

BOROSIL LIMITED

Policy for Prevention, Prohibition and Redressal of Sexual Harassment at Work Place

1. Introduction

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed thereunder (hereinafter “the Act”). While the policy covers all the key aspects of the Act, for any further clarification, reference shall always be made to the Act and the provisions of the Act shall prevail.

2. Purpose

The Policy for Prevention, Prohibition and Redressal of Sexual Harassment at Work Place intends to provide protection against sexual harassment of women at workplace and redressal of complaints of sexual harassment and matters related to it.

Borosil Limited (the “Company”) is committed to creating a safe work environment that is free from any form of sexual harassment and where all employees are treated with dignity and respect. The Company is dedicated to maintain an environment which is free from coercion and intimidation.

3. Scope

This policy extends to all employees (including contractual and honorary), retainers and persons engaged on a casual basis / project-based assignment or through any third-party services providers.

4. Definitions

Aggrieved woman: In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

Respondent: A person against whom a complaint of sexual harassment has been made by the aggrieved woman.

Complainant: Any aggrieved woman who makes a complaint alleging sexual harassment under this policy.

Employee: A person employed at the workplace, for any work on regular, temporary, adhoc 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 by any other such name.

Sexual Harassment: It includes any one or more of the unwelcome acts or behaviour (whether directly or by implication) including but not limited to, physical contact & advances, demand for sexual favours, making sexually coloured remarks, showing pornography, or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The following circumstances amount to sexual harassment:

- i. Implied or explicit promise of preferential treatment in employment;
- ii. Implied or explicit threat of detrimental treatment in employment;
- iii. Implied or explicit threat about the present or future employment status;
- iv. Interference with the person’s work or creating an intimidating or offensive or hostile work environment; or
- v. Humiliating treatment likely to affect health or safety.

Any other term not defined herein shall have the same meaning as defined in the Act.

5. Internal Complaints Committee

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, Internal Complaints Committee(s) (ICC) is constituted at all administrative units / offices of the Company, as required by the Act.

The Order constituting the said Committee(s) at all times be displayed on the Notice Board of all the administrative units / offices, including changes therein from time to time.

The Management of the Company shall have discretion to reconstitute the above Committee(s) from time to time in terms of the criteria prescribed under the Act.

6. Complaint Mechanism

- i. The Complainant shall make a written complaint to the ICC within a reasonable time from the occurrence of incident, including the details of witnesses.
- ii. On receipt of the complaint, the ICC shall send one copy of the complaint received from the aggrieved woman to the respondent within seven working days.
- iii. Respondent shall submit his reply along with all supporting documents, including details of witnesses, within 10 working days of receiving the copy of complaint.
- iv. The ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
- v. The ICC may terminate the inquiry proceedings or give an ex-parte decision on the complaint, if the complainant or respondent respectively is absent for three consecutive hearings, without reason. A 15 days prior written notice shall be given to the absentee party, before termination or ex-parte order.
- vi. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.
- vii. In conducting the inquiry, a minimum of three members of the ICC including the Presiding Officer, as the case may be, shall be present.
- viii. The ICC shall submit its report containing the findings and recommendations on action to be taken to the Management within reasonable time frame from initiation of inquiry.
- ix. Corrective action may include the following:
 - Reprimand
 - Formal apology
 - Counselling
 - Stoppage of annual increment(s)
 - Imposition of fines
 - Demotion
 - Suspension or termination of services

7. Appeal

Any party aggrieved by the decision of the ICC and/or the Management, may prefer an appeal to the appellate authority in accordance with the Act, within 90 days of the recommendations being communicated.

8. Confidentiality

Individuals involved in the complaints process/system should refrain from divulging the details of complaint/any information gathered by them in the course of the inquiry and the identities of the persons involved in the case should not be disclosed. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.

9. False / frivolous complaint

In case the complaint is found to be false/frivolous or that evidences are forged/false, after the inquiry, the Complainant or the person providing false evidence, if deemed fit, be liable for appropriate disciplinary action.

10. Duties of the Employer

- ✓ To provide safe working environment to all persons at the workplace;
- ✓ Organise workshops and training programs at regular intervals;
- ✓ Provide necessary facilities to ICC for dealing with complaints and conducting inquiries;
- ✓ Assist in securing attendance of respondents and witnesses before the ICC;
- ✓ Provide an assistance to a woman if she chooses to file a complaint under the Indian Penal Code or any other applicable law;
- ✓ Monitor timely submission of reports by the ICC;
- ✓ And any other assistance required by the ICC for conducting inquiries into complaints made against sexual harassment.

11. Policy Awareness

All employees (including new joiners) shall be educated on this Policy, at least on an annual basis.
