



Grammen Vikas Shodh Evam Takniki Kendra, Pachewar

*POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE
(POSH POLICY)*

Anti-Sexual Harassment Policy

Policy Effective Date: <DD/MM/YY>

The POSH policy aims to make the workplace a safer environment for women by preventing, prohibiting & redressing acts of sexual harassment against them.

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1. Preamble

Grameen Vikas Shodh Evam Takniki Kendra, Pachewar provides equal employment opportunities to all its employees and, is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias, and sexual harassment. The sexual harassment of a woman results in violation of her fundamental rights to equality under Articles 14 and 15 of the Constitution of India her right to life and to live with dignity under Article 21 of the Constitution of India and the right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment.

The protection against sexual harassment and the right to work with dignity are universally recognized human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which has been ratified on the 25th June, 1993 by the Government of India. It is expedient to make provisions for giving effect to the said Convention for protection of women against sexual harassment at workplace.

2. Objective

GVSTK has a zero-tolerance policy for any act of sexual harassment of any kind and any act of suppressing or distortion of such facts or evidence and retaliation. GVSTK is committed to taking all necessary steps to ensure that its staff works in a safe and respectful environment that is conducive to their professional growth and promotes equality of opportunity.

1. The policy aims to prevent sexual harassment of women in the workplace by promoting a safe and respectful work environment.
2. The policy mandates awareness programs and training sessions for employees to educate them about their rights and responsibilities under the law.
3. The policy provides a mechanism for redressal of complaints of sexual harassment by setting up an Internal Complaints Committee (ICC) in every organization.
4. The policy lays down a time-bound process for the investigation and resolution of complaints of sexual harassment.

5. The policy ensures that women who file complaints of sexual harassment are protected from victimization and retaliation.
6. The policy promotes gender equality by ensuring that women have equal opportunities to work and advance in their careers without fear of harassment or discrimination.

3. Scope and Applicability

This policy applies to all employees in the organization including any gender, full-time & part-time employees, or on contract or service providers deployed on the premises or in the work area. The policy covers such acts occurring within the premises or the work area of the organization or deemed premises or work area that are within the organization's control.

Sexual Harassment shall be irrespective of sex, between same-sex or opposite sex. Sexual Harassment is judged by the impact on the complainant and not the intent of the Respondent.

This Policy shall deal with all allegations/complaint(s) of Sexual Harassment committed by an Employee(s) against a woman as referred herein above, irrespective of whether Sexual Harassment is alleged to have taken place within or outside the organization's premises but that constitutes workplace. All Complaints in connection with alleged Sexual Harassment of women will be addressed in compliance and in accordance with the provisions of Sexual Harassment at workplace (Prevention, Prohibitions and Redressal) Act 2013.

4. Definition

- ✓ **Sexual Harassment** – Harassment of a Female/Male employee consisting of any unwelcome sexually determined behavior, whether directly, indirectly, by any male/female in charge of the management or a male/female co-employee either individually or in association with other persons to exploit the sexuality of co-employee to harass him/her in a manner which prevents or impairs his/her full utilization of full benefits, facilities or opportunities or any other behavior which is generally considered to be derogatory.

- ✓ **Aggrieved Women** – In relation to the workplace, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent and includes contractual, temporary, visitors.
- ✓ **Respondent** – A person against whom a complaint of sexual harassment has been made by the aggrieved woman.
- ✓ **Employee** – A person employed at the workplace, for any work on regular, temporary, ad-hoc or daily wage 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 coworker, a contract worker, probationer, trainee, apprentice or by any other such name.
- ✓ **Workplace** – In addition to the place of work [Head office / Branch offices, Field area] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with Nestlé India Limited, including transportation provided for undertaking such a journey.
- ✓ **Employer** – A person responsible for management, supervision, and control of the workplace.

5. Policy/Process

5.1 Policy Statement

The Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 read along with its Rules of 2013, (the “Act”) states that no employee shall be subject to Sexual Harassment at any Workplace.

5.2 POSH Committee

A Committee will be constituted by an order of the Internal Committee (IC) under Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 preferably headed by a senior woman member of the organization.

The IC shall under the authorization of the board of directors or committee responsible for formulation and administration of policies for the organization or any other Senior officer or Director/ Managing Director nominated by the board or committee, have the power to sub-delegate their authority to a sub-committee of IC.

The Board of Directors may re-constitute the IC as may be required from time to time, within the stipulated requirements under the Act.

