

<u>Version</u> 1.0	<u>Release Date:</u> 02.01.2023	<u>Prepared by:</u> Surender Singh (Head - HR & Admin)
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Raksha Health Insurance TPA Pvt Ltd.

Prevention of Sexual Harassment at Workplace

1. Objective

To create a healthy working environment by establishing guidelines to deter any kind of sexual harassment (or harassment of any other kind) and define mechanism for raising concerns, investigation and the manner in which the concerns will be dealt with.

2. Scope

Applicable to all employees and business associates of Raksha Health Insurance TPA Pvt Ltd.

3. Process

3.1 An Internal Complaints Committee (ICC) is appointed by management to address all issues of harassment and violations. The ICC is required to consist of at least four members:

3.1.1 The presiding officer is a woman at a senior level (In case no senior woman employee is available, nominate a woman presiding officer from another office, administrative unit, workplace, or organization).

3.1.2 It shall have at least 50% women members.

3.2 Reporting

3.2.1 Any individual who feels subjected to harassment by a colleague, supervisor or business associate can report the incident to the Internal Complaints Committee.

3.2.2 A complaint may be made in writing to poshcomplaint@rakshatpa.com informing about the incident within 3 months of the date of the incident and requesting for a redressal. A complaint can also be made by calling any member of the complaints committee their names and numbers are prominently displayed in your respective office.

3.2.3 In case the complaint is against the official Employer of the company, then it can be made to the District Level Local Complaints Committee.

3.2.4 The time limit may be extended for a further period of 3 months if, on account of certain circumstances, in case the employee was prevented from filing the complaint. If the aggrieved person is unable to make a complaint on account of complainant's physical or mental incapacity or death, complainant's legal heirs may do so.

3.2.5 In case the complainant seeks an informal redressal the individual shall verbally report the same to the Committee and then a committee member can offer a menu of action that can be taken.

3.2.6 In case the complainant makes a formal complaint, the Complaint Committee shall acknowledge the complaint within 2 working days and investigate into the matter.

3.3 Investigation

3.3.1 The committee shall carry out preliminary investigations, through a member or members of the committee, within 10 working days, under strict confidentiality, so that at all times the dignity of concerned individuals are respected. The legal function at Raksha will be also involved at this stage and onwards. In the event the complaint discloses a criminal offence, the committee should pass on the complaint within 7 days to the police for criminal action under appropriate section of the Indian Penal Code.

3.3.2 Interim action that can be taken by ICC during the Investigation:

- The complainant or the delinquent/ accused can be transferred, if required
- Grant leaves to the complainant (during pendency of investigation)
- Any other reliefs to the complainant as the ICC may deem fit.

3.3.3 The report of preliminary investigation shall be submitted to the Complaints Committee one working day before the committee convenes for meeting. The alleged delinquent/ accused and the complainant shall also receive one copy of the report. Minutes of the meeting shall be recorded as far as practicable in presence of the complainant and the alleged delinquent.

3.3.4 The complainant and the delinquent/ accused shall be given adequate time and opportunity by the committee to present their case to the committee, including but not limited to presenting evidence in support of their case.

3.3.5 Finally after hearing the concerned parties and their arguments, the conclusions of the committee shall be informed in writing to the parties, within 7 working days with actions to be implemented by the Sr. Manager HR, a copy of this will go the Managing Director of Raksha.

3.3.6 The inquiry must be completed within a period of 90 days.

3.3.7 The management must act on these recommendations within 60 days of the receipt of conclusion from the ICC.

3.3.8 Concerned parties will have a right to appeal to the Appellate Authority (Managing Director – Raksha) within 90 working days of the receipt of the complaints committee's conclusions/ recommendations. The Appellate Authority will dispose the appeal within 15 days of the receipt of the appeal.

3.3.9 The ICC shall submit an annual report to Managing Director of Raksha and he shall include the same in his administration report for board. This report shall include number of complaints received, disposed and pending. Nature of actions taken on complaints and the number of workshops conducted.

3.4 Possible Actions

Where the ICC finds that the allegations against the respondent are proven, it must submit a report to the management to:

3.4.1 Take action for sexual harassment (or any other type of harassment) as misconduct in accordance with the provisions of the applicable service rules ranging from warning to termination to prosecution, depending upon the intensity of the violation of conduct.

3.4.2 To deduct from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the complainant or to her legal heirs.

3.4.3 It would be the responsibility of the ICC to inform the complainant about his/her rights to initiate criminal action and legalities involving the same.

3.5 False Complaint

If the investigations reveal that the complainant had raised the concern with ulterior/ malafide intent, the Head - HR may initiate appropriate disciplinary action, while ensuring that others are not deterred from raising concerns in the future.

3.6 Third Party Harassment

Where Sexual harassment (or any other kind of harassment) occurs as a result of an act or omission by any third party or outsider, Raksha shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

3.7 Unjustified Complaints

When the investigations reveal that the complaint is unjustified, the Head – HR will take steps to counsel the complainant and recommend steps to prevent any recurrence in the future

3.8 Scope for Conciliation and Settlement

Before initiating an inquiry, the ICC may, at the request of the complainant, take steps to arrive at a settlement between the parties. However, no monetary settlement can be made as the basis of such conciliation.

