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Prevention of Sexual Harassment at Workplace (POSH)

Objective:

Pratibha Syntex Limited is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and in a harassment free workplace to all employees without regard to race, caste, religion, colour, ancestry, marital status, gender, age, nationality, ethnic origin or disability. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving an employee or employees is a grave offence and is therefore, punishable.

Pratibha Syntex Limited. ("PSL") believes in providing a safe, nonhostile and harassment free work environment at all its workplaces. We follow a zero-tolerance approach towards sexual harassment at workplace. Sexual harassment includes any direct or implied unwelcome physical, verbal, or non-verbal conduct of sexual nature.

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. If any aspect relating to sexual harassment not explicitly covered in this policy is provided for by the law, then the law will be applicable. In case of any conflict between the policy and the law, the law will prevail. This policy provides protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

Applicability:

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This Policy applies to all persons associated with or visiting the Company at any of its locations (Workplaces). This is a gender-neutral Policy and applies to all employees irrespective of their sexual orientation or preferences.

Definitions

- **Sexual harassment** may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between an employee and someone that employee deals with in the course of his/her work who is not employed by the Company.

"Sexual Harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication), but not limited to:

Any unwelcome sexually determined behaviour, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behaviour or conduct was directed namely:

- a) Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit.
- b) Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation.
- c) Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one's will.
- d) Demand or request for sexual favours.
- e) Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body.
- f) Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas.
- g) Showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.
- h) Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes.
- i) Giving gifts or leaving objects that are sexually suggestive.
- j) Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy; Persistent watching, following, contacting of a person;

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy. 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 person.

- **Aggrieved person:** In relation to a workplace, a person, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- **Complainant:** Any aggrieved person who makes a complaint alleging sexual harassment under this policy.
- **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved person under this policy.
- **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 co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

- **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the aggrieved person or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with Pratibha Syntex Limited, including transportation provided for undertaking such a journey.
- **Employer:** A person responsible for management, supervision and control of the workplace

Roles & Responsibilities

1. Responsibilities of Individual:

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 behaviour
- c. Acting as a witness if the person being harassed decides to lodge a complaint

All are encouraged to advise others of behaviour that is unwelcome. Often, some behaviours 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 behaviour.

2. Responsibilities of Managers:

All managers at Pratibha Syntex Limited 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 complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

Complaints:

Any complaint of sexual harassment will be investigated and if proved, will be treated as serious misconduct and breach of the Company's Code of Conduct and Service Rules and appropriate action will be initiated against the concerned persons.

Any aggrieved person who experiences sexual harassment at the Workplace must contact a member of the Internal Committee (IC) as soon as possible, who will provide guidance regarding filing of a complaint and all reasonable assistance until its disposal. The complaint must be filed in writing with the IC within 3 months from the date of the last incident. Each inquiry of the complaint will be completed within 90 days.

POSH Complaint Handling & Standard Operating Procedures

Redressal Mechanism – Formal Intervention

In compliance with the Act, any complaint under this policy shall be followed by a formal redressal mechanism as described in this Policy.

Internal Committee

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, Internal Committee (IC) have been appointed for all offices of the company.



The detail of the committee is notified to all covered persons at the location (workplace). Each Committee will have the following members:

Designation	Number	Qualification
Presiding Officer	1	Senior level woman employee
Members	At least 2 (1 woman & 1 man)	Employees preferably committed to the cause of women and diversity & inclusion or who have had experience in social work or have legal knowledge
External member	1	From an NGO or association committed to the cause of women and diversity & inclusion or a person familiar with issues relating to sexual harassment
Note: At least 50% of the Committee will be women		

The names of the members of each Committee will be announced by the Employer and will be displayed on the notice board / company intranet.

The committee will be responsible for:

1. Receiving complaints of sexual harassment at the workplace
2. Initiating and conducting inquiry as per the established procedure
3. Submitting findings and recommendations of inquiries
4. Coordinating with the employer in implementing appropriate action
5. Maintaining strict confidentiality throughout the process as per established guidelines
6. Submitting annual reports in the prescribed format

The quorum for conducting inquiry in each complaint shall be as below:

Committee Member	Participation in every meeting
Presiding Officer	Mandatory
Members	Employee members to be selected by Presiding Officer
External Member	Mandatory
Note: Presiding Officer will ensure that at least 50% of the members are women	

Tenure of Committee Members:

Each member will hold the position for three years only in a Committee from the date of appointment. They will be eligible for reappointment in the same or another Committee at the discretion of the Employer.

Recusal:

If either the complainant or respondent is related to any Committee member or is working in the same chain of command or has any conflict of interest in any other manner, the Presiding Officer shall exclude such members from the quorum. In case the conflicted person is the Presiding Officer herself, the Employer shall appoint suitable member for inquiring into the complaint.

