

Prevention of Sexual Harassment Policy of BEKEM

Policy Statement

We believe in having a work environment where all members are treated with respect and dignity. Our Prevention of Sexual Harassment Policy ("POSH Policy") is framed as per the guidelines prescribed in the "Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013" (the "POSH Act").

The Policy applies to all the persons engaged by or with the Company for any work whatsoever, on a regular, temporary, ad hoc basis, either directly or through an agent, including contractors, consultants, trainees, apprentices, and even a visitor, working at offices, projects, working from home or remote working. For the limited purpose of this Policy, all the persons and the places or absence thereof from where any person works is considered as an extended workplace.

"Sexual Harassment" - shall include one or more of the following acts or behaviours:

- Physical contact and/or advances;
- Demand or request for sexual responses or favors;
- Making sexually colored remarks, directly or indirectly;
- Showing or sharing pornography;
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- Physical contact and sexual advances such as pinching, patting, rubbing, or purposefully brushing up against another person;
- Staring in a sexually suggestive or offensive manner or whistling;
- Sending suggestive or obscene letters, notes, electronic mail messages, or messages from any mode including SMS, WhatsApp, Telegram, Botim, or Viber, or making any kind of sexual or related invitations;
- Making or using derogatory comments, slurs, or jokes of a sexual nature, verbal sexual advances or propositions, graphic commentaries about an individual's body, sexually degrading words used to describe an individual;
- Making sexual gestures or displaying sexually suggestive objects, pictures, cartoons, posters, calendars or computer screens, or pornography;
- Inquiries about someone's sexual history or sexual orientation;
- Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.

Further, any exploitation, invitation, or inducement with direct or indirect behaviour or act related to Sexual Harassment such as the following may also be considered as Sexual Harassment:

1. Implied or explicit promise of preferential treatment in her/his employment; or
2. The implied or explicit threat of detrimental treatment in her/his employment; or
3. The implied or explicit threat about her/his present or future employment status; or
4. Interference with her/his work or creating an intimidating or offensive or hostile work environment for her/his; or
5. Humiliating treatment which is likely to affect her/his health or safety.

Any actions or words with a sexual connotation that interfere with an individual's ability to work or create an uncomfortable atmosphere are considered Sexual Harassment.

Internal Committee:

An Internal Complaints Committee ("IC") for the Company is constituted for all the workplaces of the Company as per the guidelines of the POSH Act.

The IC consists of 4 members:

- Presiding Officer: Dr. Rajeswar Reddy, Head HR
- Member: Ms. Durga Ramya, HR
- Member: Ms. Rajitha, HR
- Member: Mr. G. Anantha Rao, Vice President.

Contact details and email ids of the above are furnished in the enclosure.

Reporting an Incident of Sexual Harassment:

Any member who believes that she/he has experienced or subjected to or observed Sexual Harassment, directly or indirectly, may submit a complaint of the alleged incident to the IC in writing with the details and proofs wherever possible. The complaint must be filed within three (3) months from the incident and, in case of a series of incidents, within a period of three (3) months from the date of the last incident.

If any complaint is filed after these given timelines, the IC may refuse to entertain the same. However, if reasons are furnished in case of delay, after verifying the reasons, the IC may condone the delay and consider the complaints filed after the 3 months period.

If the aggrieved is unable to make a complaint because of his/her physical or mental incapacity, a complaint may be filed by any one of the below-stated person(s) showing their complete identity and reason for the complaint being filed by them:

1. Any legal heir;
2. Any relative or friend;
3. Any co-worker;
4. The guardian or authority under whose care the Complainant is receiving treatment or care;
5. Any person who is aware of the incident, with the written consent of the Complainant.

Inquiry into the Complaint:

Upon receipt of the complaint, the IC investigates the complaint discreetly, promptly, thoroughly, and as confidentially as possible. However, the investigation of such complaints will generally require disclosure to the respondent. The respondent will be given an opportunity to respond and clarify.

The objective of the POSH Policy is to conduct a thorough investigation, to determine whether Sexual Harassment has occurred and to eliminate any hostile or offensive working conditions, and decide actions to take against the respondent.

Conciliation:

Upon a request made by the Complainant, before initiating an inquiry into any alleged complaint, the IC may take steps to resolve the matter between the Complainant and Respondent through conciliation.

In case the Respondent agrees to actions such as apologies without going through the formal disciplinary procedures, then based on such actions, the Complainant and the Respondent may arrive at a resolution of the complaint informally.