3.9 Raksha shall prevent retaliation, victimization, additional harassment and/ or humiliation of the complainant or of any witnesses.

3.10 In the event of the complainant filing legal complaint against the perpetrator, Raksha will abide by all the applicable laws and support the necessary authorities in the preceding investigation, as required.

4. Guidelines

4.1 It is expected that every employee will uphold the dignity of co-workers, customers, business partners, vendors, candidates etc. and not indulge in any act that can be construed as an act of harassment, sexual or otherwise.

4.2 Harassment can be related to age, sexuality, sexually suggestive remarks, faith or religion. Bullying behaviour is also considered as harassment.

4.3 Every employee is expected to report acts of harassment directly or anonymously, irrespective of the level of employee involved.

4.4 The complaint should be accompanied by all available material and relevant details concerning the incident(s).

4.5 If the complainant does not want to disclose his/ her identity for any particular reason, the complainant can inform the HR Representative/ ICC member of his/ her desire for anonymity and the HR representative/ ICC Member shall ensure that the identity of the complainant is kept confidential.

4.6 The Complaints committee members must be given appropriate training.

4.7 Diversity Training shall be periodically organized by HR to make employees and members of the Complaints Committee fully aware of the policy, the diversity sensitivities, gender dynamics at the workplace, and a better understanding of the perceptions of appropriate behaviour.

4.8 The company shall keep the complaints, investigative records and results of the case confidential.

4.9 The Head - HR shall ensure that this policy is communicated to all employees. Diversity training shall be provided to all employees at the time of joining and periodic reviews carried out to ensure employee understanding and compliance. Employee sign-off after each review is mandatory.

4.10 Raksha shall make provision for medical, professional counselling or any other support service required by the affected person.

4.11 A delay in reporting of the incident of harassment shall not, by itself, deter from following the process for handling complaints of harassment.

4.12 The names and the numbers of the ICC members and information on how to access the complaint mechanism/ penal consequences of indulging in acts that may constitute sexual harassment in particular and any other kind of harassment in general, shall be displayed in each office of Raksha.

5. Roles and Responsibilities

All employees & Associates	<ul style="list-style-type: none"> • Promptly report instances of Harassment • Conduct themselves with highest standards of professionalism and abstain from committing acts amounting to or that can be perceived as harassment
All People managers & Functional Heads	<ul style="list-style-type: none"> • Uphold the dignity & respect of team members especially those of the opposite gender • Refrain from committing an act or use language perceived to be an act of Harassment • Treat harassment as a misconduct and initiate action for misconduct
ICC	<ul style="list-style-type: none"> • Receive complaints of Harassment & protect the identity of the complainant • Take action as recommended by the Committee • Prepare & Submit Reports
Head - HR	<ul style="list-style-type: none"> • Initiate and administer the creation of the ICC • Display at any conspicuous place in the workplace, the penal consequences of sexual harassment or harassment of any other kind and the order constituting the ICC • Organize workshops and awareness programs on quarterly basis • Obtain sign-offs from all employees at time of joining and after each review session • Assist in securing the attendance of the respondent and witnesses before the ICC • Overall process & policy ownership
Managing Director	<ul style="list-style-type: none"> • Form a complaint committee • Provide necessary facilities to the ICC for dealing with complaints and conducting inquiries • Monitor the timely submission of reports by the ICC. • Review facts and findings of the incident and investigation

6. Definitions

• **Harassment:** Words and / or actions that create a hostile work environment for an employee. However, fair performance feedback does not constitute harassment.

• **Sexual harassment:** Unwelcome sexual advances, request for sexual favours and other verbal or physical conduct of a sexual nature including any/ all of the below (the list is illustrative in nature and should not be construed as an exhaustive list):

- Physical contact and advances, Touching or brushing against any part of the body.
- Demand or request for sexual favours
- Eve-teasing, Innuendos, and taunts
- Making sexually coloured remarks o Implied or explicit promise of preferential treatment
- Implied or explicit threat of detrimental treatment
- Implied or explicit threat about present or future employment status
- Interference with work or creating an intimidating or offensive or hostile work environment.
- Humiliating treatment likely to affect health or safety.
- Jokes causing or likely to cause awkwardness or embarrassment.
- Gender based insults or sexist remarks.
- Unwelcome sexual overtone in any manner such as over telephone o Displaying pornographic or other offensive or derogatory pictures, SMS, email, cartoons, pamphlets, or sayings.
- Forcible physical touch or molestation
- Physical confinement against one's will and any other act likely to violate one privacy.

• **Complainant:** The person reporting an incident of Harassment of self or another colleague(s)

• **Delinquent/ Accused:** The person who is alleged/ reported to have committed an act of Harassment

7. Constitution of Internal Complaints Committee (ICC):

- Minimum 4 members for each location
- ICC Structure: -
 - **Presiding Officer:** Must be a senior woman officer employed at the workplace/ organization.
 - Not less than 2 members from persons with experience in social work/ law and committed to women's cause.
 - Not less than one member who knows about issues of sexual harassment from NGOs working on women's cause.
 - At least Half of the members of the ICC should be women.
- The Committee should be reconstituted after every 3 years

8. Exceptions: There will be no exceptions to this policy.

9. References

- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.
- Vishakha Guidelines