

ELECON GROUP OF COMPANIES

SEXUAL HARASSMENT POLICY

Objective

1. Elecon Group of Companies is committed to create and maintain a safe, secure and congenial work environment for Employees, Agents, Vendors and Partners irrespective of their gender and/or hierarchy to work and pursue business together in a dignified manner free of harassment, exploitation and intimidation caused by acts of Sexual Harassment.

2. The objective of this policy is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith. All concerned should take cognizance of the fact that Elecon Group strongly opposes sexual harassment, and that such behaviour against women is prohibited by the law as set down in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder being for Sexual Harassment of Women at Workplace.

Applicability

3. This policy shall be applicable to all employees of Elecon Group and its subsidiaries. It includes all categories of employees of the Company, including permanent management and workmen, temporary appointees, trainees and employees on contract at its workplace or at client sites. It shall also include any unwelcome behaviour of a sexual nature mentioned in the policy by any other employees, customers, consultants, visitors, vendors, contractors or other non-employees during the course of a business relationship, to any of our employees.

Scope

4. This policy aim to:
- (a) Promote a workplace based on equality & respect.
 - (b) Provide a safe and congenial work environment.
 - (c) Awareness & sensitization about sexual harassment at the workplace.
 - (d) Prevent sexual harassment.
 - (e) Provide formal and informal mechanism for redressal in case of complaint of sexual harassment at the workplace.
 - (f) Define the implications and outcome of sexual harassment.
 - (g) Ensure protection against retaliation to complainants, witnesses, committee members and other employees involved in prevention and complaint resolution.

Definitions

5. Sexual Harassment: Sexual harassment includes such unwelcome sexually determined behaviour (whether direct or by implication) such as:

- (a)** Physical contact and sexual advances ;
- (b)** Demand or request for sexual favors;
- (c)** Sexually - coloured remarks ;
- (d)** Showing pornography ; and
- (e)** Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

6. **“Unwelcome sexually determined behavior”** includes but is not limited to:

(a) Subjecting another person to an unwelcome act of physical intimacy including grabbing, brushing, touching, including sexual flirtations, advances or propositions.

(b) Making any unwelcome remark with sexual connotations like sexually explicit, remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks etc.

(c) Showing any sexually explicit visual material in the form of pictures / cartoons / pin-ups / calendars / screen-savers on computers / any offensive written or electronic material including pornographic.

(d) Engaging in any other unwelcome conduct of a sexual nature, verbal or even nonverbal, staring to make the other person uncomfortable, making offensive gestures, etc.

(e) Sending unwelcome communication of a sexual nature, through e-mail, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of a sexual nature.

(f) Making an unwelcome demand or request whether directly or by implication for sexual favours and/or making it a condition of employment / payment of wages / increments / promotion / preferential treatment / threat to detrimental treatment in employment / threat to current or future employment status or similar act.

(g) Where a Supervisor requests sexual favours from a junior (or any other person) in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits or continued employment or threatens to terminate any such person for non-co-operation.

(h) Where a boss or other senior person intrudes into the private life of employees or persistently asks them out.

(i) Where any employee(s) make(s) sexual epithet, jokes, written or oral references to sexual conduct, and/or gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess in an attempt to humiliate or make another person uncomfortable.

(j) Behaviour which creates an environment that is intimidating, hostile, offensive, humiliating for women employee.

(k) In addition to the instances mentioned hereinabove, any other acts or behaviour, which outrages the modesty of a female employee, will be considered as sexual harassment

Consensual Sexual Relationship

7. The Company discourages romantic or sexual relationships between a member of Management or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person); as such relationships could lead to conflicts of interest at work. It is therefore in the best interest of all concerned, that if there is such a relationship, the involved parties notify Management of the Company so that the reporting chain can be altered to ensure that no direct or indirect reporting relationship continues.

8. Work Place

(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 premises including transportation provided by the employer for undertaking such a journey.

(c) Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

9. **Aggrieved Woman:** In relation to 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.

10. **Respondent:** Against whom the aggrieved woman has made a complaint.

Internal Complaints Committee

11. The "Internal Complaints Committee" shall consist of a Chairperson, Secretary and 2 other members as mentioned below. Half of the total committee shall constitute woman representation. The chairperson shall be a woman. One of the Committee members shall be a woman from a reputed NGO / legal body / any other social work body familiar with the issues of sexual harassment. The tenure of the committee shall be 3 years. The corporate HR Head shall announce the names of the committee members every three years. CMD shall be the authority for disciplinary actions on issues relating to sexual harassment at the workplace.

