

Anti-Sexual Harassment Policy

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Introduction

Dear Colleagues,

As you are all aware, MicroSave (hereinafter referred to as “MicroSave Consulting”) is deeply committed to building an environment of respect, safety and tolerance at the workplace, and being compliant with applicable local legislations. We understand the damage sexual harassment can cause to individuals and the organization.

Thus, in order to create such a safe and conducive work environment, this Policy has been framed, in line with the provisions of the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” of India (hereinafter referred to as the “Act”) and existing rules framed thereunder namely the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (hereinafter referred to as the “Rules”).

This policy encourages leaders and managers to prevent harassment through establishing a climate of mutual respect among their staff. If problems do occur, the emphasis is on assisting staff to resolve them swiftly and confidentially, while providing a formal process to follow that leads to a desirable outcome.

Thank You

Team MSC Human Resources

MSC's Commitment on Anti-Sexual Harassment

MSC has Zero-Tolerance towards any conduct that could be viewed as sexual harassment. MSC values each and every Employee working with us and wish to protect their dignity and self-respect. In doing so, we are determined to promote a working environment in which persons of both genders complement each other as equals in an environment that encourages maximum productivity and at the same time maintains personal dignity.

The company is committed to ensure that complaints are taken seriously, handled promptly and impartially, and suitable action is initiated. At the same time, we would like to ensure that those who step forward or are appointed as witnesses, in the course of any investigations and proceedings, do not suffer any retaliation.

MSC is committed to promoting and maintaining an open, congenial, healthy and safe environment for all staff and consultants. Founded on the principles of integrity, accountability, commitment and respect, today we remain just as committed to working with the highest standards of ethical conduct and professionalism.

Scope

The Policy applies to all those employed and associated with the Company including short- and long-term consultants, whether for remuneration or not, working on a voluntary basis or otherwise, whether the terms of employment are express or implied; hereinafter referred to as the "Employee". They can be regular, temporary, ad hoc or daily wage basis Employees. They include contract workers, consultants, retainers, probationers, trainees, and apprentices or called by any other such name engaged by the Company. They could be appointed either directly or through an agent including a contractor. The scope of this Policy also extends to any acts of sexual harassment directed against vendors, contractors, customers, agents and suppliers who do business with the Company and/ or visit / interact with the Employees of Company.

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. MSC recognizes that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

All sexual harassment is prohibited whether it takes place within MSC premises or outside, including but not limited to social events, business trips, training sessions or conferences. All parties connected with the Company are mandated to follow this Policy and to work collaboratively to prevent sexual harassment.

This policy does not prevent any aggrieved person from taking recourse to the law of

the land.

What is Sexual Harassment?

Sexual harassment is an unwelcome sexual advance, unwelcome request for sexual favors or other unwelcome conduct of a sexual nature. To elaborate, this includes:

- Any unwelcome, unwanted or unsolicited sexual advance including but not limited to physical contact or advances, requests or demand for sexual favors, either explicitly or by implication in return for employment, promotion, examination or evaluation of a person towards any company activity and/or any unwelcome sexual determined behavior involving verbal, non-verbal or physical conduct such as sexually colored remarks, jokes, letters, phone calls, SMS or email communication, gestures, showing of pornography, leering stares, physical contact or molestation, stalking, sounds, display or pictures, signs, verbal or non-verbal communication which offend the individual's sensibilities and affects his or her performance at the workplace or conduct that may create an intimidating, hostile or offensive working environment. Any conduct of a sexual nature that makes an Employee uncomfortable has the potential to be within the ambit of sexual harassment, including:
 - **Visual conduct:** Leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters, electronic display or dissemination of such material.
 - **Verbal conduct:** Making or using derogatory comments, epithets, slurs jokes, innuendos and taunts, that are of sexual nature.
 - **Verbal abuse** of a sexual nature, graphic verbal commentaries about a person's body, sexually degrading words used to describe a person, suggestive or obscene letters, notes or invitations.
 - **Physical conduct:** Touching, assault, impeding, blocking movements or physical confinement against one's will and likely to intrude upon the individual's privacy.
 - **Unwanted sexual advances** or propositions.
 - **Affecting/ Offering to affect employment status in exchange for sexual favors by:**
 - implied or explicit promise of preferential treatment in their employment;
 - implied or explicit threat of detrimental treatment in their employment;
 - implied or explicit threat about their present or future employment status
 - **Unwanted or unwelcome presence** in an area of occupation by staff or encroachment upon privacy.
 - Making or threatening reprisals after a negative response to sexual advances.
 - Humiliating treatment likely to affect the health and/or safety of an aggrieved person.

