Repos India Pvt Ltd
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Policy Name: **Prevention of Sexual Harassment**

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Department Responsible: **Human Possibilities**

Applies To: **All Repos employees**

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Purpose

Repos Energy India Private Limited “Company” is committed to creating a healthy working environment that enables team members to work without fear of prejudice, gender bias and sexual harassment.

The Management regards sexual harassment and actions that create a hostile work environment as a very serious matter and such conduct is prohibited in the workplace by any person and in any form. The management also believes that all team members of the Company have to be treated with dignity.

The Policy intends to protect against sexual harassment of all genders in workplace and the prevention and complaints redressal of sexual harassment and matters related to it.

Scope

1. Extends to all team members of the Company and its subsidiaries and is deemed to be incorporated in the service conditions of all team members and comes into effect immediately.
2. Applicable at workplace and locations (project sites, factory, plants, etc.) and activities including those run-in associations and actual events (social/marketing/etc.).
3. This is a gender-neutral policy and applies to all employees of the Company. This applies to men and women; to like and opposite gender relationships; to relationships between HOD and team members, sub-ordinates and peer relationships. It includes team members, customers, vendors, consultants, and anyone else doing business on Company premises, as well as those involved in activities with which the Company name is associated. All associates shall comply with this policy.

POLICY

Definitions

1. “Team member” means and includes a person employed/engaged by Company for any work directly, or by or through any Agency.
2. For this purpose, “Sexual Harassment" includes
    a. any unwanted or unwarranted gesture or verbal sexual advances,
    b. sexually explicit and derogatory statements or remarks, sexually colour remarks,
    c. avoidable and unwarranted physical contacts, wilfully touching or patting, suggestive sexual remarks,
    d. sexually slanted and obscene jokes, vulgar comments about physical appearance, indecent invitations, stalking sounds, lurid stares,
    e. use/ showing of pornographic material, display of pictures, demand for sexual favours, demanding sexual favour by making telephone calls or sending SMS/Mails,
    f. threats of physical assault or molestation on the refusal by the team member by their superiors, colleagues or anyone who for the time being is in a position to sexually exploit or harass the team member at any workplace which may contain:
        i. Implied or overt promise of preferential treatment in that team member’s employment.
        ii. An implied or overt threat of detrimental treatment in that team member’s employment or an implied or overt threat about the present or future employment status of that team member and includes the creation of a hostile working environment. Conduct such an act at work place or outside in relation to a team member, or vice versa during the course of employment.
3. “Aggrieved person” In relation to a workplace, a man or woman, 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.
4. “Respondent” means a person against whom a complaint of sexual harassment has been made by the aggrieved person.
5. “Workplace” includes — In addition to the place of work [Head office / Branch offices, Factories] which is established, owned, and controlled it shall also include any place where the aggrieved

person or the respondent visits in connection with their work, during the course of and/or arising out of employment/ contract/ engagement with Repos Energy India Private Limited or any place visited by the team member arising out of or during the course of employment including transportation by the employer for undertaking such journey;

6. "Employer" A person responsible for management, supervision and control of the workplace.

Roles & Responsibilities

1. **Responsibilities of the Individual:**

   It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

   a. Refusing to participate in any activity which constitutes harassment.
   b. Supporting the person to reject unwelcome behaviour.
   c. Acting as a witness if the person being harassed decides to lodge a complaint.

   All are encouraged to advise others of behaviour that is unwelcome. Often, some behaviours are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behaviour.

2. **Responsibilities of Managers:**

   All managers of the Company must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that those complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

Internal Complaint Committee (ICC)

1. ICC shall be constituted at all administrative units or offices.
2. ICC has been constituted to consider and redress complaints of Sexual Harassment. The committee should be headed by a Woman and Women members should not be less than half of the total members in the committee who are direct team members of the Company.
3. HP Department shall finalize the Committee members in coordination with the respective Works / Site / Location Head and shall circulate Committee details to team members in respective locations. The size of the Committee shall not be less than 4 members.
4. Committee consist –
   a. A Presiding Officer who shall be a woman employed at a senior level at the workplace.
   b. Not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
   c. One member from non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
5. Every team member of the committee can be a part of the committee for max 3 years from the date of their nomination as may be specified by the employer.
6. If a team member of the committee has been convicted of an offence, found guilty in any disciplinary proceedings/ disciplinary proceedings pending against him/her or has abused his position as to render his continuance in office - shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section.

