

Prevention of Sexual Harassment (POSH) Policy

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1 Objective

This Policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter the "Act"). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and provisions of the Act shall prevail.

Indian Financial Technology and Allied Services. ("IFTAS") strives to provide a professional work environment free of sexual harassment, exploitation, and intimidation. IFTAS believes that a Company's success is based on its people. Treating each other with respect and dignity and expecting everyone to promote a sense of personal responsibility is the prime objective.

This Policy on 'Prevention of Sexual Harassment' of women, intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

This Policy does not prejudice any rights available under the Protection of Human Rights Act, 1993, or any other legislation.

2 Definitions & Abbreviations

- I. **Sexual harassment** may occur not only where a person uses sexual behavior to control, influence or affect the career, salary, or job of another person, but also between co-workers. "Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication):
 - a) Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
 - i. Physical contact and unwelcome advances;
 - ii. Demand or request for sexual favors;
 - 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 behavior 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.

General and reasonable person standards are 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 person committing such an act but on the experience of the aggrieved woman.

- II. **Aggrieved Women:** 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. [Section 2(a) of the Act]
- III. **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman. [Section 2(m) of the Act]
- IV. **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 coworker, a contract worker, probationer, trainee, apprentice or by any other such name.[Section 2(f) of the Act]
- V. **Workplace:** In addition to the place of work [Head office, Branch offices, DC etc.] it shall also include any place 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 IFTAS, including transportation provided for undertaking such a journey. Workplace also deems to include "Extended Workplace" recognized and defined by law. [Section 2(o) of the Act]
- VI. **Employer:** A person responsible for management, supervision, and control of the workplace. [Section 2(g) of the Act]
- VII. **IFTAS Management:** For the purpose of this policy, CEO and COO of IFTAS.
- VIII. **Management Committee:** SVPs, COO and CEO of IFTAS.
- IX. **NRC:** Nomination and Remuneration Committee

3 Responsibility

- I. **Responsibilities of Individual:** 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 behavior;
 - c. Acting as a witness if the person being harassed decides to lodge a complaint;
 - d. Any employee who attempts to abuse the policy and make false or frivolous complaints shall be subject to strict disciplinary action including termination of employment. IFTAS may at its discretion initiate legal proceedings as it deems fit.

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors 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 behavior.

- II. **Responsibilities of Managers:** All Managers at IFTAS must ensure that nobody is subjected to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; those complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.
- If an employee approaches you with a complaint, please guide her to the proper procedure for registering the complaint;
 - Often the employee may not want to make a formal complaint but may seek your advice on how to deal with a situation. Please give the person a patient hearing and guide the individual;
 - Do not initiate an enquiry on your own;
 - When approached by an employee avoid making quick judgements as to the rights and wrongs of the situation and do not cross-examine the individual;
 - Protect the privacy of the employee and treat her in a manner that communicates respect for her feelings and dignity;
 - Be conscious of your position and power to impact the wellbeing of the subordinate and the decisions she may take.

4 Redressal Mechanism

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 recorded in writing by the receiver of the complaint and signature of the complainant will be obtained.

4.1 Internal Complaints Committee (Henceforth known as 'Committee')

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

The **Committee** at each location as per Section 4 of the Act comprises of:

- **Presiding Officer:** A woman employed at a senior level in the organization or 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 are women.

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 IFTAS management in implementing appropriate action.
- Maintaining strict confidentiality throughout the process as per established guidelines.
- Submitting annual report in the prescribed format. (Section 21 of the Act)

Current nominated members of the Committee are given in **Annexure I**.

Prescribed Format for submitting the annual report is given in **Annexure II**.

4.2 Lodging a Complaint

The complainant needs 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 these 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 woman for making the complaint in writing.

