

	Finance Policy		Doc. No.	JBM-HR-06-04
	Group Level	Legal Entity	Rev No.	02
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	POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE		Rev Frequency	Yearly
			Doc Owner	Corp. HR
			Approved By	Group Corp. HR Head

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1. **OBJECTIVE:**

- i. To provide work environment free of sexual harassment, where all the employees, especially female, are treated with respect and dignity.
- ii. To educate the employees what constitutes sexual harassment, the ways and means we are adopting to prevent the occurrence of such events, and in the unlikely chance of such an occurrence, to enable a fair mechanism for dealing with such occurrence.

2. **APPLICABILITY:**

- i. The policy is applicable to all persons on the rolls of the Company including those on deputation, contract, temporary, part time or working as consultants.
- ii. All office premises and other premises where the Company's business is conducted.
- iii. All the Company related activities performed at any other site away from the company's premises.
- iv. All visitors and vendors (outsiders/third parties) associated with us and visiting any premises of the company or whose premise our employees are visiting during the course of business.

3. **PROCEDURE:**

3.1 **Sexual Harassment Defined:**

"Sexual Harassment" includes such unwelcome sexually determined behaviour, (whether directly or by implication) as:

- i. physical contact and advances;
- ii. a demand or a request for sexual favours;
- iii. sexually colored remarks
- iv. showing pornography
- v. And any other unwelcome physical verbal or nonverbal conduct of a sexual nature.

When any of these acts are committed in circumstances where the victim of such conduct has a reasonable apprehension that such conduct can be humiliating and may constitute violation of privacy, health and safety problem.

It would constitute sexual harassment where a woman has reasonable ground to believe that her objections would disadvantage her in connection with her employment or work including recruitment or promotion or when it creates a hostile work environment and adverse consequences might occur if the victim does not consent to the conduct in question or raises any objection thereto.

3.2 **Responsibility:**

Prime responsibility would be of the Redressal committee.

3.3 Sexual Harassment Complaints Redressal Committee:

For the purpose of constituting Sexual Harassment Complaints Redressal committees, the company is divided into two segments based on the geographical locations of its various units/plants.

i. Units situated in the NCR Region:

A common central committee has been constituted by the Management to consider and redress complaints of sexual harassment. The names of the members are given below:

- Corporate HR Head (Chairman of the committee)
- Any senior person not less than OG HR Head preferably female.
- Head HR of the unit of the complainant
- As appointed by the Management

A quorum of three members is required to be present for the proceedings to take place. The quorum shall include the Chairman, at least two members, one of whom shall be a woman.

ii. Units/Plants located outside NCR Region:

As the plants/units are located in distant geographies from each other, it is decided to have decentralized plants/units specific committees

Each Plant/Unit shall have the Unit Head as Chairman and any two of the following as committee members:

- Unit HR/P&A Head, Member
- Unit Production Head, Member
- A woman employee (if none above, is a woman)

The quorum specifications as discussed above hold good here as well.

All the Plant Heads are advised to immediately constitute the committee and report compliance.

All the Plant Heads shall send immediately, information of complaints under this Policy to Corporate HR Head under copy to OG Head.

3.4 Redressal Process:

- Any employee of the Company, 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 his/her signature within 10 days of occurrence of incident.
- Likewise the employees in the plants located outside NCR may submit the complaint in writing to any member of the Company/Plant Complaint Redressed Committee.
- The Committee will maintain a register to record the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint.
- At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employees involved and a male officer for male employees, involved, shall assist in the investigation.

