Valiant Organics
Limited

Valiant Organics Limited

Prevention of Sexual Harassment at Workplace

1. Introduction

At Valiant Organics Limited, we are committed towards providing a work environment that is safe and healthy to its employees that enables employees to work without fear of prejudice, harassment, or any form of intimidation or exploitation.

Sexual harassment results in violation of the fundamental rights to a woman to equality under article 14 and 15 of the Constitution of India and her right to life and live with dignity under article 21 of the constitution and 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;

Valiant Organics Limited (VOL) ensures that every employee is treated with dignity and respect and is given equitable treatment. Sexual harassment is considered as gross misconduct under the service rules and applicable laws, and VOL is committed to take appropriate action for such misconduct.

2. Purpose

To provide protection against sexual harassment at workplace. To ensure redressal of complaints of sexual harassment and matters connected therewith.

3. Objective

3.1. To provide protection to employees against sexual harassment at workplace.

3.2. To implement an effective mechanism for the prevention, prohibition and redressal of sexual harassment at the workplace or in the course of official duties with the Company.

3.3. To uphold the commitment of the Company to provide an environment that is free from discrimination and violence against all employees.

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3.4. To promote a culture that will raise awareness about and deter acts of sexual harassment of employees of the Company.

4. Scope

The policy extends to all the employees of VOL, including Confirmed employees/workmen, Employees/workmen on probation, trainees, apprentices, contract workers (at their workplace, on field or at different sites/divisions), visitors, vendors, and any such person visiting VOL.

5. Policy Statement

We are committed to providing a safe environment for all our employees, ensuring that the workplace is free from discrimination on any ground and from harassment at work including sexual harassment. We will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another, will face disciplinary action, up to and including dismissal from employment. All complaints of sexual harassment will be taken seriously and treated with respect and complete confidentiality. No one will be victimised for making such a complaint.

6. Definitions

6.1. **Aggrieved Person:** The employee who alleges to have been subjected to any act of sexual harassment, in any of the form mentioned in clause 7.1, by the respondent.

6.2. **Respondent:** Respondent means a person against whom the complaint has been made.

6.3. **Complainant:** Means aggrieved person as defined in clause 6.1.

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6.4. **Employee:** For the purpose of this policy employee is 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, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

6.5. **Employer:** The head of the organisation, undertaking, establishment, enterprise, office, branch or unit. A person responsible for the management, supervision and control of the workplace.

6.6. **Workplace:** A workplace means any premises, locations, establishments, enterprises, institutions, offices and branches, or the units established, owned, controlled by the company. Any place visited by the employee arising out of or during the course of employment including official events, transportation, accommodation provided by the employer for undertaking such journey.

6.7. **Mala Fide Complaints:** The fraudulent deception, and/or the act of intentionally misleading a person/a thing, and/or providing false statement/facts/documents or any other proof related to the act of harassment, to the committee during the investigation.

7. Key Terms

7.1. **Sexual Harassment:** Includes any one or more of the following unwelcomed acts or behaviour (whether directly or by implication) namely:

- Physical contact and advances; or
- A demand or request for sexual favours; or
- Making sexually coloured remarks; or
- Showing pornography; or

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- Any other unwelcome **physical, verbal or nonverbal conduct** of a sexual nature.

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

- Implied or explicit promise of preferential treatment in employment
- Implied or explicit threat of detrimental treatment in employment
- Implied or explicit threat about present or future employment status or interferes with work or creating an intimidating or offensive or hostile work environment.

7.2. Types of Sexual Harassment

7.2.1. **Quid pro quo:** Quid pro quo means "something in return for something". Quid pro quo harassment usually occurs when the respondent being a person in power, pressurises an employee for sexual favors in exchange for advancement in the workplace or threat of adverse employment action. This also occurs when a person in power says he or she will not fire or reprimand an employee for some type of sexual favor.

