

PREVENTION OF SEXUAL HARASSMENT POLICY (POSH)

- 1. Preamble:** Sexual harassment at workplace is an unlawful act. No women shall be subjected to sexual harassment at any workplace. SLN group does not tolerate or support sexual harassment in any form at the workplace. We firmly believe in the right of every individual to work in an environment, free from harassment, intimidation or offensive behavior. All Employees of SLN have a responsibility to ensure that any act of sexual harassment does not occur at workplace.
- 2. Applicability:** This policy shall come into force with immediate effect and be applicable across all **SLN groups of business Establishment** along with their **'work place'**.
- 3. Work Place:** The term 'workplace' as defined in the *Sexual Harassment of women at workplace (Prevention, Prohibition and Redressal) Act, 2013* shall include within its ambit, departments, undertakings, establishments, offices, branches, units, hotels, sports complexes, any place visited by the employee in the course of employment, including transport provided by the employer for such journey.
- 4. 'Employee'** means a person employed at 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, including probationers and trainees/apprentices.
- 5. 'Employer'** means any person responsible for the Management, Supervision and control of the workplace and the person discharging contractual obligations with respect to his or her employees.
- 6. 'Aggrieved woman'** would mean in relation to a workplace, a woman of any age, whether employed or not, who alleged that she has been subjected to any act of sexual harassment by the person complained against. Thus, even a woman who is a total outsider to the establishment can also raise a complaint of sexual harassment, if it occurs within the workplace under the control of the employer.
- 7. 'Sexual Harassment'** includes any one of more of the following unwelcome acts or behaviour (whether directly or by implication) –
 - (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.

Besides, the following circumstances having a relation to or connected with an act of sexual harassment might also lead to an inference of sexual harassment:

- a) Implied or explicit promise of preferential treatment in a woman's employment; or
- b) Implied or explicit threat of detrimental treatment in her employment; or
- c) Implied or explicit threat about her present or future employment status; or
- d) Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- e) Humiliating treatment likely to affect her health or safety.

8. Internal Committee: Every employer of a workplace shall, by a order in writing, constitute a Committee to be known as the "Internal Complaints Committee": The said committee shall be empowered to receive complaints from aggrieved women connected to the establishment and to admit, hear and investigate cases of grievance in relation to Sexual Harassment and recommend disciplinary action against those found guilty to the Establishment. The internal committee shall consist of the following members to be nominated by the employer, namely,

- a. Presiding Officer who shall be woman employed at a senior level at the workplace from amongst the employees.
- b. Not less than 2 members amongst employees, preferably one male and one female member.
- c. One NGO representative familiar with the issue of sexual harassment,
- d. At all times one half of the total committee members so nominated shall be women.

9. Term of each Committee:

- a. Each member can hold office for a period **not exceeding 3 years** from the date of their nomination by the employer.
- b. However, if the Presiding Officer or any member of the Committee is convicted of any offence under any law during his/her tenure or if any disciplinary proceedings is pending against him/her or he/she has abused his/her position, so as to render his/her continuance in office prejudicial to public interest, then such Presiding Officer or member shall be removed from the Committee by the employer and the vacancy so created or any such casual vacancy shall be filled by fresh nomination.

10. Procedure for lodging compliant:

- a. An aggrieved woman shall make a complaint in writing of sexual harassment at the workplace to the Internal Committee, within a period of three months from the date of the incident and in case of a series of incidents, within a period of three months from the date of the last incident.
- b. However, the Internal Committee for reasons to be recorded in writing may extend the time limit for a further period of three months, if it is satisfied that circumstances prevented the woman from filing such complaint.
- c. In the event of the aggrieved woman being incapacitated mentally or physically or is dead, complaint may be filed on her behalf by a co-worker, relative or her legal heir, as the case may be.

11. Procedure for inquiry into complaint:

- a. On receipt of the complaint, the Internal Committee shall send one of the copies seeking explanation to the Respondent within a period of seven working days.
- b. The Respondent shall file his reply to the complaint along with his list of documents and names and addresses of witnesses if any, within a period not exceeding ten working days from the date of receipt of the documents served on him.
- c. The Internal Committee shall make inquiry into the complaint in accordance with the principles of natural justice, (i.e.) offering all reasonable opportunity of being heard to each party concerned.
- d. The Internal Committee shall have the right to terminate the inquiry proceedings or to give an ex parte decision on the complaint, if the Complainant or Respondent fails without sufficient cause, to present

herself or himself for three consecutive hearings convened by the Presiding Officer. However, such termination or ex-parte order may not be passed without giving a notice in writing fifteen days in advance to the party concerned.

- e. Where the Complainant and accused are both employees, both the parties shall during the course of inquiry be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the committee.
- f. For the purpose of making an inquiry, the Internal Committee shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, in the matter of
 - a. Summoning and enforcing the attendance of any person and examining him on oath and
 - b. Requiring the discovery and production of documents
 - c. Any other matter which may be prescribed.

