

SAMTEL COLOR LIMITED

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT THE WORK PLACE

1. TITLE AND COMMENCEMENT

- Samtel Color Limited is committed in providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

- The Company is also committed in promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity.

- The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

2. OBJECTIVE

This policy has been framed with a view to:

- ✓ Promote a workplace based on equality & respect.

- ✓ Provide a safe and congenial work environment.

- ✓ Awareness & sensitization about sexual harassment at the workplace.

- ✓ Prevent sexual harassment.

- ✓ Provide formal and informal mechanism for redressal in case of complaint of sexual harassment at the workplace.

- ✓ Define the implications and outcome of sexual harassment.

- ✓ Ensure protection against retaliation to complainants, witnesses, committee members and other employees involved in prevention and complaint resolution.

3. SCOPE

This Policy shall apply to all persons employed at the workplace for any work of regular, temporary, ad hoc or daily wage basis, directly or through an agent / contractor, including persons working on a voluntary basis and also apprentices, trainees, probationers, agent, including consultants of the Company.

The Company even will not tolerate sexual harassment if engaged in by clients, suppliers or by any other business associates.

The workplace includes:

- ✓ All offices or other premises where the Company's business is conducted.

- ✓ All company-related activities performed at any other site away from the Company's premises.

- ✓ Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

4. DEFINITIONS SEXUAL HARASSMENT AND SEXUALLY ORIENTED BEHAVIOUR

(a) 'Sexual Harassment', includes any unwelcome sexually determined behaviour, direct or by implication, and includes physical contact and advances, a demand or request for sexual favours, sexually coloured remarks, showing pornography, any other unwelcome physical, verbal or non verbal conduct of a sexual nature. Sexually Oriented behaviour shall mean and include but not limited to the following:

- Physical Contact or advances

- A demand or request for sexual advances

- Making sexually coloured remarks

- Showing pornography

- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

(b) “Unwelcome sexually determined behavior” includes but is not limited to:

✓ Subjecting another person to an unwelcome act of physical intimacy including grabbing, brushing, touching, including sexual flirtations, advances or propositions.

✓ Making any unwelcome remark with sexual connotations like sexually explicit, remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks etc.

✓ Showing any sexually explicit visual material in the form of pictures / cartoons / pinups/ calendars / screen-savers on computers / any offensive written or electronic material /including pornographic.

✓ Engaging in any other unwelcome conduct of a sexual nature, verbal or even nonverbal, staring to make the other person uncomfortable, making offensive gestures, etc.

✓ Sending unwelcome communication of a sexual nature, through e-mail, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of a sexual nature.

✓ Making an unwelcome demand or request whether directly or by implication for sexual favours and/or making it a condition of employment / payment of wages / increments /promotion / preferential treatment / threat to detrimental treatment in employment /threat to current or future employment status or similar act.

✓ Where a Supervisor requests sexual favours from a junior (or any other person) in exchange for actual or promised job benefits such as favourable reviews, salary increases, promotions, increased benefits or continued employment or threatens to terminate any such person for non-co-operation.

✓ Where a boss or other senior person intrudes into the private life of employees or persistently asks them out.

✓ Where any employee(s) make(s) sexual epithet, jokes, written or oral references to sexual conduct, and/or gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess in an attempt to humiliate or make another person uncomfortable.

✓ Behaviour which creates an environment that is intimidating, hostile, offensive, humiliating for women employee.

(c) WORKPLACE:

Any place where working relationship and/or employer-employee relationship between the company and the person exists. This includes our premises (including transit houses & guest houses) and any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such a journey.

(d) AGGRIEVED WOMAN:

In relation to 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.

(e) RESPONDENT:

Against whom the aggrieved woman has made a complaint

"Sexual Harassment" should not be confused with simple friendly behaviour, if these are mutually desired and accepted. The difference between friendly behaviour and sexual harassment is that sexual harassment is an unwelcome act.

5. PREVENTION OF SEXUAL HARASSMENT

No person shall be subjected to sexual harassment at any work place.

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:

- (i) implied or explicit promise of preferential treatment in the persons employment/promotion; or
- (ii) implied or explicit threat of detrimental treatment in the persons employment/promotion; or

- (iii) implied or explicit threat about the persons present or future employment/ promotion status; or
- (iv) interferes with work or creating an intimidating or offensive or hostile work environment for the persons; or
- (v) Humiliating treatment likely to affect the persons health or safety.

6. RIGHTS AND RESPONSIBILITIES OF EMPLOYEES

- Every Employee shall be entitled to a work environment with dignity and free from sexual harassment.
- Every Employee shall be entitled to complain against Sexually Oriented Behaviour to which he/she was subject to or which was targeted at him/her, to the Internal Complaints Committee or to the Chairperson or any other Member of the Internal Complaints Committee established under this policy, as the case may be.
- Every Employee shall promptly report any incident of Sexual Harassment that comes to his/her knowledge to the member of Internal Complaints Committee or to the Official, if designated by the Chairperson of the Internal Complaints Committee as the case may be.

7. THE INTERNAL COMPLAINTS COMMITTEE

An Internal Complaints Committee will be formed, as and when required, in pursuance to the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition And Redressal) Act 2013. The names and contact details of the members of the Internal Complaints Committee (ICC) will be circulated to all employee(s) once the Committee is formed. If a member of the Internal Complaints Committee who is an employee of the company and when she / he cease to be an employee of the company then she/he will also cease to be a member of the Internal Complaints Committee.

The Internal Complaints Committee will cover all the factories and offices of the company in India.

8. POWERS AND DUTIES OF THE INTERNAL COMPLAINTS COMMITTEE

The Internal Complaints Committee will receive the complaints on sexual harassment; inquire into the complaints and submit the findings on the complaint in the form of a report to CMD of the Company.