Where the parties have arrived at a conciliation, no further inquiry shall be conducted by IC. IC shall record the details of the conciliation and forward the same to the Head – Human Resources (HR) for necessary action within ten (10) days of the conciliation.

Non resolution by conciliation:

If the complaint has not been resolved through conciliation, IC may proceed to initiate a formal inquiry into the complaint.

The IC shall make an inquiry into the complaint in accordance with the principles of natural justice. A complaint will be resolved within 90 days from receipt of the complaint by the IC. The IC will record its decisions and recommendations and, accordingly, inform the same to the Complainant and the respondent.

For making an inquiry under this POSH Act, the IC shall have the same powers as are vested in a Civil Court under the Indian laws, and the powers include:

1. Summoning and enforcing the attendance of any person and examining him on oath;
2. Requiring the discovery and production of documents; and
3. Any other matter which may be necessary.

The management of the Company shall act upon the recommendations of the IC immediately but not later than sixty (60) days of the receipt of the recommendations of the IC. The HR will direct appropriate action in accordance with the recommendation proposed by the IC.

Disciplinary Action:

Based on the conclusions of the investigation, the IC will suggest (as a part of the written report in case of formal resolution) appropriate disciplinary action to the management of the Company, which can include a written apology, counselling, carrying out community service, warning, reprimand or censure, suspension, transfer from project/location (of the Complainant or the Respondent), withholding of promotion, deducting the salary or any such sum as it may deem necessary, withholding of pay rise or increment, direct the Respondent to pay to the Complainant such sum considering the trauma suffered, loss in career, medical expenses incurred, income or financial status of the Complainant or any action up to and including termination of employment. The Company will implement the actions with the support of the Human Resources Department of the Company.

Others:

The IC may recommend the action to the Disciplinary Authority under the act, which may include the transfer or any of the other appropriate disciplinary action.

The Management shall provide all necessary assistance to ensure full, effective, and speedy implementation of this POSH Policy.

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

The IC shall submit an annual report if any complaints are received during the year and shall analyze the details thereof.

If IC finds that any of the complaint has an offence covered under the IPC or any other enacted laws in its place and as modified from time to time, the complaint shall be forwarded to the concerned police station /authority and necessary details shall be shared by IC.

IC may also recommend any other relief either temporarily or partly during the process or pendency of inquiry if any justified written request is received from the Complainant.

Such temporary reliefs may include:

- (i) To either transfer the Complainant or the Respondent to any other location or
- (ii) Aggrieved woman as per the act can be granted leave up to a period of three (3) months.
- (iii) Any other suitable measures.

Appeal:

Appeal can be made by Respondent or Complainant in cases where the aggrieved person is a woman. An appeal can be made to the Labor Commissioner within ninety (90) days of the recommendations given by the IC.

Confidentiality:

The Company recognizes that the cases that involve allegations of Sexual Harassment are sensitive, and special attention shall be given to the issue of privacy for all individuals.

Retaliation:

This POSH Policy strictly prohibits any kind of intimidation or harassment of individuals who have filed complaints, instituted proceedings, assisted in investigations, or formally or informally objected to discriminatory practices, irrespective of the outcome. The Company will take strict action against those employees who would indulge in such retaliatory actions. The Company will ensure that the Complainant or witnesses are not victimized or discriminated against while dealing with any complaint of Sexual Harassment.

Frivolous or False Charges:

This POSH Policy shall not be misused to bring frivolous or malicious charges against fellow employees.

If the Internal Committee concludes that any complaint is false or frivolous, or the Complainant has produced any forged or misleading document, it may recommend the Company to take any action including a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the Complainant from service or undergoing a counselling session or carrying out community service, or lodging a police complaint.

Types of Disciplinary Actions:

The type of disciplinary action will be pronounced as mentioned under the POSH ACT.

Redressal:

In the case of an aggrieved woman, the case redressal will be as per POSH Law (The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act 2013 For other genders, the redressal will be as per Company Policy.

While the POSH Policy sets forth the Company's goals of promoting a workplace that is free of Sexual Harassment, the POSH Policy is not designed or intended to limit the Company's authority to discipline or take remedial action for workplace conduct that the Company deems unacceptable, regardless of whether such conduct satisfies the definition of Sexual Harassment.

Suggestions:

Any employee of any gender is welcome to give any suggestions on the contents, theme, or procedure of the Policy and on the implementation of the Policy. The names of the suggested persons will be kept confidential and the person shall not be subjected to any disturbance.