# POLICY FOR PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE

## Pursuant to "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013"

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, is an Act to provide protection against Sexual Harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

Ghushine Fintrrade Ocean Limited is committed to provide a workplace completely free from harassment to and/or discrimination of female employees and shall ensure treating them with dignity and respect. Hence, Ghushine Fintrrade Ocean Limited recognizes the right of employees to work in an environment free of sexual harassment and thus implements the above Act in its Sexual Harassment Policy.

The Prevention of sexual harassment policy states that:

- Sexual harassment will not be tolerated. Individuals who engage in such behaviour will be subject to disciplinary action up to and including termination from the services.
- Management is responsible for ensuring that the work environment is free from sexual harassment.
- All sexual harassment complaints and responses are confidential subject to the requirements of this policy.

**What is Sexual Harassment?**

Sexual harassment is defined as:

- It includes unwelcome acts or behaviour (whether directly or by implication) namely physical contact and advances or a demand or request for sexual favours or making sexual coloured remarks or showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- Objectionable, coercive or lewd comment of a sexual nature to a person or persons, that is known or ought reasonably to be known as unwelcome.
- Actions or communications with a sexual connotation that create an intimidating, demeaning, or offensive work environment.
- Unwanted sexual request or advance, inappropriate touching, or sexual assault.
- An implied or expressed reprisal or threat of reprisal, or denial of opportunity for refusing to comply with a sexual request.
- Any implied or expressed reward for complying with a sexually oriented advance or request.
- Displaying pornographic, offensive or derogatory pictures or text.
- Reprisal or threat of reprisal against an individual for any action they take following this policy and its procedures.

**What is NOT Sexual Harassment?**

Sexual harassment does not refer to normal conversation that all parties affected find acceptable. It does not refer to office relationships that are freely entered into without intimidation or coercion.

**Internal Complaints Committee**

An Internal Complaints Committee has been set up in Ghushine Fintrrade Ocean Limited for listening, registering and taking actions regarding any aggrieved employee's complaint.

The Committee will take the action on such complaints in accordance with the "Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013".

The Committee will consist of at least three members, out of which at least two members shall be from within the organization and one from outside the organization. Further, the Committee will consist of minimum two women members.

The details of the committee members can be received from the HR department.

**What can aggrieved woman employee do if they think that they are being sexually harassed?**

**A. Informal Resolution**

- Talk to the harasser and warn them for such behaviour by keeping witness/s in presence.
- Aggrieved woman employee should indicate clearly and directly to the harasser that the behaviour is not acceptable and must stop. Employees should have witness/s present and keep a record of the date, time and place. If employees communicate by letter/ Email, they must retain a copy of it.

**B. Escalate the case to Internal Committee:**

- Woman who feel they have been harassed must maintain records of incidents, including dates, times, places, witnesses, responses of the alleged harassed and harasser, and any other relevant information.
- Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident.
- Provided that where such complaint cannot be made in writing, the internal Committee shall render all reasonable assistance to the woman for making the complaint in writing.
- Provided further that the Internal Committee may, for the reasons to he recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.
- Where the aggrieved woman is unable to make a 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 under this section.

**C. Formal Complaint**

If the informal measures do not resolve the situation, the following formal complaint option is also available:

- **Complaint Procedure:**

The complaint procedure applies to all employees.

- Formal complaint must be filed to the Internal Complaint committee, in writing and signed by the complainant.
- A meeting will be held between the Internal Committee and the Respondent (Person against whom the aggrieved woman has made a complaint) and this matter will be discussed with him and he would be provided a copy of the complaint.
- The Committee will interview both parties, and any witnesses. During investigation, both parties have the right to be accompanied by witness/s.
- The Committee must complete the investigation and file a report to the Managing Director (MD) within ten (10) working days from the date of completion of inquiry.
- The MD in consultation with the Internal Committee will determine what action, including appropriate disciplinary action if any, is to be taken. This decision and the rationale for the decision shall be communicated in writing to both parties.

**What rights does Respondent (Person against whom the aggrieved woman has made a complaint) have?**

Respondent have the right:

- To be informed that a complaint has been filed.
- To have a copy of the complaint, stating the allegation(s) and the name of the complainant.
- To respond to the allegation(s).
- To be accompanied during investigative interviews by witness/s.
- To be informed in writing of the MD & Internal Committee's decision on what action, if any, will be taken and the reasons for that decision.

**What are the responsibilities of the Internal Complaints Committee?**

- **Take preventive action: deterrent**

Internal Committee is required to display the policy to the employees via any display media/ Emails/ in HR Manual as a Policy and make sure that all employees are aware of what action to take if harassment occurs.

- **When approached by an employee with a complaint**

Internal Committee must be supportive and explain what options are available. Committee should also find out how the employee prefers to deal with the situation and address any concerns the employee may have about filing a formal complaint. Finally, Committee must keep a confidential record of all pertinent information.

- **If the employee files a formal complaint**

Committee must provide assistance as required and be available to discuss any concerns that the employee may have.

- **If the employee chooses not to file a formal complaint**

Committee must explain to the employee that they are required under the policy to take action even in the absence of a formal complaint. If the allegation is a very minor form of sexual harassment, it may be appropriate to resolve the situation informally. Once a course of action is decided upon, Committee is required to inform the employee about what action will be taken and address any concerns that she or he may have.

**The Proceedings/ Investigation of any complaint related to Sexual Harassment at workplace must be dealt by being in the framework of "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and also abide by all the rules and processes mentioned in the act.**