Few Examples of Quid Pro Quo Sexual Harassment but not limited to:

- A manager informing or implying to the reportee that he/she would lose employment if denied to give sexual advances
- A manager informing or implying to the reportee that he/she would get better rating/promotion/good increment etc. in return for giving sexual advances

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- A hiring manager implying or directly telling to offer job in return to sexual advances to an interviewee

7.2.2. Hostile Work Environment

Hostile work environment occurs when an individual or group of individuals creates an unsafe, intimidating and offensive work environment through verbal, non-verbal or physical conduct.

Few Examples of Hostile Work Environment:

- Unwelcome comments about body type
- Commenting on someone's physical appearance
- Intentionally touching someone's part of clothing or body
- Telling obscene jokes
- Using sexual words and other sexual suggestive comments
- Showing sexually suggestive pictures, cartoons, pamphlets or any material of similar sort
- Using technology based communication to follow, stalk, which includes unwelcome text messages, pictures etc.
- Using sexually suggestive gestures
- Staring
- Stalking

8. Internal Complaints Committee

8.1. Sexual harassment complaints shall be handled and addressed by the "Internal Complaints Committee" constituted by the Management.

As per guidelines in the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013,** the Internal Complaints Committee constitutes following members:

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- A presiding officer who shall be a woman employed at a senior level at workplace from amongst the employees.
- 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.
- One member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment
- At least half of the total nominated members shall be women.

Details of the members of the committee are provided in **"Annexure A"** of the policy.

8.2. The Complaints Committee is responsible for:

- Addressing every formal written complaint of sexual harassment.
- Taking appropriate actions to respond to any substantiated allegations of sexual harassment.
- Investigating and assessing the details of the discussions with the complainant, witness & respondent
- Recommending action based on the findings, as stated within the relevant Policy or Service Rules, which may include a warning to terminate
- Discouraging and preventing employment-related sexual harassment.

9. Complaint Procedure

Any employee who feels being subjected to sexual harassment by anyone, should:

9.1. Tell the offender that his/her behaviour is unsolicited and unwelcome. Ask the offender to stop immediately. If an employee wants to file a complaint at this stage, the employee may choose to do so.

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9.2. Whenever an incident of sexual harassment occurs, the employee (Complainant) shall, in writing, report the complaint within a period of 3 months from the date of incident and in the case of a series of incidents within 3 months from the date of last incident, to the Internal Complaints Committee on email at co.vol@valiantorganics.com or speak to any of the Committee members.

9.3. In such a case, where the aggrieved employee can't give the complaint in writing, the chairperson or any member of the committee shall render help to the aggrieved employee.

9.4. In such a case, wherein the aggrieved employee on account of the physical or mental incapacity or death or otherwise, can't make the complaint, the legal heir or any such person may make the complaint.

9.4.1. **Any such person** may include; a friend, relative, co-worker, or any other person who has knowledge about the incident that has taken place.

9.5. The Complainant shall make sure to include the following in the written complaint;

9.5.1. Date, time and location of the Incident

9.5.2. The name of the respondent, with the designation and phone no.

9.5.3. Detailed description of the incident

9.5.4. Names of witnesses with their phone no.

9.5.5. Procure any physical/documentary proof related to the incident

9.5.6. Aggrieved employee shall sign the complaint letter with date

10. Complaint Redressal Procedure

After the complaint is received with the required details as mentioned in clause 9.5, the Internal Complaints Committee will conduct the investigation with immediate effect.

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10.1. The Internal Complaints Committee before initiating inquiry and at the request of the aggrieved employee, may take steps to settle the matter between the complainant and the respondent through conciliation. Provided no monetary settlement shall be made as a basis of conciliation. If the settlement is arrived at this stage, the committee shall record the settlement so arrived and forward the same to the employer. Copies of the settlement to be sent to the aggrieved employee and the respondent. The committee will conduct no further inquiry in this case.

10.2. If there is no conciliation possible, then the committee shall immediately proceed with the inquiry and communicate the same to the aggrieved employee and the respondent.

10.3. The committee shall prepare a Statement of the Allegation and give it to the respondent, to provide the respondent an opportunity to give a written explanation within 10 working days.

10.4. The aggrieved employee shall be provided with a copy of the Statement of Allegation that the respondent has filled up.

