

RUBAMIN GROUP OF COMPANIES

H. R. MANUAL	DOC.NO.	Date of Issue: 1 st June, 2024
	HRM/36/2	Effective From: 1 st June, 2024
PREVENTION OF SEXUAL HARASSMENT		

SUBJECT : PREVENTION OF SEXUAL HARASSMENT

Introduction

Rubamin Private Ltd is committed to provide a work environment that ensures every employee is treated with dignity, respect and equality. Every employee has the Right to be free from Sexual Harassment and the Right to Work in an environment free from any form of Sexual Harassment in accordance with **the PoSH Act, 2013** (Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal Act, 2013) Rubamin will not tolerate any form of sexual harassment and take all necessary steps to ensure that its employees are not subjected to any form of it. It will actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment against its employees.

This Policy shall form an integral part of the service rules of Rubamin as applicable to all Employees of Rubamin in India.

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Objectives

To uphold the commitment of Rubamin group to provide an environment free of discrimination and indecent behavior at workplace.

1. To actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment.
2. To ensure the implementation of the policy in letter and spirit by undertaking all necessary and reasonable steps including the constitution of appropriate committee
3. Committees for purposes of gender sensitization and to conduct enquiries into complaints of sexual harassment.
4. To evolve a mechanism and forum for the prevention and redressal of sexual harassment.

Scope

This Policy applies to all categories of employees of the Rubamin group, including any person employee on a regular, temporary, ad hoc, or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are expressed or implied and includes a co- worker, a contract worker, probationer, trainee, apprentice or called by any other such name, at the workplace or client sites. It will not tolerate sexual harassment, if engaged in by clients or any other business associates. **Only women may file a case against any employee regarding sexual harassment.**

The workplace includes:

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1. All offices or other premises where the business is conducted.
2. All official activities conducted away from the company premises
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.
4. 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

Definitions

Aggrieved Woman – means a female Employee who has experienced or has been subjected to any act of Sexual Harassment by another Employee or a third party.

Complaint – means a complaint of Sexual Harassment lodged with the Internal Committee.

Complainant – means an aggrieved woman who lodges a Complaint with the ICC.

Employee(s) – means a person employed at workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

Internal Committee – means the IC constituted by Rubamin in accordance with the provisions of the Act for redressal of a Complaint which is the same as ICC as amended by the act.

Respondent – means a person against whom a Complaint is made by an Aggrieved Woman.

Workplace – Each Rubamin Units, Offices, factories, establishments in India (irrespective of the number of female employees engaged) is a ‘workplace’ and it shall mean to include any place where the employee works or visits during the course of employment and such place being under the control of the company, including Hotel, Guest House, etc. where the employee is required to stay during the course of employment and transportation provided by the employer for undertaking journey.

Employer – The General Manager/Vice President or any such person as may be appointed by him shall act as the employer for the purpose of this Policy.

Internal Complaint Committee – Formed for redressal of complaints of sexual harassment in accordance with the procedure laid down in this policy.

Conciliation – The settlement of the issue after the complainant and respondent have undergone mediation.

Retaliation – Any action taken by a respondent against a complainant or third party to penalize the latter (complainant and/or third party) for participating in any process related to the pursuit of a sexual harassment complaint.

Third Party – Third Party means and includes any person not on the rolls of the company Rubamin but who, in the course of work-related activities, interacts with the Employees of Rubamin

Unwelcome Acts – In determining whether the behavior or act complained of, is an unwelcome act / or is sexual harassment, one of the factors to be given due weight shall be the subjective the company perception of the complainant.

Sexual Harassment

Sexual Harassment includes any one or more of the following unwelcome behaviors (whether directly or by implication) namely:

1. Physical Contact & advances
2. A demand or request for sexual favors
3. Making sexually colored remarks
4. Showing pornography
5. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

Any of the following circumstances if they occur in relation to or connected with (1) to (5) above

- implied or explicit promise of preferential treatment in her employment
- implied or explicit threat of detrimental treatment in her employment
- implied or explicit threat about her present or future employment status
- interference with her work or creating an intimidating or offensive or hostile work environment for her
- Humiliating treatment likely to affect her health or safety.
- Physical and/or verbal or non-verbal or conduct, such as loaded comments, remarks or jokes, letters, phone calls, SMS or emails, gestures
- When any employee uses with a sexual purpose, the body or any part of it or any object as extension of body in relation to

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another person without his/her consent or against his/her will, such conduct shall amount to sexual assault

- Spreading rumors about an employee's sexual relationship
- Abetment to any or all of the above

Virtual Sexual Harassment

- o Demanding to keep video on in all virtual meetings, especially after offices hours
- o Taking screenshots of women colleagues during a meeting
- o Woman receiving unwelcome materials and content that is posted about her
- o Comments or rumors about the victim's sexuality or sexual activities
- o Sharing sexually explicit photos without consent. Accused may post this content on their social media pages or online forums or share through WhatsApp.
- o Using sexual or gender-based derogatory terms to describe the victim
- o Sending sexually suggestive messages through a digital platform
- o Personal comments on the person's social media handles
- o Inappropriate or sexist jokes to 'lighten' the mood
- o Not maintaining a dress code during video conferences
- o Managers compelling employees to join in 'night suit' zoom parties

Internal Complaint Committee

Establishment of the 'Internal Complaints Committee

In accordance with the Act 2013, the company has formed an Internal Complaint Committee (ICC) at each Unit / Location,

which will manage the process of enquiry and redressal of sexual harassment complaints.

