

# ANTI-SEXUAL HARASSMENT POLICY

## PURPOSE

WeP Solutions Limited and its group/subsidiary/associate or sister concerns or trusts ("**Company**") is committed to provide a safe and conducive work environment and is committed to creating a healthy working environment that enables its employees to work without fear of prejudice, gender bias and sexual harassment. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable.

The purpose of this Anti-Sexual Harassment Policy ("**Policy**") is to prohibit, prevent and deter commission of sexual harassment, provide protection against sexual harassment of women at workplace and to provide a platform for redressal of complaints and grievances against sexual harassment.

## DEFINITIONS

"**Aggrieved woman**" means a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

"**Employee**" means a person employed at a 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 or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

"**Employer**" means any person responsible for the management, supervision and control of the workplace

"**Respondent**" means a person against whom the aggrieved woman has made a complaint.

"**Workplace**" includes any place visited by the Employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

## APPLICABILITY

This Policy will be applicable to all allegations of Sexual Harassment at Workplace made against an Employee or a non-employee.

Where sexual harassment occurs to an Employee of the Company as a result of an act by a third party or outsider while on official duty, Company will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.

This Policy is deemed to be incorporated in the service conditions of all Employees and comes into effect immediately.

## **SCOPE**

Sexual Harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:—

- (i) Physical contact and advances; or
- (ii) A demand or request for sexual favours; or
- (iii) Making sexually coloured remarks; or
- (iv) Showing pornography; or
- (v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

## **PREVENTION Of SEXUAL HARASSMENT**

No woman shall be subjected to sexual harassment at any Workplace.

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:—

- (i) Implied or explicit promise of preferential treatment in her employment; or
- (ii) Implied or explicit threat of detrimental treatment in her employment; or
- (iii) Implied or explicit threat about her present or future employment status; or
- (iv) Interferes with her work or creating an intimidating or offensive or hostile work environment for her; or
- (v) Humiliating treatment likely to affect her health or safety.

## **INTERNAL COMPLAINTS COMMITTEE**

An Internal Complaints Committee (“**Internal Committee**”) has been constituted to consider and redress complaints of Sexual Harassment. The constitution of the Committee is as follows:

- (i) Presiding Officer;
- (ii) 2 Members; and
- (iii) An Independent External Member

Such persons will hold office for 3 years from the date of appointment.

Please log into [www.wepworld.com](http://www.wepworld.com) for details of the members.

### **LOCAL COMPLAINTS COMMITTEE**

Where a complaint is to be made against the Employer himself, the Aggrieved Woman can make such complaint to the Local Complaints Committee ("Local Committee"), constituted by the District Officer, in the district where the workplace is situated.

### **REDRESSAL PROCESS**

Any aggrieved woman may make, in writing, a complaint of Sexual Harassment at Workplace to the Internal Committee or Local Committee, as the case may be, 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 last incident. The time limit may be extended by the Committee for any reasonable delay with reasons recorded in writing.

Where such complaint cannot be made in writing, the Presiding Officer or any Member of the Committee will render assistance to the woman for making the complaint in writing.

Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section.

### **CONCILIATION**

If the aggrieved woman so requests, the Internal Committee or the Local Committee, as the case may be, will take steps to settle the matter between her and the Respondent through conciliation and where a settlement has been arrived at, such Committee will record the settlement so arrived and forward the same to the employer to take action as recommended.

Such Committee will provide the copies of the settlement to the aggrieved woman and the accused. Where a settlement is arrived at by conciliation, no further inquiry will be conducted by such Committee. No monetary settlement shall be made as a basis of conciliation.

### **INQUIRY**

- Where the settlement is not arrived at by Conciliation or the terms and conditions of settlement have not been complied with by the Respondent, the Internal Committee or

the Local Committee, as the case may be, where the Respondent is an employee, will proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the respondent and where no such rules exist, in such manner as may be prescribed.

- Where both the parties are employees, the parties will be given an opportunity of being heard and a copy of the findings will be made available to both the parties enabling them to make representation against the findings before such Committee.
- The inquiry under will be completed within a period of ninety days.
- On completion of the Inquiry, the Internal Committee or the Local Committee, as the case may be, will provide its final report of findings to the Employer or District Officer respectively, within 10 days of such completion.
- No action will be taken against the Respondent if the allegations against him are proved to be false.

#### **PUNISHMENT FOR SEXUAL HARASSMENT**

Following actions may be taken against the Respondent on the recommendation of the Internal Complaints Committee if the allegations against him are proved to be true:

- Action for Misconduct as per the Service Rules applicable for the Respondent.
- Deduction from salary or wages of the Respondent, such sum, as may be considered appropriate to be paid to the aggrieved woman or to her legal heirs.  
If it is not possible to make such deduction from the salary of the Respondent due to his being absent from duty or cessation of employment, the Respondent may be directed to pay such sum to the aggrieved woman.

#### **PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE**

Where the Internal Committee or the Local Committee, as the case may be, arrives at a conclusion that the allegation against the Respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the Employer or the District Officer, as the case may be, to take action against the woman or the person who has made the complaint in accordance with the provisions of the service rules applicable to such person.

Where the Internal Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness to take action in accordance with the provisions of the service rules applicable to the said witness.

#### **PROTECTION OF IDENTITY**

The contents of the complaint, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by the employer will not be published, communicated or made known to the public, press and media in any manner.

#### **APPEAL**

Any person aggrieved from the recommendation of the Internal Complaints Committee or non-implementation of such recommendation can appeal to the court or tribunal in accordance with the provisions of the service rules applicable to the said person within 90 days from such recommendation.