

POLICY #	
VER #	1.0

POLICY ON PREVENTION OF SEXUAL HARASSMENT

This Policy on Prevention of Sexual Harassment Act (“**Policy**”) is adopted on this 2nd day of June, 2014 (“**Effective Date**”) in compliance with the provisions of *Sexual Harassment of women at Workplace (Prevention, Prohibition & Redressal) Act, 2013* (“**2013 Act**”).

This gender-neutral policy states the internal rules, mechanism and procedure adopted by Parameter Softwares Private Limited (“**Parameter**” or “**Company**”) with regard to sexual harassment at the workplace.

1. COMMITMENT

Parameter is firmly committed to creating and maintaining a safe, secure, comfortable and conducive work environment, free from sexual harassment, indignity, inequality, impropriety, fear and discrimination, for all its employees (notwithstanding religion, caste, race, color, marital status, gender, sexual orientation, age, disability, and nationality of the employees).

2. OBJECTIVE

a) Definition, Prevention and Prohibition of sexual harassment

The objective of this policy is to clearly define what constitutes sexual harassment, and prevent such untoward events from happening in the workplace by strictly prohibiting them. Parameter has zero-tolerance against such acts which threaten the safety and dignity of employees at the workplace.

b) Establishment of Grievance Redressal Mechanism

In case there is a violation of conduct and the employee(s) encounter sexual harassment, this policy lays down the grievance redressal mechanism to be followed by the aggrieved person(s). Parameter seeks to provide the parties with a just and fair hearing following the due process of law, and utmost confidentiality to the aggrieved person for securing the ends of justice.

c) Spreading awareness among employees

This policy also aims to make every employee aware of their rights and the recourse available to them under this policy and the laws of the land, so they are better-equipped to identify and deal with sexual harassment.

3. SCOPE

This policy bestows all employees of Parameter with protection of personal dignity from

acts amounting to sexual harassment, which might be committed by:

- a) Any employee of Parameter (includes directors, managers, operators, trainees, interns, and other staff working for Parameter).
- b) Any Client, Vendor, Supplier of Parameter or third parties who are associated with Parameter.

4. DEFINITIONS

I. Aggrieved person: An employee of any age who alleges to have been subjected to an act of sexual harassment by the Respondent.

II. Employee: Any person employed at Parameter (includes directors, managers, operators, trainees, interns, and other staff working for Parameter)

III. Parties: The aggrieved person (who filed the complaint) and the respondent (against whom the complaint has been filed), are to be addressed together as “parties”.

IV. Respondent: Employee(s) against whom the complaint has been filed.

V. Sexual Harassment: Includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), namely:

- a) Physical contact or advances;
- b) A demand or request for sexual favours;
- c) Making sexually coloured remarks;
- d) Showing pornography;
- e) Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

Sexual Harassment can be of two forms:

- **Hostile work environment:** This form of sexual harassment involves creating a hostile, intimidating or an offensive work environment by exhibiting humiliating treatment (any verbal or physical conduct) likely to affect the health, safety or personal dignity of the aggrieved person.
- **Quid Pro Quo (This in exchange of that):** This form of sexual harassment involves implied or explicit promise of preferential/detrimental treatment in employment. For example, seeking sexual favours or advances in exchange for work benefits and refusal to comply with a 'request' being met with retaliatory action such as dismissal, demotion, and difficult work conditions.

The allegation of sexual harassment depends on the experience of the aggrieved person, and not on the intentions of the respondent.

VI. Workplace: means offices, branches or premises owned and controlled by the Company or places visited by the employees during the course of employment including accommodation and transportation provided by the Company for undertaking such journey.

5. PREVENTION OF SEXUAL HARASSMENT

INDIVIDUAL EMPLOYEE'S RESPONSIBILITIES	MANAGER'S RESPONSIBILITIES
<p>It is the responsibility of every individual employee to respect the rights and dignity of others, and to discourage harassment. It can be done by:</p> <ul style="list-style-type: none"> ✓ Refusing to participate in any activity which constitutes harassment. ✓ Supporting any aggrieved person to reject unwelcome behavior. ✓ Acting as a witness if the aggrieved person decides to lodge a complaint as per this policy. ✓ Advising others of behavior that is inappropriate. <p>Often, some behaviors are not intentional. While this does not make it acceptable, a clear communication of the discomfort being faced does give the person behaving inappropriately an opportunity to modify or stop their offensive behavior.</p>	<p>It is the responsibility of all managers to ensure the following:</p> <ul style="list-style-type: none"> ✓ That nobody is subject to harassment and there is equal treatment of all employees. ✓ That all employees understand the zero-tolerance policy for harassment. ✓ That employees understand the gravity and seriousness with which all complaints will be taken into cognizance. ✓ That the aggrieved person, respondent(s), or witnesses are not victimized or shamed in any way.

