



POSH Policy

ideaForge Technology Limited

Policy on “Prevention of Sexual Harassment at Workplace”

Introduction

We as a company are committed to provide work environment that is safe, secure, and positive for all our associates. We ensure that each associate is treated with dignity and respect irrespective of his/ her gender or hierarchy and gets equal opportunities for professional growth and personal development.

We expect responsible conduct and behavior on part of all our associates at all levels whether they are dealing internally or with outside parties as these affect company's inward and outward reputation.

We as a company do not tolerate any form of harassment-sexual, racial, or ethnic as well as any other harassment forbidden by law. We are committed to take all necessary steps to ensure that our associates are not subjected to any form of harassment including that of sexual harassment and that their behavior maintains a work environment free from sexual harassment.

Our company and the associates are abiding by the law which has come into enactment on April 23, 2013 **“Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013”**.

In order to implement the law at ideaForge, we have made the prevention of sexual harassment policy which will guide us in dealing with the cases of sexual harassment and in creating safe, secure and positive work environment free of any harassment.

Though this law is meant for the sexual harassment of women associates, it is applicable to men associates who may face sexual harassment as well.

This policy will be circulated to all the associates and others concerned, for their knowledge and action when the situation arises.

The company has instituted Internal Complaints Committee, which is mandatory under the law. The formation, the scope, its role and responsibilities are drawn as per the specifications given in the law.

Below are the members of the committee who can be contacted in confidentiality if one wants to talk about the sexual harassment incident/ issue for self or for a colleague:

Sr No.	Committee Position	Name
1	Presiding Officer	Ms. Kruthi Aramanamada
2	Member	Ms. Neha Singh
3	Member	Ms. Kalyani Deopujari
4	Member	Mr. Sachin Mathur

5	Member	Mr. Amit Shrishrimal
6	External Member (NGO)	Ms. Aaruna Jain

The following pages will spell out the policy in details. Cooperation and Suggestions are welcome for making it better and for its timely and just implementation.

The Prevention of Sexual Harassment Policy:

1. Statement of Intent

1.1 ideaForge is committed to providing a working environment which-

- 1.1.1 is safe, secure and positive
- 1.1.2 ensures the dignity of all persons
- 1.1.3 is free of any forms of harassment
- 1.1.4 is free from all forms of sexual harassment

1.2 Purpose

1.2.1 This policy document has been created in order to prohibit, prevent or deter the commission of acts of sexual harassment at workplace and to provide the procedure for formal and informal mechanism for the redressal of complaints pertaining to sexual harassment

1.2.3 The policy also provides guidelines to-

- a. create awareness and sensitize associates about the issue of sexual harassment at the workplace,
- b. define the implications and outcome of sexual harassment,
- c. ensure protection against retaliation to complainants, witnesses, committee members and other associates involved in prevention and complaint resolution,
- d. take disciplinary action against the complainant in case the complaint turns out be fake and with malicious intention

2. Applicability

2.1 This policy applies to:

- 2.1.1 All associates, regardless of seniority or contractual status, that is permanent, long/short-term contract, casual associates, honorary/ voluntary associates, interns,
- 2.1.2 All Board members, executive and non-executive Directors, owners and shareholders,
- 2.1.3 All contractors and sub-contractors, and all persons from labor brokers and personnel agencies,

- 2.1.4 All applicants for employment, and
- 2.1.5 All persons dealing with the company, clients, customers, suppliers, and with whom associates interact personally or by telephone, or by electronic communication, including written communication, websites and emails etc.

2.2 Scope

- 2.2.1 The act may occur 1] within the company premises (head office/ branches/contractual spaces, 2] in a company provided transport 3] during outdoor official duty
- 2.2.2 Where sexual harassment occurs to an associate as a result of an act by a third party or outsider while on official duty, we will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action

3. Definitions

3.1 'Sexual harassment'