What about conduct that is indirect or suggestive?

If the sexually offensive conduct causes harm or suffering to another person in the MSC workplace, or interferes with work or productivity; or creates an intimidating, hostile or offensive working environment, it is covered by this policy even if it is not directed specifically at a particular person.

Pin-ups are an example of this. Another example is lewd conversation within the hearing of someone who is offended.

If the harassment happens at a work-related event such as on MSC business party, it is still covered by the policy. If it happens at an event unrelated to MSC, it may be subject to the countries' anti-sexual harassment law and may be subject to MSC's disciplinary proceedings.

Accounting for cultural differences

Although unwanted, offensive sexual conduct is not acceptable in any culture, people's attitudes to personal space and appropriate topics of conversation naturally vary depending on their cultural and ethnic backgrounds. Therefore each Employee should be sensitive to these aspects.

MSC operates in multi countries and geographies, and we ask that the values of no one particular group dominate the others. To that extent, this policy allows you to decide what you find offensive and to let others know.

MSC globally is committed to following applicable local laws on matters of sexual harassment. For example, in Kenya, all policies and actions will be based on the *Employment Act 2007 & Sexual Offences Act - Chapter 62 A (2014)*, and in India, all policies and actions will be based on the *Sexual Harassment of Women at Workplace Act 2013* and 'Vishakha Guidelines' issued by the Supreme Court of India.

What should you do if you are sexually harassed?

- Do not feel ashamed. Tell the harasser very clearly that you find his/her behavior offensive.
- Do not ignore harassment in the hope that it will stop on its own. Step forward and complain as per the procedure stated in this policy.
- Keep a record of all incidents of sexual harassment. If you feel the need to register a formal complaint later, this record will be helpful.

Reporting Complaints and Escalations

Any Employee who believes he or she has been the target of sexual harassment is encouraged to inform the offending person orally or in writing that such conduct is unwelcome and offensive and must stop.

Formal complaints mechanism- Internal Complaint Committee (“ICC” or “Committee”) as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

In pursuance of the applicable laws and rules made thereunder, MSC hereby adopts the following procedure for determining complaints filed to the Internal Complaints Committee of the company. The procedure complies with the basic principles of natural justice and fair play and has to be adhered to in all complaints, though, in individual complaints, for reasons to be stated in writing, MSC reserves the right to make exceptions to the procedure stated hereunder.

Composition of Internal Complaints Committee

Pursuant to the relevant provisions of the Act, an Internal Complaints Committee (ICC) has been constituted to prevent sexual harassment and to receive and effectively deal with complaints pertaining to the same.

The procedure complies with the basic principles of natural justice and fair play and has to be adhered to in all complaints, though, in individual complaints, for reasons to be stated in writing, the ICC reserves the right to make exceptions to the procedure stated hereunder. Additionally, ICC shall have a right to consider and resolve, any complaints, which may not strictly fall under the scope listed in this policy.

Below is the list of members of the ICC constituted by the Company for its offices at Lucknow, New Delhi and Patna:

#	Name	Designation	Email Id & contact number
1	Ms. Anju Sabharwal	External Member	anju@peoplebridges.co.in Mobile no.: +91 9811054211
2	Ms. Mimansa Khanna	Member	mimansa@microsave.net Mobile no.: +91 9793461666
3	Ms. Shweta Menon	Member	shweta@microsave.net Mobile no.: +91 9076863224
4	Ms. Varnita Sunil	Member	varnita.sunil@microsave.net Mobile no.: +91 9580098326

5	Ms. Parul Tandon	Member	parul@microsave.net Mobile no.: +91-9956211552
6	Ms. Nidhi Kaher	Member	nidhi@microsave.net Mobile no.: +91 9971115312
7	Mr. Vishrant Shukla	Member	vishrant@microsave.net Mobile no.: +91 9956292756

Complaint of Sexual Harassment to ICC

Any aggrieved individual may make, in writing, a complaint of sexual harassment to the Internal Complaint Committee (ICC@microsave.net), within a period of three (3) months from the date of incident and in case of more than one incident, within a period of three (3) months from the date of last incident. The ICC may, for reasons to be recorded in writing, extend such time limit of filing complaint up to further 3 months, if it is satisfied that bonafide circumstances prevented the aggrieved individual from filing complaint within the time limit mentioned hereinabove.

