



## MADHUCON PROJECTS LIMITED

### Sexual Harassment policy

#### 1. Introduction

Madhucon Projects Limited (The Company) recognises the right of every employee and volunteer to be able to attend work and to perform their duties without being subjected to any form of sexual harassment. It is the obligation and responsibility of every employee and volunteer to ensure that the workplace is free from any kind of sexual harassment.

The Company is fully committed to its obligation to eliminate sexual harassment at the workplace. The Company practices **zero tolerance** towards sexual harassment at workplace.

#### 2. Purpose & Objective

The purpose of this document is to outline the company's position on sexual harassment and to document the process which is to be followed if any grievances arise.

The objective in implementing and enforcing this policy is to define workplace sexual harassment, prohibit it in all forms, carry out appropriate disciplinary measures in the case of violations, and provide procedures for lodging complaints about conduct that violates this policy and investigating sexual harassment claims.

#### 3. Scope

This policy applies to all employees of the Company and those working for the company at all locations. All workers, including supervisors and managers, will be subject to discipline, up to and including discharge, for any act of sexual harassment they commit. The policy also covers field work, outstation work, Company events, domestic and international travel during the course of business.

#### 4. Definitions

"Sexual harassment" includes any one or more of the following unwelcome sexual act, advances or behaviour, 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 (whether directly or indirectly) namely:-

- (i) physical contact and advances; or
- (ii) a demand or request for sexual favour; or
- (iii) making sexually coloured remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, verbal or nonverbal conduct of sexual nature.

Examples of sexual harassment include, but are not limited to,



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- 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
- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates
- behaviour 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.

### 5. 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.

The company is an equal employment Opportunity provider and that sexual harassment is unlawful and desires all employees to follow highest standards of work ethics.

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.



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

### **6. Complaint Resolution Procedures**

#### **A. Manner of reporting:**

Sexual harassment cases will be dealt with in the manner prescribed under the Sexual Harassment Act. Any aggrieved employee can make a complaint of sexual harassment at the workplace, in writing, to the IC or any member of the IC, within a period of (1) month from the date of the alleged incident of sexual harassment, and in case of a series of incidents, within a period of 3 months from the last alleged incident of sexual harassment.

The current members of IC are:

1. Company Secretary
2. Manager - Human Resources
3. External Member – to be notified

Where the aggrieved employee is not comfortable with making a complaint in writing, he/she may approach any member of the IC, who will render all reasonable assistance to the aggrieved employee for making the complaint.

The complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. All such complaints will be investigated thoroughly by the IC in the manner prescribed under the Sexual Harassment Act.



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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.

Any other information the complainant believes to be relevant to the harassment complaint.

### **B. Redressal mechanism in case of sexual harassment complaints**

Upon receiving a complaint, the IC may take steps to settle the matter between the parties through conciliation, if requested by the complainant. In case conciliation is not possible or where it does not work out, the IC will investigate the complaint in the manner prescribed under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act ("Act"), for which purpose it will meet as soon as is practicable, upon receiving the complaint. The committee shall have the powers to call any person and record their statements and make such investigation as may be necessary to decide as to the truth or falsity of the complaint. In the event there is a prima-facie case against the complainant, the committee may investigate the allegations and charges through the mechanism of a departmental enquiry, which shall be conducted in accordance with the principles of natural justice and in accordance with the provisions of the Act. In such a situation, the report of the committee shall be deemed to be the enquiry report under the disciplinary rules applicable to the employees. In the event the committee comes to a conclusion that the complaint is true, it shall advise the CEO/Managing Director in writing on initiating disciplinary action.

Thereafter, it shall be for the CEO/Managing Director/Management to initiate disciplinary action and impose necessary punishment that may include the termination of services, depending on the gravity of the misconduct. However, if the committee receives a complaint which upon investigations is found to be false, appropriate disciplinary action and punishment may be imposed against the employee making the false complaint.

## **7. Discipline**

Employees who violate this policy are subject to appropriate disciplinary action, upto and including termination of employment . If an investigation results in a finding that this policy



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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. In addition, employees found to have engaged in unlawful harassment may be held personally liable for such conduct.

### **8. Coverage**

This policy covers all managers, employees, consultants, independent contractors, vendors, clients, and other partners with whom the Company conducts business. The policy covers men and women, it is gender neutral.

### **9. 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 HR director and/or IC Members shall take 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 IC Members in secure files. The HR head can answer any questions relating to the procedures for handling information related to sexual harassment complaints and investigations to complainants and respondents. Any disclosure of information, other than on a need-to-know basis as described above, will constitute a breach of confidentiality and will result in disciplinary action, up to and including termination.

### **10. 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.

### **11. 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.



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The above policy has been approved by the Board of Madhucon Projects Limited at its meeting held on 28<sup>th</sup> May, 2019.