

My Dream Foods Limited

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE

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”). Accordingly, 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.

We treat each other with respect and dignity and expect everyone to promote a sense of personal responsibility. We protect their privacy and do not tolerate any form of harassment or discrimination. The ‘Policy on Prevention of Sexual Harassment of women at workplace’ intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

The objective of the policy is to provide its women employees, a workplace, free from harassment/discrimination.

COMMITMENT

Our Company is committed to provide a work environment that ensures every woman employee is treated with dignity and respect and afforded equitable treatment.

The Company is also committed to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity.

The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its women employees are not subjected to any form of harassment.

SCOPE

This policy applies to all categories of employees of the Company, including permanent management and workmen, temporaries, trainees and employees on contract at its workplace.

The workplace includes:

1. All offices or other premises where the Company’s business is conducted.
2. All Company –related activities performed at any other site away from the Company’s premises.
3. Any Social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

DEFINITIONS

1. **Aggrieved person:** In relation to a workplace, a person, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors.
2. **Employee:** A person employed at the 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 coworker, a contract worker, probationer, trainee, apprentice or by any other such name.
3. **Employer:** A person responsible for management, supervision and control of the workplace.
4. **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved person.
5. **Sexual Harassment:** Includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:
 1. Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
 - i. Physical contact and advances;
 - ii. Demand or request for sexual favors;
 - iii. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
 - iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
 - v. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - vi. Giving gifts or leaving objects that are sexually suggestive;
 - vii. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
 - viii. Persistent watching, following, contacting of a person; and
 - ix. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
 2. The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment :
 - Implied or explicit promise of preferential treatment in employment;
 - Implied or explicit threat of detrimental treatment in employment;
 - Implied or explicit threat about the present or future employment status;
 - Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
 - Humiliating treatment likely to affect her health or safety.

The reasonable person standard is used to determine whether or not the conduct was offensive and what a reasonable person would have done. Further, it is important to note that whether harassment

has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

6. **Workplace:** Includes all offices and branches in the Company, all instances reported within the Company and in any place visited by the employee arising out of or during the course of the employment including transportation provided by the Company for undertaking such journey.

RESPONSIBILITIES REGARDING SEXUAL HARASSMENT

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

COMPLAINT MECHANISM

Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism in the form of “Internal Complaints Committee” has been created in the Company for time-bound redressal of the complaint made by the aggrieved person.

INTERNAL COMPLAINTS COMMITTEE

The Company has instituted an Internal Complaints Committee for redressal of sexual harassment complaint (made by the aggrieved person) and for ensuring time bound treatment of such complaints. In accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Internal Complaints Committee will comprise of the following.

1. **Chairperson** – shall be a women employed at a senior level at workplace amongst the employees.
2. **Two members** – Not less than 2 members from amongst employees preferably committed to the cause of women OR who have had experience in social work OR have legal knowledge.
3. **One Member**- One member shall be from amongst Non-governmental organizations OR associations committed to the cause of women OR a person familiar with the issues relating to sexual harassment.

The Internal Complaints Committee is responsible for:

- a. Investing every formal written complaint of sexual harassment.
- b. Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- c. Discouraging and preventing employment – related sexual harassment.

PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT

The Company is committed to providing a supportive environment in which the concerns of sexual harassment shall be resolved as follows:

A. INFORMAL RESOLUTION OPTION

1. When an incident of sexual harassment occurs, the aggrieved person of such conduct can communicate her disapproval and objections immediately to the harasser and request the harasser to behave decently.
2. If the harassment does not stop or if aggrieved person is not comfortable with addressing the harasser directly, she can bring her concern to the attention of the Internal Complaints Committee for redressal of her grievances. The Internal Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. FORMAL RESOLUTION OPTION

In compliance with the Act, if the complainant's warrants formal intervention, the complainant needs to lodge a written complaint, which shall be followed by a formal redressal mechanism as described in this Policy. In case of a verbal complaint, the complaint will be reduced in writing by the receiver of the complaint and signatures of the complainant will be obtained.

COMPLAINT

The Complainant shall submit detailed Complaint to the Complaints Committee along with supporting documents and the names and addresses of the witness in writing and can be in form of a letter, preferably within 3 months from the date of occurrence of the alleged incident. Alternately, the employee can send complaint through an e-mail. The employee is required to disclose her name, department, division and location she is working in, to enable the Chairperson to contact her and take the matter forward.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaints Committee shall render all reasonable assistance to the women for making the complaint in writing.

If the aggrieved woman is unable to lodge the complaint in account of her incapacity, the following may do so on her behalf, with her written consent.

- Legal heir, relative or friend
- Co-worker
- Any person having the knowledge of the incident.

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

MANNER OF INQUIRY

1. The Complaint Committee shall send a copy of complaint received from the aggrieved woman to

the respondent within a period of 7 working days.

2. The respondent shall file his reply to the Complaint along with supporting documents and the names and addresses of the witnesses, within a period not exceeding 10 working days from the date of receipt of the documents.
3. 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 Complaints Committee.
4. The Complaint committee have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Aggrieved (Complainant) or Accused respondent fails, without sufficient cause, to present herself or himself for 3 consecutive hearings convened by the Chairperson, as the case may be, provided that such termination or ex-parte order may not be passed without giving a notice in writing, 15 days in advance, to the party concerned. In conducting the inquiry, a minimum of 3 Members of the Complaint Committee including the Chairperson, as the case may be, shall be present.

INTERIM RELIEF

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to –

- Transfer the complainant or the respondent to any other workplace
- Grant leave to the aggrieved woman of maximum 3 months, in addition to the leave she would be otherwise entitled
- Prevent the respondent from assessing complainant's work performance
- Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the employer will inform the committee regarding the same.

INQUIRY PROCEDURE

All proceedings of the inquiry is documented. The Committee interviews the respondent separately and impartially. Committee states exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc. Detailed notes of the meetings are prepared which may be shared with the respondent and complainant upon request. Any witnesses produced by the respondent are also interviewed & statements are taken.

If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements. In case complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure ensures absolute fairness to all parties.

The Internal Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Employer as soon as practically possible and in any case, not later than 10 days from the date of completion of inquiry. The Employer shall act upon the recommendation within 60 days of its receipt by him.

The Complaint's Committee report will also be made available to concerned parties.

MANNER OF TAKING ACTION AGAINST THE RESPONDENT

Where the Complaints Committee arrives at the conclusion that the allegation against the respondents has been proved, it shall recommend to the employer to take action which may include the following:

- a. Written apology
- b. Warning
- c. Reprimand or Censure
- d. Withholding of Promotion
- e. Withholding of pay rise or increments; or
- f. Terminating the respondent from service; or
- g. Undergoing a counseling session or carrying out community service.

PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE

Where the Internal Complaints Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action in accordance with the provisions of the service rules applicable to her or him.

CONFIDENTIALITY

The Company understands that it is difficult for the aggrieved woman to come forward with a complaint of sexual harassment and recognizes the aggrieved woman's interest in keeping the matter confidential.

To protect the interests of the complainant, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.

ACCESS TO REPORTS AND DOCUMENTS

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

CONCLUSION

In conclusion, the Company reiterates its commitment to providing its women employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.