

PREVENTION OF SEXUAL HARASSMENT (POSH) POLICY

Version 1.0

Document Name	Prevention Of Sexual Harassment (POSH) Policy
Prepared By	Corporate HR
Recommended By	Vice President HR
Approved By	Managing Director & CEO
Version #	1.0
Effective Date	1-Dec-2023

REVISION HISTORY

The revision history table below provides record of all revisions made to this document throughout its life cycle. Updates are tracked by the date of the revisions were made, the version number, a brief description of the changes made and reasons as well as the name of the reviser and approver.

Effective Date	Version #	Change Description/ Reason	Prepared By	Reviewed By	Approved By

1) **OBJECTIVE**

At IREP Credit Capital (IREP) we are committed to create a safe work environment that is free from any form of sexual harassment and where all employees are treated with dignity and respect. We are dedicated to maintaining an environment that is free from coercion and intimidation.

In line with this belief, we at IREP Credit Capital and at IREP Dhan (hereby both referred to as IREP) have adopted certain procedures and guidelines to govern cases against sexual harassment. These procedures have been provided below in IREP's policy against sexual harassment ("policy").

All allegations of sexual harassment shall be taken seriously by the organization and shall be governed by this Policy.

This policy extends to all employees of IREP Credit Capital and IREP Dhan and is deemed to be incorporated in the service conditions of all employees and comes into immediate effect. The POSH policy at IREP is also a gender-neutral policy.

2) **DEFINITION**

Any behaviour (physical, verbal, written, graphic, electronic, emotional, psychological or through gestures that offend) which has been defined as inappropriate by the policy, whether intentional or not, which offends the dignity of the person towards whom the behaviours is directed by fellow employee/s, supervisor/s, customer/s or suppliers will be considered as sexual harassment and shall invite serious consequences or disciplinary action.

Sexual harassment would mean and include (whether direct or by implication) but not limited to any of the following:

- i. Unwelcome sexual advances, request or demands for sexual favours, either explicitly or implicitly, in return of employment, promotion, examination or evaluation of a person towards any IREP activity
- ii. Advances involving verbal, nonverbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stories, physical contact or molestation, stocking, indecent exposure, sounds, display of pictures, intrusive questions about a person's private life or body, signs, insults or taunts based on sex, obscene communication, verbal or nonverbal communication which offends the individual's sensibilities and affects his or her performance
- iii. Eve teasing, innuendos and taunts, unwelcome invitations to go out, suggestive comments or jokes, physical confinement against one will or likely to intrude upon one's privacy.
- iv. Act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex or interfering with their work.
- v. Humiliating treatment likely to affect the health or safety of a person belonging to the other sex.

- vi. Conduct of such an act at workplace or outside in relation to an employee of IREP during the course of employment
- vii. Any unwelcome gestures by an employee having sexual overtones.
- viii. Physical contact and advances
- ix. Demand or request for sexual flavours
- x. Suggestive comments or jokes
- xi. Sexually coloured remarks
- xii. Staring, leering or unwelcome touching.
- xiii. Showing pornography
- xiv. Any unwelcome sexual activity tied to employment decision or benefits.
- xv. Any other unwelcome physical verbal or nonverbal conduct of a sexual nature
- xvi. Implied or explicit threat of detrimental treatment in their employment arising due to sexual harassment.

Sexual harassment may occur as a single incident or a series of incidents. The following circumstance, among other circumstances, if they occur or are present in repetition to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

- a. Implied or explicit promise of preferential treatment in employment
- b. Implied or explicit threat about the present or future employment status
- c. Implied or explicit threat of detrimental treatment in employment
- d. Interference with work or creating an intimidating or offensive or hostile work environment.
- e. humiliating treatment likely to affect the health or safety of the employee.

Workplace includes:

- i. All offices, branches or other premises where Company's business is conducted.
- ii. All company related activities performed at any other site, away from Company's premises.
- iii. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.
- iv. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such a journey.

Who is an Aggrieved Person at a Workplace

A person, of any age or gender, whether employed or not who alleges to have been subjected to any act of sexual harassment by the respondent.

