promotion and/or increment
 - Suspension/Termination
 - any other action that the Management may deem fit.

5 Disclaimer

Company's Absolute Right to Alter or Abolish the Scheme, WAISL reserves the right in its absolute discretion to abolish the scheme or to alter the terms and conditions. Such discretion may be exercised any time, before during or after the scheme year is completed.

<u>Annexure</u>		
Internal Committee at WAISL Limited		
Chairperson		Pallavi Das
External Member		Dr Shakuntala David
IC Members	Delhi	Monika Rana, Khushbu Kaushik, Sagar Verma
	Hyderabad	Ravi Talluri, Laxmi Bhargavi, Kalidasan S, Rajeev Bola, Siva Priya, Pushpanjali Prasad
	Goa	Anguraj D, Dhara Sachan
Employer		WAISL Limited