12. Settlement of complaint:

- a. The Internal Committee before initiating an inquiry and at the request of the aggrieved woman shall take steps to settle the matter between her and the Respondent through conciliation. However, no monetary settlement shall be made as a basis of conciliation.
- b. Where a settlement has been arrived at, the Internal Committee shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation.
- c. The Committee shall make available a copy of the settlement to the Complainant and the Respondent.
- d. Where such a settlement is arrived at, no further inquiry shall be conducted by the Committee.
- e. However, if the aggrieved woman informs the Internal Committee that any term or condition of the settlement arrived at has not been complied with by the Respondent, the Committee shall resume the inquiry

13. Action pending enquiry: During the pending of an enquiry, upon a written request made by the aggrieved women, the Committee may recommend the employer to

- a. Transfer the aggrieved woman or the Respondent to any other workplace or
- b. Grant leave to the aggrieved woman up to a period three months, which leave shall be in addition to the leave she would be otherwise entitled; or
- c. Grant such other relief to the aggrieved women as the case may be prescribed by the law.

14. Internal committee's inquiry report and action taken thereon:

- a. The Internal committee will submit the recommendation to the employer within a period of ninety days.
- b. On the completion of an inquiry under this Act, the Internal Committee shall provide a report of its findings to the employer within a period of Ten days from the date of completion of the inquiry and such report be made available to the concerned parties.
- c. Where the Internal Committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer that no action is required to be taken in the matter.
- d. If the inquiry of the Committee also leads a finding that the allegation made against the Respondent is malicious or that the complaint has been made by the woman or any other person knowing it to be false or has produced a forged or misleading document, the Committee may recommend to the employer to take action against the woman or the person making the complaint, in accordance with the service rules (Certified Standing orders).
- e. Similarly, if the Committee comes to the conclusion that during the inquiry any witness has given false evidence or has produced any forged or misleading document, it may recommend to the employer to take action against the said witness in accordance with the standing orders.
- f. Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this Act.
- g. Where the internal Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer

- i.* To take action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent or as prescribed such as;
 - a. A letter of warning,
 - b. Transfer or suspension
 - c. Stoppage of annual Increment
 - d. Demote from the present Grade
 - e. Dismissal or termination from the service
 - f. Filing Police Complaint.
 - g. Any other action deemed fit.
- ii.* To deduct from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved.
- iii.* For the purpose of determining the sums to be paid to the aggrieved woman shall have regard to ...
 - a. The mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
 - b. The loss in the career opportunity due to the incident of sexual harassment;
 - c. Medical expenses incurred by the victim for physical or psychiatric treatment;
 - d. The income and financial status of the respondent;
 - e. Feasibility of such payment in lump sum or in instalments.

15. Confidentiality of the proceedings:

- a. The employer and any person whomsoever connected with the inquiry on sexual harassment shall ensure that the details or contents of the complaint made by the aggrieved woman, the identity of the woman, the Respondent or the witnesses, information recorded during the inquiry, recommendations of the Committee, the action taken by the employer under the Act etc shall not be published, communicated or made known to the public, press and media in any manner. In short, absolute confidentiality of the proceedings shall be maintained by all concerned. However, information may be circulated regarding the justice secured to any victim of sexual harassment under the Act, without disclosing the name, address identity or any other particulars leading to the identification of the aggrieved woman and witnesses.
- b. Any person under the employer, including a witness who violates the requirement of maintaining confidentiality, shall be liable to face strict disciplinary action under the service rules applicable to him.

16. Appeal against the Internal Committee's order: Any person aggrieved by the recommendation of the Internal Committee or non-implementation of such recommendations, may prefer an appeal to the authority prescribed under the service rules (standing orders), namely, the Labour Court having jurisdiction over the employer's establishment. Such appeal shall be preferred within a period of ninety days of the recommendations.

17. Duties and Responsibilities:

a. Employee:

- i. Employees are encouraged to familiarize themselves with the key elements of the policy and should abstain from committing any acts which amount to sexual harassment at the workplace.
- ii. Report incidents of sexual harassment without fear or favour.
- iii. Create an environment of conduciveness for co-workers to work together without fear of harassment.

b. Employer:

- i. Provide a safe working environment at the workplace, which shall include safety from the persons coming into contact at the workplace.
- ii. Display in writing at the workplace, the penal consequences of sexual harassment and the order constituting the Internal Complaints Committee
- iii. Conduct awareness programs for employees for sensitising them against indulging in sexual harassment
- iv. Provide necessary facilities for the effective functioning of the Internal Committee and also provide orientation programmes for the benefit of the Committee members.
- v. Initiate legal action under the Indian Penal Code against the perpetrator of sexual harassment, if he is not an employee in the establishment, if the aggrieved woman so desires.
- vi. Treat sexual harassment as misconduct under the service rules and initiate action for such misconduct.

18. Annual Report:

The IC is required to submit an **annual report** to the District Officer, including:

- a. Number of complaints received.
- b. Number of complaints resolved.
- c. Nature of actions taken.

POSH INTERNAL COMMITTEE MEMBERS AT SLN GROUP OF COMPANIES

SI No	NAME	DESIGNATION	ROLE IN COMMITTEE	Email/Contact
1.	Ms. Shridevi P S	Assistant Manager-Accounts	Presiding Officer	
2.	Mr. Somaiah M K	Senior Manager-HR, IR & Legal	Member	
3.	Ms. Shakunthala T B	Sr. IR Assistant	Member	
4.	Ms. Hemalatha T M	Nurse	Member	
5.	Ms. Sumalatha	Packing Helper	Member	
6.	Ms. Jaya	House Keeping	Member	
7.	Ms. Navyashree	Senior Accounts Officer	Member	
8.	Ms. Yamini Rajkumar	HR Executive	Member	
9.	Ms. Padmavathi Sekar	Accounts Assistant	Member	
10.	Ms. Vidya K N	Ashodaya Samithi, Kodagu	NGO Represent	