Code of Conduct for IC Members:

To effectively address workplace sexual harassment complaints in a completely unbiased manner, the IC is expected to:



1. Have complete knowledge of the 'Prevention of Sexual Harassment' Act and Organizational Policy on Sexual Harassment.
2. The IC members are expected to uphold the policy not only for execution, but also in their day-to-day behaviour at workplace and beyond.
3. Ensure both the parties (complainant & accused) are aware of the process of investigation and redressal as well as their rights and responsibilities within it.
4. Show empathy, respect, fairness, receptivity, and complete attention towards the parties both in conduct and spirit.
5. Share interim findings with both parties. Post conclusions prepare comprehensive report with findings and share it with parties and share recommendation to the employer.

Lodging a Complaint

An aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of 3 months from the date of incident/ last incident. The Internal Committee can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint within the period.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee shall render all reasonable assistance to the women for making the complaint in writing.

1. If the Aggrieved person is unable to make a complaint on account of her physical incapacity, a complaint may be filed by:
 - a. her relative or friend; or
 - b. her co-worker; or
 - c. an officer of the National Commission for Women or State Women's Commission; or
 - d. any person who has knowledge of the incident, with the written consent of the Aggrieved person;
2. If the Aggrieved person is unable to make a complaint on account of her mental incapacity, a complaint may be filed by:
 - a. her relative or friend; or
 - b. a special educator; or
 - c. a qualified psychiatrist or psychologist; or
 - d. the guardian or authority under whose care she is receiving treatment or care; or
 - e. any person who has knowledge of the incident jointly with the Aggrieved Woman's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care
3. If the Aggrieved person for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent.
4. If the Aggrieved person is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

The complaint shall be submitted by the complainant to the IC in writing or shall be submitted to the IC electronically at posh@pratibhasyntex.com. The complaint can also be physically submitted to any IC member.

**Protection:**

The Company will provide protection to the complainant, if the situation requires and if the victim/complainant feels threatened in any manner. During the pendency of an inquiry, the complainant may submit a written request to the IC for interim reliefs which will be considered and decided by the IC on a case-to-case basis.

Complaint Handling Process:

Any aggrieved person who experiences sexual harassment at the Workplace must contact any member of IC / HR as soon as possible who will guide further regarding the rights available under law and the steps involved from filing a complaint till its disposal. Each inquiry of the complaint to be completed within 90 days.

If the Committee arrives at a conclusion that the complaint is barred by time, it shall not proceed further with the complaint and shall forward the same to Chief Ethics Officer for necessary inquest under the Code of Conduct.

Conciliatory Settlement:

If the complainant so requests, before initiating an inquiry, the IC may settle the matter through conciliation, provided that no monetary settlement shall be made as a basis of such conciliation. In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation is to happen within 2 weeks of receipt of complaint.

Interim Relief:

During the pendency of an inquiry, the IC may, upon written request by aggrieved person, grant interim relief if it considers necessary in the facts and circumstances of the case, which may include:

1. Transfer the employee or the respondent to any other workplace, or
2. Grant leave to the employee up to a period of 3 months, in addition to his normal leave entitlement, or
3. Restrain the respondent from assessing the employee's or the complainant's work performance,
4. Grant such other relief as may be appropriate

The Committee will consider the same in the facts and circumstances of each case and decide as to the necessity of such relief. If the Committee recommends to the Company any of the above actions, Company shall carry out the same and inform the Committee.