- 3.1.1 The legal definition of sexual harassment is “unwelcome verbal, visual, or physical conduct of a sexual nature that is severe or pervasive and affects working conditions or creates a hostile work environment.” We refer to the same.
- 3.1.2 Sexual harassment includes such unwelcome sexually determined behavior (Whether direct or by implication) such as:
 - a. Physical contact and sexual advances
 - b. Demand or request for sexual favors
 - c. Sexually - colored remarks
 - d. Showing pornography
 - e. Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual natureAnnexure II specifies these further
- 3.1.3 Besides the above it is considered sexual harassment by
 - a. a **supervisor** if he/she requests sexual favors from a junior in return for promotion or other benefits or threatens to sack for non-cooperation
 - b. a **boss** to make intrusive inquiries into the private lives of associates, or persistently ask them out
 - c. a **group of workers** to joke and snigger amongst themselves about sexual conduct in an attempt to humiliate or embarrass another person
 - d. If an associate is fired, refused a promotion, demoted, given a poor performance evaluation, or reassigned to a less desirable position because he/she rejects a sexual advance, that almost certainly is sexual harassment
- 3.1.4 Circumstances
 - a. Such conduct can be humiliating and may constitute a health and safety problem

b. It is discriminatory when the complainant has reasonable grounds to believe that his or her objection would disadvantage them in connection with employment, including recruiting or promotion

c. Even if the conduct does not result in economic injury or change of status to the associate's job, it may be sexual harassment if the conduct unreasonably interferes with his/her work performance or creates an "intimidating, hostile, or offensive work environment

3.2 Gender Discrimination: This behavior occurs when employment decisions are based on an associate's gender or when an associate is treated differently because of his or her sex

3.3 Quid Pro Quo Harassment is when employment and/or employment decisions for an associate are based on that associates' s acceptance or rejection of unwelcome sexual behaviors

3.4 Hostile Work Environment is a work environment created by unwelcome sexual behavior or behavior directed at an associate because of his/her sex, that is offensive, hostile and/or intimidating and that adversely affects his/her ability to do his or her job

3.5 Complaint: Information either oral or written made by the victim against sexual harassment attempted or perpetuated

3.6 Complainant: The person reporting an incident of Sexual Harassment

3.7 Victim: The person subjected to Sexual Harassment

3.8 Alleged Harasser: The person who is alleged or reported to have committed an act of Sexual Harassment

3.9 What is not Sexual Harassment?

3.9.1 Sexual harassment does not refer to normal conversation that all parties affected find acceptable

3.9.2 It does not refer to office relationships that are freely entered into without intimidation or coercion

3. Mechanism for dealing with the issue of sexual harassment at the workplace

3.1 Reporting of the cases

3.1.1 It is the obligation of all associates to report sexual harassment experienced by them personally

- 3.1.2 A concerned co-worker may also inform the management of any instance or behavior of sexual harassment by a coworker towards another associate
- 3.1.3 In order to assure that further incidents do not occur, associates who believe that they have been subjected to sexual harassment should promptly inform the harasser that such conduct is inappropriate, offensive, and unwelcome
- 3.1.4 In case the associate feels that the behavior of the harasser continues then he/she may either ask for the behavior to be dealt with informally, or use the formal Grievance Procedure

3.2 Informal procedure

- 3.2.1 The matter should be reported to immediate manager or advisors (from HR) who will talk to the harasser and informally resolve the problem.
- 3.2.2 If an issue cannot be immediately resolved, the associate would promptly refer the matter or complaint in writing to HR, Executive Officer or Managing Director. who shall be responsible to investigate and resolve the alleged incident(s) of sexual harassment
- 3.2.3 It is at the sole discretion of complainant to get the matter resolved by Informal or Formal procedure (filing complaint in writing)

3.3 Formal Procedure

- 3.3.1 In the event that informal resolution does not result in a satisfactory conclusion, the associate may pursue formal resolution by submitting a written and signed statement on the appropriate complaint form to the HR department, CFO or Managing Director.
This statement shall include the dates, times, and places of incident(s), a description of the circumstances, and the names of the persons involved and witnesses present
- 3.3.2 Associates shall have the right to file such complaints without the fear of reprisal or recrimination
- 3.3.3 Associates engaging in acts of reprisal or recrimination resulting from a complaint of sexual harassment shall be subject to disciplinary action up to and including termination
- 3.3.4 The HR department/Management of company shall investigate the complaint in a prompt and impartial manner by taking the necessary steps