Who is a Respondent:

A person against whom a complaint of sexual harassment has been made by the aggrieved person under this policy.

3) APPLICABILITY

- All employees of IREP (Including employees on contract, on third party rolls)
- All customers, suppliers and contractors of IREP
- All third parties associated with IREP at work or involved in work related activities.
- The complaint as well as the respondent maybe a man or a woman
- The complaint need not be of the opposite sex.

- The complaint does not have to be the person harassed but could be anyone affected by offensive conduct.
- The respondent can be anyone including the complaint's supervisor/ an agent / contractor/ customer/ client/ 3rd party associated with IREP/ or any other employee of IREP.
- It may occur at the workplace or any other place where the employee is engaged in work related activities.
- It may occur with IREP employee/s deputed to client sites.
- It may occur without economic injury to the complainant.

4) INTERNAL COMMITTEE (IC) FORMATION

Complaints of sexual harassment shall be dealt with by the internal committee (IC).

Internal complaints committee constituted in accordance with this Policy:

- i) The IC should comprise of the following members to be nominated by IREP (and not less than half of its members should be women)
 - (1) Presiding officer (compulsory women employed at a senior level)
 - (2) Not less than 2 Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
 - (3) 1 Member from amongst non- governmental organisations or associations committed to the cause of women or a person familiar with the issues related to sexual harassment.
 - (a) The Member appointed from amongst the non- governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the IC, by the employer, as may be prescribed.
- ii) The Presiding Officer and every Member of the IC shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.
- iii) Where the Presiding Officer or any Member of the IC:
 - (1) Contravenes the provisions of Section 16; or
 - (2) Has been convicted for an offense or an inquiry into an offense under any law for the time being in force is pending against him / her; or
 - (3) She / he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him or her; or
 - (4) Has so abused his or her position as to render their continuance in office prejudicial to the public interest, such Presiding officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nominee in accordance with the provisions of this section.

5) REDRESSAL PROCEDURE AND MECHANISM

- a) Complainant may submit a complaint in writing and inform any IC member.
- b) Complainant must be made by the complaint to any of the IC member within 3 (three) months from the date of the incident.
- c) Provided that where such complaint cannot be made in writing, the Presiding Officer or any member of the IC or the Chairperson or any member of the Local Committee, as the case may be, shall render all reasonable assistance for making the complaint in writing.

- i) Provided further that the IC or, as the case may be, the local committee may, for the reasons to be recorded in writing, extend the time limit not exceeding 3 months, if it is satisfied that the circumstances were such which prevented the Aggrieved Person from filing the complaint within the said period.
- d) The IC, if find reasonable may further extend the time period for making a complaint to a further period of 3 (three) months.
- e) Complaints can be made in person via phone or e-mail or letter to the Presiding officer or any of the committee members. Any oral communication should be followed up with a written communication.
- f) Where the aggrieved person is unable to make a complaint on account of his / her physical or mental incapability or death or otherwise, their legal heir may make a complaint in writing to the IC.
- g) The onus of lodging the complaint rests with the person aggrieved and such complaint shall be in writing to the IC at the earliest point of time.
- h) If the employee is working outside the office of IREP; that is; in client place or extended workplace, one may also lodge a complaint with the IC members.
- i) **In case it is found that any employee has lodged a false complaint, after the inquiry, the IC can take action against such person as deemed necessary; including but not limited to termination of employment.**
- j) Every employee who threatens or intimidates any person who has made a complaint under this policy, or any witness thereof shall be liable for disciplinary action as per the rules of the organization
- k) In case a complaint against any Member of the IC, the complaint can be made to the Head Human Resources Office of IREP

6) LODGING A COMPLAINT

- a) Employee can raise complaint by sending email to posh@irepglobal.com
- b) The complainant needs to submit a detailed complaint, along with any documentary evidence available or name/s of witnesses, to any of the IC member at the workplace.
- c) The complaint must be lodged within three months from the date of incident/ last incident.
- d) IC can extend the timeline by another 3 (three) 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 Committee shall render all reasonable assistance for making the complaint in writing.