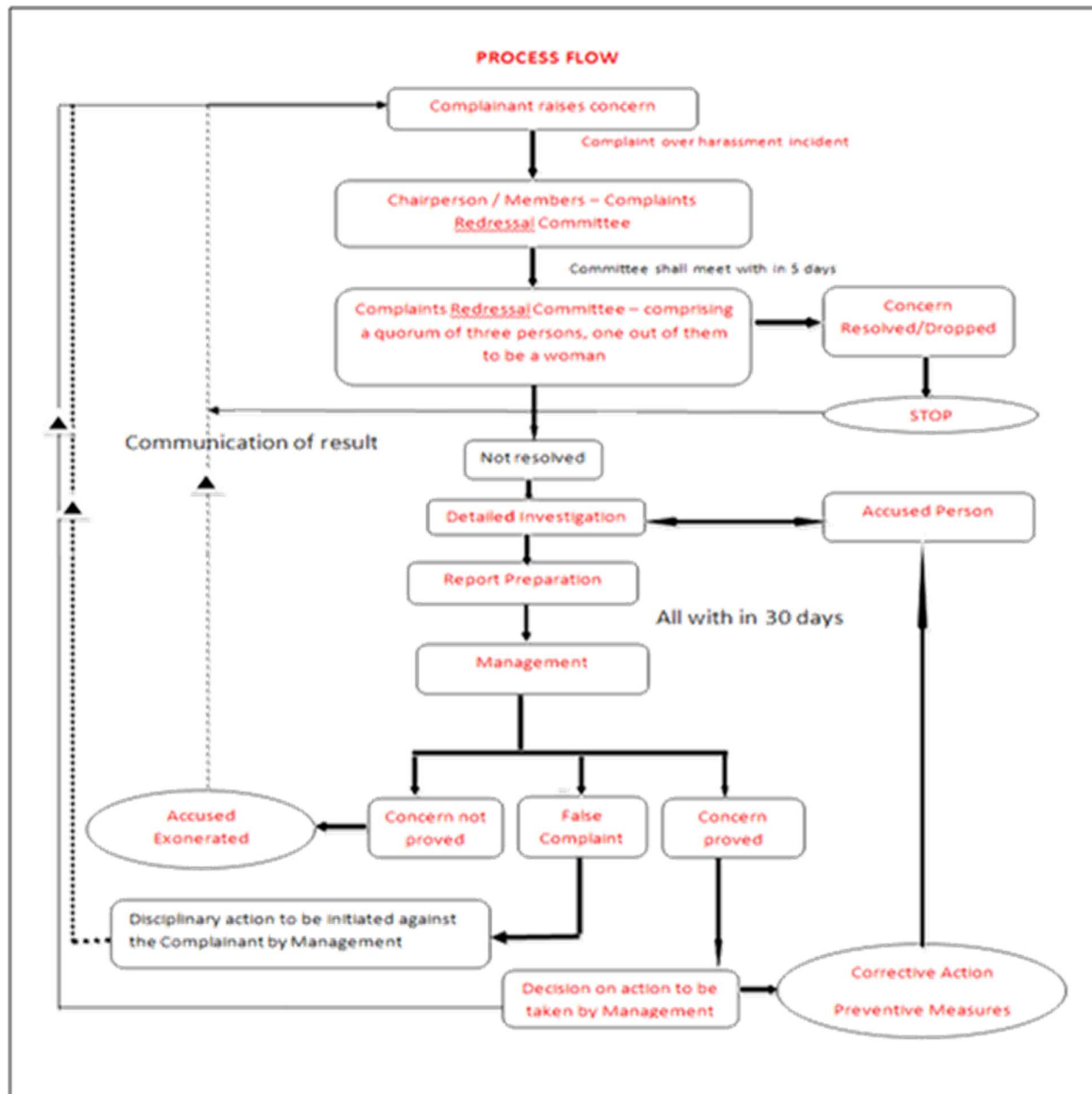
- vi. Thereafter, the person against whom complaint is made may be called before the Committee and an opportunity will be given to him / her to give an explanation, where after, an “enquiry” shall be conducted and concluded.
- vii. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- viii. In case the complaint is found to be false, the Complainant shall be liable for appropriate disciplinary action by the Management.

3.5 Enquiry Process:

- i. The Chairman of the committee may appoint an Investigator to conduct the investigation. Even such Investigator may also be identified out of the Complaints Redressal Committee.
- ii. The Investigator 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 within 7 days of receipt of the same.
- iii. The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- iv. 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.
- v. 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.
- vi. The Committee shall call upon all witnesses mentioned by both the parties separately or together as deemed fit.
- vii. 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.
- viii. The Committee shall complete the “Enquiry” within reasonable period but not beyond one month and communicate its findings and its recommendations for action to the HR Department. The report of the committee as per **Annexure 1 (HR-06-04)** shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.
- ix. The committee shall submit the report of its findings to the Management in the format as per the annexure enclosed.
- x. The Corporate HR shall consolidate the information from all the Plants and submit to the Chairman’s Secretariat on monthly basis.
- xi. The Chairman shall consider and dispose of appeals if any, with in a period of 30 days and communicate the decision to the party’s concerned.
- xii. The Management will direct appropriate action in accordance with the recommendation proposed by the Committee.
- xiii. The Committee may recommend to the Management, action which may include transfer or any other appropriate disciplinary action.
- xiv. Where sexual harassment occurs as a result of an act by any third party/outsider, the Management shall take all steps necessary to assist the affected persons.

- xv. In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.
- xvi. The victim of sexual harassment shall have the option to seek transfer of the perpetrator or his/her own transfer, in case of possibility of retaliatory action.
- xvii. The terminated employee on grounds of sexual harassment charges will not be hired in any of the group companies in future; hence a communication to that effect should go to all the units.
- xviii. HR Department shall ensure this policy is communicated, explained and handed over at the time of induction of each employee and conduct necessary communication and training across the employees, with respect to sexual harassment at work place.

PROCESS FLOW FOR COMPLAINTS UNDER THIS POLICY



ANNEXURES – SEXUAL HARASSMENT PROHIBITION**Annexure 1 (HR-06-04)****JBM AUTO LIMITED****Check list/Format for Reporting & Findings by The Sexual Harassment Complaints Committee**

S No	Item	Particulars
1	Date of receipt of Complaint	
2	Name/Contact details of the Complainant(s)	
3	Date /Location of the incident	
4	Brief Description of the complaint(may enclose the Complaint Documents)	
5	Name/Contact details of the alleged harasser/s	
6	Names of the Committee members	
7	Dates of meetings/investigations Enter beginning and closing dates	
8	Documents Referred/verified/collected /enclosed	1 Statement from the complainant 2 Statement from witnesses if any 3 Statement from the alleged Harasser/s 4 Any other circumstantial evidence
9	Analysis/Observations of the Committee	
10	Conclusion	
11	Recommendations of the Committee	

COMMITTEE MEMBERS DETAILS			
S. No.	Name of the committee Members	Designation	Signatures
Place & Date			