

## 17. Prevention of Sexual Harassment at Workplace

### (Sexual Harassment of Women at Workplace Act, 2013)

SecUR Credentials' policy against sexual harassment has been formed to prohibit, prevent and deter acts of sexual harassment at the workplace ("SecUR Credentials" includes all its group companies, subsidiaries, affiliations, etc. and applicable at different locations, as the case may be) and to provide the procedure for the redressal of complaints pertaining to sexual harassment.

At SecUR Credentials, it is our desire to promote a healthy, professional and congenial working environment irrespective of gender, caste, creed or social class of the employees. We value every individual and are committed to protecting the dignity of every individual. Therefore, we have zero-tolerance for sexual harassment and any such act will invite serious disciplinary action including termination of employment with SecUR Credentials.

This policy is meant to educate the employees about what conduct constitutes sexual harassment, the ways and means which we are adopting to prevent occurrence of any such event, and in the unfortunate chance of such an occurrence, to enable a fair mechanism for dealing with such conduct.

The policy is made under the overall ambit and in accordance with the Supreme Court Guidelines on Sexual Harassment at workplace, declared in Vishaka & Others. Vs. State of Rajasthan & Others. (AIR 1997 SC 3011).

#### Who & what is covered under the policy?

- Every team member across SecUR Credentials and all its group companies, subsidiaries and affiliates – Permanent, on probation, contractual, temporary, and employees on third-party payroll, for e.g. Housekeeping staff, etc.
- An alleged act of sexual harassment, whether the incident has occurred during or beyond office hours.
- An alleged act of sexual harassment, whether sexual harassment has taken place within or outside the Company premises.

#### What is sexual harassment?

The following unwelcome actions or behaviour (whether directly or implicitly made) against a woman shall be regarded as instances of sexual harassment against such a woman:

- Physical contact or advances;
- A demand or request for sexual favors;
- Making sexually colored remarks;
- Showing pornography;
- Any form of unwelcome physical, verbal or nonverbal conduct of sexual nature;



- An implied or explicit promise of preferential treatment in the employment of the woman based on a sexual favor;
- An implied or explicit threat of detrimental treatment in the employment of the woman based on a sexual favor;
- An implied or explicit threat about the present or future employment status of the woman based on a sexual favor;
- Interference with a woman's work or creating an intimidating or offensive or hostile work environment for the woman through actions that are sexual in nature; or
- Humiliating treatment (through actions of sexual nature) of the woman which is likely to affect her health or safety.

### **Internal Complaints Committee (ICC)**

An Internal Complaints Committee (ICC) has been constituted by the Management for both Mumbai and Delhi offices to consider and redress complaints of Sexual Harassment. The ICC is responsible for:

- Investigating every formal written complaint of sexual harassment.
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- Discouraging and preventing employment-related sexual harassment.

### **The objectives of the ICC are:**

- To use its best efforts in preventing incident(s) of sexual harassment against working women in SecUR Credentials.
- To use reasonable endeavours in providing a safe, non-discriminatory and friendly workplace for women staff appointed and recruited by SecUR Credentials.
- To deal with complaints relating to sexual harassment against women in an expeditious manner as also to ensure speedy justice and remedial action, and to do its best to maintain the dignity and modesty of an aggrieved woman.
- To conduct a fair and impartial inquiry through the ICC and to recommend appropriate action against the accused, if found guilty.
- From time-to-time to make necessary recommendations to the management of SecUR Credentials specifying appropriate procedures as regards the prohibition, resolution, settlement and prosecution of acts of sexual harassment against women by any lawyers, internal or external consultants and/or staff members of SecUR Credentials.



The Chairperson and other members of the committee are as follows:

Sr. No	Name	Designation
1	<b>Bhavna Mewada</b> Email: <a href="mailto:bhavna.mewada@secur.co.in">bhavna.mewada@secur.co.in</a>	Chairperson
2	<b>Ms. Asha Lobo</b> Email: <a href="mailto:asha.lobo@secur.co.in">asha.lobo@secur.co.in</a>	Secretary
3	<b>Mr. Richard Desouza</b> Email: <a href="mailto:richard.desouza@secur.co.in">richard.desouza@secur.co.in</a>	Member
4	<b>Rezina Fernandes</b> Email: <a href="mailto:rezina.fernandes@secur.co.in">rezina.fernandes@secur.co.in</a>	Member
5	<b>Ms. Shamita Mallya</b> Email: <a href="mailto:shamita.mallya@mallyasonline.com">shamita.mallya@mallyasonline.com</a>	Independent Member (External- Advocate, Mallyas & Mallyas)

**Note:** In case of any member's absence the HR department can be contacted as well.

#### **Whom to contact in case of an incident of sexual harassment?**

It is the obligation of all employees to report an act of sexual harassment experienced by them personally. Employees are encouraged to contact any of the Internal Complaints Committee members directly to report sexual harassment instances.

