

**POLICY ON PREVENTION OF SEXUAL
HARASSMENT AT WORKPLACE**



SHREE KRISHNA INFRASTRUCTURE LIMITED

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.

Further, the Company believes in the Principle i.e. our success is based on our people. 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 Shree Krishna Infrastructure 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.

SCOPE

This policy applies to all employees (full-time, part-time, trainees and those on contractual assignments) of the Company including all subsidiaries and affiliated companies (if any) at their workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or any other business associates.

DEFINITIONS

A. **Sexual harassment** means any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Examples of sexual harassment include, but are not limited to –

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about your private life
- displaying posters, magazines or screen savers of a sexual nature
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites

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- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates
- Behavior that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

B. Workplace includes:

1. All offices or other premises where the Company's business is conducted.
2. All company-related activities performed at any other place 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.

C. "Aggrieved Person" in relation to a Workplace, means a person of any age, gender or sexual orientation, whether an Employee or not, who alleges to have been subjected to any act of Sexual Harassment by an Employee of the Company

D. "Complainant" means an Aggrieved Person (and/or any person on behalf of the Aggrieved Person as permitted under the Prevention of Sexual Harassment Act, 2013), filing a complaint under this policy, alleging Sexual Harassment at the Workplace.

E. "Employee" means a person employed with or engaged by the Company for any work on a regular, temporary, ad hoc, daily wage basis or part-time 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, consultant, contract worker, probationer, trainee, apprentice, intern or called by any other such name.

F. "Employer" means the person(s) responsible for the management, supervision and control of the Company, including responsible for formulation and administration of this policy at the Company, and for the purposes of this policy, acting through the Chief Executive Officer and Chief Human Resources Officer of the Company.

G. "Respondent" means an Employee against whom a Complainant has made a complaint of Sexual Harassment under this policy.

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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 behavior.
- c. 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 Management: Management of Shree Krishna Infrastructure 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.

POLICY

The Company will not tolerate sexual harassment under any circumstances. Responsibility lies with every Manager, Supervisor and employee/volunteer to ensure that sexual harassment does not occur.

Equal Employment Opportunity legislation provides that sexual harassment is unlawful and establish minimum standards of behaviour for all employees.

This policy applies to conduct that takes place in any work-related context, including conferences, work functions, social events and business trips.

A breach of this policy will result in disciplinary action, up to and including termination of employment. The Company strongly encourages any employee who feels that they have been sexually harassed to take immediate action. If an employee or volunteer feels comfortable in doing so, it is preferable to raise the issue with the person directly with a view to resolving the issue by discussion. The employee or volunteer should identify the harassing behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stops.

Alternatively, or in addition, they may report the behaviour in accordance with the relevant procedure. Once a report is made the organisation has the right to determine how the report should be dealt with in accordance with its obligations and this policy.

Any reports of sexual harassment will be treated seriously and promptly with sensitivity. Such

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reports will be treated as completely confidential up to the point where a formal or informal complaint is lodged against a particular person, at which point that person must be notified under the rules of natural justice. Complainants have the right to determine how to have a complaint treated, to have support or representation throughout the process, and the option to discontinue a complaint at any stage of the process.

The alleged harasser also has the right to have support or representation during any investigation, as well as the right to respond fully to any formal allegations made. There will be no presumptions of guilt and no determination made until a full investigation has been completed.

No employee or volunteer will be treated unfairly as a result of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment or against any employee or volunteer who has been alleged to be a harasser. All employees and volunteers have the right to seek the assistance of the relevant tribunal or legislative body to assist them in the resolution of any concerns.

Managers or Supervisors who fail to take appropriate corrective action when aware of harassment of a person will be subject to disciplinary action.

COMPLAINT RESOLUTION PROCEDURES

Individuals should report complaints of conduct believed to violate Company's sexual harassment policy according to the policy's complaint procedures. To initiate a formal investigation into an alleged violation of this policy, employees may be asked to provide a written statement about the alleged misconduct to the Managing Director. Complaints should be submitted as soon as possible after an incident has occurred. The Managing Director may assist the complainant in completing the statement. To ensure the prompt and thorough investigation of a sexual harassment complaint, the complainant should provide as much of the following information as is possible:

1. The name, department and position of the person or persons allegedly causing the harassment.
2. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
3. The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his or her employment.
4. The names of other individuals who might have been subject to the same or similar harassment.
5. What, if any, steps the complainant has taken to try to stop the harassment.
6. Any other information the complainant believes to be relevant to the harassment complaint.

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INTERNAL COMPLAINTS COMMITTEE (Henceforth known as 'committee')

Under Section 4 of the POSH Act, at all workplaces with 10 or more employees, the employer must form an Internal Complaints Committee (ICC). This is an obligation that must be adhered to by public and private organizations.

The "Internal Complaints Committee" shall consist of minimum 4 members being: -

- **A Presiding Officer:** This must be a senior female employee of the organization.
- **Two employee members:** These employees must be aware and sensitive to gender issues and— dedicated to the cause of women or possess some legal knowledge on related matters. The prerequisite for the selection of employees as members demands some legal knowledge or experience in the social sector or committed to the women's cause. These are desirable but not mandatory as it may not be always easy to find such employees.
- **One external member:** This should be from an NGO or Association committed to the cause of women and issues related to sexual harassment.

While constitution of the POSH Act, in details must be adhered. The Managing Director of the Company shall be the authority for disciplinary actions on issues relating to sexual harassment at the workplace, as per the following norms.

TENURE OF THE MEMBERS OF THE COMMITTEE

Section 4(3) of the POSH Act specifies the tenure of the members of the Internal Complaints Committee in the workplace. The Presiding Officer and every Member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer and names of the committee members shall be announced by the HR Manager.

REMUNERATION TO MEMBERS OF THE COMMITTEE

The remuneration to the members of the committee shall be as per Section 4(4) of POSH ACT.

DISCIPLINE

Employees who violate this policy are subject to appropriate discipline. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. The discipline for very serious or repeat violations is termination of employment. Persons who violate this policy may also be subject to civil damages or criminal penalties.

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CONFIDENTIALITY

All inquiries, complaints and investigations are treated confidentially. Information is revealed strictly on a need-to-know basis. Information contained in a formal complaint is kept as confidential as possible. However, the identity of the complainant is usually revealed to the respondent and witnesses. The Managing Director takes adequate steps to ensure that the complainant is protected from retaliation during the period of the investigation. All information pertaining to a sexual harassment complaint or investigation is maintained by the Managing Director in secure files. The Managing Director can answer any questions relating to the procedures for handling information related to sexual harassment complaints and investigations to complainants and respondents.

PROTECTION TO COMPLAINANT / VICTIM

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

ACCESS TO REPORTS AND DOCUMENTS

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

LOGGING A FALSE COMPLAINT

- a) If, based on investigations, the company arrives at the conclusion that a prima facie case of harassment has not been made out against an employee and that the charges were brought falsely, and with malicious intent the company will initiate appropriate disciplinary action which may include termination of the employee who falsely accuse another in accordance with the Company's Disciplinary procedures.
- b) All records of sexual harassment reports and investigation shall be considered confidential and shall not be disclosed publicly except to the extent required by law.

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THIRD PARTY HARASSMENT

When sexual harassment occurs because of an act or omission by any third party or outsider, the Company will take steps necessary to assist the affected employee in terms of support and prevention action within the legal norms.

CONCLUSION

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.
