

Policy

Prevention of Sexual Harassment at Workplace

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1 Objective

ArisGlobal is committed to provide a safe and conducive work environment to its employees. We believe that employees should be afforded the opportunity to work in an environment free of all types of harassment including sexual harassment. Sexual harassment is a form of misconduct that undermines the human dignity and affects social and employment relationship in a workplace. No employee should be subjected verbally or physically to unsolicited and unwelcome sexual overtures or conduct.

Sexual harassment refers to behavior that is not welcome, that is personally offensive, which debilitates morale and, therefore, interferes with work effectiveness and productivity. Behaviour that amounts to sexual harassment may result in disciplinary action, up to and including dismissal.

Any & all complaints or allegations of sexual harassment will be investigated promptly. In the event, harassment is found to have taken place, appropriate corrective action will be implemented based on the results of enquiry conducted by Anti-Sexual Harassment committee.

2 Statutory Compliance

In compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal Act, 2013 and the Supreme Court Guidelines in Visakha Judgement), ArisGlobal has developed Policy and Procedures designed to prevent sexual harassment at workplace, and to deal with any complaints which may arise.

Sexual Harassment infringes the fundamental right of a woman to gender equality under Article 14 of the Constitution of India and her right to life and liberty under Article 21 of the Constitution, 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.

The right to protection from sexual harassment and the right to work with dignity are recognized as universal human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which has been ratified by the Government of India.

The Prevention of Sexual Harassment at the Workplace Policy has been formed to prohibit, prevent or deter the commission of acts of sexual harassment at workplace and to provide the procedure for the redressal of complaints pertaining to sexual harassment.

3 Applicability

This Policy applies to all the employees, trainees / interns, consultants / contract employees, Vendors and Housekeeping staff (whether in the office premises or outside while on assignment) of all the ArisGlobal offices in India (Bengaluru & Mysuru).


Where sexual harassment occurs to an ArisGlobal employee as a result of an act by a third party or an individual other than an employee of ArisGlobal while on official duty, ArisGlobal will take all necessary and reasonable steps to assist the affected person in terms of preventive action and enquiry.

4 Definition of Terms

(a) "Complainant" means, in relation to a Workplace (as hereinafter defined), an aggrieved person, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent (as hereinafter defined).

(b) "Employees" means all employees of the Organization and includes all categories of employees of the Organization either working part-time or full time and including but not limited to:

- Permanent employees.
- Temporary employees.

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- Trainees.
- Contract employees.
- Consultants and
- Advisers.

(c) “Employer” means and includes -

- I. a Director of the Organization; and
- II. any person(s) or board or committee responsible for the formulation and administration of policies that enables management, supervision and control of the Workplace.

(d) “Internal Committee” (hereinafter referred to as the “IC”) means the committee constituted by the Organization further to the Act and Rules to redress complaints of sexual harassment at the workplace. The IC is the sole inquiring authority into all complaints of sexual harassment at the workplace and a recommendatory body for disciplinary actions thereof based on the findings of the inquiries.

(c) “Member/s” means a member/s of the Internal Committee;

(d) “Local Committee” or “LC” means a committee notified by the State Government for the purpose of dealing with matters in relation to sexual harassment in each and every district

(e) “Respondent” means a person (Employee) against whom the Complainant has made a complaint of Sexual Harassment.

5 What is Sexual Harassment?

Sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- a) Physical contact and advances; or
- b) A demand or request for sexual favours; or
- c) Sexually coloured remarks; or
- d) Showing pornography; or
- e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Sexual harassment is emotionally abusive and creates an unhealthy, unproductive atmosphere at the workplace.


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:

- a) Implied or explicit promise of preferential treatment in employment; or
- b) Implied or explicit threat of detrimental treatment in employment; or
- c) Implied or explicit threat about present or future employment status; or
- d) Interference with work or creating an intimidating or offensive or hostile work environment for; or
- e) Humiliating treatment likely to affect health or safety.

6 Preventive Steps

In compliance with the existing laws, ArisGlobal shall take all reasonable steps to ensure prevention of sexual harassment at workplace. Such steps shall include:

- Training all employees including new hires, contract employees and consultants on sexual harassment policies and process of raising complaints.
- Prominent display on the notice board and on the Company intranet.
- An Internal Committee is constituted.

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ArisGlobal will assist employees affected in cases of sexual harassment by outsiders when such incident occurs during the course of employment.

