



POLICY AGAINST SEXUAL HARASSMENT AT WORKPLACE

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1 OBJECTIVE

Glatt Systems Private Limited ("GSPL" or "Company") is committed to creating and maintaining a secure work environment where it's Workers, Employees, and Vendors can work and pursue business together in an atmosphere free of harassment, exploitation and intimidation caused by acts of Sexual Harassment within but not limited to the office premises and other locations directly related to the Company's business.

The objective of this policy is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

All concerned should take cognizance of the fact that GSPL strongly opposes sexual harassment, and that such behavior against women is prohibited by the law as set down in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder being The Sexual Harassment of Women at Workplace (hereinafter referred to as "Act") as well as the terms of employment. Commission of any act of sexual harassment as defined in the Act and in this Policy shall result in strict disciplinary action.

At GSPL, we have zero-tolerance for sexual harassment. We value 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 to keep the personal dignity.

We at GSPL are committed towards giving every employee a just and fair hearing on issues encountered by them at the workplace with special attention to sexual harassment. GSPL will take very serious disciplinary action against any victimization of the employee who is complaining or the alleged harasser that may result from a complaint.

2 SCOPE

GSPL's Policy with regard to Prevention, Prohibition and Redressal of Sexual Harassment covers every "employee" across the Company. GSPL encourages every employee who believes they are sexually harassed to use the redressal mechanism as provided in this policy.

The Policy is with respect to Prevention, Prohibition & Redressal of Sexual Harassment which may arise in places not limited to geographical location viz. Company's offices / branches but includes all such places or locations where acts are conducted in context of working relationships or whilst fulfilling professional duties or which may be visited by an employee during the course of employment including transportation provided by the company for undertaking such visit. GSPL's Policy against sexual harassment includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and, visitors including outsource employees. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent. Sexual harassment as addressed in this Policy need not necessarily be from a male to a female employee, it can be vice versa as well as between individuals of same gender.

This Policy comes into force with immediate effect.

3 DEFINITION

- a. **“Aggrieved Person”** means a person in relation to workplace whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.
- b. **“Company”** means Glatt Systems Private Limited.
- c. **“employee”** means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wages basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;
- d. **“Internal Complaints Committee”** means a committee constituted by Company as per this Policy.
- e. **“Respondent”** means a person against whom the aggrieved person has made a complaint.
- f. **“Sexual Harassment”** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
 - i. Physical contact and advances; or
 - ii. A demand or request for sexual favors; or
 - iii. Making Sexually colored remarks; or
 - iv. Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or
 - v. Any other unwelcome physical, verbal or non - verbal conduct of sexual nature; or

Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation or connected with any act or behavior of sexual harassment:

- vi. *implied or explicit promise of preferential treatment in their employment;*
- vii. *implied or explicit threat of detrimental treatment in their employment;*
- viii. *implied or explicit threat about their present or future employment status;*
- ix. *interfering with their work or creating an intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.*
- x. *humiliating treatment likely to affect the health and safety of the aggrieved person.*

While it is not possible to list all circumstances which might be sexual harassment, the following are examples of behavior that may, depending upon the circumstances, constitute sexual harassment:

- *Pressure or requests for sexual favors or sexual advances and propositions*
- *Sex-oriented verbal abuse or insults or other sex-oriented discussion*
- *Offensive gestures suggesting sexual acts.*
- *Graffiti and displays of sexually suggestive objects or pictures.*
- *Subjecting a person to an unwelcome act of physical intimacy*
- *Making an unwelcome demand or request (directly or by implication) for sexual favors from a person or making a grant of sexual favors a condition for offering employment, retention in employment, payment of wages, increment, promotion, etc.*

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee, will be considered as sexual harassment. This is only indicative list of the possible acts which could be treated as sexual harassment and is in no way intended to be construed as an exhaustive list.

- g. **“Workplace”** *includes any department, organization, undertaking, establishment, enterprise institution, office, factory or branch unit. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.*
- h. **“Employer”** *means a person who has control or manages or supervises the workplace. For GSPL the Employer is the Managing Director of the company.*

4 INTERNAL COMPLAINTS COMMITTEE

Every complaint received shall be forwarded to Internal Committee (IC) formed under the policy for redressal. The investigation shall be carried out by Internal Complaints Committee constituted for this purpose.

Internal Complaints Committee has been constituted of the following members as nominated by the Company:

- a. A woman employee employed at a senior level amongst the employees shall act as Presiding officer of the committee.*
- b. At least 2 other members*
- c. One External member shall be from a lawyer or social worker or representative of Non-governmental organizations committed to the cause of women.*

At least half the total members of the Committee have to be women. The Presiding Officer and every member shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

The Internal Committee has the powers of a civil court.

For conducting the inquiry the quorum of the Internal Complaints Committee shall be of 3 members including the Presiding Officer.