If you are being harassed

1. Tell the harasser his/her behaviour is unwelcome and ask him/her to stop.
2. Keep a record of incidents (date, time, locations, possible witnesses, what happened, your response). You do not have to have a record of events in order to file a complaint, but a record can strengthen your case & help you remember details over.
3. Where the aggrieved team member is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person may make a complaint.

Complaints

Any complaint of sexual harassment will be investigated and if proved, will be treated as serious misconduct and breach of the Company's Code of Conduct and Service Rules and appropriate action will be initiated against the respondent.

Procedure for reporting:

1. Team member has to submit his/her complaint in writing or on mail - on the occurrence of such an incident at his/her respective location mentioning the Date and nature of the harassment.
2. Upon receipt of the formal complaint from the team member ICC Committee will initiate an investigation on the veracity/strength of the complaint. Confidentiality will be maintained during the investigation.
3. Company will not tolerate any form of reprisal or retaliation against a team member or applicant reporting any incident of claimed sexual harassment.
4. False accusations of harassment will not be tolerated and would be viewed seriously. ICC committee will share their decision (it may be termination) with management regarding false accusations. Management has a final decision to adhere to the ICC committee's decision or not.

Conciliation

1. The Internal Committee may before initiate an inquiry under the provision of law and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation: Provided that no monetary settlement shall be made as a basis of conciliation.
2. Where a settlement arrived, the Internal Committee shall record the settlement so arrived and forward the same to the management to take action as specified in the recommendation.
3. The Internal Committee shall provide copies of the settlement as recorded under sub-section (ii) to the aggrieved woman and the respondent.
4. Where a settlement is arrived at under sub-section (ii), no further inquiry shall be conducted by the Internal Committee.

Enquiry Process

1. A quorum of 3 members is required to start the enquiry process.
2. If the complaint is raised against a Committee member by the Complainant, the Committee shall ensure that the defendant should not be part of the Committee and not allowed to be part of the proceedings / interfere in the proceedings.
3. ICC shall maintain a register to endorse the complaint received. The ICC Committee members shall hear the Complainant and record his/her allegations. The Complainant/Respondent can submit any corroborative material with documentary proof, written material etc., in original which is self-attested to substantiate their complaint. If the Complainant does not wish to depose personally due to the embarrassment of narration of the event, a female co-team member shall meet and record the statement.
4. Thereafter, the Respondent shall be called for a deposition before the Committee and an opportunity to give an explanation will be given to him/her, whereafter, an "Enquiry" shall be conducted and concluded.
5. In case the complaint is proven true, the HP Department (with the consent of management) shall initiate necessary action as recommended by the ICC Committee.

Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter. Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither will be disadvantaged within the company. That the complaint does not fall under the purview of Sexual Harassment; the same would be dropped after recording the reasons thereof.

ICC Committee shall complete the "Enquiry" within 60 days from the date of complaint and communicate its findings and its recommendations for action to the HP Department.

Where sexual harassment occurs as a result of an act or omission by any third party or outsider, ICC committee shall take steps necessary and reasonable to assist the affected person in terms of support and preventive action.

Complaint substantiated

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

1. Counselling
2. Censure or reprimand
3. Apology to be tendered by respondent
4. Written warning Suspension
5. Withholding promotion and/or increments
6. Termination
7. Or any other action that the Management may deem fit.

The employer at the Company acts upon the recommendations within 60 days and confirm to the committee post implementation of the actions, follow up with the complainant occurs to ascertain whether the behaviour has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring. This follow up is undertaken by the complainant's Line Manager supported by HP.

In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.

Considerations while preparing inquiry report:

While preparing the findings/recommendations, following are considered:

a) Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature;
b) Whether the allegations or events follow logically and reasonably from the evidence;
c) Credibility of complainant, respondent, witnesses and evidence;
d) Other similar facts, evidence, for e.g., if there have been any previous accounts of harassment pertaining to the respondent;
e) Both parties have been given an opportunity of being heard;
f) A copy of the proceedings was made available to both parties enabling them to make representation against the findings A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee.

