

AventIQ, a trademark of Mittal Software Labs Limited

Policy on Prevention of Sexual Harassment (POSH)

Confidential and Restricted

Objective

AventIQ, a trademark of Mittal Software Labs Limited is committed to fostering a safe, equitable, and respectful workplace. This policy aims to prevent, prohibit, and redress sexual harassment at the workplace in compliance with the **Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013** (the "Act"). While the Act primarily safeguards women, this policy extends protections to all employees, promoting inclusivity and respect for all genders, including transgender individuals, as per the **Transgender Persons (Protection of Rights) Act, 2019**.

Scope and Applicability

- **Coverage:**
 - This policy applies to all employees, including permanent, temporary, contractual, and third-party employees.
 - It also applies to interns, trainees, consultants, vendors, and visitors at the workplace.
 - **Definition of Workplace:**
 - The workplace includes all offices, branches, and client sites of AventIQ, a trademark of Mittal Software Labs Limited.
 - It extends to off-site locations, such as official travel, work-from-home arrangements, virtual meetings, emails, and any location where work-related interactions occur.
-

Definitions

- **Sexual Harassment:** Includes unwelcome acts or behaviour (direct or implied), such as:
 - Physical contact and advances.
 - Demand or request for sexual favours.
 - Making sexually coloured remarks.
 - Showing pornography.

- Any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature.
 - **Aggrieved Person:** Any employee, intern, or third-party individual who believes they have been subjected to sexual harassment.
 - **Respondent:** A person against whom a complaint of sexual harassment has been made.
 - **Internal Committee (IC):** A committee constituted to address complaints of sexual harassment, as mandated by the Act.
-

Prohibited Conduct

- Any form of sexual harassment, including quid pro quo harassment and the creation of a hostile work environment.
 - Retaliation against employees who report harassment, participate in an inquiry, or support another employee's complaint.
 - Malicious or knowingly false complaints, while ensuring that inability to substantiate a claim does not constitute malicious intent.
-

Internal Committee (IC)

- **Constitution:**
 - The IC shall consist of:
 - A **Presiding Officer:** A senior woman employee of the organization.
 - At least two members from the organization with experience in addressing sexual harassment issues.
 - An **external member** from an NGO or a legal expert familiar with the Act.
 - At least **50% of IC members must be women.**
- **Tenure:** Members will serve for a maximum of three years from the date of appointment.
- **Responsibilities:**
 - Investigate complaints in a fair and impartial manner.
 - Recommend appropriate action to the employer based on findings.

- Submit an annual report to the employer and the **District Officer**.
 - **Contact Information:** Details of IC members will be displayed prominently at all workplaces and virtual communication platforms.
-

Complaint Process

1. Filing a Complaint:

- Complaints must be submitted in writing to any IC member within three months of the incident.
- If the complainant cannot file the complaint themselves, a legal heir, relative, or colleague may file it on their behalf.

2. Conciliation:

- At the complainant's request, the IC may attempt to resolve the matter through conciliation, excluding monetary settlements.

3. Inquiry:

- If conciliation fails or is not requested, the IC will conduct a formal inquiry within 90 days.
- Both parties will have the opportunity to present their case. Legal representation is not permitted.

4. Report Submission:

- The IC will submit its findings to the employer within 10 days of completing the inquiry.
 - The employer must act on the IC's recommendations within 60 days.
-

Action on Findings

• Proven Allegations:

- Disciplinary actions may include:
 - Written apology, warning, reprimand, or withholding of promotion.
 - Termination or transfer of the respondent.
 - Compensation for the complainant, covering mental trauma, medical expenses, and career loss.

• False Complaints:

- If the IC determines that the complaint was malicious or knowingly false, disciplinary action may be taken against the complainant.
-

Confidentiality

- The identity of the complainant, respondent, and witnesses, along with inquiry details, shall remain confidential.
 - Violations of confidentiality may result in penalties up to ₹50,000 as per the Act.
 - Disclosure is permitted only:
 - By law.
 - To implement the IC's recommendations.
-

Employee Awareness and Training

- **Workshops and Training:**
 - POSH training is mandatory for all employees annually.
 - New employees must complete training within 30 days of joining.
 - **IC Training:**
 - IC members will undergo periodic training to stay updated on legal provisions and best practices.
-

Annual Reporting

- The IC will prepare an annual report containing:
 - Number of complaints received, resolved, and pending for over 90 days.
 - Actions taken.
 - Details of awareness programs conducted.
 - This report will be submitted to the employer and the **District Officer**.
-

Non-Retaliation

- Retaliation against individuals reporting harassment or participating in an inquiry is strictly prohibited.
- Retaliation includes termination, demotion, denial of benefits, or any adverse action.

Appeal Process

- Any aggrieved party may appeal the IC's recommendations to an appellate authority (court or tribunal) within 90 days, as per Section 18 of the Act.
-

Policy Review

- The policy will be reviewed annually to ensure compliance with evolving legal and organizational needs.
 - Suggestions or amendments will be implemented only after legal and compliance team approval.
-

Special Provisions for Remote Work

- This policy applies to virtual meetings, emails, and other forms of digital communication that may constitute workplace harassment.
 - Complaints related to virtual environments will follow the same process as physical workplace incidents.
-

Penalties for Non-Compliance

- The employer may face penalties up to ₹50,000 for:
 - Failing to constitute an IC.
 - Not acting on IC recommendations.
 - Non-compliance with reporting requirements.
-

Approved By: Nikhil Mittal

Effective Date: 01-Jan-2025

Last Updated: 26-Dec-2024