

Prevention of Sexual Harassment Policy

1.1. **Objective**

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.

The ‘Policy on Prevention of Sexual Harassment of women at workplace’ 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.

1.2. **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 Ayana 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):

- 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:
- Physical contact and advances;
- Demand or request for sexual favours;
- Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body;
- Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
- Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
- Giving gifts or leaving objects that are sexually suggestive;
- 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; and
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour 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
- Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect her health or safety

The reasonable person standard is used to determine whether or not 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 party.

• **Aggrieved party:** 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.

• **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved party.

• **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

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or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or 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 party or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with Ayana, including transportation provided for undertaking such a journey.
- **Employer:** A person responsible for management, supervision and control of the workplace.

1.3. Roles and Responsibilities

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:

- Refusing to participate in any activity which constitutes harassment.
- Supporting the person to reject unwelcome behaviour.
- 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.

Responsibilities of Managers: All managers at Ayana 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.

This policy will be publicly displayed in the Company premises.

HR will publish the guidelines and ensure communication to all employees at least once a year.

All employees have a personal responsibility to ensure maintenance of a work environment free from harassment and discrimination.

1.4. Complaints mechanism and Grievance Redressal

Considering the sensitivity of the subject, Ayana has set up a complaint mechanism in the form of an Internal Complaints Committee (ICC) for time-bound redressal of the complaints related to harassment and discrimination. This committee will:

- Investigate every formal written complaint of sexual harassment and discrimination
- Suggest/ take appropriate remedial measures
- Discourage and prevent employment related sexual harassment

In accordance with the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act and Rules 2013, the committee comprises of the following members:

Chairperson: A woman employed at a senior level in the Company from amongst the employees. In case a senior level woman employee is not available, a woman employee from other offices or administrative units of the Company or from any of the investor companies will be nominated

Two members: Employees committed to the cause of women or having experience in social work or having legal knowledge

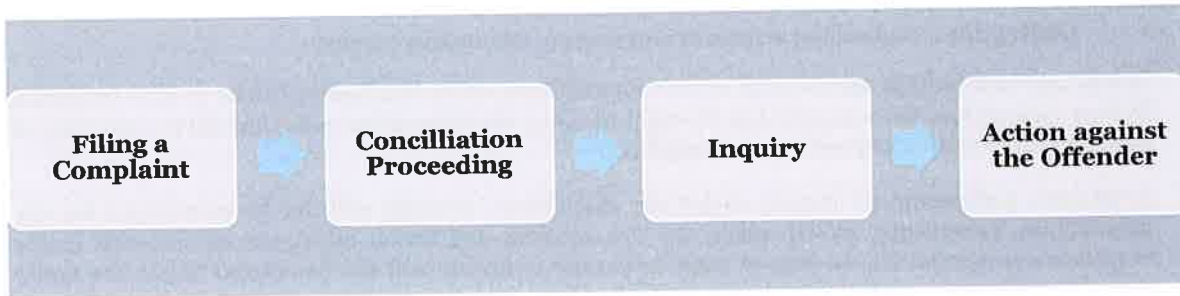
One Member: From Non-Governmental Organization or associations committed to cause of woman or a person familiar with the issues relating to Sexual Harassment

Provided that at least one-half of the total Members so nominated shall be women.

The members of the ICC shall hold office for a maximum period of 3 years from the date of their nomination.

The grievance redressal procedure is captured in this section:





1.4.1. Filing a complaint

If any employee believes that he/ she is being harassed or discriminated against, he/ she should clearly and promptly notify the offender that the behaviour is unwelcome. If for any reason an employee does not wish to confront the offender directly or if such discussion does not successfully end the behaviour, the employee should bring the concern to the attention of the ICC within three months of the alleged incident taking place and in case of series of incidents, within a period of three months from date of the incident. The written complaint should cover details of the incident together with the name/s of, the alleged harasser/s and the victim/s, as available.

The ICC will thereafter provide advice or extend support as requested by the employee and will undertake prompt investigation to resolve the matter.

1.4.2. Conciliation Proceeding

Before conducting an inquiry, the ICC may take steps to settle the matter between the complainant and the alleged harasser through conciliation if the employee desires to do so.

In case the issue gets resolved at this stage, the ICC shall record the issue resolution and forward the same to the Company/Management to take action as specified in the recommendation. In such a situation, the ICC will not conduct any further inquiry in this matter. Monetary settlement shall not be made as a basis of conciliation.

However, in case the issue does not get resolved, the ICC shall conduct an inquiry into the complaint.

1.4.3. Procedure for Inquiry

In conducting the inquiry, a minimum of 3 members of the ICC including the chairperson, must be present.

The ICC shall provide an opportunity to both the complainant and the alleged offender to present their side/ case and request them to present supporting documents where required.

The ICC must complete the enquiry within 90 days and shall have a detailed discussion internally and submit a written report of recommendations to the Company/Management/within 10 days from the date of completion of inquiry. The Company/Management/ shall then act upon the recommendation within 60 days of its receipt by them. This report shall also be forwarded to both the complainant and the alleged harasser.

1.4.4. Action against the Offender

In case the ICC arrives at the conclusion that the allegation(s) against the offender have been proved, it would be treated as a misconduct and disciplinary action would be taken against him/ her as per the applicable service rules. The ICC shall recommend the action to be taken against the misconduct which may include one or many the following:

- Written apology;
- Warning;
- Reprimand or Censure;
- Terminating the Harasser from service; and

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- Undergoing a counselling session or carrying out community service.

In case any proceedings are initiated against an employee under this Policy, before or after tendering his/her resignation, the company has the right to reject the resignation and withhold the relieving of such employee till the proceedings are completed.

Employees undergoing an inquiry under any disciplinary grounds will not be considered for any promotions; increments; growth plans etc. The incident and action taken will be recorded in the employee's personnel file. In case of termination the Company will not be obliged to pay the notice period benefits when such a disciplinary action is taken.

1.5. Punishment for false or malicious complaint and false evidence

If the ICC arrives at a conclusion that the allegation against the offender is malicious or the complainant has made the complaint knowing it to be false or has produced any forged or misleading document, strict disciplinary action shall be taken in accordance with the Company rules, policies and procedures applicable to her or him.

1.6. Confidentiality

The Company understands that it is difficult for the victim to come forward with a complaint of Sexual Harassment and recognizes his/ her interest in keeping the matter confidential. Hence, every person who has knowledge regarding the incident shall maintain complete confidentiality under all circumstances.

1.7. Protection to complainant / victim

The Company is committed to ensuring that an employee who brings forward a harassment concern is not subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

The Company will ensure that the complainant or witnesses are not victimized or discriminated against while dealing with complaints of Sexual Harassment.

1.8. Annual Report

Internal Complaint Committee shall submit Annual Report to the employer in each calendar year. The Annual Report will mention the number of complaints of sexual harassment received (only applies to cases where the complainant is a woman) in the year, number of complaints disposed off during the year, number of cases pending for more than 90 days, number of workshops or awareness programme against sexual harassment carried out, nature of action taken by the employer.

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