



PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

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1. Preamble :

The Supreme Industries is committed to providing a work environment that is professional and mature, free from animosity and one that reinforces our value of integrity that includes respect for the individual.

2. Policy :

The Supreme Industries is an equal opportunity employer. All employees are expected to create and maintain a work environment that is respectful of all persons in it. Harassment in any form will not be permitted or tolerated or condoned by the organisation whether it is based on a person's race, colour, ethnic or national origin, gender, real or suspected sexual orientation, religion, or perceived religious affiliation, disability or other personal characteristics. The Company is committed to providing a workplace that is free of sexual harassment and where all employees are treated with dignity. Any employee can complain about sexual harassment as per the guidelines laid down in this policy. All complaints will be treated fairly, seriously, with speed and empathy and in confidence.

The Use of company property including e-mail, bulletin Boards, document and vehicle for harassment is prohibited.

3. Objective :

The Supreme Industries is committed to treating every employee with dignity and respect. We seek to create a work environment that is free from sexual harassment of any kind, whether verbal, physical or visual. It is in this context that Supreme Industries has a policy in place in consonance with the sexual harassment of women at workplace (prevention, prohibition and redressal act, 2013) which provides a frame work to deal with violations of the policy.

This policy provides guidelines for prompt redressal of complaints related to sexual harassment and is also in compliance with "Vishakha Guidelines" laid down by Hon'ble Supreme Court of India which stated that such incident results in violation of the fundamental rights of Gender, Equality and the Right to Life and Liberty under the provisions of our Constitution.

4. Applicability & Scope :

This policy shall apply to all persons employed at the workplace for any work of regular, temporary, adhoc or daily wage basis, directly or through an agent/contractor, including persons working on a voluntary basis and also apprentices, trainees, probationers, agent, including consultants of the organisation.

The Company also encourages its suppliers to adhere to POSH policy

PROHIBITION OF SEXUAL HARASSMENT:

No employee shall engage in Sexual harassment.

Definition:

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

- a. Physical contact and advances; or
- b. A demand or request for sexual favours; or

- c. Making sexually coloured remarks; or
- d. showing pornography; or
- e. Any other unwelcome, physical, verbal or non-verbal conduct of sexual nature

“Sexual harassment” should not be confused with simple friendly behaviour or with more intimate exchanges if these are mutually desired and accepted. The difference between friendly behaviour and sexual harassment is that sexual harassment is neither solicited nor acted by the aggrieved person, it is an unwelcome act.

Employee: For the purpose of this policy, the term “employee” means a person employed at a workplace for any work on regular, temporary, adhoc 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 the employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name. This broad definition of ‘Employee’ used for the purpose of this policy cannot be used to claim rights of an employee conferred by any other law of the land.

Company: refers to The Supreme Industries Limited.

Complainant (Aggrieved woman): the person who raises complaint against sexual harassment /.”Aggrieved woman” means in relation to the 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.

Respondent /Accused : person against whom the complaint has been made. means a person against whom the aggrieved woman has made a complaint

Internal Committee (IC): IC as constituted under Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) act, 2013.

Policy Guidelines :

PREVENTION OF SEXUAL HARASSMENT:

No person shall be subjected to sexual harassment at any workplace.

Sexual Harassment Circumstances

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment :

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

Explanation1: Hostile Environment: A work environment is “hostile” when unwelcome verbal, non-verbal or physical behaviour focusing on sexuality is severe and pervasive enough to interfere with the victim’s work performance or be intimidating or offensive to a reasonable person.

Explanation2 : It is clarified that it is the reasonable perception of the individual that would be relevant in determining whether any conduct was sexually coloured and, if so, whether such conduct was unwelcome or not and that her/his objection would disadvantage her/his in connection with her/his employment, including recruitment or promotion, or when it creates a hostile working environment.

Third-party Harassment

Supreme Industries Limited stands committed to take appropriate preventive and remedial action to prevent sexual harassment of its employees by non-employees and vice-versa. In case of third-party sexual harassment the internal complaints committee will actively assist and provide all its resources to the complainant in pursuing the complaint.

Harassment-Free Working Conditions

- It is the responsibility of each employee to create an atmosphere free of harassment and respect the rights of fellow employees, thus, maintaining a positive and healthy work environment for all.
- Company expects all supervisors and senior leaders to take appropriate steps to prevent or deter acts of sexual harassment.

RIGHTS AND RESPONSIBILITIES OF EMPLOYEES:

- Every employee shall be entitled to a work environment free from Sexual Harassment.
- Every employee shall be entitled to complain against sexually oriented behaviour to which he/she was subject to, or which was targeted at him/her, to the Internal Complaints Committee or to the chairperson or any other member of the Internal Complaints Committee established under this policy, as the case may be.
- Every employee shall promptly report any incident of Sexual Harassment that comes to his/her knowledge to the Internal Complaints Committee or to the chairperson of the Internal Complaints Committee or to the Official, if designated by the Chairperson of the Internal Complaints Committee as the case may be.
- Sexual harassment does not refer to behaviour or occasional complaints which are acceptable to the recipient. Neither can be mutual attraction between two persons be regarded as sexual harassment, as this is a private matter between them.