The current internal complaint committee constituted is as follows:

- 1. CS Aishwarya Khot- Presiding Officer*
- 2. Ms. Vijaya Kumar- Member*
- 3. Ms. Amruta Akolkar – Member*
- 4. Mr. Shonil Bakare – Member*
- 5. Mr. Prashant Vanmore – Member*
- 6. Mr. Bhushan Sawant- Member*
- 7. Adv. Rama Sarode- External Member*

Further, it is to be noted that the members of the committee may change upon the discretion of the Employer and the same will be communicated to the employees.

5 COMPLAINT REDRESSAL MACHANISM

Filing of the Complaint:

Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment meted out to her/him within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the Internal Committee.

- 1. The Presiding Officer or any Member of the Internal Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.*
- 2. On receipt of complaint, the Internal Committee shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The Internal Committee shall follow principle of Natural Justice as given while handling such complaints:*
 - a. **Nemo judex in causa sua** - No one should be made a judge in his own cause or the **rule against bias***
 - b. **Audi alteram partem** - Hear the other party or the **rule of fair hearing** or the rule that no one should be condemned unheard*
- 3. (i) Where the aggrieved person is unable to make a complaint on account of their physical incapacity, a complaint may be filed by*
 - a. a relative or friend; or*
 - b. a co-worker; or*
 - c. an officer of the National Commission for Women or State Women's Commission; or*
 - d. any person who has knowledge of the incident, with the written consent of the aggrieved person.*

(ii) Where the aggrieved person is unable to make a complaint on account of their mental incapacity, a complaint may be filed by:

- a. relative or friend; or*
- b. a special educator' or*
- c. a qualified psychiatrist or psychologist; or*
- d. the guardian or authority under whose care they are receiving treatment or care; or*
- e. any person who has knowledge of the incident jointly with any of the above.*

(iii) Where the aggrieved person is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.

- 4. Internal Complaints Committee on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.*
- 5. The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the Internal Committee through following mode:*
 - a. Copy of complaint along with supporting documents and names and address of witness shall be sent to Internal Committee at IC.Committee@glatt.com*

Interim Recommendation:

- 1. On the receipt of the complaint the IC will ensure the safety of the Complainant by issuing interim recommendation if required.*
- 2. During such inquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:*
 - a. to transfer the aggrieved person or the respondent to any other workplace;*
 - b. grant leave to the aggrieved person of up to three months which is in addition to leave to which she is otherwise entitled.*

Reply from the Respondent:

- 1. On receipt of such complaint, Internal Committee shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days*
- 2. Respondent shall file reply within maximum of 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses.*
- 3. A copy of the reply must be given to the Aggrieved Person before recording their statement.*

Statement of the Parties:

- 1. Internal Committee shall investigate in detail into the matter of the complaint. The IC members will meet the Complainant and the Respondent individually. The Internal committee shall have the right to call any other witnesses as when necessary.*
- 2. During the inquiry process, the Complainant and the Respondent shall refrain from any form of threat, intimidation or influencing of witnesses.*
- 3. The Committee will conduct inquiry in accordance with the principles of natural justice and will ensure to give both parties, the Complainant as well as the Respondent, a right to be heard and present their case before the Committee.*
- 4. The Committee shall ensure confidentiality during the inquiry process and will ensure that sufficient care is taken to avoid any retaliation against the witnesses.*
- 5. The parties shall not be allowed to bring or consult any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Committee.*

Non-Appearance of the Parties:

- 1. Internal Committee shall have the right to terminate the inquiry or give ex-parte decision on the complaint, if the Complainant or Respondent remains absent for 3 consecutive hearings, without sufficient cause respectively.*
- 2. The Internal Committee must complete its investigation within a period 90 days.*

Conciliation:

- 1. The Internal Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through Conciliation. However, Internal Committee shall ensure that:*
 - a. Monetary settlement will not be made as a basis of conciliation.*
 - b. Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.*
- 2. Where, a settlement is arrived as mentioned hereinabove, no further inquiry shall be conducted by the Internal Committee.*
- 3. If Complainant does not request for settlement or if no settlement is reached through conciliation or if any term or condition of the settlement has not been complied with by the Respondent, ICC will proceed with the inquiry.*

Inquiry:

- 1. The Internal Complaints Committee may during such investigation may exercise the power of a civil court, vested in it, in respect of:*
 - a. summoning and enforcing the attendance of any person and examining him under oath;*
 - b. requiring discovery and production of documents;*
 - c. any other prescribed matter.*

