

PREVENTION OF SEXUAL HARASSMENT POLICY AT WORKPLACE (POSH)

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1.0	Sumithra C	15-11-2023	New Posh Policy VVPL	Mahendra Rathod	14-11-2024
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PREVENTION OF SEXUAL HARASSMENT POLICY AT WORKPLACE (POSH)

We have been focusing on creating a safe and healthy workplace where workers can do their jobs without worrying about discrimination, bias, or sexual harassment. The right to dignity is a basic human right for every employee of our company.

This policy's objectives are to avoid any instances of sexual harassment and to make people aware of the channels for complaint that this organization has set up in the event that such behavior occurs at work. The 2013 Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redress) Act's requirements have guided the creation of this policy.

Sexual harassment is defined as any one or more of the unwanted behaviours listed below, whether committed directly or impliedly:

- Sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion or examination.
- Eve teasing, unwelcome invitations meet outside office, suggestive comments or jokes, physical confinement against one's will and invading one's privacy.
- Act or conduct when one's behaviour within a workplace creates an environment that is difficult or uncomfortable for a person belonging to the opposite sex.
- Any unsolicited gesture by an employee having sexual hints. Physical contact and advances.
- Demand or request for sexual favours. Staring, leering or unwelcome touching. Suggestive comments or jokes.
- Showing pornography.
- Undesirable physical, verbal or non-verbal conduct of sexual nature.

The following situations, among others, if they arise or are present in sexual harassment in connection to or related with any act or behaviour may amount to Sexual misconduct.

- Implied or explicit promise of preferential treatment in their employment;
- or The implied or explicit threat of detrimental treatment in their employment; or
- The implied or explicit threat about their present or future employment status; or
- Interferes with their work or creating an intimidating or offensive or hostile work environment for them; or
- Humiliating treatment is likely to affect their health or safety.

Further behaviours of sexual harassment are defined as, but not limited to

- Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references; demeaning, insulting, intimidating, or sexually suggestive comments (oral or written) about an individual, personal appearance or electronically transmitted messages (Jokes, remarks, letters, phone calls);
- A demand or request for sexual favours, sexually coloured remarks, showing pornography, any other unwelcome physical conduct of sexual nature, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs,;
- An act or conduct by a person in authority that makes the environment at the workplace hostile or intimidating to a person or unreasonably interferes with the individual's privacy and productivity at work.
- Any other behaviour which an individual perceives as having sexual overtones.

Applicability:

- All employees of Vananam (including employees on contract, on 3rd (third) party rolls) All customers, suppliers and contractors of Vananam.
- All third parties associated Vananam at work or involved in work related activities.
- The complainant as well as the respondent may be a man or a woman The complainant needn't be of the opposite sex.
- The respondent can be anyone including the complainant's supervisor/ an agent/contractor/customer/client /3rd (third) party associated with Vananam/or any other employee of Vananam.
- The complainant does not have to be the person harassed but could be anyone affected by the offensive conduct.
- It may occur without economic injury to the complainant.
- It may occur at the workplace or any other place where the employee is engaged in work related activities.
- It may occur with Vananam employees deputed to client sites.

Roles and responsibilities:

Employer:

- To provide safe working environment to the all persons at the workplace;
- Display at any place in the workplace, penal consequences of sexual harassment; Organize workshops and training programs at regular levels;
- Provide necessary facilities to ICC (Internal Complaints Committee ("ICC") and CC (Complaints Committee ("CC") for dealing with complaints and conducting inquiries;
- Assist in securing attendance of respondents and witnesses before the ICC or CC; Provide assistance to a woman if she chooses to file a complaint under the Indian Penal Code or any other applicable law;

- Monitor timely submission of reports by the ICC; And any other assistance required by the ICC, CC or LCC for conducting inquiries into complaints made against sexual harassment.

Employees:

- To forward or submit to the ICC any written complaint from any complainant and to co-operate during any investigation as part of the inquiry process.
- Be aware of and abide by laws applicable to them.
- Be aware of and do not participate in any prohibited or inappropriate behaviours or activities while representing Vananam
- Provide full and truthful disclosure of relevant information and assist with investigations of alleged policy violations.
- Handle information related to known or suspected violations of this policy in a discreet and confidential manner.
- Not attempt to investigate the information or suspected violations of this policy on their own and/or without involving the Internal Complaints Committee. Adhere to ethical behaviors and standards as per Vananam's Code of Conduct.

Formulation of Internal Committee:

The IC should have 3 types of members. They are:

Presiding Officer: This member will be the chairperson of the Internal Committee and should be a senior-level female employee. This is to make the IC more approachable to women complainants.

Employee Members: The IC should also include two or more members from the employees, preferably individuals who have decent legal knowledge, experience in social work, or committed to the cause of women.

External Member: The IC should include an external member who is not connected to the organisation in any manner except as an external member. The person should be familiar with issues relating to sexual harassment, or from a non-governmental organization or association committed to the cause of women. The idea of an external member can be a little bit confusing. Let's see more about it.