4. Internal Complaints Committee (ICC)

4.1 Legal Obligation

- 4.1.1 The Supreme Court guidelines impose an obligation on the employer to set up an "Internal Complaints Committee" to deal with the cases of harassment
- 4.1.2 The Committee formation as specified in the law
 - a) The ICC to be headed by a senior woman associate
 - b) There should be at least three members in the committee
 - c) Include a third-party representative from an NGO or any other agency

conversant with the issue of sexual harassment (*This is to prevent undue pressure from within the organization with respect to any complaint*)

d) Minimum 50% should be women (including the NGO member)

e) The tenure of the ICC members will be of two years

4.1.3 To comply with the law, ideaForge conducts one Mandatory POSH awareness/training session every year.

4.2 Role and responsibilities of the ICC

4.2.1 The Complaints Committee is responsible for

a) Investigating every formal written complaint of sexual harassment

b) Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment in time bound period

c) Discouraging and preventing employment-related sexual harassment

4.2.2 The tasks the ICC will undertake-

a) Interrogate and interview the complainant, alleged harasser, and other relevant parties, such as witnesses and the associate's supervisor

b) Review any pertinent evidence, documents or records

c) Prepare a written report regarding the findings and conclusions reached

d) Recommend for the disciplinary action to be taken in the event that it is determined that sexual harassment has occurred etc.

e) This report shall be furnished to the Management of the company, complainant and the alleged harasser

4.2.3 The severity of the disciplinary action shall be determined by the severity and/or frequency of the offense(s)

Disciplinary actions taken as a result of this policy may be appealed in accordance with relevant grievance procedures

4.2.4 Committee members irrespective of their rank, position in the company shall be given full freedom to conduct fair trials and investigation

4.2.5 No member of the company shall be allowed to use his position to disrupt the case investigation or working of the committee.

4.2.6 Any member if found to be compromising fair trials shall be severely punished by management and could even have legal implications.

4.2.7 Desired Qualities of the ICC members

Subjectivity: A sexual act when 'unwelcome' is sexual harassment

the "unwelcome" is the woman's subjective reality. The ICC members' first duty is to believe in this reality. (Unless something on record completely negates her complaint).

Empathy: It is critical that the ICC empathizes with the complainant and does not judge her/him by their moral standards.

Confidentiality: It is essential to maintain confidentiality in all the happenings/

proceedings in the interest of the victim Unless it is unavoidable to disclose the details the ICC members should not disclose/ discuss the case with those not concerned

- 4.2.8 The 'humane' angle: The ICC is not expected to act like a criminal court. It has to consider that-
- a) It needs extensive orientation for effective functioning as they will be dealing with very personal and sensitive matter
 - b) The complainant, when she complains, has at stake her personal life and career
 - c) The impact sexual harassment has on a woman
 - d) It is difficult for a woman to talk about anything sexual. Hence there can be long time interval between the harassment incident/s and the actual complaint
 - e) It needs to handle complaints in a confidential manner and within a time-bound framework
 - f) It needs to submit an annual report on sexual harassment to the appropriate government authority

4.2.9 Disqualification of Chairperson and Members:

A person shall be disqualified for being appointed, elected, nominated or designated as, or for being continued as, a member of the ICC or or as Facilitator if there is any complaints concerning sexual harassment pending against her/him, or if she/he has been found guilty of sexual harassment/serious misconduct

5. Procedures for resolution settlement or prosecution of acts of sexual harassment

5.1 Lodging a complaint

- 5.1.1 An associate with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, can bring their concern to the attention of the ICC for redressal of their grievances and may make a formal complaint to the Presiding Officer of the ICC
- 5.1.2 The complaint shall have to be in writing and can be in form of a letter, preferably within 15 days from the date of occurrence of the alleged incident, sent in a sealed envelope
- 5.1.3 Alternately, the associate can send complaint through an email. The associate is required to disclose their name, department, division and location they are working in, to enable the Presiding Officer to contact them and take the matter forward
- 5.1.4 The Presiding Officer of the ICC will proceed to determine whether the allegations (assuming those to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from receipt of the complaint

- 5.1.5 In the event, the allegation does not fall under the purview of Sexual Harassment, or the allegation does not constitute an offence of Sexual Harassment, the Presiding Officer will document this finding with reasons and communicate the same to the complainant
- 5.1.6 If the Presiding Officer of the ICC confirms that the allegations constitute an act of sexual harassment, the ICC will start the process of investigation

5.2 Action by the ICC and the management

- 5.2.1 The ICC shall conduct thorough investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Executive Director and Head of HR as soon as possible and in any case, not later than 90 days
- 5.2.2 To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances
- 5.2.3 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
- 5.2.4 Possible Disciplinary Actions arising out of the Recommendations:
- a. A letter of warning that will be placed in the personal dossier of the harasser
 - b. Immediate transfer or suspension without pay or both
 - c. Fine equivalent to 2-4 months' salary that can be credited to a fund created to be utilized for the welfare of the associates
 - d. Stoppage of increment with or without cumulative effect
 - e. Reduction in rank
 - f. Curtailment of privileges
 - g. Fine up to twenty thousand rupees (Rs.20000/-), towards associate welfare fund or other social causes via any renowned NGO.
 - h. Termination/dismissal from the services of the Company.
 - i. Any other action that the Disciplinary Authority may deem fit
 - j. Filing a complaint before the relevant police station/Court.
 - k. Mandatory attendance in a sexual harassment workshop or counselling program.