- Where such complaint cannot be made in writing, the Presiding Officer or any other member of the ICC shall render all reasonable assistance to the aggrieved for making the complaint in writing.
- Where the aggrieved individual is unable to make the complaint on account of her/his physical or mental incapacity or death or otherwise, his/her representative, may make a complaint.
- The formal complaint must contain the following:
 - Date and time of the incident
 - The place where it occurred
 - Name and contact information of the accused
 - Name and contact information of witnesses
 - Detailed description of the incident

Please seek assistance from the ICC if you are not sure how to write the complaint.

- The complainant shall submit the complaint in writing accompanied by available supporting documents and relevant details concerning the alleged act of sexual harassment(s) including names and address of witnesses, if any which the complainant believes to be true and accurate.
- Any complaint received by the member(s) should be immediately forwarded to the Presiding Officer, and this must be notified to other committee members at the earliest and not later than 3 days from the receipt of the complaint and a meeting should be called for discussing the matter.

Redressal Process

Conciliation

Before the ICC initiates an inquiry, the complainant may request the ICC to take steps to resolve the matter through conciliation provided no monetary settlement shall be made as basis of conciliation. If a settlement has been so arrived, the ICC shall record the same and forward the same to the Company's HR Head and provide copies of the settlement to the aggrieved individual and the respondent. In such cases, no further inquiry shall be conducted by the ICC.

Inquiry

- In case, where a settlement is not feasible or could not be arrived at through conciliation, the ICC will conduct an inquiry into the complaint. Additionally, an inquiry may also be initiated if the aggrieved person informs the ICC that any terms of settlement has not been complied with by the respondent.
- The ICC within 7 (seven) working days of receiving the complaint shall forward one copy thereof to the respondent for obtaining a response.
- The respondent within 10 (ten) working days of receiving the complaint shall file his/her reply to the complaint along with list of supporting documents, names and addresses of witnesses.
- The Committee shall provide reasonable opportunity to the aggrieved individual and the respondent for presenting and defending her/his case.
- The ICC shall consider the reply from the respondent and initiate an inquiry. The complainant or the respondent to the complaint shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the ICC. ICC shall hear both the complainant and the respondent on date(s) intimated to them in advance and the principles of natural justice will be followed accordingly.
- The Committee may at any time during the enquiry proceedings, preclude the face-to-face examination of the respondent and the aggrieved individual and/or their witnesses keeping in view the need to protect the aggrieved individual or the witnesses from facing any serious health and/or safety problems.
- The Committee may call any person to appear as a witness, if it is of the opinion that it shall be in the interest of justice. The aggrieved individual/respondent has to submit the written reply before the committee within the specified time given.
- The Committee shall have the right to summon, as many times as required, the respondent, aggrieved individual and/or any witnesses for the purpose of supplementary testimony and/or clarifications.
- The Committee shall have the power to summon any official papers or documents pertaining to the aggrieved individual as well as the respondent.
- The past sexual history of the aggrieved individual shall not be probed into as such information shall be deemed irrelevant to a complaint of sexual harassment.
- The aggrieved individual and the respondent shall be responsible for presenting their witnesses before the Committee. However, if the Committee is convinced that the absence

of either of the parties to the disputes is on valid grounds, the Committee shall adjourn that particular meeting of the Committee for a period not exceeding five days. The meeting so adjourned shall be conducted thereafter, even if the person concerned fails to appear for the said adjourned meeting without prior intimation/valid ground.

