

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

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REVISION HISTORY

#	Date	Revision details
1	21.05.2022	<p>The Managing Director shall constitute a committee to be known as 'Internal Complaints Committee' at Head Office and at Regional Offices by an order in writing. Managing Director is authorised to (a) make changes to the constitution of the Committee as and when required and (b) take any other steps in connection with proper functioning of the Committee.</p> <p>Complaint Redressal Mechanism</p>
2	15.04.2022	Formation of Internal Complaints Committee (ICC) at regional level

I. INTRODUCTION

Finaleap FInServ Private Limited (Company) treats each employee with dignity and respect, allowing them to work without encountering undesired, insulting, or discriminatory behaviour. The Company considers sexual harassment to be a violation of the service rules and intends to take action against perpetrators through the implementation of the Policy.

This Policy will be posted on the Company's website at www.finaleap.com

II. OBJECTIVE

- 1) To encourage women to work in a safe and secure environment, including but not limited to working on the Company's premises.
- 2) The policy's goal is to define sexual harassment and provide a clearly stated codified remedy procedure for any workplace sexual harassment. The policy's major goal is to allow all employees to voice their issues and grievances without fear of retaliation, and to be heard in a fair, timely and unbiased manner.

III. REGULATORY REQUIREMENT

This policy complies with the "The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013." The goal of this policy is to protect employees from sexual harassment in the workplace, to prevent and resolve sexual harassment complaints, and to impose harsh disciplinary action in the event of a sexual harassment incidence.

In accordance with The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 (the "Act"), this policy establishes principles for the rapid redress of sexual harassment allegations.

IV. SCOPE

The FINALEAP Policy on Sexual Harassment Prevention, Prohibition, and Redress applies to all employees at the company. Finaleap encourages any female employee who believes she has been sexually harassed to seek the policy's grievance system.

Everyone at the organization strives to operate in a safe atmosphere.

This policy applies to all company members, including the employer and those who are employed on a regular, temporary, or daily salary basis, among other things. Customers, clients, visitors, interns, contract workers, suppliers, and others who are not employees of the company are also covered by the policy.

This policy applies only to the company's business locations and any external locations visited by workers within the course of their employment whether inside or outside of India

V. POLICY AND ITS EFFECT

Finaleap FinServ Private Limited Policy on prevention of Sexual Harassment at Workplace includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and, visitors including employees of outsourced entities. Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent.

Sexual harassment by other workers, supervisors, managers, as well as agents, contractors, customers, vendors, partners, and visitors, including employees of outsourced organizations, is prohibited under Finaleap FinServ Private Limited's policy on workplace harassment prevention. The impact on the complainant, not the Respondent's intent, is used to determine sexual harassment.

This Policy is effective immediately.

VI. DEFINITIONS

- a) **"Company"** means Finaleap FinServ Private Limited.
- b) An **"employee"** is a person employed at a workplace for any work on a 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 whether the terms of employment are express or implied.
A coworker, a contract worker, a probationer, a trainee, an apprentice, or any other similar term;
- c) **"Internal Complaints Committee"** refers to a committee established by the Company in accordance with this Policy.
- d) A **"Complainant"** is someone who claims to have been sexually harassed at work, whether they are employed or not. **"Respondent"** means a person against whom the complainant person has

- e) 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 behaviour of sexual harassment which includes Implied or explicit promise of preferential treatment in their employment, implied or explicit threat of detrimental treatment in her employment, implied or explicit threat about their present or future employment status, interfering with their work or creating an intimidating or offensive or hostile work environment and humiliation treatment likely to affect their health or safety.

Any additional act or behaviour that offends the modesty of a female employee will be regarded sexual harassment, in addition to the situations stated above.

- g) **“Workplace”** includes any department, division, undertaking, establishment, office 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.

VII. INTERPRETATION

Terms that have not been defined in this policy shall have the same meaning assigned to them in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 as amended from time to time.

VIII. INTERNAL COMPLAINTS COMMITTEE

The Internal Complaints Committee constituted by the Company (ICC) shall consist of:

- 1) A woman employee employed at a senior level amongst the employees shall act as Presiding officer of the committee.
- 2) Not less than 2 members from amongst employees preferably committed to the cause of women OR who have had experience in social work OR have legal knowledge
- 3) A representative from a NGO or associations committed to the cause of women or a person familiar with issues relating to Sexual Harassment.

To ensure confidentiality, a dedicated e-mail id <posh@finaleap.com> has been created for employees, for sending sexual harassment related complaints. This e-mail id can be accessed only by members of the ICC.