If the aggrieved woman is unable to lodge the complaint on account of her incapacity, the following may do so on her behalf, **with her written consent** [Section 9 of the Act and RULE 6 of the Sexual Harassment of Women at Workplace (Prohibition, Prevention and Redressal) Rules, 2013]:

Physical Incapacity

- Legal heir, relative or friend; or
- Co-worker; or
- Any person having the knowledge of the incident; or
- Any officer of the National Commission for Women or State Women's Commission;

Mental Incapacity

- Relative or friend; or
- A special Educator; or
- A qualified psychiatrist or psychologist; or
- The guardian of authority under whose care the woman is receiving treatment or care; or
- Any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist, or guardian or authority under whose care she is receiving treatment or care.

If the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has the knowledge of the incident, with her written consent and where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

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, IFTAS ensures that all the complaints of harassment are dealt speedily, discreetly, and as close as possible to the point of origin.

4.3 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 to be kept in mind by the receiver of the complaint:

- Complaints are listened to, and the complainant is informed and assured that IFTAS takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate Committee and follow up will be done speedily.
- Situations are not pre-judged. Written notes are taken while listening to the person. Complainant is allowed to bring another person to the meeting if they wish. When taking accurate notes, complainant's own words, where possible, is used. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant.
- All notes are kept strictly confidential. Complainant's consent is taken to allow proceeding with 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 learn of the complainant's identity

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

4.4 Resolution procedure through conciliation

Once the complaint is received, before initiating the inquiry the Committee may take steps to conciliate the complaint between the complainant and the respondent. **This is only if requested by the aggrieved woman.**

It is made clear to all the parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.

In case a settlement is arrived at, the Committee records & reports the same to the IFTAS management for taking appropriate action. Resolution through conciliation happens within **2 weeks** of receipt of complaint.

The Committee provides copies of the settlement to complainant & respondent. Once the action is implemented, no further inquiry is conducted.

4.5 Resolution procedure through formal inquiry

4.5.1. Conducting Inquiry

The Committee initiates the inquiry in the following cases:

- No conciliation is requested by aggrieved woman;
- Conciliation has not resulted in any settlement;
- Complainant informs the Committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent.

4.5.2. Manner of inquiry into complaint

- Complainant to submit the complaint along with supporting documents and the names of the witnesses.
- Upon receipt of the complaint, the committee sends 1 copy of the complaint to respondent within 7 working days. Respondent replies with all supporting documents within 10 working days of receiving the copy of the complaint.

- No legal practitioner can represent any party at any stage of the inquiry procedure.
- The Committee makes inquiry into the complaint in accordance with the principles of natural justice.
- In conducting the inquiry, a minimum of three Committee members including the Presiding Officer is present.
- The Committee is entitled to elicit all forms of evidence required as a part of its inquiry and investigation. The concerned party shall co-operate. All submissions are treated as confidential.

4.5.3. Interim relief

During pendency of the inquiry, on a written request made by the complainant, the Committee may recommend to the IFTAS management to –

- Transfer the complainant or the respondent to any other workplace.
- Grant leave to the aggrieved woman 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 IFTAS management will inform the Committee regarding the same.

4.5.4. Termination of Inquiry

Committee may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without reason. 15 days written notice to be given to the party, before termination or ex-parte order.

4.5.5. Inquiry procedure

All proceedings of the inquiry shall be documented. The Committee shall interview the respondent separately and impartially. Committee shall state exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc. Detailed notes of the meetings are prepared which may be shared with the respondent and complainant upon request. Any witnesses produced by the respondent are also interviewed & statements are to be taken.

If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements.

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

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

Irrespective of the decision of the Committee after investigation of a compliant made in good faith, the complainant or any other person lodging the complaint or providing information or a witness to the act of sexual harassment shall be protected against any form of retaliation. While dealing with complaints of sexual harassment, the Committee shall ensure that the complainant or the witness are not victimized or discriminated by the respondent. Any unwarranted pressures, retaliatory or any other type of unethical behavior from the

respondent against the complainant while the investigation is in progress to be reported by the complainant to the Committee as soon as possible. Disciplinary action will be taken by the Committee against any such complaints, if found genuine.

