

RUNIT INVESTEMTS CO. LTD.

POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN *(Modified Policy on restrictions of Sexual Harassment as are applicable on date to the Company)*

Introduction

It is the goal of the Company to promote and maintain an atmosphere at all of its workplace that is free of sexual harassment. This policy applies to all employees at all levels of this organization. Sexual harassment of employees occurring in any of the workplaces or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has filed any complaint of sexual harassment is similarly unlawful and will not be tolerated. To achieve this organization's goal of providing its workplace free from sexual harassment, this organization will not tolerate the conduct to the contrary, and has laid down a procedure by which inappropriate conduct will be dealt with, if encountered by any one of the employees. Because the Company takes allegations of sexual harassment seriously, it will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as may be deemed necessary, including disciplinary action where appropriate. Please note that while this policy sets forth the company's goals of promoting a congenial atmosphere at its workplace that is free of all sexual harassments, the policy is not designed or intended to limit the company's authority to discipline or take remedial action for workplace conduct which the company may deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

Definitions

1. The legal definition of **sexual harassment** is this:
"Sexual harassment" means any unwelcome sexual advances, requests for sexual favours, and/or verbal or physical conduct of a sexual nature when:
 - (a) Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or
 - (b) Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Sexual harassment may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between a RUNIT INVESTMENTS CO. LTD. employee and someone that employee deals with in the course of his/her work who is not employed by the Company.

"Sexual Harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):

- a) Any unwelcome sexually determined behaviour, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behaviour or conduct was directed namely:
 - i. Physical contact and advances;
 - ii. Demand or request for sexual favours;
 - iii. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;

- iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
 - v. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - vi. Giving gifts or leaving objects that are sexually suggestive;
 - vii. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
 - viii. Persistent watching, following, contacting of a person; and
 - ix. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- b) The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour amount to sexual harassment :
- Implied or explicit promise of preferential treatment in employment;
 - Implied or explicit threat of detrimental treatment in employment;
 - Implied or explicit threat about the present or future employment status;
Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
 - Humiliating treatment likely to affect her health or safety.

The reasonable person standard is used to determine whether or not the conduct was offensive and what a reasonable person would have done. Further, it is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

2. **Aggrieved woman:** In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, employees and even visitors.
3. **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman.
4. **Employee:** A person employed at the 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 or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or by any other such name.
5. **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include anyplace where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with RUNIT INVESTMENTS CO. LTD. including transportation provided for undertaking such a journey.
6. **Employer:** A person responsible for management, supervision and control of the workplace.

Roles & Responsibilities

It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- a. Refusing to participate in any activity which constitutes harassment
- b. Supporting the person to reject unwelcome behaviour
- c. Acting as a witness if the person being harassed decides to lodge a complaint

All are encouraged to advise others of behaviour that is unwelcome. Often, some behaviours are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behaviour.

Redressal Mechanism – Formal Intervention

If any of our employees believes that he or she has been subjected to sexual harassment, whether by a manager, a supervisor, a co-worker, or any other person in the work environment, that employee has the right to file a complaint with our organization. In compliance with the Act, if the complainant warrants formal intervention, the complainant needs to lodge a written complaint, which shall be followed by a formal redressal mechanism as described in this Policy. In case of a verbal complaint, the complaint will be reduced in writing by the receiver of the complaint and signatures of the complainant need be obtained.

Internal Complaints Committee (Henceforth known as ‘committee’)

To prevent instances of sexual harassment and to receive and to effectively deal with complaints pertaining to the same, an "**Internal Complaints Committee**" is constituted at each location. The detail of the committee is notified to all persons covered at the respective location (workplace).

The committee at each location comprises of:

- **Presiding Officer:** A woman employed at a senior level in the organization or at the workplace
- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge
- One external member, familiar with the issues relating to sexual harassment
- At least one half of the total members be preferably women, if available

The **committee** is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

Lodging a Complaint

The complainant to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace.

The complaint must be lodged within **3 months** from the date of incident/ last incident. The Committee can extend the timeline by **another 3 months** for reasons recorded in writing, if satisfied that such reasons prevented the lodging of the complaint.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the women for making the complaint in writing.

If the aggrieved woman is unable to lodge the complaint in account of her incapacity, the following persons may do so on her behalf, **with her written consent:**

- Legal heir, relative or friend
- Co-worker
- Any person having the knowledge of the incident

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

Wherever possible RUNIT INVESTMENTS CO. LTD. ensures that all the complaints of harassment are dealt with speedily, discreetly and as close as possible to the point of origin.

Receiving a Complaint (guidelines)

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:

- Complaints are listened to and the complainant is informed that the Company takes the concerned matter seriously. Complainant is informed that these matters will be reported to the appropriate committee and follow up will be done speedily.
- Situation are not be pre-judged. Written notes are taken while listening to the person. Complainant is allowed to bring another person to the meeting if she so wishes. When taking accurate notes, complainants own words, where possible, is used. Clear description of the incident in simple and direct terms is prepared and details are confirmed to the complainant.
- All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding in the matter, which involves a formal investigation.
- The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also be made aware of the complainant's identity.

Care is taken to prevent any disadvantage to or victimization of either of the complainant or the respondent.

Disciplinary Action

If it is determined that inappropriate conduct has been committed by one of Company's employees, it will take such action as is appropriate under the circumstances. Such action may range from counselling to termination from employment, and may include such other forms of disciplinary action, as the Company may so deem appropriate under the circumstances.

Inquiry procedure

All proceedings of the inquiry be documented. The Committee would interview the respondent separately and impartially. Committee should communicate to the respondent exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to submit his care and provide any evidence in his support etc. Detailed notes of the meetings are prepared which may be shared with the respondents and complainant upon request. Any witnesses produced by the respondent be also interviewed & their statements are if any be taken.

If the complainant or respondent desires to cross examine any of the witnesses, the Committee would provide facilitates for the same and would record the statements.

In case, complainant or respondent seeks to ask questions to the other party, he may communicate the same to the Committee which asks them and records the statement of the other party.

Any such inquiry be completed, (including the submission of the Inquiry Report,) within **90 days** from the date on which the inquiry is commenced. The inquiry procedure should ensure absolute fairness to all the parties concerned.

Considerations while preparing inquiry report

While preparing the findings/recommendations, following are to be considered:

- Whether the language used (written or spoken), visual material or physical behaviour was of sexual or derogatory nature
- Whether the allegations or events follow logically and reasonably from the evidence
- Credibility of complainant, respondent, witnesses and evidence
- Other similar facts, evidence, for i.e. if there have been any previous records of harassment pertaining to the respondent
- Both parties have been given appropriate opportunity of being heard
- A copy of the proceedings were made available to both parties enabling them to make representation/submission against the findings

A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation/submission if any on the findings to the committee.

Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter.

Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither of them will be prejudiced within the company.

Complaint substantiated

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it would recommend to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- i. Counselling
- ii. Censure or reprimand
- iii. Call for Apology to be tendered by respondent
- iv. Written warning
- v. Withholding promotion and/or increments
- vi. Suspension
- vii. Termination
- viii. Or any other action that the Management may deem fit.

Malicious Allegations

Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the alleged aggrieved woman or any other person making such complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action against the woman or the person making the complaint.

The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints.

While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

Confidentiality

The identity of the complainant, respondent, witnesses, statements and other evidences as may be obtained in the course of inquiry process, recommendations of the committees, action taken by the employer shall be considered as confidential materials, and not to be published and/or made known to public or media.

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.