7 If you are being harassed

- Tell the accused that his/her behaviour is unwelcome and ask him/her to stop.
- Keep a record of incidents (dates, times, locations, possible witnesses, what happened, your response). It is not mandatory to have a record of events to file a complaint, but a record can strengthen your case and help you remember the details over time in case the complaint is not filed immediately.
- If the accused continues such unwelcome behaviour even, after asking the accused to stop his / her behaviour, file a complaint with the Internal Complaints Committee. The Complainant can reach out to the IC even if they do not ask the Respondent to stop such behaviour.
- The **Anti-Sexual Harassment Committee (henceforth referred as the Internal Committee (IC))** will receive all complaints, verbal or written, of harassment on behalf of the organization. The Internal Committee constituted will be appointed for a period of three years.

8 Internal Committee

The IC shall consist of the following Members namely: (a) a Presiding Officer who shall be a woman Employee at a senior level; (b) not less than two Members from amongst Employees who have had experience in social work or have legal knowledge; (c) 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. One half of the total Members so nominated shall be women. This Policy details the names and contact details of the members of the IC.


The Presiding Officer and every Member of the IC shall hold office for a period not exceeding (3) three from the date of nomination. The Member appointed from amongst the non-governmental organisations or association shall be paid such fees or allowance as prescribed under the Rules. IC shall send periodical reports to the Employer constituted under this Policy.

The procedure as regards the IC shall be as contemplated under the provisions of the Act.

Bengaluru Location

#	Name	Designation	Dept.	E-mail ID
1.	Deepa Prasad	Presiding Officer	HR	deepa.prasad@arisglobal.com
2.	Kamal Swaminathan	Committee member	Global Finance	Kamal.Swaminathan@arisglobal.com
3.	Mr. Karna B Shetty	Committee member	Product Management	Karna.Shetty@arisglobal.com
4.	Mr. Mohan Kumar Adishesha	Committee member	Service Delivery	Mohan.Adishesha@arisglobal.com
5.	Mrs. Srividya Sriram	External Member - Legal Consultant	SASHA - NGO	srividyasriram@sashaindia.com

Mysuru location

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#	Name	Designation	Dept.	E-mail ID
1.	Deepa Prasad	Presiding Officer	Human Resources	deepa.prasad@arisglobal.com
2.	Ms. Sherin Bollachettira Aiyappa	Committee member	EPD	Sherin.Aiyappa@ArisGlobal.com
3.	Mr. Ranjith Virupakshagowda	Committee member	Facilities	ranjith.virupakshagowda@arisglobal.com
4.	Jaidev Goteti	Committee member	Human Resources	jaidev.goteti@arisglobal.com
5.	Mrs. Srividya Sriram	External Member - Legal Consultant	SASHA - NGO	srividyasriram@sashaindia.com


9 Reporting a Complaint

- It is the obligation of all employees to report incidents of sexual harassment experienced by them, immediately. A concerned co-worker may also inform the Internal Committee of any instance or behavior of sexual harassment by a co-worker towards another employee. Please report complaints to ICC@arisglobal.com
- The concerned employee shall initiate a complaint in writing to the Chairperson of the Committee to the following **email ID: ICC@arisglobal.com** giving details of the incident within a period of 3 months from the date of the first incident of harassment.
- Once the complaint is received, it will be kept strictly confidential.
- **Conciliation**- Internal Committee shall take steps to settle the matter between the complainant and the Respondent ("Respondent" herein means any person against whom a complaint has been made under this policy). In case a settlement has been arrived at, the Complaints Committee shall record the conditions of settlement so arrived and forward the same to the senior management and no further Inquiry shall be made by the Complaints Committee.
- **Inquiry**- In case conciliation fails; the Internal Committee shall make an inquiry into the complaint in accordance with section 7.

10 Complaint of Sexual Harassment

In the event, the Complainant is unable to make a complaint on account of the Complainant's physical or mental incapacity or death or any other reason which prevents the Complainant from making a complaint, then the Complainant's legal heir or any other person as mentioned below may make the complaint on the Complainant's behalf under the Policy:

- (i) In the event the Complainant is unable to make the complaint on account of the Complainant's physical incapacity, the complaint may be filed by:
- a. the Complainant's relative or friend;
 - b. the Complainant's co-worker;
 - c. an officer of the National Commission for Women or State Women's Commission (in case the Complainant is a woman); or
 - d. any person who has knowledge of the incident, with the written consent of the Complainant.

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(ii) In the event the Complainant is unable to make the complaint on account of the Complainant's mental incapacity, the complaint may be filed by:

- a. the Complainant's relative or friend.
- b. a special educator.
- c. a qualified psychiatrist or psychologist.
- d. the guardian or authority under whose care the Complainant is receiving treatment or care; or
- e. any person who has knowledge of the incident jointly with the Complainant's relative or friend, or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care the Complainant is receiving treatment or care.

