



PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE (POSH)

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CONTEXT

- i. The Company (hereinafter "Crompton") is committed to creating an ambiance in which all employees can work together without any apprehension of sexual harassment.
- ii. Crompton believes that all employees, including other persons who have been dealing with the organization have the right to be treated with respect and dignity. Sexual Harassment in any form is an offence and is, therefore, punishable, as well.
- iii. Crompton is committed to providing a work environment free from Sexual Harassment.
- iv. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, along with Rules, 2013 (hereinafter referred to as "the Act, 2013") creates a specific obligation on all employers to the protection of women employees against sexual harassment at workplace.

OBJECTIVES

- a. Prevention of Sexual Harassment Policy of Crompton is committed to providing a place of work free of sexual harassment, intimidation, or exploitation.
- b. Issuing a policy statement defining and preventing Sexual Harassment and laying down the procedures for curbing such tendencies and providing for punishment / prosecution of wrongdoers.
- c. Addressing issues related to Sexual Harassment promptly, confidentially, and sensitively.
- d. Ensure compliance with the Act, 2013 and the Crompton Code of Conduct.
- e. Anyone in violation of this policy will be subjected to disciplinary action.

The Prevention of Sexual harassment Policy of Crompton is committed to providing a place of work free of sexual harassment, intimidation, or exploitation. It is expected that all employees treat one another and visitors to the organization with respect and dignity. All members of the organization, including those who are in temporary or short-term positions will be subject to this policy. Anyone violating this policy will be subjected to disciplinary action.

SCOPE AND EFFECTIVE DATE

This Policy extends to all employees of Crompton in India who are based in India and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

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

The Policy is not in derogation of any other legal rights of the affected employees.

DEFINITIONS

Aggrieved Party

Any person, whether employed or not, who alleges to have been subjected to an act of sexual harassment by the Respondent. This would include visitors or guests at the workplace.

Sexual Harassment

Sexual harassment refers to any unwelcome and unreasonable act or behavior of the harasser, whether directly or by implication against the aggrieved party. It includes but is not limited to: physical contact and advances or a demand or request for sexual favours or making sexually coloured remarks or showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature, which may be through gestures or verbal, textual, graphic or electronic means.

It also includes implied or explicit promise of preferential treatment or threat of detrimental treatment in the employment of aggrieved person or implied or explicit threat about his present or future employment status or interferes with his work or creating an intimidating or offensive or hostile work environment for his employment or humiliating treatment likely to affect his health or safety, if it occurs in connection with any act or behavior of sexual harassment.

It is pertinent to note that whether sexual harassment has occurred or not shall depend on the experience of the aggrieved party irrespective of the intention of the Respondent.

“Sexual Harassment” includes any one or more of the following unwelcome acts* or behavior (whether directly or by implication) such as:

- i. Physical contacts and advances; or
- ii. A demand or request for sexual favors; or
- iii. Any rumors/talk at the workplace with sexually colored remarks; or
- iv. Showing/seeing pornography; or
- v. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or
- vi. Any of the following circumstances if they occur in relation to or connected with (i) to (v) above:
 - (a) implied or explicit promise of preferential treatment in her employment;
 - (b) the implied or explicit threat of detrimental treatment in her employment;
 - (c) the implied or explicit threat about her present or future employment status;
 - (d) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
 - (e) humiliating treatment likely to affect her health or safety.
- vii. Physical and/or verbal or non-verbal or conduct, such as loaded comments, remarks or jokes, letters, phone calls, SMS or emails, gestures; or
- viii. When any employee uses with a sexual purpose, the body or any part of it or any object as an extension of the body in relation to another person without his/her consent or against his/her will, such conduct shall amount to sexual assault; or
- ix. Spreading rumors about an employee’s sexual relationship; or

- x. Digital Stalking e.g., copying WhatsApp profile pictures without consent, commenting on photos posted on social media without consent; or
- xi. Insisting fellow colleague to switch ON the camera beyond office hours; or
- xii. Wearing clothes that are inappropriate during online meetings with video on; or
- xiii. Having inappropriate virtual backgrounds with objectionable content during video calls; or
- xiv. Recording or taking screen captures during video calls without consent or circulating it; or
- xv. Sending inappropriate emoticons; or
- xvi. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes; or
- xvii. Giving gifts or leaving objects that are sexually suggestive; or
- xviii. Eve teasing, innuendos, and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy; Persistent watching, following, contacting of a person; or
- xix. Abatement to any or all of the above.

*Unwelcome Acts – In determining whether the behaviour 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 perception of the Complainant.

Employee

The Employee would include a person employed at Crompton for any work on a regular, temporary, ad hoc, or daily wage basis, either directly or through a contractor, third party payroll, 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 domestic worker, a co-worker, a contract worker, probationer, trainee, apprentice or by any other name called.