7) CONCILIATION AND INFORMAL COMPLAINT REDRESSAL PROCEDURE

- a) IC shall meet within 3 (three) working days of filing of the complaint, to examine the complaint made.
- b) At the start of initiating the inquiry, and at the request of the complaint, IC shall settle the matter between the complainant and the respondent/ accused through conciliation.
- c) In case, the IC, after making sure that the aggrieved person is not open to conciliation on account of any force/ threat/ promise, will take steps towards settling the matter between the Aggrieved Person and the Respondent. This will be done through the process of separate and/ or joint meetings. During the process of

conciliation, the IC will endeavour to resolve the matter and reach amicable resolution.

- d) The mutual discussion will be considered based on the gravity of the misconduct as construed by the aggrieved person and their consent to the adopt conciliation process.
- e) Such conciliation should in no case include any monetary settlement.
- f) The IC will record the terms of settlement acceptable to the Aggrieved Person and the Respondent and file a closure report with the Organization to take further action as recorded in this settlement.
 - i) Copies of the settlement shall be provided to the Aggrieved Person, complainant and the Respondent.
 - ii) All persons involved in the conciliation will maintain the dignity and confidentiality of the person involved.
 - iii) The Aggrieved Person will have the right to withdraw from the conciliation process by stating the reasons for withdrawal to the IC.
- g) Head Human Resources Office and/ or the legal team Member of IC shall implement such recommendations and send a report of such recommendations within 15 (fifteen) days to IC.
- h) On conciliatory settlement being attained, no further inquiry shall be conducted by the IC.
- i) If any of the terms mentioned in the settlement are not complied by the Respondent, the IC shall proceed to impose such disciplinary action as deemed fit.

8) RELIEF TO COMPLAINANT DURING PENDENCY OF INQUIRY

During the pendency of inquiry of the complainant, an upon request being made by the complainant, the IC to proceed with any of the following:

- (a) Give complainant work from home upto 3 months.
- (b) Transfer the complainant or the respondent to any other workplace.
- (c) Restraining respondent from reporting on the work performance of the complainant
- (d) Restrain the respondent from supervising any academic activity or evaluation of the complainant.
- (e) The head of human resources at IREP shall decide upon the same within 7 (seven) days of recommendation being received from the IC.

9) FORMAL COMPLAINT REDRESSAL PROCEDURE AND MANNER OF INQUIRY

- a) Where a complaint is received by the IC and the complainant opts for a formal recourse, the IC members shall within 3 (three) working days of receiving the complaint, interview both the parties and record findings of the incident (in case no settlement has been reached between the complaint and the respondent)
- b) While conducting the inquiry, a minimum of 4 (four) members of the IC including the Chairperson and External member shall be present and a majority of the members shall be comprising of women members.
- c) IC member shall discuss the complaint and the report shall be submitted to the Chairperson for her/ him to scrutinize the findings in support of the complainant contentions.
- d) IC shall give an opportunity of being heard and of making representations before the IC to the respondent.

- e) Copies of the findings shall be made available to both the employees (complainant and respondent) enabling them to make representations against the findings.
- f) The IC shall make inquiry into the complaint in accordance with principles of natural justice.
- g) IC to document all investigations and findings in writing.
- h) The IC shall have the same powers as that of a Civil Court as per the provisions of the Civil Procedure Code, 1908, including the following:
 - a) Summon and enforce the attendance of any person and examining him or her own oath.
 - b) Require discovery and production of documents and
 - c) Any other matter which may be prescribed
- At the time of filing the complaint, the complainant shall submit copies of complaints along with supporting documents and address of witnesses.
- **IC shall send a copy of the complaint received from the aggrieved to the responded within 7 (seven) days of receiving such complaint.**
- **Respondent shall file a reply to the complainant and supporting documents within 10 days of receiving the document/s**
- The IC may terminate the inquiry proceedings, if the complainant or the respondent fails to present himself/ herself before the chairperson of the IC for 3 (three) consecutive hearings; provided, a 15 (fifteen) days' notice shall be given for such termination or cancellation. In case no settlement is arrived at, the IC may summon and enforce the attendance of any person and examining him/ her and require discovery and a production of documents.
- The internal committee shall give an opportunity to complainant and respondent of being heard and make representations before the IC
- IC shall prepare its report and submit it to CEO & MD within 90 days.