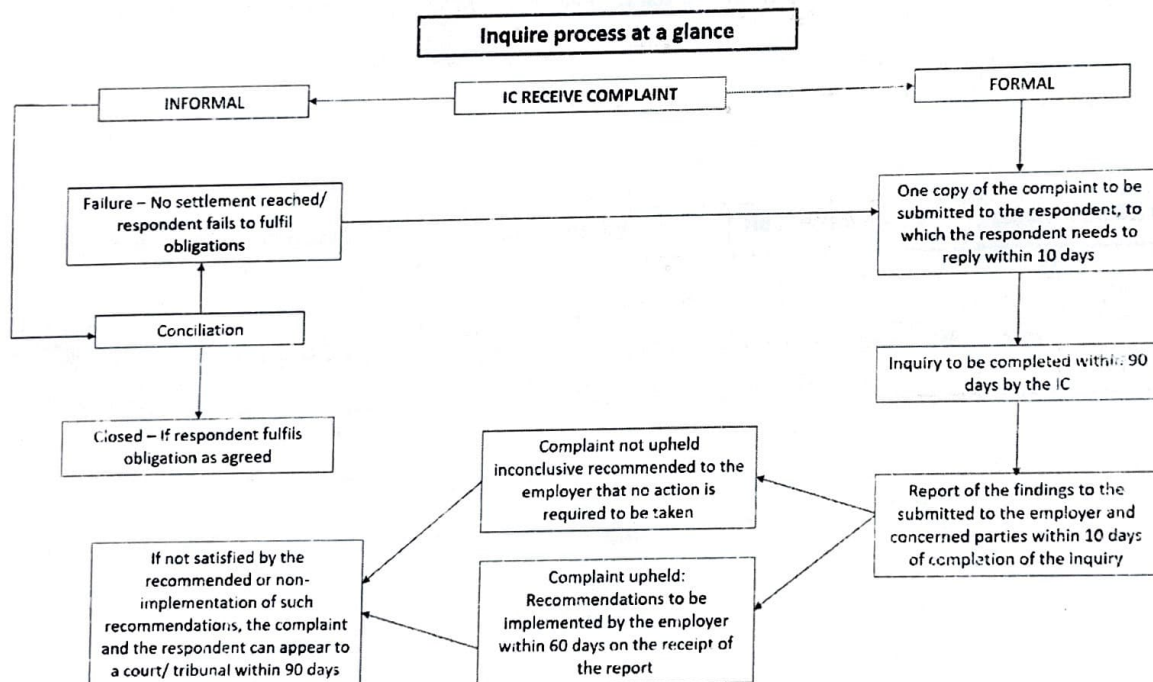
Actions against the Offender:

Committee may recommend such action necessary to meet the ends of justice as it deems fit, including but not limited to such disciplinary action as may be specified in the terms of employment of the offender (s), based on the circumstances and seriousness of the offence. It may also direct the respondent to pay appropriate compensation to the complainant.

Roles & Responsibilities of IC Members

1. None of the IC members should have any personal interest in the matter.
2. Treat all persons contacted regarding the inquiry with full respect.
3. Do not pre-judge. No person is right or wrong till the inquiry is complete and a decision is taken. It should reflect in the language and words used by IC members during and outside of the inquiry.

4. Refrain from getting aggressive, interrupting, or insisting on a graphical description of the event.
5. Take all necessary steps to ensure that the parties are given a reasonable opportunity to present their case and defend themselves so that no prejudice is caused to either of the parties.
6. Refrain from coaching, guiding, or influencing the Witnesses, the Complainant, or the Respondent during or outside of the inquiry.
7. Accept that each member could have independent views based on the evidence. Try to come to a common convergence based on facts highlighted during the inquiry – do not influence or force each other to agree to a viewpoint. Any of IC members can have and record a “Dissenting View” in the final report.
8. Ensure that interim findings before conclusion are prepared and shared with the parties to enable them to make their representation.
9. Take help of stenographer / transcription service, if available
10. Copies of proceedings to be given to parties and acknowledgment obtained after each inquiry session
11. Abstain from discussing any aspect of the matter amongst the fellow IC Members in the presence of the parties
12. Ensure confidentiality of the case (both within & outside the company)
13. Ensure non- retaliation / intimidation by the other party
14. Conduct inquiry as per the following process:



15. Follow the Standard Operating Process for conduct of inquiry
16. The nature and seriousness of the offence will be adjudged by the IC (defined hereunder) depending on several factors, including the presence of the following circumstances while the employee was being subjected to any acts of sexual harassment:



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- Implicit, explicit, or Implied promise of preferential treatment or threat of detrimental treatment to the employee during the employment; or
 - Implicit, explicit, or Implied threat about employee's present or future employment status; or
 - Interference with employee's work or creating an intimidating or offensive or hostile work environment during or after employment period; or
 - Humiliating treatment, which is likely to affect employee's health or safety
17. Prepare a comprehensive report with findings, testimonies, and recommendations
18. The report has been prepared with respect to complaint no () (date) in the presence of all members of the IC as appointed by the Policy and has been signed by all members.

False or Malicious Complaints:

Any person filing false or malicious complaints or producing any forged or misleading document will be liable to appropriate action, including but not limited to dismissal from service.


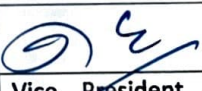
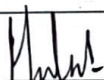

Awareness & Training:

Company will conduct awareness programs and create forums for dialogue to sensitize all employees about sexual harassment.

Carry out orientation programs and seminars for the Members of the IC. Declare the names and contact details of all the Members of the IC.

Legal Compliance:

To file annual report to the District Officer (as defined in the Act).

Reviewer	Prepared by	Checked by	Reviewed #1 by	Reviewed #2 by
Signatory				
Designation of Signatory	DGM – HR	Vice President – L&D & IR	Vice President –HR & ESG	JMD