5.3 Complaints made with a malicious intent:

- 5.3.1 If, on investigation, it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing his/her image in the company and to settle personal/professional scores, strict action will be taken against the complainant

- 5.3.2 In the event that the formal request for inquiry is proved to be malafide, ICC shall recommend to the Executive Director that the person found guilty of such a malafide, and fraudulent act be required to issue a written public apology to the person who has been so falsely accused of sexual harassment, which is to be displayed prominently on all notice boards in the Company
- 5.3.3 Insufficient evidence to support a complaint does not necessarily mean that the charge was intentionally false. Material, circumstantial and factual evidence needs to be produced which could prove the complaint made was with malicious intent

6.4 Documentation

- 6.4.1 The Committee shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof.
- 6.4.2 The incident would be documented in both the complainant's and the accused's files with the full report of the Complaints Committee.
- 6.4.3 Dissemination of the Policy
The policy will be circulated to all the present associates through official channels and associates will acknowledge that they have received the policy and understood it. *Orientation sessions of the associates will be held to make them understand the policy*

6.5 Training

- 6.5.1 The setting up of an ICC and having an anti-sexual harassment policy lays a strong foundation for a sexual harassment free workplace. However, effective training programs are essential to sensitize/train all staff members, men or women, to recognize sexual harassment, dealing with it when it occurs and prevent it
- 6.5.2 The company shall be conducting training programs
- a) to ensure proper understanding and implementation of this policy
 - b) to motivate associates to build a healthy and happy work environment
 - c) to engage associates and encourage volunteering for a cause
- 6.5.3 Training for the members of the ICC and others who are going to be instrumental in implementing the policy shall also be organized. Committee members training would include a component of gender sensitization, along with the procedures for taking complaints, and for enquiry, etc.

7. Conclusion

In conclusion, the Company reiterates its commitment to providing its associates, a workplace free from harassment/ discrimination and where every associate is treated with dignity and respect and work in a healthy and positive work environment where his/ her professional growth is ensured

Annexure 1

“Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013”

History: Vishakha is a women’s group in Rajasthan which had lodged a complaint against the then Rajasthan Govt, in the nineties, for their non-action against the landlords who kept raping a govt. woman associate, in order to teach her a lesson, for not allowing child marriages.

In 1997 the Supreme Court of India passed a landmark judgment in the Vishakha case laying down guidelines to be followed by establishments in dealing with complaints about sexual harassment.