9. **COMPLAINTS PROCEDURE**

A. INFORMAL RESOLUTION OPTION

- ♣ When an incident of sexual harassment occurs, the victim of such conduct can communicate her disapproval and objections immediately to the harasser and request the harasser to behave decently.

- ♣ If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, she can bring her concern to the attention of a member of the Complaints Committee for redressal of her grievances.

B. COMPLAINTS MECHANISM

- ♣ Any employee will have a right to lodge a complaint concerning sexual harassment against an employee.
- ♣ Such a complaint needs to be in writing within a period of three months from the date of incident, mentioning the name, department, division and location of the complainant, to enable the Internal Complaints Committee to contact her and resolve the matter.

- ♣ The time limit for making the complaint may be extended upto a further period of three months, if the Internal Complaints Committee is satisfied that the circumstances were such which prevented the complainant from filing the complaint within that period.

- ♣ The complainant, if desires could be facilitated in writing the complaint, by an Internal Complaints Committee member.

- ♣ Where the aggrieved woman is unable to make the complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint on her behalf.

- ♣ The member of the Internal Complaints Committee to whom the complaint has been made may then try to resolve the matter with conciliation in his/ her presence between the

complainant and the accused where the severity of the case allows. Provided that no monetary settlement shall be made as a basis of such conciliation.

- ♣ Where the matter is not resolved by exercising informal resolution option or the complainant is not comfortable with exercising such option and conciliation between the complainant and the accused proves fruitless, the member of the committee to whom the complaint has been made shall then cause the matter to be investigated with the assistance of the Complaints Committee.

- ♣ The investigation report after completion of such investigation shall be made as soon as practicably be possible not exceeding 90 days from the date of receipt of the complaint.

- ♣ The concerned member of committee may thereafter take appropriate remedial measures to respond to any substantiated allegations of sexual harassment, which include:
 - a) Formal Apology
 - b) Counselling

- ♣ Where the member of the Committee dealing with the complaint is of opinion that the severity of the complaint is such that it cannot be resolved with abovementioned remedial measures, he/she shall refer the matter for consideration to the Chairperson of the Committee.

- ♣ The Chairperson of the committee shall then proceed to convene a meeting of the members of the Internal Complaints Committee within 5 working days of such reference being made, wherein the committee shall consider the investigation report of the case and give opportunities to the complainant to present his /her case and the respondent to give his /her version. The Internal Complaints Committee may examine witness from both the sides and also give opportunity of cross-examining of the witness. Documents if any produced by the parties may be taken on record. Neither the complainant nor the respondent is allowed to bring in any legal practitioner to represent them in their case at any stage before the Internal Complaints Committee.

- ♣ The Internal Complaints Committee shall then submit the outcome of the meeting in writing to the Chairman and Managing Director of the Company within 10 days from the conclusion of the meeting, explaining the findings and recommendations of the committee.

- ♣ The Chairman & Managing Director will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.

- ♣ Corrective action may include any of the following:
 - a) Written warning to the perpetrator and a copy of it maintained in the employee's file.

 - b) To deduct notwithstanding anything in the service Rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs as may be determined.

 - c) Such allegations of sexual harassment when proved, shall affect the annual review of the harasser

 - d) Change of work assignment / transfer for either the perpetrator or the victim.

 - e) Suspension or termination of services of the employee found guilty of the offence. In case the complaint is found to be false, it shall be viewed seriously and the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

10. **ASSURANCE AGAINST RETALIATION**

This policy seeks to encourage all employees to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about sexual harassment or behavior that might constitute sexual harassment is also strictly prohibited. Any act of reprisal, including internal interference, coercion, and restraint, by an employee, violates this policy and will result in appropriate In the event complainant being an employee and the respondent being his/her Manager, the Internal Complaints Committee or a member thereof may during the pendency of investigation and even after such investigation if the Manager is found to be guilty, recommend to the management to: a) Change the manager of the aggrieved woman or; b) Transfer the aggrieved woman or the respondent to any other workplace or; c) Grant leave to the aggrieved woman upto a period of three months or; d) Grant such other relief to the aggrieved woman as may be prescribed.

11. **OBLIGATIONS OF THE MANAGEMENT**

The Management of the Company shall provide all necessary assistance for the purpose of ensuring full effective and speedy implementation of the Internal Complaints Committee constituted as above and shall implement the decisions in an expeditious manner.

12. **CONFIDENTIALITY**

- a) The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained by the members of the Complaints Committee, parties to the case and all other persons who come in connection with the proceedings of the case, throughout any investigatory process to the extent practicable and appropriate under the circumstances.

- b) Where any person entrusted with the duty to handle or deal with the complaint, inquiry or recommendations or actions to be taken under the policy contravenes the provisions of clause a) above, he shall be liable to penalty as may be prescribed by the Internal Complaints Committee.

13. **ACCESS TO REPORTS AND DOCUMENTS:**

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

14. **PROTECTION TO 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. 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.

15. **THIRD PARTY HARASSMENT**

In case of third party Sexual Harassment the Internal Complaints Committee will actively assist and provide all its resources to the complainant in pursuing the complaint.

15. **SAVINGS**

The proceedings under this policy shall not be stalled or postponed merely because the complainant is proceeding against the respondent under any other provision of civil or criminal law.

16. **DISCLOSURE OF THE POLICY**

- i. The Policy will be uploaded on the Company's website for public information.
- ii. A summary of the Policy will be disclosed in the Corporate Governance Report annually.

17. **REVIEW OF THE POLICY**

The Board will review and monitor the implementation of the Policy from time to time.