

Sexual Harassment

OBJECTIVE:

To provide a sexual Harassment procedure for pleasant, safe & impartial work environment to maintain self-esteem and dignity for all employees/workers to promote a workplace that is free of sexual harassment and any other type of discriminatory harassment in the company.

SCOPE:

All employees/workers of Amanta Healthcare Limited. This policy comes into effect immediately.

PROCEDURE:

A. Definition of Sexual Harassment:

Sexual harassment is unwanted conduct of a sexual nature. The unwanted nature of sexual harassment distinguishes it from behaviour that is welcome and mutual.

- A.1** Physical conduct of a sexual nature includes all unwanted physical contact.
- A.2** Verbal forms of sexual harassment include unwelcome innuendo, suggestions and hints, sexual advances, comments with sexual overtones, sex-related jokes or insults or unwelcome graphic comments about a person's body made in their presence or directed towards them,, unwelcome and inappropriate inquiries about a person's sex life, and unwelcome whistling directed at a person or group of persons.
- A.3** Non-verbal forms of sexual harassment include unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects.
- A.4** Quid pro quo harassment occurs when an employer, supervisor, member of management or co-employee, undertakes or attempts to influence the process of employment, process of employment promotion, training, discipline, dismissal, salary increment or other benefit of an employee or job applicant, in exchange for sexual favours.
- A.5** Sexual favouritism exists where a person who is in a position of authority rewards only those who respond to his/her sexual advances, whilst other deserving employees/workers who do not submit themselves to any sexual advances are denied promotions, merit rating or salary increases.

B. Guiding "DOs":

- B.1** All employees/workers are required to refrain from committing acts of sexual harassment.
- B.2** Employees/workers have a role to play in contributing towards creating and maintaining a working environment in which sexual harassment is unacceptable. They will ensure that their standards of conduct do not cause offence and they should discourage unacceptable behaviour on the part of other employees/workers.
- B.3** Management will attempt to ensure that the employees/workers do not subject persons such as customers, suppliers, job applicants and others who have dealings with the business, to sexual harassment.

C. Policy Statements:

- C.1** All employees/workers, job applicants and other persons who have dealings with the company have the right to be treated with dignity.
- C.2** Sexual harassment in the workplace will not be permitted or condoned.
- C.3** Persons who have been subjected to sexual harassment in the workplace have a right to raise a grievance about it, should it occur, and appropriate action will be taken by the company.
- C.4** Allegations of sexual harassment will be dealt with seriously, expeditiously, sensitively and confidentially.
- C.5** Employees/workers will be protected against victimization, retaliation for lodging grievances and from false accusations.

D. Internal Complaint Committee:

An Internal Complaints Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Chairperson and Members of the Committee are as follows:

1. A **Presiding Officer** : Senior most female employee

2. One member from amongst n non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
3. Rest of members shall be co-opted from within the organization provided that at least one half of the total members so nominated shall be women.

E. Sexual Harassment Grievance Reporting & Redressal Procedure:

- E.1** Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with her signature within three months of the date of occurrence of incident and in case of a series of incidents, within a period from the last date of last incident.
- E.2** The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential.
- E.3** The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint, but not later than a week in any case.
- E.4** At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to validate her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for employees involved shall meet and record the statement.
- E.5** Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him / her to give an explanation, where after, an "Enquiry" shall be conducted and concluded.
- E.6** In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- E.7** In case the complaint is found to be false, the Complainant shall be liable for appropriate disciplinary action by the Management.
- E.8** If, after an appropriate investigation, any employee/worker is found to have sexually harassed another employee, he / she would be subject to the appropriate disciplinary action up to termination and reporting to the local police station.

F. Enquiry Process:

The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.

- F.1** The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her opportunity to submit a written explanation if she /he so desires within 2 days of receipt of the same.
- F.2** The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- F.3** If the Complainant or the person against whom 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.
- F.4** If the Complainant desires to tender any documents by way of evidence before the Committee, he / she 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.
- F.5** The Committee shall call upon all witnesses mentioned by both the parties.
- F.6** 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.
- F.7** The Committee shall complete the "Enquiry" within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the Management. The report of the committee shall be treated as an enquiry report on the basis of which the defaulter employee can be awarded appropriate punishment straightaway.
- F.8** The Management will direct appropriate action in accordance with the recommendation proposed by the Committee.
- F.9** The Committee shall be governed by such rules as may be framed by the Supreme Court orders, or any other legislation enacted later on.
- G.** This policy conforms to the gazette notification issued by the Govt. of India dated 23rd April, 2013.

H. Responsibility:

Responsibility for lying down and updating the policy shall lie with committee members and the management shall review the policy. Storage and maintenance of the documents shall be done by the HR department or one of the committee members.

I. This policy is effective from 1st April 2015.

ANNEXURE – I

SEXUAL HARASSMENT COMMITTEE

Location : Kheda & HO

Sr. No.	Name	Designation & Department	Committee Designation
01			
02			
03			
04			
05			
06			
07			
08			

1st January 2019

C I R C U L A R

Sub: Committee for Redressal of Sexual harassment complaint

Company firmly believes that all employees have the right to be treated with dignity, independent of cast / creed / community and gender.

In order to facilitate the healthy & conducive working environment for female employees the policy have been derived against sexual harassment under which internal complaint committees have been formed for redressal of grievance the detail of which is as under.

Location	Sr. No.	Name of the Committee Members	Department
Kheda - Plant	1	Mr. Anil Rathi (President)	Operation
	2	Ms. Yashi Thapliyal	HR
	3	Ms. Ripa Solanki	HR
	4	Ms. Olga Rathod	SVP
	5	Ms. Jigisha Patel	LVP
	6	Ms. Smita	LVP
	7	Ms. Meena Vyas	SVP
	8	Ms. Aesha Patel	LVP
	9	External Members	
Head Office	1	Mr. Shailesh Shah (President)	Finance
	2	Ms. Zalak Shah	HR
	3	Ms. Yashi Thapliyal	HR
	4	External Member	

Any aggrieved female employee can hand over her complaint to any member of the committee member within 3 months from the date of incidence. In special cases, the committee will take the complaints for extended period of 3 months.

Compliant must be written communication made in good faith that reports an act of sexual harassment.

The internal committee will take the necessary steps to settle the matter between complainant and the respondent through conciliation or by conducting the enquiry.

Let us work together in making AMANTA the BEST work place.