- All proceedings of the ICC shall be recorded in writing. The record of the proceedings and the statement of witnesses shall be endorsed by the persons concerned as well as the committee members present in token of authenticity thereof. In case the minutes cannot be reduced in writing the same day, as audio recording of the proceedings may be made, and the written proceedings will be authenticated on a next available opportunity.
- If the aggrieved individual desires to tender any documents by way of evidence, the Committee can supply true copies of such documents to the respondent. Similarly, if the respondent desires to tender any documents in evidence, the Committee shall supply true copies of such documents to the aggrieved individual.
- In the event the Committee thinks that supplementary testimony is required, the Presiding Officer shall forward to the persons concerned a summary of the proceedings and allow for a time period of seven days to submit such testimony, in person or in writing, to the Committee.
- The aggrieved individual and the respondent shall have the right of cross-examination of all witnesses. However, such cross-examination shall be conducted in the form of written questions and responses via the Committee only. The respondent shall have no right to directly cross-examine the aggrieved individual or her witnesses.
- The respondent/aggrieved individual may submit to the Committee, a written list of questions that he/she desires to pose to the aggrieved individual/witness. The Committee (ICC) shall retain the right to disallow any questions that it has reason to believe to be irrelevant, mischievous, slanderous, derogatory or gender-insensitive.
- Amicus Curie can be called for helping the committee if and when required.
- Nothing precludes the ICC authority from taking cognizance of any new fact or evidence which may arise or be brought before it during the pendency of the inquiry proceedings or even after the communication of the findings to the HR Head.
- In the event of failure to attend personal hearing before ICC by the complainant or the respondent on three consecutive dates (intimated in advance), the ICC shall terminate the inquiry proceedings or give an ex-parte decision. However, the ICC shall serve a notice in writing to the party (ies), 15 (fifteen) days in advance, before such termination or the ex-parte order.
- The inquiry process shall be completed maximum within the period of 90 (ninety) days from the date of receipt of the complaint.
- The ICC within 10 (ten) days from the date of completion of inquiry shall provide a report of its findings to the HR Head of the Company and such report shall also be forthwith made available to the complainant and respondent.
- Where the conduct of Sexual Harassment amounts to a specific offence under the Indian Penal Code (45 of 1860) or under any other law; it shall be the duty of ICC to immediately inform the complainant of his/her right to initiate action in accordance with law with the appropriate authority, and to give advice and guidance regarding the same. Any such action

or proceedings initiated shall be in addition to proceedings initiated and /or any action taken under this Policy.

- ICC shall have the necessary powers to take suo-motu notice of incidents of sexual harassment and/or gender injustice, falling directly or indirectly under this policy and act against the same in such manner as it deems appropriate.
- The Committee has the powers of a civil court in the following cases:
 - Summoning and enforcing the attendance of any person related to the incident.
 - Requiring the discovery and production of any documents
 - Any other matter relating to the incident as decided by the Committee from time to time

Interim relief

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to:

- Transfer the aggrieved individual or the respondent to any other workplace; or
 - Grant leave to the aggrieved individual of maximum 3 months, in addition to the leave he/she would be otherwise entitled; or
 - Grant such other relief to the aggrieved individual as may found to be appropriate; or
 - Restraint the respondent from reporting on the work performance of the complainant.
- Once the recommendation of interim relief is implemented, the HR Head of the Company shall inform the committee regarding the same.

Appeal

Any person aggrieved by the report of ICC may prefer an appeal to the following Appellate Authority within 90 days from the date on which such report / findings is officially made available to the parties by the ICC:

Scenario I: Where the complainant is a female person-
Concerned Labour Department official(s) as per the Act and the Rules.

Scenario II: Where the complainant is a male person-
'HR Head' of the Company (all offices locations in India); the appeal to 'HR Head' of the Company should be made in writing (including email).

The Company's HR Head will provide adequate right of hearing to both the parties and will come to a decision within 60 (sixty) days from the date of filing of the appeal. However, as these proceedings are completely internal, both parties will be precluded from appointing any legal professional for representing themselves before the HR Head of the Company.

Disciplinary Proceedings

Pursuant to written recommendation of the HR Head of the Company on the basis of report and findings of ICC and subject to the final outcome of the appeal proceedings, if any, necessary disciplinary proceedings may be initiated against the respondent in terms of the applicable provisions of the Code of Business Conduct of the Company.

Confidentiality

This policy and the law prohibit any person including ICC Members from publishing, communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the ICC during the proceedings under the provisions of the Act. Any violation thereto shall also be subject to applicable disciplinary action as outlined in Code of Business Conduct. Further, the HR Head of the Company shall impose monetary sanctions as per provisions of the Act and Rules.

