

No Harassment Policy

PREAMBLE

Sexual harassment is not only a serious misconduct but criminal offence also, which can destroy human dignity and freedom. In an effort to promote the well-being of all women employees in our organisation, a No Harassment Policy drafted as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 & the Rules thereunder (hereinafter referred to as “Policy”) is adopted which envisages as under: -

- a. The Company shall committed to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity
- b. The Company and its management shall not tolerate commission of any act of sexual harassment at the workplace.
- c. Sexual Harassment will be considered as misconduct and action will be taken based on the findings of the enquiry in this context.

OBJECTIVE

This policy has been formulated keeping in view the provisions under The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 (hereinafter referred to as SHWW Act) and its Rules. The said policy is to define the guidelines and the process to be followed in order to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment in addition to the matters connected therewith or incidental thereto. For any doubt or further clarification, reference be made to the SHWW Act and its Rules.

APPLICABILITY

This policy shall applicable to

- a. All employees of M/s. ETA Engineering Pvt Ltd having its Corporate office at New No.71, Old No. 63, Sterling Road, Nungambakkam, Chennai-600 034, deployed at the workplace who are either on the rolls of the Company or engaged through any service agreement with the Company or in any other way as enumerated in the SHWW Act.
- b. All company-related activities performed at any other site away from the Company’s premises.
- c. Any social, business, Official tours / Picnic by employees with the permission of the Management or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

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SEXUAL HARASSMENT

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.

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 :-

- (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) Interference 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.

COMPLAINTS MECHANISM

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy. Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism in the form of "Complaints Committee" has been created in the Company for time-bound redressal of the complaint made by the victim.

INTERNAL COMPLAINTS COMMITTEE (ICC)

This is a Committee which is being constituted as per section 4 of the SHWW Act read with its Rules. 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
- c. Discouraging and preventing employment-related sexual harassment

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RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

Informal Resolution:

When an incident of sexual harassment occurs, the victim of such conduct can communicate her disapproval and objections immediately to the harasser and request the harasser to behave decently. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, she can bring her concern to the attention of the Complaints Committee for redressal of her grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

Formal Complaints:

The complainant, if uncomfortable with informal resolution route, shall make a complaint to the ICC in writing and send the same either by post or give in person or via email to the presiding officer of the ICC or any officer authorized by ICC. The complaint should be made immediately or in the least time frame of occurrence of the alleged incident.

Resolution and Settlement:

- a. The ICC would go through the details of the complaint and evaluate if there is a prima facie case or not. While doing that, ICC will keep in mind that the Complainant is not subjected to enquiry more than once. However, if the complaint complexity requires that the Complainant is to be called for more than once for enquiry, then utmost sensitivity should be displayed and adequate precaution would be taken to ensure that there is no loss of dignity to the Complainant.
- b. The ICC will initiate a detailed enquiry as deemed fit.
- c. Where such conduct on the part of the accused amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
- d. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Management as soon as practically possible and in any case, not later than 20 days from the date of receipt of the complaint. The Management will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.

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Corrective action may include any of the following:

- a. Formal apology
- b. Counseling
- c. Written warning to the perpetrator and a copy of it maintained in the employee's dossier
- d. Change of work assignment / transfer for either the perpetrator or the victim.
- e. Suspension or termination of services of the employee found guilty of the offence

In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

PROTECTION TO COMPLAINANT / VICTIM:

- a. The management understands that it is difficult to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.
- b. To protect the interests of the victim and the accused, confidentiality will be maintained throughout the investigation to the extent practicable and appropriate.
- c. All the records of complaints, including contents of meetings, results of investigations and any other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.
- d. The Company will ensure that 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.
- e. The Management will provide assistance to the complainant if she so chooses to file a police complaint in relation to the offence under the India Penal Code or any other law for the time being in force.
- f. The ICC will submit an annual report to the Management outlined in the SHWW Act and it is the responsibility of the Management to ensure that the said annual report is also filed with the District Officer as per the format applicable.

CONCLUSION

Any person aggrieved from the recommendations made by the ICC where enquiring with the allegations against the respondent has not proved, or the ICC arrived at a conclusion that during the enquiry any witness has given false evidence or produced any forged or misleading documents or contravenes the provisions of section 17 of the SHWW Act or when the persons entrusted with the duty to handle or deal with the complaint, the enquiry or recommendations makes known the contents of the complaint and the enquiry proceedings, or non-implementation of such recommendations may prefer an appeal to the court or tribunal in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the

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person aggrieved may prefer an appeal. The appeal will lie before the Appellate Authority notified under clause (a) of section 2 of the Industrial Employment (Standing Orders) Act, 1946.

In conclusion, the Company reiterates its commitment to providing its women employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.