

ANTI SEXUAL HARASSMENT POLICY

Policy: To prevent sexual harassment at workplace the anti-sexual harassment policy is designed keeping in view that sexual harassment is still endemic, often hidden, and present in all kinds of organizations. Yet it is still not always viewed as a problem, which has to be systematically tackled. Thus to systematically tackle sexual harassment a policy is constructed at Intelegain technologies Pvt Ltd.

Purpose: The purpose of this policy is to follow the Supreme court Directives and guidelines provided to all kinds of organizations to mandatorily follow it and thus to prevent sexual Harassment at workplace. The purpose of this policy is to undertake a complete investigation of the complaint/ incident reported, to provide support to victim of such harassment and to take disciplinary action against alleged under law.

What is Sexual harassment?

Sexual harassment is a form of sex discrimination. The legal definition of sexual harassment is “**unwelcome** verbal, visual, or physical **conduct of a sexual nature** that is **severe or pervasive** and **affects working conditions or creates a hostile work environment.**”

Unwelcome:

UNWELCOME is the key in defining sexual harassment. It is the impact and effect the behaviour has on the recipient that will define the behaviour as sexual harassment

Supreme Court judgment given in August 1997, for specific protection of women from sexual harassment at work. In 1997, in a landmark judgement, the Supreme Court of India took a strong stand against sexual harassment of women in the workplace. The Court also laid down detailed guidelines for prevention and redressal of grievances. **The National Commission for Women subsequently elaborated these guidelines into a Code of Conduct for employers.**

National Commission for Women has laid down the code of conduct at work place to prevent sexual harassment of women, any act of sexual harassment at workplace would include unwelcome sexually determined behaviour by any person either individually or in association with other persons such as

- Eve teasing,
- Unsavory remarks,
- Jokes that were demeaning to women and causing embarrassment
- Sexual advances or demand for Sexual favors
- Innuendo and taunts,
- Gender based insults
- Sexist remarks and Sexually colored comments
- Unwelcome sexual overtones in any manner,
- Touching or brushing against any part of the body

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- Molestation or displaying pornographic or other derogatory pictures or sayings.
- Sexual innuendo
- Devaluation of women's work
- Use of obscene or vulgar language,
- Comments on appearances and character of women
- Comments about clothing, personal behavior or a person's body
- Gender discrimination and physical and mental harassment at work.

Sexual harassment is, indeed, a serious criminal offence which not only destroys human dignity but also the freedom to work in an efficient manner.

Sexual harassment at workplace is generally classified into two distinct types. 'Quid pro quo', means seeking sexual favours or advances in exchange for work benefits and it occurs when consent to sexually explicit behaviour or speech is made a condition for employment or refusal to comply with a 'request' is met with retaliatory action such as dismissal, demotion, difficult work conditions. 'Hostile working environment' is more pervasive form of sexual harassment involving work conditions or behavior that make the work environment 'hostile' for the woman to be in.

The Supreme court recognizes that Gender equality includes protection from sexual harassment and women's right to work with dignity, which is a universally recognized basic human right. Equality in employment can be seriously impaired when women are subjected to gender specific violence, such as sexual harassment in the work place.

Policy - Procedure

COMPLAINT RESOLUTION

Informal Procedure: In order to assure that further incidents do not occur, employees who believe that they have been subjected to sexual harassment should promptly inform the harasser that such conduct is inappropriate, offensive, and unwelcome. The matter could be reported to immediate manager or advisors (from HR) who could talk to the harasser and informally resolve the problem. If an issue cannot be immediately resolved, the employee would promptly refer the matter or complaint in writing to HR, Director-HR, CTO or CEO. It is at the sole discretion of complainant to get the matter resolved by Informal or Formal procedure (filing complaint in writing).

Formal Procedure: In the event that informal resolution does not result in a satisfactory conclusion, the employee may pursue formal resolution by submitting a written and signed statement. This statement shall include the dates, times, and places of incident(s), a description of the circumstances, and the names of the persons involved and witnesses present. Employees shall have the right to file such complaints without the fear of reprisal or recrimination. Employees engaging in acts of reprisal or recrimination resulting from a complaint of sexual harassment shall be subject to disciplinary action up to and including termination. The HR department/Management



of company shall investigate this complaint in a prompt and impartial manner by taking the following steps:

1. Reviewing the written complaint.
2. A complaint committee is formed to deal with the cases of harassment.
3. Complaint Committee would be interrogating and Interviewing the complainant, alleged harasser, and other relevant parties, such as witnesses and the employee's supervisor.
- 4 Reviewing any pertinent evidences, documents or records.
5. Complaint Committee will prepare a written report regarding the findings and conclusions reached, Recommendations for the disciplinarian action to be taken up to and including termination as may be appropriate, in the event that it is determined that sexual harassment has occurred etc. This report shall be furnished to the Management of the company, complainant, and the alleged harasser.

The severity of the disciplinary action shall be determined by the severity and/or frequency of the offense(s). The complainant and the harasser shall both be notified of the action(s) to be taken. Disciplinary actions taken as a result of this policy may be appealed in accordance with relevant grievance procedures.