Workplace

Each of Crompton's Units, Offices, factories, and 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 Crompton for undertaking a journey.

Employer

A person responsible for management, supervision and control of workplace.

Internal Complaint Committee

Formed by Crompton for redressal of complaints of sexual harassment in accordance with the procedure laid down in this policy.

Complainant

A complainant is a person who lodges a complaint.

Respondent

The respondent is the person against whom a complaint has been lodged.

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 a 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 Crompton but who, in the course of work-related activities, interacts with the Employees of Crompton

INTERNAL COMPLAINT COMMITTEE

Establishment of the 'Internal Complaint Committee'

In accordance with the Act 2013, the Company will form an Internal Complaint Committee (ICC) at each Unit / Location which will manage the process of enquiry and redressal of sexual harassment complaints.

PROCEDURE TO REGISTER A COMPLAINT

1. It is the obligation of all employees to report sexual harassment. A concerned co-worker may also inform of any instance or behavior of sexual harassment by a co-worker towards another employee, subject to written consent of aggrieved party/ any physical or mental incapacities or circumstances beyond the control of the Complainant.
2. The complaint can be reported within 3 (three) months of the incident. The ICC shall extend the time limit, if it is satisfied that the circumstances were such which prevented the aggrieved person from filing of complaint within such period.
3. The Complainant/concerned co-worker shall give his/her complaint in writing to the ICC concerned either by letter (six copies to be provided) or by the specific e-mail address - posh.crompton@crompton.co.in giving details of the incident.
4. The concerned employee may also contact his/her Reporting Manager, HR Manager, or any other employee. Upon being intimated, the Reporting Manager or the HR Manager, or any other employee shall send an email communication to ICC, providing all the necessary details of the Complaint. The Complainant must be copied on such emails.
5. The Respondent will be informed that a complaint has been filed against him/her and no unfair acts of retaliation or unethical action will be tolerated.
6. ICC shall ensure that a fair and just inquiry is undertaken immediately. Both the Complainant and the Respondent shall be initially questioned separately with a view to ascertain the

veracity of their contentions.

7. The Complainant and the Respondent shall be informed of the outcome of the inquiry. The inquiry shall be completed in not more than 90 days from receipt of the complaint.

REDRESSAL

Possible Disciplinary Actions as an outcome of Inquiry

- i. Where allegations are not proved, ICC shall recommend to the Employer that no action is required.
- ii. Where the allegations are proved, or allegations found to be false, malicious, or alleged document found to be forged/false evidence or misleading, ICC may recommend Crompton to:
 - a) Take action including demanding a written apology, issuing a 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 party or to his/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:

- a. Abstain from committing any acts which amount to sexual harassment at the workplace.
- b. Report incidents of sexual harassment without fear or favor.
- c. Create an environment of conduciveness for co-workers to work together without fear of harassment.
- d. Get clarifications from HR whenever in doubt.

HOD's and Managers

- a. Provide appropriate working conditions in respect of work, leisure, health and ensure there is no hostile environment in the workplace.
- b. Provide appropriate lighting and safety in a factory, corridors, and other office spaces where employees move about in the course of their working.
- c. Report any complaint or grievance immediately to the concerned authorities.
- d. Ensure no retaliation or retribution is happening at the workplace where the supposed action is to have taken place.
- e. Implement the disciplinary action along with HR.
- f. Ensure that issues pertaining to sexual harassment are discussed periodically during the meetings. During such meetings, relevant details such as the brief outline of this Policy, and the details of the members of the Complaints Committee shall also be discussed.

CONFIDENTIALITY

Any individual is prohibited from disclosing publicly or otherwise, any information / contents pertaining to the complaint, enquiry, proceeding and outcome / action taken by Crompton. If an individual is found guilty of breaching confidentiality, then Crompton shall recover a sum of INR 5,000 along with initiating disciplinary action.

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 retaliation. While dealing with complaints of sexual harassment, ICC 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 inquiry is in progress should be reported by the complainant to the Committee as soon as possible. Disciplinary action will be taken by the Committee against any such complaints which are found genuine.

ANNEXURE A: Penal Consequences

PENAL CONSEQUENCES OF SEXUAL HARASSMENTS

(As per Section 19(b) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013)

The employee, against whom the allegation of sexual harassment is proven, becomes liable for any of the following actions:

- Demand for a written letter of apology;
- Warning letter / memo, reprimand, or censure;
- Withdrawal/withholding of promotion;
- Withdrawing the pay rise or increment;
- Termination from Company's services;
- Undergoing counseling session(s);
- Carrying out Community Service;
- Any other action as per the Company's Service Rules or as the Management may deem appropriate.

Note: To be displayed at a conspicuous place at the workplace