The Internal Committee is in charge of, among other things:

- ☐ Receiving workplace sexual harassment allegations or complaints at work place
- ☐ Starting and executing investigations according to process
- ☐ Submitting reports on its findings
- ☐ Taking necessary remedial action in response to any verified sexual harassment claims
- ☐ Following the approved method for maintaining strict confidentiality
- ☐ Discouraging and preventing employment related sexual harassment
- ☐ Any complaint that comes to the ICC shall be handled appropriately, respectfully, and discreetly in the most judicious and un-biased manner within a particular determined time frame. Initiating and conducting enquiry as per established procedure

Where the Presiding Officer or any Member of the internal Committee:

- (a) contravenes the provisions of section 16; or
- (b) has been convicted for an offence or an inquiry into an offence under any law for that time being force is pending against him/ her or

(c) has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or

(d) has so abused his position as to render his continuance in office prejudicial to the public interest, such Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of section 4(5) of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

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

- INTERNAL COMPLAINTS COMMITTEE (ICC) AT THE HEAD OFFICE

The current members of the ICC at the head office shall consist of:

S.No	Name & Designation	Membership
1.	TBC	Presiding Officer
2.	TBC	Member
3.	TBC	Member
4.	TBC	External Member

- INTERNAL COMPLAINTS COMMITTEE (ICC) AT REGIONAL LEVEL

Appointment of Regional ICC members strengthen the POSH committee and bring vigilance through regional presence.

The POSH committee will work centrally from head office having regional members co-opted to work for the committee as active members in trainings, awareness sessions, meetings, inquiries and grievance redressal. They shall also be responsible as a member of POSH committee at regional level to ensure a safe environment for women.

The Regional Managers/ AVPs will be designated as regional ICC members and be trained by the POSH committee on their responsibilities as an ICC member in addition to the POSH trainings. Women

employees at senior level in regional offices will be joint members of these committee, wherever available.

IX. PROCEDURE TO FILE COMPLAINT

Any aggrieved person may make a complaint, in writing or to the mail ID posh@finaleap.com , of sexual harassment at workplace to the committee giving details of the sexual harassment meted out to her within a period of 3 months from the date of incident. In case of series of incidents within a period of three months from the date of last incident. ICC may extend the time limit by a further period of three months if it is satisfied that circumstances were such which prevented the person from filing a complaint within the said period.

Where the aggrieved woman is unable to make a complaint on account of physical incapacity, a complaint may be filed by:

- Her relative or friend;
- Her co-worker; or
- An officer of the National Commission for Women or State Women's Commission; or
- Any person who has knowledge of incident, with the written consent of the aggrieved woman.

X. COMPLAINT REDRESSAL MECHANISM

- 1) On receipt of complaint, the Internal Complaints Committee will decide the place and time for hearing the complaint and intimates the date, time and place of hearing to the Complainant and Respondent. The Internal Complaints Committee follows principle of Natural Justice while handling such complaints.
- 2) Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses.
- 3) Internal Complaints Committee shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause.
- 4) The Internal Complaints Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation.
- 5) The Internal Complaints Committee may during such investigation may exercise the power of a civil court.

XI. ACTION

- 1) The Internal Complaints Committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties.
- 2) If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.
- 3) If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Managing Director of the Company to take action for sexual harassment as misconduct. Such action will be taken within 60 days of the receipt of report.

XII. AWARENESS/NOTIFICATION

- 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 Finaleap 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.
- 5) Assistance would be provided to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force;
- 6) Sexual harassment will be treated as a misconduct under the service rules and appropriate action will be initiated for such misconduct

XIII. HR RESPONSIBILITIES

- a. Provide necessary facilities to the ICC for dealing with the complaint and conducting an inquiry.
- b. Assist in securing the attendance of respondent and witnesses before the ICC and make available such information to the ICC in context of the complaint.
- c. The HR department may seek appropriate expert advice and arrange for help and support for the recipient in the form of counselling and / or medical attention.
- d. Company at regular intervals will sensitize the employees with the provisions of the 2013 Act and orientation/capacity building programmes for the members of the ICC.
- e. Awareness to the employees on the constitution of ICC and its role in dealing with complaints of sexual harassment.

XIV. FALSE ACCUSATIONS

An employee who knowingly makes an allegation of sexual harassment to the committee shall be subject to disciplinary action, including termination of employment, in accordance with company rules, policies and procedures. Further, this policy may not be used as a defense by an employee against whom an adverse action has been taken by the company independent of any disclosure of information and for legitimate reasons or cause under company rules and policies.

XV. 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.
- 3) The Internal Complaints Committee shall prepare an annual report shall submit the same to the Company to include in its Annual report detailing number of complaints of sexual harassment received during the year, disposed off and pending cases.

XVI. CONCLUSION

Sexual Harassment complaints will be handled and investigations will be conducted in accordance with the principles of natural justice, on the basis of fundamental fairness, in an impartial and confidential manner in order to protect the identities of all parties involved, including the person making the charge, potential witnesses, and the person accused of improper behaviour. Moreover, during the investigative process, every effort will be made to ensure objectivity and completeness.

The aggrieved person's, respondent's, and witnesses' identities and addresses shall not be made public or divulged to the media

The Company's decision is final and binding on all parties. However, this is without prejudice to any legal recourse that the Company or the individual in question may have against the respondent, and it does not limit or restrict the Complainant's and/or Company's rights to pursue, nor does it preclude them from pursuing, any further and other legal actions that may be available.