10) INQUIRY REPORT

- The IC shall provide a report of its findings to the Organization within 10 days from the date of completion of the inquiry.
- Where the IC finds that no action is required to be taken, there it shall communicate the same to the Organization.
- Where the IC concludes that the allegation made by the complainant is true, it shall recommend to the Organization:
 - i. To take action for sexual harassment as per the service rules; or
 - ii. To deduct from the salary of the employee as it may consider appropriate to be paid to the aggrieved; or
 - iii. Isolation shall act within 60 (sixty) days of receipt of recommendations from the IC.

11) DISCIPLINARY ACTIONS AND COMPENSATION

- i. Where the IC arrives at the conclusion that the allegation against the respondent has not been proved it shall recommend to the organization that no action is required to be taken against the respondent.
- ii. The nature and severity of the action against the accused will be in direct proportion to the seriousness of the offence. The IC, in case if it finds that the allegations

against the respondent to be true, shall recommend to the Organization to take action against the respondent for the misconduct as deemed fit.

- iii. To deduct from the salary/ wages of the respondent such compensation as deemed by it to be paid to the female member/ complaint or her legal heir or direct the respondent to pay the amount.
- iv. Shall be determined by the internal company keeping in mind the following criteria/s:
 - a. Mental trauma, pain, suffering and emotional distress caused to the aggrieved employee.
 - b. Loss of career opportunity due to the incident of sexual harassment
 - c. Medical expenses incurred by the employee for physical or psychiatric treatment.
 - d. Income and financial status of the respondent
 - e. Feasibility of such payment in lump sum or in instalments.
- v. Such disciplinary action shall include, but not be limited to the following:
 - o A letter of warning that will be placed in the personal file.
 - o Written apology, warning, reprimand, withholding of promotion, withholding of pay raise or increments, undergoing counselling sessions, carrying out community services.
 - o Immediate transfers or suspension with or without pay.
 - o Dismissal/ termination from the services of IREP (wherein the respondent shall not be paid any compensation for the notice); or
 - o Any other action as deemed fit by the Organization.

The organization shall act upon the recommendations made by the internal committee within 60 (sixty) days of receipt.

In case the organization is unable to make such deductions from the respondents' salary/ wages due to his being absent from the duty or cessation of employment it may direct the respondent to pay such compensation to the female member.

In case the respondent fails to make the payment as directed by the organization then the internal committee may forward the order for recovery of sum as an arrear of land revenue to the concern district officer.

For complaints, which the IC considers falling outside its jurisdiction, for example offense of a criminal nature, the applicant law of India shall apply.

12) MALICIOUS ALLEGATIONS

Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved 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 person making the complaint.

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

13) APPEAL

Any party not satisfied or further agreed to by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Acts and rules, within 90 days of the recommendations being communicated.

14) TERMINATION OF INQUIRY

IC may terminate the inquiry or give an ex-parte decision, if the committee doesn't find any merit in complaint or if the complainant or respondent respectively is absent of three consecutive hearings, without reason. 15 days written notice to be given to the party, before termination or ex-parte order.

15) CONFIDENTIALITY

- a)** Individuals involved in the complaint process/ system should refrain from divulging the details of the complaint or any information gathering by them during the course of the inquiry and the identities of the persons involved in the case should not be disclosed.
- b)** Any breach of confidentiality will be taken seriously and the implications of which shall be disciplinary action as per the rules of IREP.
- c)** Provided that information may be disseminated regarding the justice secure to any victim of sexual harassment under the Act without disclosing the name, address, identity or any other particulars that lead to the identification of the aggrieved person and witnesses.
- d)** **Involved parties breaching the confidentiality provision shall in addition to the above be liable to penalty. IREP shall recover a sum of INR 10,000 (Indian Rupees Ten Thousand) as penalty from such person.**