2. *The inquiry will involve the following:*

- a. Getting all relevant information from the Complainant.*
- b. Informing the Respondent of the details of the complaint within 7 working days. The Respondent shall file his reply to the Complaint along with the list of documents and names and addresses of witnesses within a period of 10 working days from the date of receipt of the complaint.*
- c. Giving both parties an opportunity of being heard*
- d. Requiring production of documents*
- e. Examining witnesses, if any.*
- f. Fair and objective investigation based on principles of natural justice.*
- g. Giving both parties copy of the findings enabling them to make representation against findings of IC.*
- h. Process Documentation of all details of the complaint and inquiry including all evidence shared during inquiry, conclusions drawn, and action taken. The IC is required to maintain utmost Confidentiality of the Complainant, the witnesses and Respondent to extent possible.*
- i. The IC is empowered to take all actions that the independent inquiry committee considers reasonable and necessary to fulfill its responsibilities under this policy.*
- j. The IC shall complete the inquiry within 90 days and submit its report to the Employer with its findings and make recommendations on the action to be taken (if any) within 10 days from the date of completion of inquiry.*
- k. The Employer shall take action required to be taken (if any) on the IC's recommendations within 60 days and send the report of such implementation to the IC.*
- l. The IC shall communicate to the Complainant and Respondent, the findings of its inquiry and action recommended (if any).*

3. *If the Complainant is a woman, the IC will have the powers of the Civil Court. If the Complainant is not a woman, the IC will not have the powers of the Civil Court and will conduct the inquiry as per this internal policy.*

6 ACTION

1. *If the allegation against the Respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.*
2. *If the Internal Committee arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to:*
3. *Take action for sexual harassment as a misconduct.*
 - a. *To tender written apology to the complainant, issue warning, withholding of promotions/ increments of the Respondent, terminating the Respondent.*
 - b. *To deduct from salary / wages of the respondent or issue direction towards the medical costs to be paid to the aggrieved person or to their legal heirs, as it may determine.*
4. *In case the Respondent fails to pay the sum to the Complainant, the IC may forward the order for recovery of the sum as an arrear of land revenue to the concerned district officer notified by the government.*
5. *Such action will be taken by the Employer within 60 days of the receipt of report.*
6. *The Company is entitled to initiate further legal action if the Sexual harassment also constitutes a cognizable criminal offence under any applicable law as stated below.*
7. *The Complainant is entitled to remedies under other laws in addition to making the complaint with IC.*

7 ADDITIONAL ACTION

If the Sexual harassment involves physical or sexual assault or other acts which amount to criminal offences under the Indian Penal Code, 1860 or any other law for the time being in force, in addition to dealing with the complaint under this Policy, the Company will assist the Complainant in filing a complaint or cause to initiate action with the appropriate authorities.

8 MALICIOUS COMPLAINTS

1. *If the IC concludes that the allegations against the Respondent is malicious or was made knowing it to be false or Complainant has produced any forged or misleading document, IC may recommend to take disciplinary action against the Complainant, including deduction of certain sum from salary to be paid to the Respondent, withholding variable or performance pay- outs, withholding of promotion, withholding of pay rise or increments, temporary or permanent transfer from project/location, temporary suspension or termination of employment as recommended by IC. An inquiry must be made to establish malicious intent. Also, mere inability to substantiate a Complaint or produce evidence will not attract any action. The person claiming that it is a false or malicious complaint must prove it,*
2. *If the IC concludes that during the inquiry any witness has given false evidence or has produced any forged or misleading document, IC may recommend taking action against the witness for misconduct.*
3. *It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. GSPL Life recognizes and expects that some claims may be difficult to prove or support or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.*

9 CONFIDENTIALITY

- 1. Company will not disclose any information about a complaint to anyone other than Complainant or Respondent, except as necessary to investigate the complaint or to take disciplinary action, or as required by law.*
- 2. All staff has a responsibility to cooperate in the investigation of a harassment complaint.*
- 3. Anyone who gives evidence in an investigation, or who is otherwise involved in the process, must keep this information confidential, except as is necessary to deal effectively with the complaint. These are serious issues, and people's privacy must be respected.*
- 4. Even once a complaint is resolved, confidentiality and respect are important.*
- 5. Information about justice secured to the Complainant may be disseminated without disclosing the identity of the parties.*

10 APPEAL

Any person aggrieved from the recommendations made by the IC or non-implementation of the recommendations made by the IC may file an appeal to the appellate authority notified under clause (a) of the Industrial Employment (Standing Orders) Act, 1946 with 90 days of the recommendations.

1 1 ANNUAL REPORT

- *The IC shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the Employer and the District Officer.*
- *The Annual Report shall include the number of cases filed, number of cases disposed, number of cases pending and number of cases in appeal, preventive measures taken.*

1 2 AWARENESS

1. *All the Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the HR team.*
2. *A brief shall be given to all existing employees regarding the features of this Policy immediately on formulation of the Policy and to new employees in GSPL during their initial Induction.*
3. *The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at the workplace.*
4. *Company shall display the notice showing the name of the Internal Complaints Committee members at its every establishment at a conspicuous place.*



1 3 MISCELLANEOUS

- 1. Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee.*
- 2. Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.*

1 4 CONCLUSION

Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behavior. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation. The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media. The decision of Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

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