Internal Complaint Committee Members

Mrs Tarunaben Patel	-Chairperson
Mr Prabin Panigrahy	-Secretary
Mrs Nirali A. Trivedi	-Member
Dr. Umaben Vyas	-Member (Ānatarnad Foundation- NGO)

Note: Separate ICC member for branch offices of Elecon Group where more than 10 employees are working are attached as annexure A. Chairperson, Secretary and external woman member will remain same for all branch offices.

Grievance Redressal Machinery

12. **Informal Grievance Redressal** : Informal processes involve an intermediary means for resolving a problem. In the case of Sexual Harassment, at first instance, the person (i.e. HOD, SBU

Head / HR / Woman representative of the location) may be the point of first contact for anyone seeking informal support/intervention to stop unwelcome behaviour. Benefits of an informal process are:

- (a) It is consistent with the preventive approach.
- (b) It helps to diffuse a minor incident without diluting as also escalating the problem.
- (c) Often people just want unwelcome behaviour to stop without drawing undue attention; an informal process makes this option more possible.
- (d) It involves employees to share in the responsibility of eliminating unwelcome behaviour at work. A sense of restraint and responsibility on the part of all concerned is critical for the effective functioning of these guidelines.

13. The preventive / informal process that can be adopted is as follows:

- (a) Convey to the person who is the cause of distress, about what that person's actions, words, behaviour is doing and convey in no uncertain terms that such behaviour is not appreciated.
- (b) The second step would be to approach someone within the company – preferably your Superior or HR Representative. The Superior or HR Representative would then try and counsel / talk it over with a view towards closing the matter amicably.
- (c) In any case all such incidents along with the resolution, needs to be reported to the Head of HR who will then provide a short report to the Internal Complaints Committee and the matter will be closed.
- (d) However, in the event of it not being resolved, then it would need to be escalated to the Internal Complaints Committee.

14. Formal Grievance Redressal : In the event of the complaint not being resolved through informal mechanism, then it would need to be escalated to the Internal Complaint Committee for redressal.

(a) The aggrieved woman may make, in writing, a complaint of sexual harassment at the workplace to the Internal Committee, within a period of three months from the date of incident and in case of a series of incidents, **within a period of three months** from the date of the last incident. The Internal Complaints Committee will render reasonable assistance to women for making the complaints in writing. This time limit may **further be extended for 3 months** if the complaints committee is satisfied that there were circumstances that prevented the woman from filing a complaint within the specified timeline. If the aggrieved woman is unable to file a complaint due to physical/mental incapacity or death or for any other reasons, the complaint can be filed by her legal heir or her relative or friend or her co-worker or an officer of the National Commission for Women or State Women's Commission or any person who has knowledge of the incident, with the written consent of the aggrieved woman.

(b) A member of the Internal Complaint Committee would then hold an investigation and give a report to the Internal Complaint Committee.

(c) The Committee, before initiating the inquiry at the request of the aggrieved woman, will take steps to settle the matter between her and the respondent through **mutual** settlement, provided that no monetary settlement shall be made as a basis of settlement. Wherever such settlement has been arrived, the internal committee shall record it and send the same to the CMD to take action as per recommendation. Once such settlement has been arrived at no further enquiry shall be conducted by the Internal Complaint Committee. Where the matter is settled through mutual settlement, the Internal Complaints Committee must send copies of the records of such settlement to the aggrieved woman and the respondent.

(d) The Committee, while investigating the complaint referred to it, will call upon both the parties separately, listen, look at proof (if any), verify documents produced by the parties, allow the parties to produce witnesses and to put forth their say. Both the parties during the course of enquiry are given an opportunity of being heard.

(e) At the end of the investigation, the Secretary of the Committee shall prepare a report of findings on the complaint and submit it to the Chairperson of the Committee. The findings of the report should be made available to the respondent and aggrieved woman within 10 working days from the date of completion of enquiry.

(f) The Chairperson of the Committee shall ensure that the complaint is attended to within 10 working days after receiving it and **that the investigations are completed within 30 working days.**

(g) During the pendency of an inquiry, on a written request made by the aggrieved woman, the committee may recommend to the HR, to

(i) Transfer the aggrieved woman or person accused to any other location of work.

(ii) Grant leave to the aggrieved woman up to the period of 3 months (over and above the entitled leave).