16) DUTIES OF THE EMPLOYER

- a)** To provide a safe working environment to all persons at the workplace
- b)** Organize workshops or training programs to educate employees.
- c)** Provide necessary facilities to IC for dealing with complaints and conducting inquiries.
- d)** Assist in securing attendance of respondents and witnesses before the IC.
- e)** Provide assistance to a woman if she chooses to file a complaint under the Indian Penal Code or any other applicable law.
- f)** Cause to initiate action, under the IPC (45 of 1860) or any other law for the time being in force, against the predator, or if the complainant so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place.
- g)** Treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct

- h) Monitor timely submission of reports by the IC.
- i) Provide assistance to internal committee for conducting inquiries into complaints made against sexual harassment.

17) DUTIES OF THE EMPLOYEE

- a) Abstain from committing acts amounting to sexual harassment whether explicit or implied resulting in unwelcome behaviours or creating hostile environment.
- b) Report incidents of sexual harassment without fear or favour
- c) It is the responsibility of all to respect the right of others and to never encourage harassment. it can be done by:
 - i) Refusing to participate in any activity which constitutes harassment.
 - ii) Supporting the person to reject unwelcome behaviour.
 - iii) Acting as a witness if the person being harassed decides to lodge a complaint.
- d) 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 behaviours.

18) DUTIES OF THE MANAGEMENT

- a) Management must create an environment where all employees are treated with dignity and respect. Maintain an environment that is free from coercion and intimidation.
- b) They must ensure that all employees understand that harassment will not be tolerated, that complaints will be taken seriously, and that complainant, respondent/s or witnesses are not victimized in any way.
- c) Take action as recommended by the committee.
- d) Overall process and policy ownership
- e) Ensure policy is communicated to all employees.

19) DUTIES OF THE INTERNAL COMMITTEE (IC)

- a) The IC members to meet once in every quarter and review the measures taken by the Company, to suggest enhancing the measures taken by the company to prevent any type of sexual harassment at workplace and recommend remedial measures.
- b) Conducting enquiries in accordance with the procedures set out further below and ensuring compliance with the Act in all actions taken under, or in connection with, this Policy.
- c) The IC shall handle complaints in a confidential manner and within a time bound framework.
- d) The IC shall be objective and will respect the dignity and confidentiality of the persons involved.
- e) Understand and determine if the complaint falls under the sexual harassment purview and then proceed further.
- f) **A quorum of 3 (three) members including the Presiding Officer is required to be present for the proceedings to take place of the IC provided the majority shall comprise of women members.**
- g) The IC shall prepare an annual report and submit it to the Board. The Annual Report shall have details of complaints received, action taken by the internal committee in respect of the set complaints, the number of cases in which the allegations made by the aggrieved have been proved and not proved. The annual report should also include the recommendation sent by the committee to the management for

enhancing the measures taken for prevention and redressal of complaints of harassment

- h) If the complaint is on a location or site head or an or on an IC member, then direct the complaint to the Head HR officer for further steps
- i) If the aggrieved so desires, help to resolve the dispute on mutually agreed terms. No monetary settlement shall be made as a basis of dispute resolution. Based on the agreement arrived, recommended to the IC
- j) In case of formal inquiry process, help or support the agreed to put the case in writing.
- k) Hold a detailed inquiry into the proceedings and document the procedures.

20) PREPARATION OF REPORT

- a) The IC shall prepare an annual report which shall be placed before the board and submit the same to the district officer (a summary of which shall be submitted to the State Government) which shall include the below details:
 - i) Number of cases of sexual harassment received in a year.
 - ii) Number of complaints disposed off in a year.
 - iii) Number of cases pending for more than 90 (ninety) days
 - iv) Number of workshops/ campaign/ awareness programs carried out against sexual harassment.

21) EVALUATION OF THE POLICY

- a) The Policy shall be evaluated so that any amendments required may be recommended by the redressal committee to the CEO/ MD based on their experience of dealing with complaints.
- b) The policy will be flexible to amendments to address situations that the policy may not have covered at the onset.