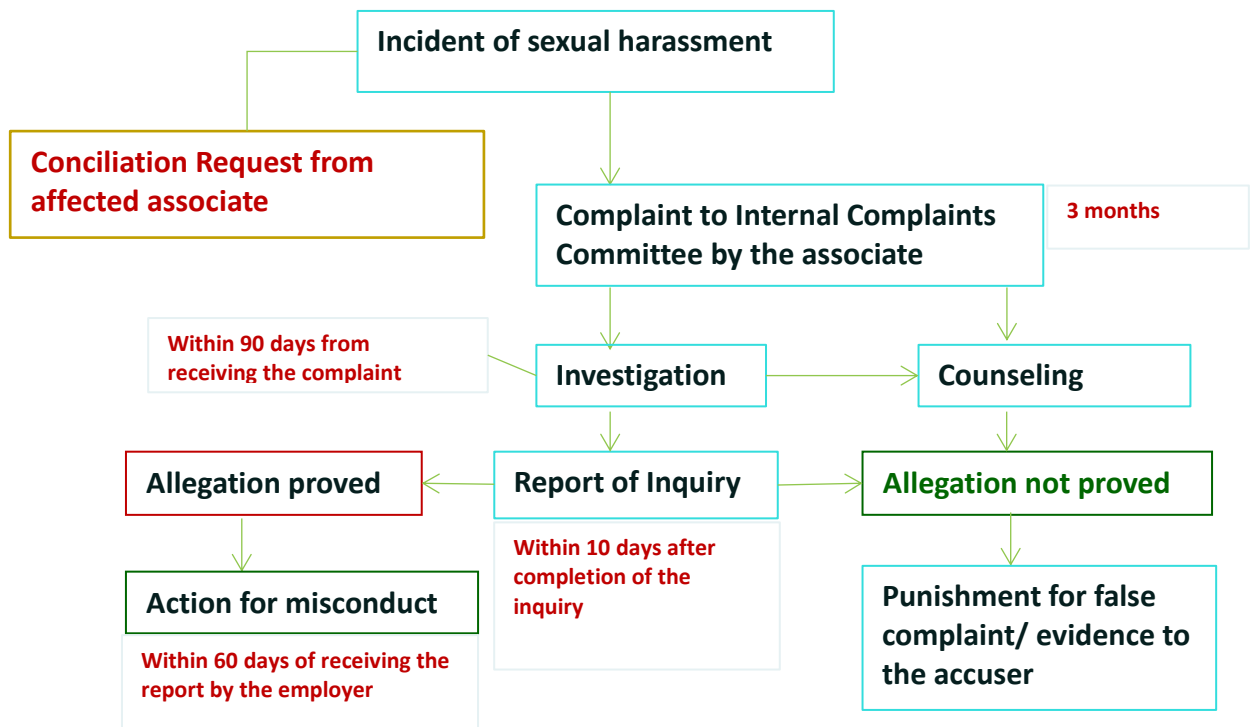
The Sexual harassment at workplace Bill was passed by the Lok Sabha on the 2nd of September 2012. It is now The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. It defines sexual harassment as laid down by the Supreme Court in Vishakha and others v State of Rajasthan (1997) case. It came into enactment from April 23, 2013.

Internal Complaints Committee and Local Complaints Committee: The Sexual Harassment Act requires an employer to set up an 'Internal Complaints Committee' ("ICC") at each office or branch having more than 10 associates of any gender. The government is in turn required to set up a 'Local Complaints Committees' ("LCC") at the district level to investigate complaints regarding sexual harassment from establishments where the ICC has not been constituted on account of the establishment having less than 10 associates or if the complaint is against the employer.

Interim Reliefs: The Sexual Harassment Act empowers the ICC and the LCC to recommend to the employer, at the request of the aggrieved associate, interim measures such as (i) transfer of the aggrieved woman or the respondent to any other workplace; or (ii) granting leave to the aggrieved woman up to a period of 3 months in addition to her regular statutory/ contractual leave entitlement.

Punishment: If an employer fails to constitute an Internal Complaints Committee or does not comply with any provisions contained therein, the Sexual Harassment Act prescribes a monetary penalty of up to INR 50,000. A repetition of the same offence could result in the punishment being doubled and/or de-registration of the entity or revocation of any statutory business licenses.

The procedure for handling a case by the employer



- **Appeal against the committee recommendation within 90 days by the accused associate**

Annexure II

Sexual Harassment includes the following acts (As issued by National Women's Commission)

- Touching or brushing against any part of the body
- Sexual advances or demand for Sexual favors
- Unsavory remarks
- Jokes that were demeaning to women and causing embarrassment
- Eve teasing
- Innuendo and taunts
- Gender based insults
- Sexist remarks and sexually colored comments
- Unwelcome sexual overtones in any manner,
- Molestation or displaying pornographic or other derogatory pictures or sayings
- Sexual innuendo
- Devaluation of women's work
- Use of obscene or vulgar language
- Comments on appearances and character of women
- Comments about clothing, personal behavior or a person's body
- Gender discrimination and physical and mental harassment at work

Letter of receipt and acknowledgement for receiving a copy of the prevention of sexual harassment at workplace policy

Date:

To
The Executive Director
ideaForge Technology Ltd.

This is to acknowledge that I have received a copy of the Anti-Sexual Harassment policy. This document sets forth the policies and the modalities for administering those pertaining to sexual harassment. I understand and agree that it is my responsibility to read and familiarize myself with all of the provisions of the policy.

I understand that the provisions of this policy, the company reserves the right to amend, modify, rescind, delete, supplement or add to the provisions of this document as it deems appropriate from time to time in its sole and absolute discretion. The company will attempt to provide us notification of any other changes as they occur.

I am committed to abide by the policy and to act in a Professional manner that will respect the dignity of our colleagues, seniors, subordinates & visitors.

Date :<_____>

Signed :<_____> (Associate)

Signed :<_____> (HR Head)