For any complaints related to sexual harassment, any woman may file compliant to the following ICC members: -

Sr. No	Name	Designation	Email ID & Contact NO
1	Mohana Aiyer	Presiding Officer	mohana.aiyer@rubamin.com +91 7574 854 774
2	Mitali Vachhrajani	ICC Member	mitali.vachhrajani@rubamin.com +91 6358 949 900
3	Mitesh Surti	ICC Member	mitesh.surti@rubamin.com +91 8347 001 392
4	Shivani Bose	External Panel Member	info@proudhr.com +91 7874 462 266
5	Susheela Maheshwari	ICC Member	Susheela.maheshwari@rubamin.com + 91 9712742201

- Employee can also send an email to register the grievance on following email:-
rubamin.vishaka@gmail.com

Composition of Complaints Committee

A minimum 4 member 'Internal Complaints Committee' shall be formed at every location, unit or office.

The composition of the Committee should follow these guidelines:

1. Appoint a Presiding Officer for Internal Complaint Committee who shall be a woman employed at a senior level at workplace.
2. Appoint two members from amongst the employees who are

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committed to the cause of women or who have had experience in social work or have legal knowledge.

3. Appoint a member from a non-governmental organization or association committed to the cause of women or a person familiar with issues related to sexual harassment.
4. Ensure that at-least one-half of the total members in the Internal Complaint Committee are women.
5. A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a woman.

Tenure – The presiding officer and every other member of Internal Complaint Committee shall hold office for such period not exceeding 3 years. Changes in the constitution of the Internal Complaint Committee, whenever necessary, shall be made as expeditiously as possible and in any case within 15 days of the date of vacancy of office by one of the members.

Annual Report - The Internal Committee shall in each calendar year, prepare an annual report and will submit the same to management of Rubamin and the district officer. The report shall include the details of the number of complaints filed, number of complaints disposed of, number of cases pending for more than 90 (Ninety) days, number of workshops or awareness programme against sexual harassment carried out, and nature of action taken.

Procedure to Register a Complaint

1. Any woman employee or her coworker may file a complaint to the ICC by sharing 6 copies of the complaint in writing to report sexual harassment with the supporting documents and the name and address of the witnesses. The complainant/concerned co-worker shall give his/her complaint in writing to the Internal Complaint Committee concerned

either by letter or by specific e-mail address provided. It shall be sent to the email id of ICC members (shared earlier) giving details of the incident within a week of its occurrence.

2. The person accused will be informed that a complaint has been filed against him/her and no unfair acts of retaliation or unethical action will be tolerated.
3. The Committee shall ensure that a fair and just investigation is undertaken immediately. Both the complainant and the respondent shall be initially questioned separately with a view to ascertain the veracity of their contentions.
4. The Committee will take testimonies of other relevant persons and review the evidence wherever necessary. The committee should ensure that sufficient care is taken to avoid any retaliation against the witnesses.
5. During the inquiry process, the complainant and the respondent shall refrain from any form of threat, intimidation or influencing of witnesses.
6. The committee will conduct inquiry in accordance with the practices of natural justice, i.e., the Complainant will be offered to the respondent for cross-examination and vice versa in the presence of a Member of the ICC. The complainant and the respondent shall be informed of the outcome of the investigation. The investigation shall be completed in not more than 90 days from receipt of the complaint.

Redressal

Possible Disciplinary Actions as an outcome of Inquiry

1. Where allegations are not proved, the Internal Complaint Committee shall recommend the Employer that no action is required.
2. Where the allegations are proved, or allegations found to be false, malicious, or alleged document found to be forged/false evidence or misleading the Internal

Committee may recommend the Employer to:

- a. Take action including demanding written apology, issue warning, reprimand or censure, withholding of promotion, withholding or pay rise or increments, terminating the respondent from service or undergoing a counseling session or carrying out community service, or
- b. Deduct 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 heir, or
- c. Take actions in accordance with service rules which treat sexual harassment as a 'misconduct'.
- d. Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.

Roles and Responsibilities

Employees

Are encouraged to familiarize themselves with the key elements of the policy and should:

- Abstain from committing any acts which amount to sexual harassment at the workplace.
 1. Report incidents of sexual harassment without fear or favor.
 2. Create an environment of conduciveness for co-workers to work together without fear of harassment.

HODs and Managers

1. Provide appropriate working conditions in respect of work, leisure, health and ensure there is no hostile environment in the workplace.
2. Provide appropriate lighting and safety in office space

where employees move about in the course of their working.

3. Report any complaint or grievance immediately to the concerned authorities
Ensure there is no retaliation or retribution happening at the workplace where the supposed action is to have taken place.
4. Implement the disciplinary action along with the management
5. Ensure that issues pertaining to sexual harassment are discussed periodically during the meetings.
6. Clarify to employees on any queries related to this policy wherever required.
7. Maintain records of all the Sexual Harassment cases and findings.
8. Recommend actions to be taken along with Complaints Committee
9. Ensure appropriate training is provided to members of the Complaints Committee(s) including training on gender sensitivities.
10. Form the Internal Complaints Committee at various offices/units and hold periodic meetings with them.

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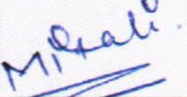

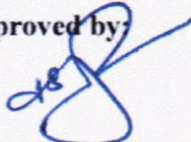
Confidentiality

Prohibition of publication or making known contents of complaint or enquiry proceedings

The contents of the complaint, the identity and address of the aggrieved woman, respondent and witnesses, any information relating to conciliation and enquiry proceedings, recommendations of the Internal Committee and the actions taken by the employer shall not be published, communicated or made known to the public, press and media in any manner.

This Policy is not intended to create contractual obligations. This Policy supersedes any prior policies of Rubamin, whether written or oral, on the topics covered in this Policy.

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Prepared by: 	Reviewed by: 	Approved by: 
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