Policy: Prohibition, Prevention and Redressal of Sexual Harassment

# PREAMBLE

Protechsoft Systems Pvt Ltd (referred to as "Company") has formulated and implemented this policy on the prohibition, prevention**,** and redressal of incidents of sexual harassment (“Policy”) in order to foster a working environment that is free from sexual harassment, irrespective of gender, religion, race or caste.

# Objective

This policy aims to classify Sexual Harassment (as defined hereafter) at the Workplace (as defined hereafter) as ‘Misconduct’ under the Code of Conduct and Ethics Policy. It establishes a formal process for lodging complaints, making inquiries, and penalizing such Misconduct, as required by relevant and applicable laws.

# Scope and application

## This policy covers all Employees of the Company, regardless of their employment status, when they visit any location related to their work, including transportation provided by the Company. It also applies to both on-site and off-site activities, events, and functions organized by the Company. Additionally, it covers any person, employed or not, who visits the Company's premises. If there are any matters not explicitly addressed in this policy regarding complaints of sexual harassment by a female employee, they will be dealt with according to the provisions outlined in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and the corresponding rules.

## This Policy is deemed to be part of the Employment Agreement and Service Conditions for all Employees.

# Definitions

## “CEO” refers to the Chief Executive Officer of the company.

## “Committee” refers to the Internal Complaints Committee, constituted according to Clause 6 of this policy.

## "Employee" includes persons who provide services to the Company, as well as persons who by virtue of their relationship with the Company, may be considered part of its workforce, whether engaged for remuneration or not. This includes officers, directors, permanent employees, temporary employees, consultants, and contract employees regardless of whether they are engaged with or without the company’s knowledge. It also includes employees belonging to senior management, regardless of their grade or status, as well as interns, trainees, apprentices, or other individuals engaged in voluntary work with the Company.

## “External Member” refers to an independent person familiar with issues relating to Sexual Harassment.

## “Facilitator” refers to the Business Partner of Human Resource Department.

## "Sexual Harassment" at the Premises refers to any unwelcome acts or behaviors, either direct or implied, that involve one or more of the following:

* + - * + Physical contact and advances
        + Demand or request for sexual favours
        + Making sexually coloured remarks
        + Showing pornography
        + Any other unwelcome acts of physical, verbal, or non-verbal conduct of a sexual nature.

## If accompanied by Sexual Harassment, the following may also be deemed to be Sexual Harassment:

* + - * + Implied or explicit promise of preferential treatment in the employment of a person.
        + Implied or explicit threat of detrimental treatment in the employment of a person.
        + Implied or explicit threat about present or future employment status of a person.
        + Interference with the work or creating an intimidating or offensive or hostile work environment for a person.
        + Humiliating treatment likely to affect the health or safety of a person.

## "Victimization" refers to any negative action taken by the Company or an Employee against individuals who, in good faith, report instances of Sexual Harassment, or participate in or witness proceedings redressing alleged instances of Sexual Harassment.

# PROHIBITION OF SEXUAL HARASSMENT

Sexual Harassment is strictly prohibited and any violations will be dealt with according to this policy. No employee or visitor of the company, regardless of gender, should experience any form of sexual harassment, whether it be verbal, visual, physical, or psychological.

# INTERNAL COMPLAINTS COMMITTEE

## All complaints of sexual harassment will be investigated and disposed of by a Committee formed by the Company and will consist of the following members until further notification.

| **Center** | **Name** | | **Designation** |
| --- | --- | --- | --- |
| CHENNAI | |  | Manager – Human Resources |
|  | Senior Project Manager |
|  | Associate Vice President - Service Delivery |
|  | Senior Manager - Contracts & Legal Affairs (Presiding Officer) |

## In the absence of the above-mentioned member(s) of the Committee, the Company will nominate replacements.

## The Committee has the authority to summon individuals, enforce their attendance, require the disclosure and submission of documents, and address any other necessary matters during the investigation of a complaint under this Policy. The parties are not permitted to have legal representation at any stage of the proceedings before the Committee. The Company may, upon a written request from the complainant, implement one or more of the following interim measures recommended by the Committee, while the inquiry is ongoing:

* + - * + Transfer the complainant or the respondent to another office or unit of the Company.
        + Grant leave (with pay and benefits) to the complainant for up to 3 (three) months in addition to leave already entitled.
        + Restrain the respondent from reporting on the work performance or other reports of the complainant.
        + Take any other appropriate action as recommended by the Committee.