10.5. If the respondent desires to call any witness, he/she shall communicate in writing to the committee, by mentioning the names of the witness(es) in the explanation statement.

10.6. If the aggrieved employee and respondent desire to produce any physical document as evidence, they must attach the copies in their respective statements.

10.7. The committee shall call upon the witnesses for inquiry and shall also go through the documents provided by the aggrieved employee and respondent.

10.8. During the pendency of an inquiry on a written request made by the aggrieved employee, the Internal Committee may recommend to the employer to:

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10.8.1. Transfer the aggrieved employee or the respondent to any other workplace or department

10.8.2. Grant leave to the aggrieved employee up to a period of three months

10.9. If the aggrieved employee is experiencing **retaliation** of the nature of intimidation, pressure to withdraw the case or threats for reporting, then such a case shall be immediately be brought to the committee's notice.

10.10. If the aggrieved employee or the respondent provide **mala fide complaints**/ statements (respectively), then such a behaviour shall be treated as misconduct, and the person giving mala fide complaints shall face disciplinary action.

10.11. The committee shall hear both the parties, giving a chance to the aggrieved employee to present the case and giving a chance to the respondent to defend himself/ herself.

10.12. The committee shall complete the inquiry within a reasonable time period, not exceeding 3 months from the date on which the complaint was received by the committee.

10.13. The committee shall prepare a report of all the findings of the investigation after assessing the completeness of the information. Based on the findings the committee shall recommend if the allegation / Complaint made by the complainant should be upheld or not upheld.

10.14. In cases where the Complaints Committee upholds the Complaint, it may recommend appropriate actions which may include a warning to termination.

10.15. The committee shall communicate the findings of the case in the form of a Report to the employer or any other competent authority. The Report will have the appropriate recommended action as decided by the Complaints Committee.

10.16. The Report of the Committee shall be treated as an Inquiry Report on the basis of which a delinquent employee shall be given appropriate

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punishment by the Competent Authority of the Company. The Competent authority will act on the report of the Committee in accordance with the Company Rules.

10.17. If the complainant is not satisfied with the outcome of the proceedings before the committee, the Complainant may make an appeal to the court or tribunal as prescribed under the 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Rederessal) Act.

10.18. In case of aggrieved male employees, the employee can escalate his case to the CHRO.

11. OTHER IMPORTANT POINTS

11.1. Confidentiality

The Company understands that it is difficult for the victim to come forward and file a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential at all times. The details of the complaint, inquiry and proceedings shall not be published, communicated or made known to other employees, press, media by the witnesses, committee, complainant and all other people involved in the case and proceedings.

11.2. Protection Against Retaliation

The Company will not allow retaliation against anyone who files a complaint of sexual harassment, cooperated in inquiry or who speaks as a witness in the investigation procedure. The company will take appropriate measures to make sure the complainant or the witnesses are not victimised. Strict action will be against the respondent if the incident of retaliation is found to be genuine.

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11.3. Monitoring and Evaluation

11.3.1. We recognise the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective.

11.4. Implementation of this policy and awareness

11.4.1. The HR function will ensure that this policy is widely disseminated to all relevant persons. It will be included in the employee handbook. All new employees must be trained on the content of this policy as part of their induction into the company.

11.4.2. Every year, we will require all employees to attend a refresher training course on the content of this policy. It is the responsibility of every leader to ensure that all his/her employees are aware of the policy.

11.4.3. Awareness sessions of this policy shall be organized by the HR team.

12. False or Malicious Complaints

In case the Committee arrives at the conclusion that the allegation was false, or false/forged evidence, misleading documents have been provided by the complainant or witness(es), appropriate disciplinary action will be taken as advised by the Committee.

