

## Sexual Harassment Policy

### Objective:

Shapoorji Pallonji & Co Ltd (SPCL) is an equal employment opportunity employer and is committed to provide a safe and conducive work environment that enable employees to work without fear of prejudice, gender bias and sexual harassment. In an effort to promote and protect the well-being of all employees at work place, the organization has laid down the following guidelines to deal with any act that is detrimental to an employee's dignity in a fair and time bound manner. It firmly believes that sexual harassment at work place or other than work place if involving employees is a grave offence and is, therefore, punishable.

### Applicability:

- This policy applies to all the employees on the rolls of the company, including those on deputation, training, contract, temporary, etc.
- It is also deemed to be incorporated in the service conditions of each of the employees.

Effective Date: This policy has come into effect from 1 May 2010.

### Definition:

- Sexual Harassment is defined as any unwelcome sexually determined behavior whether direct or implied. This will include physical contact or advances, demand or request for sexual favours, sexually coloured remarks, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- Sexual Harassment may vary in form depending on circumstances. It may consist of, but not limited to any of the following:
  - I. Transmitting any message by mail, telephone, letters etc. which is abusive, lewd or blatantly sexual in nature.
  - II. Seeking favours either explicitly or implicitly in return for employment, promotion, examination or evaluation of a person towards any company activity.
  - III. Inappropriate comments about dress, appearance or physique.
  - IV. Making of abusive or offensive gestures including leering and whistling.
  - V. Physical confinement against one's will and any other act likely to violate one's privacy.
  - VI. Actual Sexual assault.
  - VII. Eve teasing and taunts, sexually charged jokes or remarks and behavior, which have sexually oriented innuendos.
  - VIII. Any pervasive pattern of behavior which makes an employee uncomfortable, insecure or feels humiliated or disadvantaged on the basis of gender differentiation.
- It is important to note that harassment is often defined by the way the recipient feels, rather than by the intent of the person causing the offence. It cannot, therefore, be excused or justified by claiming that it was unintentional or humorous. The implications of harassment are serious and the organization will take appropriate disciplinary action against the accused.

## Complaint Mechanism:

- Complaints Committee:

In our endeavor to deal with issues of sexual harassment in a more focused manner and take action against erring employees to its logical conclusion, a Central Complaints Committee has been constituted at the Corporate office.

The Members of the committee are as follows:

- Ms. Sunita Khanna - Chairperson
  - Ms. Roshen Nentin - Member
  - Mr. Debasis Mitra - Member
  - Ms. Delia Miranda - Member
  - Ms. Shikha Banerjee - Member Secretary
- I. Quorum of three members is required to be present for the proceeding to take place. The quorum shall include the Chairperson and at least one lady member.
  - II. The CPO will be the competent authority to appoint / remove / replace / the members of the Central Complaints Committee.
  - III. Investigations will be done in conjunction with the Regional / Departmental Head of the concerned employee and HR.

## Guidelines to Employees Before Raising a Complaint:

If you are being harassed, tell the accused that his / her behavior is un-welcome and ask him / her to stop.

Keep a record of incidents (date, time, location, possible witness, what happened, your response etc.). It is not mandatory to have a record of events to file a complaint, but a record can strengthen your case and help you remember the details over time.

If after requesting the accused to stop his / her behavior, the harassment still continues, report the complaint as per the Redressal Procedure.

## Redressal Procedure:

- Any person aggrieved shall put up a written complaint before the Central Complaints Committee at the earliest point in time, but in any case, within 10 (ten) days from the date of occurrence of the alleged incident. The written complaint should be sent in a sealed envelope marked to the attention of "The Chairperson of the Central Complaints Committee" C / o Corporate HR Department. Complaints can also be forwarded to the following e-mail id of the Chairperson - sunitakhanna2010@yahoo.com
- At the first meeting, the Committee members shall hear the complainant and shall record her / his allegations.
- The Member Secretary will maintain a register to endorse the complaints received by it and keep the contents confidential, except to use the same for discrete / explicit investigations.
- The complaint shall be specific and should contain all the material and relevant documents concerning the incident including the name of the accused.

- The Central Complaints Committee will hold a meeting with the Complainant and the Accused (separately) within 10 (ten) days of the receipt of the complaint.
- The Central Complaints Committee will document the minutes of such meetings along with any documentary proofs submitted by both – the Complainant and the Accused.
- If the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- If the complaint is under the purview of Sexual Harassment, then a formal enquiry into the alleged complaint shall be conducted by the Central Complaints Committee. The enquiry may be discrete or explicit.
- The Central Complaints Committee shall prepare and hand over the statement of charges against the person who is accused and give him / her an opportunity to submit a written explanation within 7 (seven) days of the receipt of the same. Similarly, the Complainant shall be provided a copy of the written explanation submitted by the Accused.
- If the Complainant or the Accused, desires any witness/es to be called, they shall communicate in writing to the Central Complaints Committee the names of witness/es whom they propose to call.
- The Central Complaints Committee shall call upon all witness/es mentioned by both the parties.
- The Central Complaints Committee shall provide every reasonable opportunity to the Complainant and the Accused, for putting forward and defending their respective case. If the Complainant or the Accused desires to tender documents by way of evidence, they shall supply the copies to the Central Complaints Committee and shall affix their signatures on the same.
- The Central Complaints Committee shall ordinarily arrive at its conclusion and submit its findings and recommendations for suitable disciplinary action within 45 (forty-five) days of the receipt of complaint, to the CPO.
- Based on the recommendations of the Central Complaints Committee and the gravity of misconduct, the CPO will initiate appropriate action which could range from a verbal warning to even disengagement from services. Such action will be documented and maintained in both the Complainant and the Accused person's personnel files along with the Central Committee report.

#### F.3.5 Other General Issues to be Considered:

- In case the Complaint is found to be false or ill-motivated, the Complainant shall be liable for appropriate disciplinary action.
- Where Sexual Harassment occurs to a SPCL employee as a result of an act or omission by any third party or outsider, while on official duty, the Company will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.
- The Member Secretary shall analyze and put up an annual report on all complaints of this nature to the CPO for further appropriate action.
- In case the Central Complaints Committee finds that the complaint amounts to criminal offence coverable under the Indian Penal Code, then the Committee will inform the CPO who will initiate appropriate action with relevant authority and provide full details and support.