# PROCEDURE FOR REDRESSAL OF COMPLAINTS

## The process of conducting investigations and redressing complaints is outlined as follows:

| **Step** | **Action** | **Time Period** |
| --- | --- | --- |
| Step 1 | The individual making the complaint submits a written complaint to the External Member of the Committee. | Within 3 months from the date of the incident. However, if the Committee is satisfied that there were circumstances that prevented the complainant from filing the complaint within this time frame, it may extend this deadline. |
| Step 2 | Upon receiving the complaint, the External Member assesses independently whether there is a conflict situation. If a conflict is identified, Section 10 will be applicable. | Within 3 working days of receiving the complaint. |
| Step 3 | After the evaluation by the External Member, the Committee forwards the complaint to the respondent, against whom the complaint is filed. | Within 7 working days of evaluation of complaint by the External Member. |
| Step 4 | The respondent submits a reply to the Committee. | Within 10 working days of receiving the copy of the complaint. |
| Step 5 | Upon the complainant’s request, the Committee may initiate conciliation proceedings to resolve the complaint with the respondent. However, the Committee cannot award any monetary settlements based on the conciliation. | Before initiating the inquiry mentioned in Step 6. |
| Step 6 | The Committee initiates and completes an enquiry. | Within 90 days of the complaint being filed. |
| Step 7 | The Committee submits a report containing its findings and recommendations to the company for implementation. Both parties involved in the complaint will receive a copy of the report. | Within 10 days of completion of the inquiry. |
| Step 8 | The company implements the recommendations of the Committee. | Within 30 days of receipt of the Committee’s report. |

# APPEAL

## Any party that is aggrieved by the Committee’s findings, recommendations, or the company’s failure to implement them, can file an appeal with the Head – Global Human Resources within 75 (seventy-five) days of receiving the Committee’s report. In cases where the complainant is a woman, both the Complainant and the respondent, if they are aggrieved by the Committee’s findings, recommendations, or the company’s failure to implement them, have the option to file an appeal within 90 (ninety) days of receiving the Committee’s report, in accordance with the Act.

## The request for appeal should provide clear and comprehensive reasons, along with all supporting documentation. After carefully reviewing the request for appeal and any oral representations, the Head of Human Resources will either (a) uphold the actions taken by the Committee, or (b) invalidate the actions if they are found to have gross irregularities or be unlawful. In the latter case the Committee will be reconstituted to conduct a fresh inquiry.

## The Committee will provide a fair chance for all parties to be heard. They will conduct the inquiry into the complaint in accordance with the principles of natural justice.

# RELEVANT FACTORS

The history of the parties will not be considered when establishing and/or deciding on any allegation of sexual harassment. However, the Committee will consider the past records of the perpetrator under the policy, if any, as well as any instances of victimization, if they exist.

# CONFLICTS

Upon receiving the complaint, the External Member will assess if any member of the Committee, including the Presiding Officer, has an involvement or close connection with the complaint, which may create a conflict of interest with the involved parties. If a conflict of interest is identified, the External Member will request the company to replace those member(s) on the Committee for the investigation of the complaint.

# PENALTIES

## Corrective action, implemented by the Head of Human Resources, can include penalties and disciplinary measures including termination of employment, as outlined in the Employee Ethics and Code of Conduct Policy.

## If the Committee determines that the allegation of sexual harassment against the respondent has not been substantiated, it may recommend to the Company that no action be taken in the matter.

## If the Committee determines that the request for inquiry was made with malicious intent and knowledge that the allegation is false, or if someone provides false evidence or produces false documents during the proceedings, the Committee will recommend to the Head of Human Resources that the person responsible issue a written public apology. Additionally, appropriate corrective action, as in the Code of Conduct and Ethics Policy for misconduct, may be taken against that person. It is important to note that a complaint will not be treated as a false complaint solely based the inability to substantiate it or provide sufficient evidence.

# CRIMINAL PROCEEDINGS

If an alleged instance of Sexual Harassment qualifies as a specific offence under the Indian Penal Code, 1860, or any other applicable law, the company may, in addition to the procedures outlined in this policy, take additional actions including:

* + - * + Assisting the complainant if they choose to file a complaint regarding the alleged offence under the Indian Penal Code or any other relevant law.
        + Initiating appropriate proceedings in accordance with the Indian Penal Code or any other relevant law. This may involve filing a complaint with the appropriate authorities, against the perpetrator.
        + If the complainant desires, and the perpetrator is not an employee, initiating action at the workplace where the incident of Sexual Harassment occurred.

# IN CAMERA PROCEEDINGS

All Committee proceedings under this Policy will be strictly in camera and efforts will be made to maintain the privacy of all involved parties to the greatest extent possible.

# CONFIDENTIALITY

## All proceedings, documents and records related to this Policy will be treated as confidential. A pseudonym will be used instead of the victim’s name to ensure their privacy. However, the name of the harasser will be retained to consider any previous records associated with that individual.

## All individuals participating in the proceedings under this Policy, including the parties, witnesses, facilitators, and Committee members, must uphold and preserve confidentiality. Any breach of confidentiality may result in a fine of Rs 5000 and potential further penalties for Misconduct.

# VICTIMIZATION

Engaging in victimization, intimidation or exerting undue influence, whether directly or indirectly, including attempts to do so, towards individuals seeking redress, witnesses, or any other parties involved in the proceedings under this Policy, will be considered Misconduct under the Code of Conduct and Ethics Policy. Such actions will be subject to disciplinary proceedings by the Company.

# REPORTING

## The Corporate Governance Team will oversee the functioning of the Committee independently and ensure regular reporting to the Board of Directors. The Committee will prepare and submit an annual report to the designated District Officer as required under the Act. The report will include the following details:

* + - * + number of complaints received in the year.
        + number of complaints disposed of during the year.
        + number of cases pending for more than 90 (ninety) days.

# EFFECTIVE DATE

This Policy shall be effective immediately until further notice.