#	Employee Name	Gender	Designation	Remarks
1		F	Presiding Officer	
2		M/F	Member	
3		M/F	Member	
4		M/F	Member	
5		F	Investigating Member (External)	

5.3 Responsibilities & Procedure

Complaint Mechanism and Appeal: Any aggrieved employee himself/herself or alternately, as provided under the Act can:

- File a complaint with the Internal Committee (IC) within a period of three months from the date of the incident through email, written complaint, and or verbal complaint.
- Request the IC for settlement of the matter through conciliation; provided such request is made before the IC initiates an inquiry under the Act.

Appeal: Any person aggrieved from the IC report, may prefer an appeal to the Court as prescribed in the Act within a period of ninety days from the date of the IC report.

5.4 Responsibilities of the IC

The IC shall:

- Investigate every formal written complaint of Sexual Harassment.
- Provide reasonable opportunity to the aggrieved employee and respondent to present and defend their respective case before the IC.
- Initiate appropriate remedial measures to respond to any substantiated allegations of Sexual Harassment and
- Complete its inquiry within ninety days of acceptance of the complaint.

5.5 The IC Inquiry Process

The IC will examine every complaint of Sexual Harassment as per the guidelines prescribed under the Act and ensure that a fair and just investigation is undertaken.

5.6 What Action Can the IC Take

The IC may, if it deems appropriate recommend the following actions (not exhaustive):

- Written apology;
- Warning, reprimand, censure;
- Termination from service;
- Compensation deduction from the salary or wages of the perpetrator;
- Withholding of promotion, withholding of pay rise or increments;
- Undergoing counseling sessions or carrying out community service; and/or
- Initiate appropriate statutory or legal action.

5.7 Making False or Malicious Complaints:

Where the IC arrives at a conclusion that the complaint was made with a malicious intent, the IC shall take strict disciplinary action against the complainant, which action may be similar to the action taken for committing an act of Sexual Harassment. The IC shall also take strict disciplinary action on any witness who submits false evidence or produces any forged or misleading document relating to the complaint.

5.8 About Sexual Harassment

5.8.1 What Constitutes Sexual Harassment

- Sexual Harassment is any unwelcome and sexually determined act or behavior (whether directly or by implication) as:
 - physical contact and advances; or
 - a demand or request for sexual favors; or
 - making sexually colored remarks; or
 - showing pornography; or
 - any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or

- any of the following circumstances that occur or is present in relation to or connected with any act or behavior of Sexual Harassment (under (i) to (v) herein above):
- implied or explicit promise of preferential treatment in the employee's employment; or implied or explicit threat of detrimental treatment in the employee's employment; or implied or explicit threat about the employee's present or future employment status; or
- interference with the employee's work or creating an intimidating or offensive or hostile work environment for the employee; or humiliating treatment likely to affect the employee's health or safety.

5.8.2 What Constitutes As A Workplace

A Workplace includes any GVSTK office, field area or premises, or any place visited by the Employee arising out of or during employment, such as (including but not limited to): (i) transportation provided by or through GVSTK for undertaking a journey arising out of or during the course of employment, or (ii) meetings, conferences, seminars, training sessions, workshops, etc. organized by or through GVSTK.

5.8.3 Who Is An Employee Under The Act

An Employee means a person employed at a Workplace for any work on regular, temporary, ad hoc or daily wage 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.

6. Special Circumstance and Exception

Any Deviation to this policy has to be approved by HR. Any changes to the policy has to be approved by Legal and Compliance.

7. Confidentiality

The contents of the complaint, the identity and addresses of the aggrieved staff member, respondent and witnesses, any information relating to conciliation and inquiry proceedings, findings of the Internal Committee and the action taken by management of GVSTK shall not be published, communicated, or made known to the public, press and media in any manner. All complaints / grievances of sexual harassment will be taken seriously, will be held in strict confidence, and will be investigated promptly in an impartial manner. For completing the investigation, key witnesses or other stakeholders may be required to be taken into confidence at the strict discretion of the Internal Committee.

8. Legal Compliance

The IC shall in each calendar year prepare, in such format as may be prescribed, an annual report and submit the same to the employer and the District Officer (as defined in the Act). The report shall have the following details:

- Number of complaints of Sexual harassment received in the year.
- Number of complaints disposed of during the year
- Number of cases pending for more than 90 days
- Number of workshops or awareness program against Sexual Harassment carried out
- Nature of action taken by the employer or District Officer

An annual report summarizing complaints and Redressal of Sexual harassment shall be prepared by a designated person. The said report as well as all documents regarding Sexual Harassment complaints shall be in the custody of designated person and will be termed as 'Strictly Confidential'.

9. Awareness

Awareness sessions are to be organized to formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women