If an employee approaches his/her manager, or any member of the HR team concerning any incident which falls under the purview of this act then they have to direct the employee to the members of the Internal Complaints Committee.

A concerned co-worker may also inform the Internal Complaints Committee of any instance or behaviour of sexual harassment by a co-worker towards another employee.

The concerned employee shall give his/her complaint in writing to the **Chairperson/any member** of the committee giving details of the incident **within 1 month** of its occurrence. Once the complaint is received, it will be kept strictly confidential.

The complaint should include contact details of the complainant / victim such as name, address, contact number, department etc.

In both the cases above, the written complaint must provide the details of the incident together with the name/s of, the alleged harasser/s and the victim/s, as available. It is imperative that all complaints of sexual harassment be supported with witness or any evidence as far as possible.



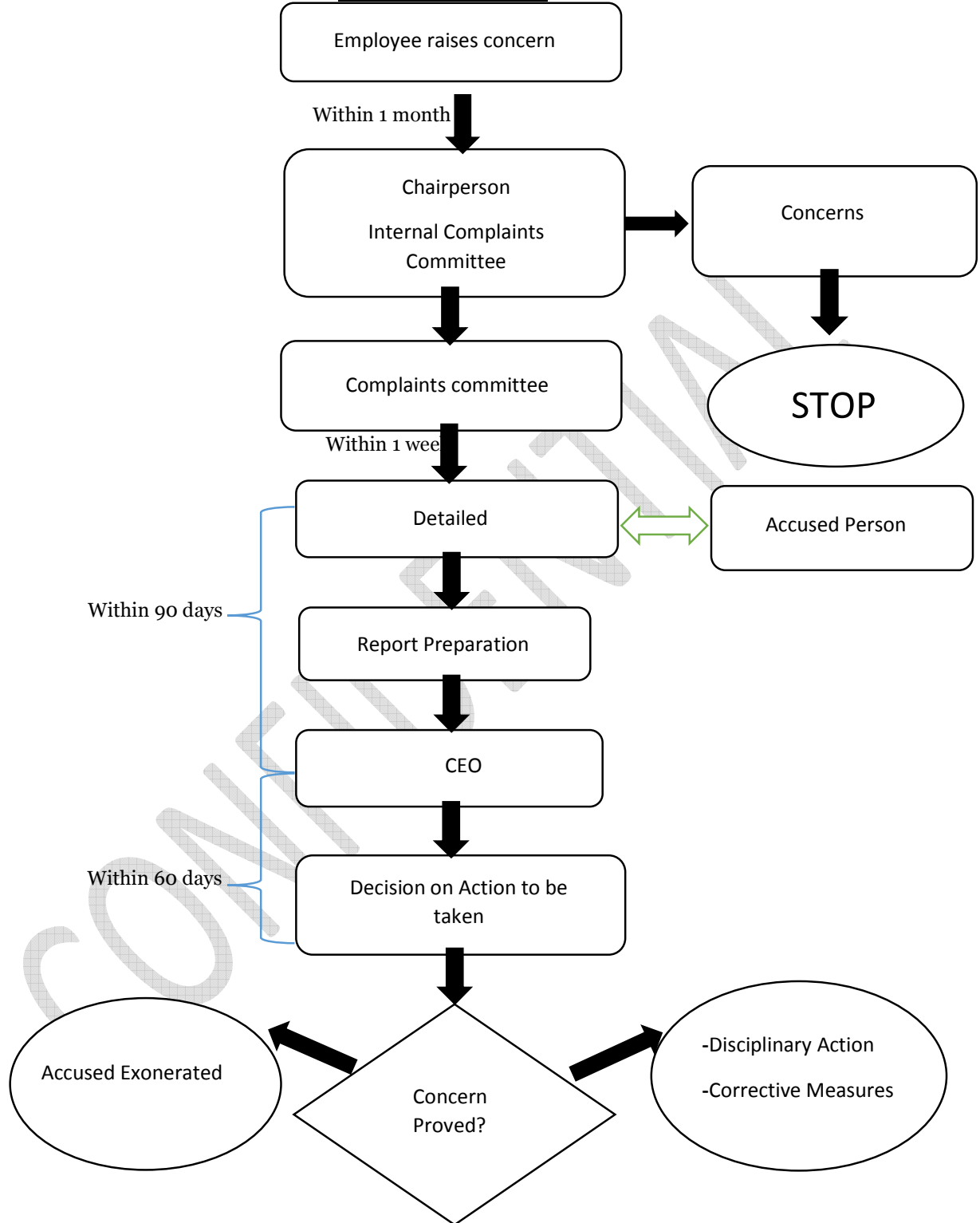
### What is the Process?