Anti-Retaliation

No action can or will be taken against anyone who raises a concern, reports violation, or anyone who participates in the investigation process as a committee member or witness. Retaliation is a serious violation of this policy. Anyone who believes he/she is a victim of Retaliation should report the matter to the HR Official. Any person found to have retaliated against another individual will be subject to the same or more severe disciplinary action as provided for under this policy.

Improper Complaints

This policy shall not be used to bring false, frivolous or malicious complaints against anyone. Making a knowingly false complaint subjects the complainant to disciplinary or corrective action. While failure to prove a claim of sexual harassment itself does not constitute proof of a false and/or malicious accusation, this policy may not be used for mala fide purposes.

MSC will ensure that neither the victim, the witnesses nor the complainant are victimized or discriminated against while dealing with complaints of sexual harassment. However, anyone who abuses this policy or prescribed process will be subject to disciplinary action.

In the event, the ICC, after investigation of a Complaint in accordance with the procedure prescribed above, concludes that the complaint was false, malicious or made with mala fide intention by the complainant, then the ICC shall make such appropriate decision, in consultation with the Management, against the Complainant, as it may deem necessary.

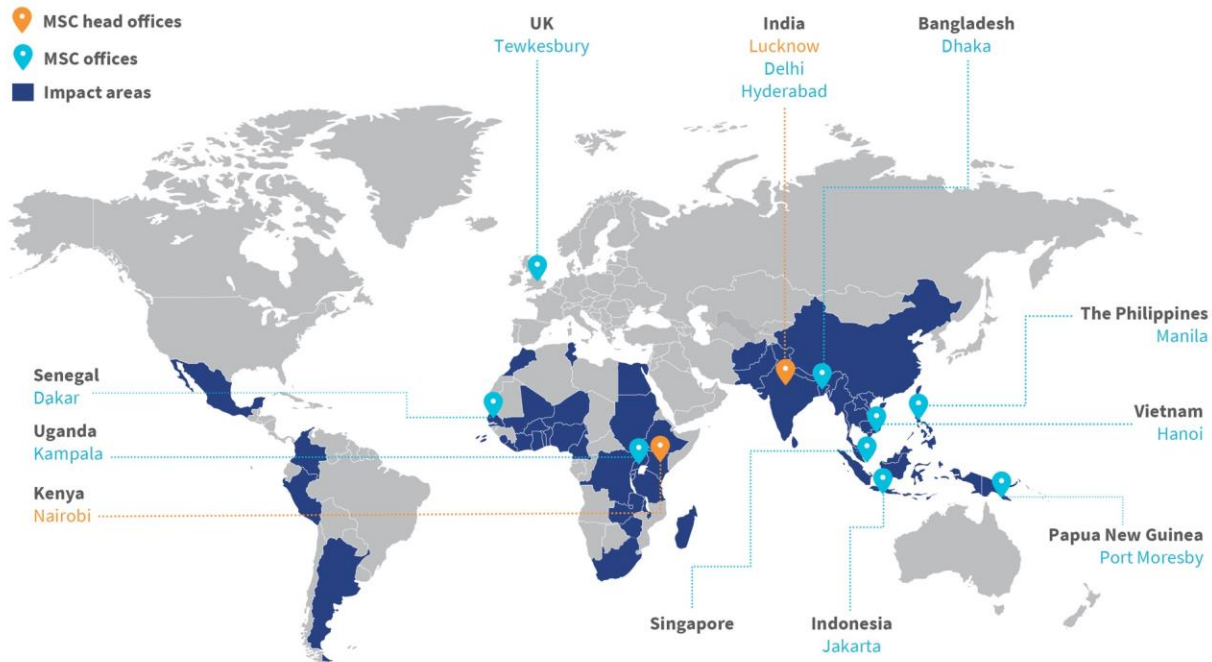
Implementation of this policy

MSC will ensure that this policy is widely disseminated to all the Employee. ICC Members and all employees must be trained on the content of this policy on regular intervals.

MSC will ensure to display at any conspicuous place in the workplace, the penal consequences of sexual harassments: and the order constituting, the Internal Committee.

MSC will organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee.

It is the responsibility of every Domain Leader to ensure that all his/her team members are aware of the policy.



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