THE INTERNAL COMPLAINTS COMMITTEE:

- An Internal Committee (IC) has been constituted as per the POSH act, comprising of both women and men and NGO member. The Presiding officer of the committee is a women employee.
- The Committee is responsible for ensuring that a fair process is duly followed for every complaint raised.
- The term of office of the Internal Complaints Committee is for a three year from today. On the expiry of three-year period, the existing members of the internal Complaints Committee will continue to hold office, till the new Internal Complaints Committee is constituted. If a member of the Internal Complaints Committee who is an employee of the organisation and when she/he ceases to be an employee of the organisation, then she/he will also cease to be a member of the Internal Complaints Committee.
- The names and contact details of the Internal Complaints Committee is provided in Annexure
- All the units of The Supreme Industries Limited spreading Pan India will have their own Internal Complaints Committee, formulated within its employees.

POWERS AND DUTIES OF THE INTERNAL COMPLAINTS COMMITTEE:

The Internal Complaints Committee will receive the complaints on sexual harassment enquire into the complaints, conduct the enquiry and submit the findings on the complaint.

Internal Committee Responsibilities:

- All complaints of sexual discrimination or harassment will be treated in a serious manner and the Committee will ensure that:
- No reprisal or retaliatory action is taken or tolerated against the complainant.(aggrieved woman)
- Sensitive nature of the complaint and the respective position in the Company of the parties are kept in mind during inquiry. Further, to the extent possible, during the enquiry procedure the parties may be called separately so as to ensure that they express their views freely and without any intimidation.
- Fair process and principles of natural justice are followed.

COMPLAINTS PROCEDURES:

- Any employee will have a right to lodge a complaint concerning sexual harassment against an employee.
- Such a complaint needs to be in writing. If the complaint is oral, the same needs to be documented. The complainant, if desires could be facilitated in writing the complaint by an Internal Complaints Committee member.
- If the Aggrieved Woman is unable to make a complaint, a complaint may be filed by: (a) her relative or friend; (b) her coworker; (c) an officer of the National Commission for Women or State Women's Commission (d) any person who has knowledge of the incident, with the written consent of the Aggrieved Woman
- **GUIDELINES FOR RECEIVER OF THE COMPLAINT:**
- The Complainant will be afforded confidentiality on the complaint by the Internal Complaint Committee member.
- Immediately upon receipt of the complaint, the member of the Internal Complaints Committee to whom the Complaint is made shall communicate the same to the Chairperson of the Internal Complaint Committee.
- Within a period of 5 working days from the date of such communication, the Chairperson shall convene a meeting of the Internal Complaints Committee. The Internal Complaints Committee shall examine the complaint and shall undertake investigation of the complaint after giving opportunities to the complainant to present his/her case and the respondent to give his/her version.
- If complainant or respondent desire any witness/es to be called, they shall communicate in writing to the committee the names of witnesses they propose to call
- The Internal Complaints Committee may examine witness from both the sides and also give opportunity of cross-examining of the witness.
- Documents if any produced by the parties may be taken on record. Neither the complainant nor the respondent is allowed to bring in any legal practitioner to represent them in their case at any stage before the Internal Complaints Committee.
- The Complaints Committee is to make inquiry into the complaint in accordance with the principles of natural justice
- The Internal Complaints Committee on completion of the inquiry will submit its report to the complainant, respondent and the organisation management.

Conciliation:

The Internal Committee before initiating an inquiry, at the request of the aggrieved woman (employee) will take steps to settle the matter between her and the respondent through conciliation. The Internal Committee shall ensure that there shall be no monetary settlement arrived on the basis of the conciliation.

When a settlement has been arrived, the internal committee shall record the settlement so arrived and forward the same to the management of The Supreme Industries to take action as specified in the recommendation.

The Internal Committee shall provide the copies of the settlement as recorded to the aggrieved woman (employee) and the respondent.

Where a settlement is arrived at during conciliation, no further inquiry shall be conducted by the Internal Committee.

If the aggrieved woman (employee) informs the Internal Committee that any term or condition of the settlement arrived during conciliation has not been complied with by the respondent, the internal committee shall proceed to make an inquiry in to the complaint or as the case may be.

TIMELINES FOR INVESTIGATION:

- The committee will hold meeting with complainant within 5 working days of receipt of the complaint
- Upon receipt of the complaint, the committee will send 1 copy of complaint to respondent within 5 working days of receiving the complaint
- Respondent shall reply with all supporting documents within 5 working days of receiving the copy of complaint
- Post the inquiry, the committee shall submit its report containing the findings and recommendations to the employer, within 5 working days of completion of the inquiry
- The company shall act upon the recommendations of the committee within 10 days of receiving the report and confirm the same to the committee

INTERIM RELIEF:

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to:

- Transfer the complainant or the respondent to any other workplace
- Grant leave to the complainant of maximum 3 months, in addition to the leave she would be otherwise entitled
- Prevent the respondent from assessing complainant's work performance
- Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the same is informed to the committee.