(iii) In the event the Complainant is unable to make the complaint for any other reason, the complaint may be filed by any person who has knowledge of the incident, with the Complainant's written consent.

(iv) In the event of the death of the Complainant, the complaint may be filed by any person who has knowledge of the incident, with the written consent of the Complainant's legal heir.

A Complainant may make the written complaint to the IC. No form is required but the complaint must be in writing and signed by the Complainant.

A Complainant may make a complaint of Sexual Harassment at Workplace to the IC within a period of three months from the date of the incident.

The IC is empowered to extend the time limit beyond three months from the date of incident, but not exceeding three months thereafter, for reasons to be recorded in writing if the IC is satisfied that the circumstances were such which prevented the person from filing the complaint within the said period.

The Presiding Officer or any Member of IC may also render reasonable assistance to the Complainant for making any complaint in writing, if he/she cannot make the complaint in writing themselves.

Legal heirs or such other persons may also make the complaint if the Complainant is unable to make the complaint on account of his/her trauma, physical or mental incapacity or death or otherwise.

A withdrawal of the complaint made or filed at any stage of the proceedings shall not preclude the IC from proceeding with the investigation of the complaint.


If so requested in writing, by the Complainant, pending completion of the Inquiry, the IC may recommend the Employer to:

- a. arrange the Complainant to work from home for up to 3 (three) months
- b. transfer the Complainant or the Respondent to any other Workplace; or
- c. grant leave up to 3 (three) months to the Complainant; or
- d. grant such other relief to the Complainant as maybe prescribed in the Rules, including restraining the Respondent from reporting on the work performance of the Complainant or writing any confidential report and assign the same to another officer.

The Employer shall implement such recommendations and send a report of such implementation to the IC.

11 Procedure


- The Complainant shall submit/send by e-mail copy of the complaint, supporting documents and list of witnesses to the IC.

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- One copy of the complaint to be sent to Respondent, after receipt of the complaint, within 7 (seven) working days by the IC.
- The Respondent shall file his/her reply within 10 (ten) working days from the date of receipt of the complaint with his/her list of documents and the list of witnesses.
- IC shall follow the principles of natural justice during the course of the proceedings.
- IC may at its discretion conduct the inquiry ex-parte if the Complainant or the Respondent fails without sufficient cause to present themselves for 3 (three) consecutive hearings convened by IC. However, such ex-parte order may not be passed without giving a notice in writing at least 15 (fifteen) days in advance to the party remaining absent from the proceedings.
- No legal practitioner is allowed to be brought by the parties to represent them in their case at any stage of the proceedings before the IC.
- Minimum of 3 (three) members including Presiding Officer and the external member shall be present while conducting the inquiry.
- For the purpose of making an inquiry, the IC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:
 - a) summoning and enforcing the attendance of any person and examining him on oath;
 - b) requiring the discovery and production of documents; and
 - c) any other matter as may be prescribed.

12 Inquiry into the Complaint

- a. The Respondent will be informed that a complaint has been filed against the individual.
- b. The Committee shall ensure that a fair and just investigation is commenced immediately.
- c. Both the complainant and the Respondent initially will be questioned separately with a view to ascertain the veracity of their contentions. If required, the person who has been named as a witness will need to provide the necessary information to assist in resolving the matter satisfactorily.
- d. The Internal Committee before initiating an enquiry on the request of the complainant, may take steps to settle the matter between the complainant and the Respondent through conciliation. Provided that no monetary settlement shall be made as a basis of conciliation.
- e. Where a settlement has been arrived at as the case may be, the Internal Committee shall record settlement so arrived and forward the same to the Senior Management to take action as specified in the Internal Committee recommendation.
- f. The Internal Committee shall provide the copies of the settlement as recorded to both the Complainant and the Respondent.
- g. Where a settlement arrives, no further inquiry shall be conducted by the Internal Complaints Committee.
- h. Following shall include manner of taking action – written apology, warning, reprimand or censure, withhold promotion, withholding of pay rise or increments, terminating the respondent from service.

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i. Further where both the parties are employees, the parties shall be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Internal Complaints Committee.

j. The investigation shall be completed within ninety (90) days of the receipt of the complaint. The Internal Committee shall submit the Investigation report to the Senior Management.

k. If the investigation report reveals that the claim of the complainant is not proved, then the Internal Committee shall recommend to the senior management that no action is required to be taken in the matter. If Complainant is not satisfied with the recommendation of the committee, the complainant may pursue legal recourse outside of the organization.

l. If the investigation reveals that the complainant has been sexually harassed as claimed, the Respondent will be disciplined accordingly as per section 15 below.

m. Irrespective of and without prejudice to complaints initiated before the IC, the Complainant may, at his/her sole discretion, also choose to lodge a complaint for the same offence with the Police. The IC shall provide reasonable assistance to the Police in its investigation. IC may take note of the findings by the Police and/or any other competent authority, in arriving in its recommendations and conclusion. The Respondent shall be subject to any findings or order of any competent authority, including but not limited to, a Court of Law.

