



## **SEXUAL HARASSMENT POLICY**

### **PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE**

#### **1. POLICY STATEMENT:**

Gian Life Care 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 a harassment free workplace to all employees without regard to race, marital status, gender, sexual orientation, age, nationality ethnic origin, caste, religion, colour or disability. The company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the workplace or other than work place if involving an employee(s) is a grave offence and is therefore, punishable. The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees (men or women) are not subjected to any form of harassment.

This policy may be called the Policy on "Prevention of Sexual Harassment at the Workplace" (hereinafter referred to as "the Policy"). The policy has been framed in accordance with and to comply with the provisions of the Sexual Harassment of Women at Workplace (Prohibition and Redressal) Act, 2013 (hereinafter referred to as "the Act") and Sexual Harassment at The Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (hereinafter referred to as "the Rules") including the amendment(s) to the Act and the Rules from time to time and/ or any statutory re-enactment of the Act.

#### **2. SCOPE:**

This policy applies to all categories of employees of the Company, including permanent engagement 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.

**The workplace includes:**

1. All offices, factories or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site away from the Company's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

**3. POLICY STATEMENT:**

- Gian Life Care Limited has zero-tolerance towards any act of Sexual Harassment at workplace.
- The perception of the recipient is taken into consideration to assess the situation, not the intent of the perpetrator. Hence, subtle hints seeking sexual favours, double meaning comments and any probability of sexual harassment is viewed seriously in keeping with the zero-tolerance policy.
- In case of any incident of Sexual Harassment, proper inquiry will be carried out and strict action will be initiated, in accordance with the policy.
- Victim will be assisted in filing a police complaint against the Respondent if requested in writing by the Complainant.

**4. DEFINITION OF SEXUAL HARASSMENT:**

What is Sexual Harassment?

Sexual Harassment includes such unwelcome sexually determined behavior, as physical contacts and advances, sexually coloured remarks, showing pornography and sexual demands whether by words, gestures or actions. Such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory when the complainant has reasonable grounds to believe that his or her objection would disadvantage them in connection with employment, including recruiting or promotion or when it creates a hostile working environment. Sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as:

- a) Physical contact and advances;
- b) A demand or request for sexual favors;
- c) Sexually colored remarks;
- d) Showing pornography;
- e) Unwelcome sexual 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, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individual's sensibilities and affect her/his performance.
- f) Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- g) 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;

- h) Conduct of such an act at work place or outside in relation to an employee of Gian Life Care Limited Group of industries or vice versa during the course of employment.
- i) Unwelcome gesture by an employee having sexual overtones. Sexual harassment is emotionally abusive and creates an unhealthy, unproductive atmosphere at the workplace.

**Sexual harassment cases can be classified into two categories:**

- a) Under the quid pro quo (meaning - this for that) form of harassment, a person or authority, usually the superior of the victim, demands sexual favors for getting or keeping a job benefit and threatens to fire the employee if the conditions are not met.
- b) A hostile work environment arises when a co-worker or supervisor creates a work environment through verbal or physical conduct that interferes with another co-worker's job performance or creates the workplace atmosphere which is intimidating, hostile, offensive or humiliating and experienced as an attack on personal dignity.  
For example: an employee tells offensive jokes. No person shall indulge or caused to be indulged under instructions from superior in sexual harassment of co-workers. However, an employee who is sexually harassed can complain about the same even if there is no adverse job consequence.

**5. INTERNAL COMPLAINTS COMMITTEE:**

1. Internal Complaints Committee/Complaint Redressal Committee

An Internal Complaints Committee (hereinafter called as 'the Committee') has been constituted by the Board of Directors of the Company to consider and redress complaints of Sexual Harassment under the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter called as 'Act') and as per the provision(s) of any other enactment, if any, for the time being in force in India and as per the Rules there in as per the notification issued by Ministry of Women and Child Development dated 9th December, 2013 (hereinafter called as 'Rule').

Such Committee will be implemented by Human Resource Department of the Company as per the provisions stated under the above mentioned Act with Rule thereunder as mentioned above.

