

Policy for Prevention of Sexual Harassment at Workplace

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Policy Statement

Objectives

1. Chubb Business Services India LLP ("Chubb India") refers to Chubb's Shared Services Centre in India and is collectively referred to as the "Company" in this policy document. This policy is committed to providing all its employees an environment free from gender-based discrimination and harassment. In furtherance to this commitment, the Company strives to provide all its employees an equal opportunity condition of employment, free from gender-based coercion, intimidation, or exploitation. It also aims to create a work environment where everyone has an opportunity to fully participate in achieving business success and is valued for the distinctive skills, experiences and perspectives she or he brings to the workplace. The Company has zero tolerance for harassment, intimidation or humiliation of a sexual or gender-based nature in the workplace, and is dedicated to ensure enactment, observance and adherence of guidelines and best practices that prevent and prosecute acts of sexual harassment.
2. Sexual harassment including discrimination or intimidation of a sexual gender-based nature by or towards any employee in the workplace will not be condoned. The Company will not tolerate retaliation in any form against personnel for raising sexual harassment complaints or concerns.
3. This policy applies to all allegations of sexual harassment made by any employee of the Company against another employee irrespective of whether sexual harassment is alleged to have taken place within the Company premises or in any place visited by such employee for work. If an individual commits an act in violation of this policy, whether an employee of the Company or a third party interacting with the Company, the Company will take appropriate remedial measures under the circumstances, including measures to mitigate the potential repetition, and to discipline any of its employees who may have participated in such conduct, or may have failed to stop such conduct when he or she had actual knowledge of such conduct and the authority to do so.

Definitions and Examples

1. Sexual harassment is defined under this policy as any conduct that is unwelcome and is sexual in nature, whether direct or indirect, including physical contact and advances, a demand or request for sexual favours, making sexually coloured remarks, circulating obscene content by email, SMS or MMS, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature. When any such act or acts are committed in circumstances where such conduct is humiliating and is likely to constitute a health and safety problem, it will amount to sexual harassment that violates this policy.
2. Sexual harassment may occur as a single incident or a series of incidents and may include, but will not be limited to the following which may interfere with an individual's performance by contributing to the creation of an intimidating, hostile or offensive environment:
 - a) Implied or explicit promise of preferential treatment in employment, or
 - b) Implied or explicit threat of detrimental treatment in employment, or
 - c) Implied or explicit threat of detrimental treatment about present or future employment status.
3. Sexual harassment may be of two kinds:

- a) Indirect, also referred to as “hostile work environment” and unreasonably interfering with another’s work performance. Examples include pornography in public places, foul language or jokes of sexual nature, leering or making sexual gestures. This form of sexual harassment does not need to be directed at any employee in particular
- b) Direct, also referred to as “quid pro quo”
Sexual harassment by one in a position of power or influence constitutes direct or quid pro-quo, sexual harassment when:
 - a) Submission by an individual is made either an explicit or implicit term or condition of employment or
 - b) Submission to or rejection of such conduct is used as the basis for employment decisions affecting that employee such as promotion, demotion, salary raises, hiring or termination.
- 4. Retaliation-Retaliation is any adverse action that would discourage an employee from coming forward to make or support a claim of harassment or discrimination. It need not be job-related or occur in the workplace.

Internal Committee (IC)

Constitution and Procedure

- 1. An Internal Committee (IC) will be set up by the Company in accordance with the provisions of law, which will deal with all the cases of alleged sexual harassment escalated to it by any Company employee, to prevent and deal with sexual harassment and to otherwise implement the policy
- 2. Confidentiality: To the fullest extent practicable and consistent with the IC’s need to investigate and ensure that corrective action is taken, all complaints of sexual harassment by employees will be processed with strict confidentiality.
- 3. Filing a complaint: Any aggrieved employee may approach the IC with a complaint of sexual harassment under this policy or send an email to Swapna.Saripalli@chubb.com. The following steps will be followed in this regard:
 - a) A written complaint of sexual harassment is to be filed within a time limit of three (3) months. This may be extended to another one (1) month if the Complainant can prove that grave circumstances prevented them from doing the same within the stipulated time of three months
 - b) An employee making a complaint (“Complainant”) has to give the complaint to the IC in writing along with supporting documents. Names, addresses of witnesses and the said complaint will be afforded confidentiality as per statutory provisions.
 - c) No person against whom a complaint is made shall be part of the Internal Committee (IC)
 - d) Within five (5) working days of the receipt of the complaint, the Internal Committee (IC) has to send a copy of the complaint to the Respondent who will have ten (10) working days to file a reply along with list of documents, names, addresses of witnesses.
 - e) At the first meeting of the IC, the Complainant shall be heard and the IC may, before initiating an enquiry and at the request of the Complainant, take steps to settle the matter between the Complainant and the Respondent through conciliation, provided, there can be no monetary settlement as the basis of conciliation

- f) In case there is no request for conciliation or conciliation attempt fails, the IC shall proceed with the complaint and, if not already informed, approach the Respondent to inform him/her of the allegation in order to start the investigation.