Interim relief

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

a) Transfer the complainant or the respondent to any other workplace;
b) Prevent the respondent from assessing the complainant's work performance;
c) 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.

Termination of Inquiry

The committee at the Company may terminate the inquiry or give an ex-parte decision, if the complainant or respondent respectively is absent for 3 consecutive hearings, without reason. 15-day written notice to be given to the party, before termination or ex-parte order.

Improper Complaints

This policy shall not be used to bring frivolous or malicious complaints against anyone. Making knowingly false complaints subjects the complaint to disciplinary or corrective action by the Human Possibilities department (with the consent of the ICC committee & Management). However, failure to prove a claim of sexual harassment does not constitute proof of a false and/or malicious accusation.

Confidentiality

All information pertaining to any complaint shall be treated with all possible care, sensitivity and discretion and any information capable of identifying any party or witness will not be published, communicated, or made known in any manner to the public, press or media.

Protection

The company will provide protection to the complainant, if the situation requires and if the victim/complainant feels threatened in any manner. During the pendency of an inquiry, the complainant may submit a written request to the Committee for interim reliefs which will be considered and decided by the ICC on a case-to-case basis.

Prohibition of Victimization

1. No person shall be victimized for anything said or done in relation to any complaint.
2. A person victimizes another person if the person subjects the other person or threatens to subject the other person to any detriment in connection with employment or recruitment or promotion because such person
    a. Has brought proceedings against any person.
    b. The other person associates with the complainant.
    c. Has given evidence or information or produced a document, in connection with any proceedings.
3. What if any team member is victimized - Any victimized shall raise a complaint in ICC.
4. If ICC established the case is valid and concluded the result. HP department shall take action with the consent of ICC & Management.
5. Penalty if any team member victimized another person –
    a. Warning in writing (one & only one warning).
    b. Immediate suspension from services.
    c. Immediate termination.
    d. May immediately refer the case based on the gravity and merits of the case to the local police.

Appeal

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made may appeal to the appellate authority in accordance with the Act and rules, within 90 days of the recommendations being communicated.

Preventive Steps

1. ICC Committee shall take all reasonable steps to ensure the prevention of sexual harassment at work. Such steps shall include:
    a. Circulation of the policy in English/ Marathi in Office / Project locations on Sexual harassment to all direct/indirect team members.
    b. Sexual harassment will be affirmatively discussed at quarterly meetings or on available platforms.

c. Conduct regular in-house training on sexual harassment and addressing complaints to all direct / indirect team members.
d. Guidelines will be prominently displayed to create awareness of the rights of female team members.
e. A commitment is required from all the levels of the Company for the positive implementation of the policies and procedures made against sexual harassment.
f. Widely publicize that the Sexual Harassment is a crime & will not be tolerated.
g. Names and contact numbers of members of the ICC committee will be prominently displayed on all the Office sites.

Timelines for process

Submission of complaint	Within 3 months of the last incident
Notice to the Respondent	Within 7 days of receiving copy of the complaint
Completion of Inquiry	Within 90 days of receiving copy of the complaint
Submission of Report by ICC	Within 10 days of completion of Inquiry
Implementation of Recommendations	Within 60 days

Consciousness

1. It is the responsibility of Human Possibilities Department (specifically Talent & Development Department) to educate the team members about the rules, regulations, team member's rights, producer, etc.
2. Human Possibilities department will prepare the Time & Date calendar and adhere to it. Rhythm of Time & Date should be quarterly (one or two training per quarter).
3. When explaining why this training is happening, don't talk about laws. "If the explanation for the course is 'the law says we have to do it,' that rings very hollow to people. The core values of the company should be. We're doing this because we're about doing the right thing."
4. Reinforce that reporting harassment is encouraged, accusations will be taken seriously, and retaliation will not be tolerated. "Fear of retaliation and speaking up is the number one issue.
5. Be honest about expectations. Not every second of training is going to be fascinating. If HP department is honest about that, it makes an enormous difference in the attitude of people hearing the message."

Raise an Enquiry/ Register a complaint

Team members can raise an Enquiry/Complaint by –

1. Sending an email to ICC or any member of ICC. (Email ID has been displayed on the notice board).
2. Putting a complaint in the Sexual Harassment Enquiry Box.