(iii) Grant such other relief to the aggrieved woman as may be prescribed

(h) The Chairperson after studying the report & discussion with the Committee members shall submit her recommendation to the CMD within 10 days of completing the inquiry.

(i) The implementation of the recommendation of Internal Complaint Committee and as approved by CMD should be done within 30 days of receipt of such recommendation.

15. **Action against the Accused** : Pursuant to a finding of Sexual Harassment by the Committee against any person accused of the same, the Committee may initiate any one or more of the following actions:

- (a) Actions in accordance with misconduct mentioned in service rules /appointment letter.
- (b) Issue a verbal warning
- (c) Issue a warning in writing
- (d) Issue a suspension letter
- (e) Deprived of increment or promotion
- (f) To deduct, notwithstanding anything in the service rules applicable, from the salary or wages of the accused person such sum as it may considered appropriate to be paid to the aggrieved woman
- (g) Order dismissal depending upon the severity & sensitivity of the incident
- (h) Financial Penalty (In accordance with the mental, physical trauma, loss of career opportunity, medical expenses) in lump sum or in instalments.

16. In case the Internal Complaints Committee on conclusion of the enquiry finds that the allegation was malicious or has made the complaints knowing it to be false, or has produced any forged / misleading document, it will recommend action to be taken against the woman who has made the complaint. In all such cases the malicious intent on the part of the woman must be established before any action is recommended.

17. The Internal Complaints Committee will protect the identity of all individuals involved during the process, including the aggrieved

woman and respondent and contents of complaints and enquiry proceedings.

18. Guidelines for members of Grievance Redressal Machinery:

- (a) Believe in the reality of the complaint lodged.
- (b) Empathize with the complainant. Do not function like a criminal court.
- (c) Remember that it may be difficult for an employee to talk about anything 'sexual'. Hence there can be a long time interval between the harassment and the actual complaint.
- (d) Handle complaints in a confidential manner and within 30 working days.
- (e) The Internal Complaints Committee is required to prepare an annual report in each calendar year and submit the same to the employer/management.
- (f) Maintain all the data related to sexual harassment cases in the company
- (g) Provide safety for the complainant and his / her supporters, if such a need be felt and that the committee can recommend action against persons indulging in intimidation of the complainant or witness to a complaint.
- (h) Discard pre-determined notions of how an accused should look or behave or dress. Be aware of stereotypes.
- (i) Do not insist on detailed description of harassment. This could increase the complainant's trauma.
- (j) Since this is a human rights issue, balance of probabilities is a sufficient measure of proof.
- (k) Help the complainant regain his / her self-respect.

(l) Make 'discreet' enquiries as to whether other employees have experienced similar problems.

(m) Document results of any sexual harassment complaint or investigation. Not only the results, but also document any corrective action that the employee or supervisor was asked to take.

(n) Inform all employees that it is their obligation to report sexual harassment that they either experience or witness.

19. Please Note that The Internal Complaints Committee will not entertain any anonymous complaints.

Conclusion

20. The decision of Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

21. Any thing which is not covered in the above policy would be dealt in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 enacted by the Parliament and Rules framed thereon from time to time.

Annexure "A"

LIST OF ICC MEMBERS AT VARIOUS BRANCH OFFICES

Mrs Tarunaben Patel	Chairperson
Mr Prabin Panigrahy	Secretary
Dr. Umaben Vyas	Member (Anatarnad Foundation- NGO)
MEMBER NAME AS BELOW FOR RESPECTIVE BRANCH LOCATIONS	MEMBER

Members at Branch Offices are as below:-

Branch Office	Member
Ahmedabad	Ms Priyanka Vyas
Asansol	Mr Manish Singh
Bangalore	Ms P S Rajalakshmi
Bilaspur	Ms Veena Wazalwar
Chennai	Ms B Manglam
Coimbatore	Ms K Muthulakshmi
Delhi	Mr M M Nanda
Dhanbad	Mr Jayanta Sengupta
Kolkata	Ms Anasua Ghosh
Mumbai	Ms Sangita Malvankar
Nagpur	Ms Apeksha Manjule
Pune	Ms Shraddha Nair
Raipur	Ms Pragati Sharma
Ramagundam	Mr Kolani M Reddy
Secunderabad	Ms G Pushpa
Vadodara	Ms Bhavika Parikh
Madhubhan Resort and Spa	Ms Bhamini Amin