Proceedings of the IC are intended to be an independent, objective and unbiased fact finding body established to investigate any complaints of sexual harassment in a fair, reasonable and time-bound manner in a neutral environment. The Committee shall conduct the enquiry in accordance with principles of natural justice. It will broadly be governed by the following principles in conducting its proceedings:

- A) The IC shall give every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective cases and to ensure that the Complainant and the Respondent have full opportunity to present their claims, witnesses and evidence which may establish or substantiate their claims.
- B) Both the Complainant and the Respondent shall have the right to submit supporting evidence and have the right to bring their respective witnesses, if any to be examined by the IC.
- C) If the Complainant or Respondent fails, without sufficient cause, to be present before the IC for three (3) consecutive hearings, the IC will give a notice of fifteen (15) days to the concerned party before terminating enquiry proceedings or giving an ex-parte decision.
- D) If considered appropriate by the IC, all meetings of the IC including with the Complainant, the Respondent or any witnesses shall be held outside the relevant office at a neutral venue to ensure comfort of parties.
- E) The Complainant, Respondent or any other person that the IC meets with, interacts with or has a teleconference or videoconference with, for the purpose of enquiry into any complaint of sexual harassment shall be bound by strict confidentiality and each party cannot be discussing the same with any third person.
- F) All the proceedings of the IC will be summarized by the Committee. In the event either the Complainant or the Respondent is desirous of submitting a statement in writing or reviewing the summary of discussion prepared by the IC, such statement shall be endorsed by such Party in token of authenticity thereof and submitted to the Committee.
- G) The IC is required to complete the enquiry within a time period of ninety (90) days from the date on which the Complaint is filed by the Complainant.
 - The IC shall complete the enquiry and make a report of its findings and share recommendations and findings with senior management of the company within a period of ten (10) days from the conclusion of the enquiry procedure set out above. The report of the IC shall also include recommendations for the imposition of any penalty and the reasons for such recommendations to the Management.
 - Management shall take action within 30 days of receiving the report
- H) The IC shall annually compile a list of cases in the year and furnish the report to the employer and the district officer. Further the employer shall incorporate the referred report in the Company Annual Report.

Punishment for Sexual Harassment

1. Penalties: If an employee is found to have violated this policy, the Management shall take action as maybe appropriate action for misconduct by the employee under the Company policy. Such actions may include any of the following, or a combination as per statutes:
 - I. Written Apology

- II. Warning
 - III. Reprimand or censure
 - IV. Withholding promotion
 - V. Withholding pay raise
 - VI. Termination of employment
 - VII. Counselling session
 - VIII. Carrying out Community service
2. Compensation: The Committee can also recommend monetary compensation in favour of the Complainant by way of deduction from the salary or wages of the Respondent, in a amount that it may consider appropriate to be paid to the Complainant and in accordance to the law.
 3. As per Indian Penal Code: Respondent can also be subjected to punishment of 3 years simple imprisonment and fine (Section 509 IPC & Section 352 IPC) if confirmed of having committed sexual harassment at workplace.

Appeals

Any person aggrieved by any order passed by the Complaints Committee or the Management may prefer any appeal to the Appellate Committee

Protection against victimization

1. In the event the Respondent is the Complainant's supervisor/ superior, the Company shall during the pendency of the Complaint, ensure that the reporting relationship is suspended and that the Complainant is not subject to appraisal by the Respondent
2. The Company shall strictly prohibit any sort of retaliation against the Complainant or witnesses.
3. Where the Respondent is an outsider, during the pendency of the investigation of the Complaint and even thereafter, if found guilty, the Respondent shall not be allowed to enter the Company premises except for the purpose of attending IC proceedings.
4. In the event, the IC after investigation of the complaint in accordance with the procedure, concludes that the complaint was false, frivolous or made with malafide intention by the Complainant due to personal issues with the Respondent, then the IC shall make such appropriate recommendations to the Management to take action against the Complainant, as may be necessary. Such actions may correspond to those referred in para Punishment for Sexual Harassment (1.)

Modifications and review of the policy

The Company reserves the right to modify and, or, review the provisions of this policy, so as to comply with applicable legal requirements, internal policies, or otherwise with a view to revise the provisions of this policy to the extent deemed necessary by the Company from time to time. Any such changes or modifications may be notified by the Company to its employees in due course.