- The committee shall proceed with the enquiry **within a week** of receiving a complaint and communicate the same to the complainant and the person against whom such complaint is made.
- The committee shall prepare and handover the statement of allegation to the person against whom the complaint is made and give him/her an opportunity to submit a written explanation if he/she so desires within 3 days of receipt of the same.
- The complainant shall be provided with a copy of the written explanation submitted by the person against whom the complaint is made.
- If the complainant or the person against whom the complaint is made desires any witness/es to be called, they shall communicate in writing to the committee the names of witness/es that they propose to call.
- If the complainant desires to tender any documents by way of evidence before the committee, she/he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the committee he/she shall supply original copies of such documents. Both shall affix his/her signature on the respective documents to certify these to be original copies.
- The committee shall call upon all witnesses mentioned by both the parties.
- The committee shall provide every reasonable opportunity to the complainant and to the person against whom complaint is made, for putting forward and defending their respective case.
- The complainant and the alleged harasser shall be informed of the outcome of the investigation. The investigation shall be completed within 90 days of the receipt of the complaint. If the investigation reveals that the complainant has been sexually harassed as claimed, the accused will be disciplined accordingly. If the complainant is not happy with the outcome of the investigation of the committee, then the complainant can file another appeal to the complaints committee and/or file a criminal complaint against the alleged harasser at the nearest police station.
- The enquiry committee will submit a report to the Chief Executive Officer and recommend the nature of action/penalties to be taken against person found guilty at the earliest. As the case may be, the CEO is mandated to take action on the report within 60 days.
- During the process of investigation, the Company will ensure no further harassment or victimization happens to either victim or the alleged harasser and duties are carried out normally.
- The Company will also ensure that there is no proximity at work place between the victim and the alleged harasser, during the pendency of the complaint. Necessary work arrangements, including transfer, if necessary, will be made by the Company for this purpose.

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where the disclosure is required under disciplinary or other remedial processes.



**PROCESS-FLOW**



### **Protection of Complainant/Victim**

- The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action including termination of employment with immediate effect.
- The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.
- However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action including termination of employment with immediate effect.

### **Penal consequences for Sexual Harassment**

SecUR Credentials believes in having a cordial, professional and non-discriminatory working environment for all its staff members, employees and consultants, more so for its women staff, employees and consultants.

The Internal Complaints Committee (ICC) constituted by SecUR Credentials will take speedy and strict disciplinary action(s) against any staff member, employee, consultant or associate who is found to be involved in an incident of sexual harassment of any woman. Additionally, the aggrieved woman also has the right to file a complaint under **Section 354** (Assault or criminal force to woman with intent to outrage her modesty), **Section 354A** (Sexual Harassment) and **Section 509** (Word, gesture or act intended to insult the modesty of a woman) of the Indian Penal Code (“IPC”). In the event the aggrieved woman chooses to file a complaint under the IPC, SecUR Credentials will extend all reasonable and necessary support to her. Please note that the penalty under the foregoing sections of the IPC is imprisonment for a period between one (1) and three (3) years with or without a fine.

### **Complaints made with a malicious intent**

This policy has evolved as a tool to ensure that in the interest of justice and to be fair, our employees have a forum to approach a committee/ take legal recourse in the event of instances of sexual harassment. In the event any complaint by a woman employee or associate is proven to be false, SecUR Credentials reserves the right to take disciplinary action against the concerned woman as advised (termination of employment). Women staff, employees and consultants are hereby strictly requested to restrain and desist from filing false or frivolous complaints of sexual harassment against their male colleagues, co-employees, co-consultants or associates. The employees who are victims of sexual harassment may, in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.