13 Inquiry Report

- The IC shall provide a Report of the findings to the Employer and both the parties within a period of ten days from the date of completion of inquiry.
- The Employer shall act upon the recommendation within sixty days of the receipt of the findings report.

14 Appeal


The Complainant and the Respondent shall have the right to appeal to the Tribunal/Court of appropriate jurisdiction within ninety days of the decision of the IC if they are not satisfied with the decision of the IC.

15 Disciplinary Action

Where any misconduct under this policy is found by the Internal Complaints Committee, appropriate disciplinary action shall be recommended to the senior management and accordingly action shall be taken against the Respondent. Disciplinary action may include transfer, withholding promotion, suspension or even dismissal along with the discretionary right to deduct from salary as the Senior Management may deem fit.

16 Confidentiality

All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.

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17 Protection against retaliation

Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of reprisal. While dealing with complaints of sexual harassment, the Internal Committee shall ensure that the Complainant or the witness are not victimized or discriminated against by the Respondent. Any unwarranted pressures, retaliatory or any other type of unethical behavior from the Respondent against the complainant while the investigation is in progress should be reported by the complainant to the Internal Committee as soon as possible. Disciplinary action will be taken by the Internal Committee against any such complaints which are found genuine.

18 Documentation


The Internal Committee shall keep complete and accurate documentation of the complaint, its investigation, and the resolution thereof. The incident would be documented in both the complainant's and the Respondent's files with the full report of the Internal Complaints Committee.

19 Filing of Police Complaints

- If the Complainant so desires, it is the duty of the Employer to assist the Complainant in filing the Complaint with the Police.
- If it is a grave offence, then Employer is duty-bound to report the matter to the Police.

20 Timelines under the Act

#	Action Point	Authority / Concerned Person	Time Limit
1	Complaint	Complaint to be lodged by aggrieved person before the IC	1) Within the period of 3 months from the date of the incident, or 2) In case of series of incidents, within the period of 3 months from the date of last incident.
2	Initiation of Inquiry Proceedings	By the IC, by sending the copy of complaint To the Respondent	Within the period of 7 working days of receipt of the complaint
3	Reply by the Respondent along with list of documents, names and addresses of witnesses	To the IC	Within 10 working days from the day of receipt of the copy of complaint forwarded by IC.
4	Completion of Inquiry proceedings	By IC	Within 3 months from the date of receipt of complaint

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5	Submission of Inquiry Report and Findings along with Recommendations by IC	To the Employer	Within 10 days of completion of Inquiry Proceedings by IC
6	Implementation of Recommendations made in the Inquiry Report of IC	By the Employer	Within 60 days of the receipt of the Recommendations made in the Inquiry Report by IC
7	Appeal	By the aggrieved person	Within a period of 90 days of Recommendations by IC.

21 Dissemination of the Policy

A copy of this Policy shall be made available on the Learning Model System (LMS) portal to all employees and to all new recruits. Employees shall read, understand and agree to abide by the Policy.

22 Complaints made with a malicious intent

This policy has evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of sexual harassment. However, if on investigation it is revealed that the complaint was made with malicious intent by producing misleading facts or forged documents and with the motive of maligning the concerned individual / tarnishing his/her image in the company and settling personal/professional scores, strict action will be taken against the complainant. 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. Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.

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23 Revision Details

Request Id, Version, Date, Actions and Affected Sections	Action By
<p>Req001170, 02 - Govinda Raja - 1/14/2019 - Req000176 HR document added to SE tool</p> <p>02 - Shilpa Jangam - 10/18/2019 - Entire Document The contents are migrated to new ArisGlobal template. ICC member details are updated</p> <p>03 - R Nakul - 3/13/2023 - All initiated policy revision for this policy in SE tool as per periodic review guidelines.</p> <p>Revision of ICC committee members in the policy</p> <p>04 - Deepa Prasad - 5/29/2023 - Section No. 2 - 22 change in IC members, review of the procedure, definitions and timelines per the act,</p>	<p>Author - Deepa Prasad - 29-May-2023 Reviewer - Clinton J Wolfe - 02-Jun-2023;Pradeep Radhakrishnan - 02-Jun-2023 Approver - Kathleen Turland - 06-Jun-2023</p>