13. Conclusion

In conclusion, the Company recapitulates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

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ANNEXURE A

Internal Complaints (IC) Committee Members

The IC committee members for Head Office and Plants are as follows:

Name	**Responsibility**
Ms. Avani D. Lakhani	Presiding Officer
Mrs. Vatsala Nair	Member
Mr. Mahek Chheda	Member
An external member from an NGO/lawyer*	Member

** External Member will be common for all committees*

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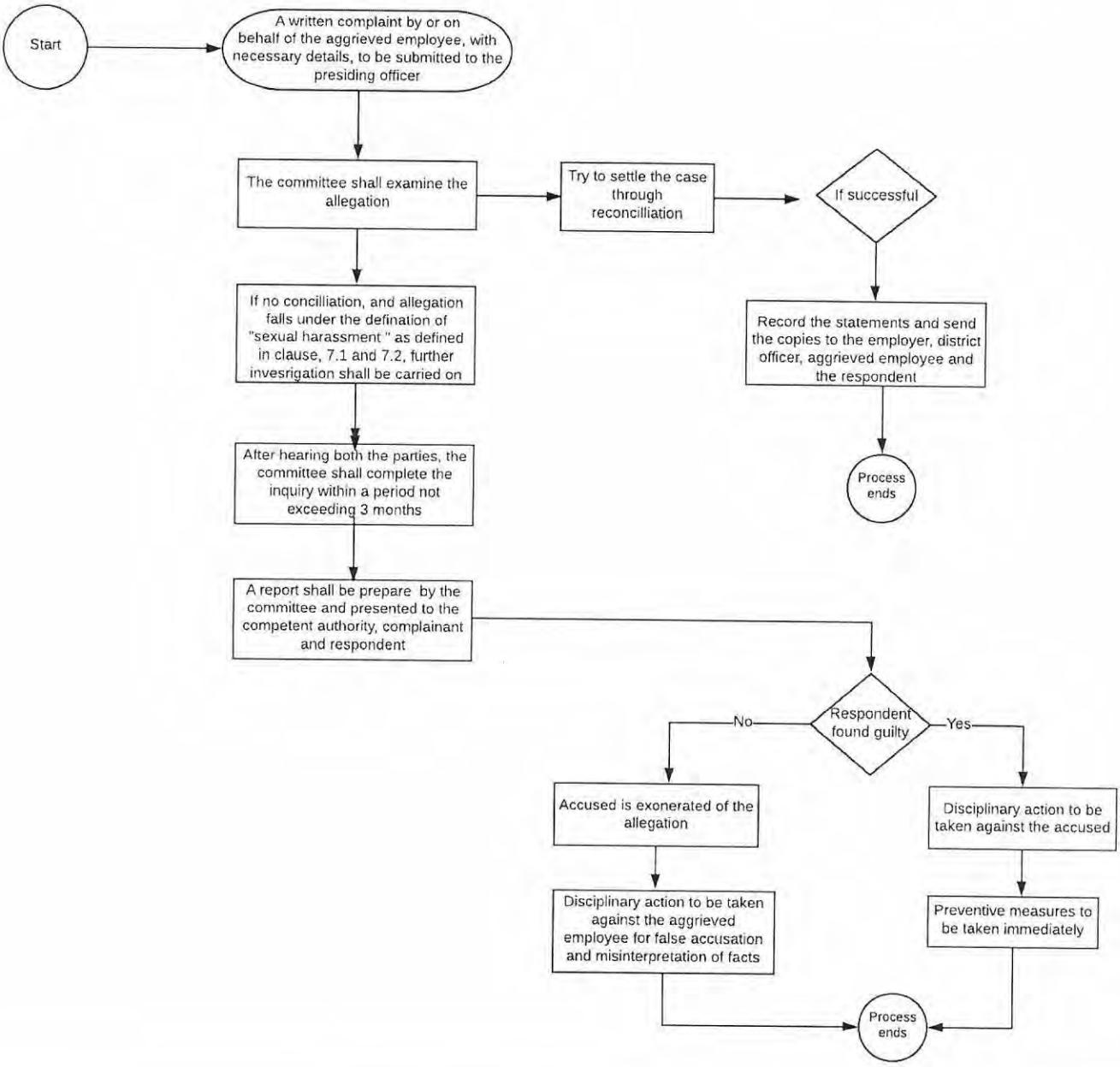

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