CONDITIONS FOR TERMINATION OF ENQUIRY/EX PARTE DECISION:

The Internal committee shall have the right to terminate the inquiry proceedings or to give 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. Provided that such termination or ex –parte order may not be passed without giving a notice in writing, fifteen days in advance, to the concerned parties.

PROTECTION AGAINST VICTIMISATION:

In the event complainant being an employee and the respondent being his/her manager, during the pendency of investigation and even after such investigation if the manager is found to be guilty, the respondent shall not act as manager of the complaint.

CONSEQUENCE OF COMPLAINT BEING PROVED:

In the event allegations made in the complaint are proved against the respondent, it will be taken as proved misconduct and the competent authority may impose any of the punishment as envisaged in the policy on disciplinary process.

Punishment for sexual harassment

Where the Internal Committee arrives at the conclusion that the allegation against the employee (respondent) has been proved , it shall recommend to the employer to take any action including :

- i. Withholding of Increment (Pay rise) and Performance Linked Incentive / Ex-Gratia amount.
- ii. Suspension of employment for an appropriate duration.
- iii. Downward revision of designation and / or salary grade.
- iv. Termination of employment of the respondent
- v. Written apology by the employee (respondent)
- vi. A strict warning or an admonition
- vii. Reprimand or Censure
- viii. Withholding of promotion for a defined period
- ix. Undergoing a Counseling session
- x. Carrying out community service

The punishment to be imposed on the respondent (employee) will depend on the facts and circumstances of the case and the gravity of the offence.

PENAL CONSEQUENCES:

In case the Committee 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 employer, for making a Police Complaint under the relevant section of the Indian Penal Code, (IPC) which deals with Sexual Harassment and has considers this a 'cognizable offense'.

CONSEQUENCE OF FALSE COMPLAINT:

- False accusations of sexual harassment can have serious or devastating effect on innocent employees.
- All employees should note that complaints of sexual harassment should be factual, true and in good faith. If after inquiry by the Internal Committee, it becomes clear that the complainant (Concerned woman or any other person) making the complaint has made the complaint knowing it to be false or the concerned woman or any other person making the

complaint has produced any forged or misleading document, the concerned woman or any other person would become liable for any action including the following actions :written apology, warning, reprimand or censure, withholding of promotion , withholding of increments (pay rise) / performance linked incentive, undergoing a counselling session, carrying out community service including termination of service .

CONFIDENTIALITY:

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not published or made known to public or media. Any person contravening the confidentiality clauses is subject to disciplinary action.

PROVISIONS FOR APPEAL:

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act, within 15 days of the recommendations being communicated.

OBLIGATIONS OF THE MANAGEMENT:

The management of the organisation shall provide all necessary assistance for the purpose of ensuring full effective and speedy implementation of this internal complaints committee constituted as above and shall implement the decision in expeditious manner.

AWARENESS SESSIONS:

Awareness sessions are to be organized to:

- Formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women.
- Carry out orientation programs and seminars for all employees and workers.
- Conduct capacity building and skill building programs for the members of the investigation committee
- Declare the names and contact details of all the members of the investigation committee.
- Conduct workshops and awareness programs for sensitizing the employees with the provisions of the Act

SAVINGS:

The proceedings under this policy shall not be stalled or postponed merely because the complaint is proceeding against the respondent under any other provision of civil or criminal law.

ANNUAL REPORTING:

The IC shall in each calendar year prepare, an annual report and submit the same to the employer and the District Officer (as defined in the Act) in the format prescribed. The report shall have the following details:

- Number of complaints of Sexual harassment received in the year
- Number of complaints disposed of during the year

- Number of cases pending for more than 90 days
- Number of workshops or awareness program against Sexual Harassment carried out
- Nature of action taken by the employer or District Officer

Implementation:

The provisions of this policy are in addition to and not in derogation of the provisions of any law in force from time to time.

Interpretation:

Any matter not specifically covered under the above guidelines shall be referred to Human Resources for necessary advice.

The interpretation of this policy rests exclusively with the Company. The decision of the Company shall be final and binding.

AMENDMENTS:

The Company reserves the right to amend the Policy from time to time in order to comply with any laws / rules / regulations that come into effect from time to time, related to Sexual Harassment

The Policy will be reviewed once in two years from the date of last review or based on amendment in the POSH act which needs to be incorporated in the Policy document.

Internal Complaints Committee

Sr. No	Role	Name	Designation	Mail id
1	Presiding Officer	Ms Bhakti Nevgi	Deputy General Manager	bhakti_nevgi@supreme.co.in
2	Member	Ms. Vidita Mall	Manager	vidita_mall@supreme.co.in
3	External Member	Capt. Moushumi M Rana	External representative	dronaconsultants@gmail.com
4	Member	Ms. Vidya Chordiya	Deputy General Manager	vidya_chordiya@supreme.co.in
5	Member	Mr Parag Prabhu	Vice President Finance & Taxation	parag_prabhu@supreme.co.in
6.	Member	Mr. Sudhir Kanvinde	Chief Information Officer	sudhir_kanvinde@supreme.co.in