The Chairman and Members of the Committee are as follows:

- Smt Rashika Agarwal - Chairperson
- Smt. Avani Gupta - Member
- Mr. Vinod Sonkar – Member
- Mr. Abhishek Sharma - Member

Any change in such composition shall be effected in the policy. At least half the total members of the Committee have to be women. The Presiding Officer and every member shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

## **6. COMPLAINT REDRESSAL MECHANISM**

1. Any Gian Life Care Limited group of industries employee with a harassment concern, who is not comfortable with the informal resolution option or has exhausted such option, may make a formal complaint to the Chairperson or any member of the Internal Complaints Committee. The victim should make a complaint within three months from the date of occurrence of the event or in a case of series of incidents, within a period of three months from the date of the last occurrence.
2. The complaint should be submitted in writing for it to be considered as formal and for the committee to probe and take the necessary actions. The victim may submit the complaint in the form of a written letter, duly signed by the victim and submitted in a sealed envelope to the Chairperson/Member of Internal Complaints Committee. Alternatively, the victim may also send in a written communication through email to the Chairperson/Member of Internal Complaints Committee. The victim should disclose their name, department, date of occurrence, place of occurrence in the complaint letter.
3. If any complaints are received by any of the Members of the Internal Complaints Committee, the member is obliged to bring it to the notice of the Chairperson within three working days from the receipt of the complaint.
4. The Internal Complaints Committee should meet within 7 working days from the date of receipt of the complaint by the Chairperson to decide on the proceedings and the course of investigation.
5. A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson and at least two members, one of whom shall be a lady.
6. Once the complaint is received by the Internal Complaints Committee, the alleged accused should be informed regarding the complaint. It should also be made clear that no act of retaliation or unethical action by the accused shall be tolerated and that the accused should extend full support during the investigation of the case.
7. The Internal Complaints Committee shall ensure that a fair and just investigation is undertaken immediately.
8. Both the victim and the alleged accused will be questioned separately by the Internal Complaints Committee with a view to ascertain the authenticity of their contentions.
9. Witnesses named if any, shall also be questioned separately.
10. The victim and the accused shall be informed of the outcome of the investigation. The investigation shall be completed within 90 days of the receipt of the complaint. If the investigation reveals that the victim has been

sexually harassed as claimed, the accused will be disciplined accordingly.  
Disciplinary action may include any of the following:

- ☒ Formal written apology
- ☒ Suspension from services
- ☒ Transfer
- ☒ Withholding promotion
- ☒ Termination
- ☒ Police Complaint

In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Internal Complaints Committee and the Management. The final decision shall be communicated to the victim and the alleged harasser.

#### **7. Conciliation:**

The Committee may, before initiating an inquiry and at the request / demand of the aggrieved employee, take steps to settle the matter between the Aggrieved and the Respondent through conciliation, provided that no monetary settlement shall be made as a basis of such conciliation. Such conciliation should be completed within one month from the date of making the Complaint. The Committee shall provide the copies of the settlement, as recorded above, to the Aggrieved and the Respondent. If the Aggrieved does not exercise the option of conciliation, the Committee shall proceed to make an inquiry into the Complaint.

- Written apology;
- Warning;
- Reprimand or Censure;
- Withholding of Promotion;
- Withholding of pay rise or increments; or
- Terminating the respondent from service; or
- Undergoing a counseling session or carrying out community service.

#### **8. Malicious or False Complaint**

##### **On conclusion of inquiry, if IC determines that**

- i) allegation against the respondent is malicious, or
  - ii) aggrieved person or any other person who has filed the complaint, has knowingly filed a false complaint, or
  - iii) aggrieved person or any other person has forged any evidence, then IC may recommend strict disciplinary action against such person.
- Unless malicious intent is established, mere inability to substantiate a complaint or provide adequate proof will not attract action against the complainant.

#### **9. Strict Confidentiality**

- The identity and addresses of the aggrieved person, complainant, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of IC and the action taken by the Management will not be published, communicated or made known to the

- public, press and media in any manner.
- The information may be disseminated for awareness without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved person and witnesses.

#### **10. DISSEMINATION OF THE POLICY**

Gian Life Care Limited will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff handbook. All new employees must be trained on the content of this policy as part of their induction into the company. Every year, Gian Life Care Limited will require all employees to attend a refresher training course on the content of this policy. It is the responsibility of Human resources manager to ensure that all his/her employees are aware of the policy. This Policy is as per the applicable laws of India including The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 as well as any other applicable law governing sexual harassment, for the time being in force in India.

#### **11. Prevention of Sexual Harassment**

- Gian Life Care Limited takes full responsibility to provide a safe working environment at all offices or business units.
- Gian Life Care Limited considers Sexual Harassment as a serious misconduct.
- Gian Life Care Limited does not encourage late sitting of women at workplace, except in urgent circumstances and does not place them in isolated or dangerous locations.
- Gian Life Care Limited will assist the aggrieved person in cases of incident of Sexual Harassment by visitors or third parties.
- Basic counseling will be provided to the victim or complainant, if required.
- Necessary facilities will be provided to IC for dealing with the complaint and conducting an inquiry in an independent manner and without any influence of management or any other senior officials.
- Gian Life Care Limited will report the number of cases filed, if any, and their disposal in the annual report.

#### **12. Amendments and Waiver**

The company reserves the right to amend and/or alter this policy at any time, in accordance with the applicable laws