4.5.6. Considerations while preparing inquiry report

While preparing the findings/recommendations, following are considered:

- whether the language used (written or spoken), visual material or physical behavior 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 e.g., if there have been any previous accounts of harassment pertaining to the respondent;
- both the parties have been given an opportunity of being heard; and
- A copy of the proceedings is made available to both the parties enabling them to make representation 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 on the findings to the Committee.

4.5.7. Action to be taken after inquiry

Post the inquiry the committee submits its report containing the findings and recommendations to the IFTAS management, within 10 days of completion of the inquiry.

The findings and recommendations are reached from the facts established and is recorded accurately.

If the situation so requires, or upon request of the complainant, respondent or witness, IFTAS Management may decide to take interim measures such as transfer, changing of shift, grant of leave etc. to protect against victimization or distress during or subsequent to the course of inquiry, pending the final outcome.

4.5.8. Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the IFTAS management 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 will be disadvantaged within the company.

4.5.9. Complaint substantiated

Where the Committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the IFTAS Management to take necessary action for sexual harassment as misconduct, and this may include:

- i. Counseling; and /or
- ii. Censure or reprimand; and /or
- iii. Apology to be tendered by respondent; and /or
- iv. Written warning; and /or
- v. Withholding promotion and/or increments; and /or
- vi. Suspension; and /or
- vii. Reduction in hierarchical level; and /or

- viii. To deduct from the salary or wages of the respondent such sum as it may be considered appropriate and as it may determine, in accordance with the provisions of section 15 of the sexual harassment of women at workplace act, 2013; and /or
- ix. Lodging of a complaint with the relevant authority if an offence under the Indian Penal Code is, Prima facie, made out; and /or
- x. Termination; and /or
- xi. Or any other action that the Management may deem fit.

The IFTAS management acts upon the recommendations within **60 days** and confirm to the Committee.

Post implementation of the actions, follow up with the complainant occurs to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring. This follow up is undertaken by the complainant's Line Manager supported by HR.

4.5.10. Malicious Allegations

Where the Committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the 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 be recommended to IFTAS management to take action against the woman or the person making the complaint.

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. (Section 14 of the Act)

4.5.11. Confidentiality

The identity of the complainant, respondent, witnesses, statements, and other evidence obtained in the course of inquiry process, recommendations of the Committee, action taken by IFTAS is considered as confidential materials, and not published or made known to public or media.

Any person contravening the confidentiality clauses is subject to penalty as prescribed in the Section 17 of the Act.

4.5.12. 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 and rules, within 90 days of the recommendations being communicated. (Section 18 of the Act)

5 Awareness Sessions

IFTAS shall organize awareness sessions to:

- Widely disseminate this policy for prohibition, prevention, and redressal of sexual harassment at the workplace and remove underlying factors that contribute towards a hostile work environment against women.
- Use modules developed by the State Governments to conduct workshops and awareness programs for sensitizing the employees with the provisions of the Act.
- Declare the names and contact details of all the Members of the Committee.
- Carry out orientation programs and seminars for the Members of the Committee.

6 Publication of the policy

The HR of IFTAS shall ensure that this Policy is known to all employees. A copy of the Policy shall be uploaded on the internal portal and Website of IFTAS.

7 Review Process

The Policy shall be put through a review process in any of the following instances (i) A regular annual review process (ii) Policy or changes to the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" (iii) Any external triggers like mergers and acquisitions with another entity (iv) any other change in working conditions that is likely to impact the said policy.

Review Process:

- Depending on the scenarios as listed above, IFTAS HR Team will initiate the policy review and suggest draft policy changes to the Management Committee for review.
- Post review, Management Committee shall submit the same through CEO to the NRC for their advice.
- The changes, if any, to be incorporated as deliberated before the final policy is put up to the Board for their approval.

CERTIFIED COPY

S. Shende

SHRI SACHIN SHENDE

CEO & DIRECTOR

DATE: 1st April 2022.