Responsibilities of IC:

By passing an order to form an IC, the organisation authorises the IC to do the following:

- To draft the Sexual Harassment Policy for the organization
- To work towards providing a safe and respectful working environment
- Organise training and awareness programs (classroom / eLearning) at regular intervals

- To conduct meetings
- When there is a complaint received in writing from any of the women employees,
- To settle grievances and
- To make sure there is appropriate compensation for any case of misconduct and sexual harassment.

Internal Complaints Committee Members:

- To remain free of bias, and conduct inquiries in a fair manner.
- Conduct the inquiry process and recommend appropriate actions as per the process outlined in this policy.
- Follow the principles of natural justice and treat the complainant, respondent, witnesses, and related persons to the inquiry with dignity and respect.
- Submit, at the end of each calendar year, an annual report comprising details of all cases and actions are taken.
- Keep information disclosed completely confidential. Handle information in a discreet manner, and disclose confidential information strictly on a “need-to-know” basis only.
- If an employee faces sexual harassment outside of the organizational work and work premises, assist them in filing a complaint in the police station as appropriate.
- Set an example of proper and appropriate workplace behaviour and ethical standards.
- In case the ICC finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the management of the organisation, for making a Police complaint as may be appropriate.

The Company - (VANANAM)

It is the duty of VANANAM to ensure that its staff members work in an environment that is free from all forms of harassment, prejudice, and discrimination. Take the necessary measures as needed and treat sexual harassment as misbehaviour in accordance with the service standards. At all times, promote behaviour in the workplace that is respectful and dignified.

- Have no tolerance for sexual harassment of any kind.
- Declare the names and contact information of each ICC member.
- Display the criminal penalties for sexual harassment in clear view in the workplace.
- Organise periodic workshops and awareness campaigns to help staff become more aware of the provisions of this policy.
- Plan orientation and skill-development workshops for the ICC members.
- Give the ICC whatever assistance it might need while conducting an investigation.
- Ensure the attendance of all parties necessary for an investigation, such as the complainant, the respondent, and the witnesses.

- If the accused decides to register a complaint in regard to the offence under the Indian Penal Code or any other law currently in effect, offer support to the complainant.
- Examine the ICC's timely submission of reports.

Redressal Mechanism:

We encourage you to file a formal complaint as soon as you can if you are a member of our organization and have experienced sexual harassment while performing your job duties from anyone using the methods listed above. We will consider your complaint seriously and treat the situation in strict confidence. When these practices are recognized, we have no tolerance for them.

- A complaint with respect to sexual harassment may be made by a written or electronic application addressed to the Internal Complaints Committee, through the President/or to any member of the Internal Complaints Committee, or via the following dedicated email address: [\(posh@vananam.com\)](mailto:posh@vananam.com).
- The complaint must be given to the persons specified above within 3 months of the occurrence (the complaint can be made within 6 months if the person is able to prove that there were some exceptional circumstances due to which complaint could not be made earlier) and we advise you to be vigilant and keep any document with you which can be used to substantiate an allegation.
- The redressal system will work based on other evidence if you cannot produce any documentary evidence. If the complainant cannot make a written complaint because of physical or mental incapacity or death, their legal heirs can make the complaint on their behalf.
- An Internal Complaints Committee is constituted for our organization by the management to look into matters concerning sexual harassment.

The Committee consists of the following persons:

Committee Members:

The President and other members of the committee shall hold office for such a period, not exceeding three years, from the date of their nomination as may be specified by the employer. A complainant can approach any member of the committee with her written complaint.

Once the complaint is received by the Committee:

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are kept in mind by the receiver of the complaint:

The Committee must consider the complaint as soon as possible and, in any case, within 10 days of receiving it. Within 10 days after receiving the complaint, a complete copy as well as any additional supporting papers must be submitted to the respondent. No unfair acts of retaliation or unethical action will be tolerated, and the person who is accused by the complainant will be informed that a complaint has been filed against them (they will also be made aware of the specifics of the allegation and the name of the complainant as it would be necessary for proper inquiry).

- When an employee discloses suspected misbehaviour, raises questions, or expresses concerns in good faith, Vananam will not accept, promote, or tolerate any type of retaliation against that employee.
- Any person who engages in such retaliation directly or indirectly, or encourages others to do so, may be subject to appropriate disciplinary action. Retaliation will be treated as major misconduct. Retaliation against those reporting sexual harassment is prohibited by this policy. Retaliation means and includes any hurtful employment action against an individual/s.
- Retaliation should be reported to the proper authorities in accordance with this policy by anybody who suspects or experiences it.
- Even if the initial charge of sexual harassment is false, retaliation instances are taken just as seriously.

Annexure A

Position	Name
Presiding Member	Shealy Agarwal
Employee Member	Vidya K
Employee Member	Joshua Gautham
Employee Member	Mahendra Rathod
External Member	Ganesh Poojary