6. THE INTERNAL COMPLAINTS COMMITTEE

Parameter has constituted an Internal Complaints Committee (“**ICC**”) for redressal of sexual harassment complaints, which shall be responsible for:

- ✓ Providing a fair and unbiased hearing to the parties, in accordance to the principles of natural justice.
- ✓ Conducting the investigation for every formal complaint filed under this policy.
- ✓ Deciding and recommending the appropriate remedial measure to be taken as a resolution of the complaint, post completion of hearing and investigation procedure.
- ✓ Maintaining utmost confidentiality about the parties’ identities, to the extent practicable.

- ✓ Preventing and discouraging workplace-related sexual harassment.

The following are the members of the ICC constituted by Parameter:

#	NAME	DESIGNATION	EMAIL-ID
1		Presiding Officer	
2		Member	
3		Member	
4		External Member	

7. FILING OF COMPLAINT

- a) An aggrieved person may send a written complaint of sexual harassment to hr@pspl.ind.in/ icc@pspl.ind.in, or any of the ICC members at their email ID as listed in the above table, within a period of three (3) months from the date of last incident, clearly indicating their name and the Respondent's name therein.
- b) The ICC may allow a relaxation to the time limitation (three months from the date of incident) and take cognizance of a complaint, if the members are satisfied of the veracity of circumstances that prevented the aggrieved person from filing that complaint within three months.
- c) In case the aggrieved person faces any difficulty or resistance in lodging a complaint, the members of the ICC shall assist them in filing the complaint, to the extent possible.
- d) In case the aggrieved person is unable to file the complaint due to mental or physical incapacity or death, their legal heir or authorized representative can file the complaint on their behalf.

8. GRIEVANCE REDRESSAL PROCESS

OPTION 1 – RESOLUTION THROUGH CONCILIATION:

- a) Upon request made by the aggrieved person, the ICC shall attempt to resolve the complaint by conciliation between the parties within 2 weeks of receipt of the complaint. Provided that, no monetary settlement shall be the basis of conciliation.
- b) If there is a successful settlement, the details of the same shall be recorded in a report, no further inquiry will be conducted by the ICC, and the complaint will be deemed to be disposed off/ closed.

- c) If no settlement could be arrived at, the ICC shall proceed to conduct inquiry.

OPTION 2 – RESOLUTION THROUGH FORMAL INQUIRY

- a) The aggrieved person shall be asked to submit their detailed complaint, with description of the events, supporting evidence e.g. documents, screenshots etc. and list of witnesses, if any.
- b) If the aggrieved person is unable to write a complaint in the above format, they shall be assisted and their narrative would be recorded in writing by a member of the ICC.
- c) Within seven (7) working days of receiving the complaint, the ICC shall forward a copy of the complaint to the respondent for obtaining their response.
- d) Within ten (10) working days of receiving the complaint, the respondent shall file his reply/defense, along with supporting evidence or details of witnesses, if any.
- e) The ICC shall inform the parties of the dates (and timings) on which their personal hearings will be conducted, wherein the principles of natural justice shall be followed.
- f) If either party fails to attend the personal hearing on the dates intimated beforehand without any sufficient cause, then the ICC reserves the right to terminate the inquiry proceedings (by giving due notice to parties) or give an ex-parte decision based on the available information.
- g) After the completion of personal hearings of both parties, the ICC shall assign dates on which the parties can bring in their respective witnesses. The statements of the witnesses shall be recorded by the members of the ICC.
- h) The ICC shall conduct the entire investigation and conclude the inquiry process within a maximum of ninety (90) days from the date of receiving complaint from the aggrieved person.
- i) Within ten (10) working days of completion of inquiry procedure, the ICC shall furnish the Inquiry report of its recommendations and findings, to the Directors and the parties.

DISCIPLINARY ACTION

If the allegations against the respondent were established to be true beyond reasonable doubt in the Inquiry Report furnished by ICC, the Directors shall initiate necessary disciplinary action against the Respondent, which includes the following:

- a) Psychiatric Counseling
- b) Final written warning
- c) Suspension
- d) Termination

- e) Or any other action that the Management may deem fit.

INTERIM RELIEF

During the pendency of the inquiry proceedings, the aggrieved person can make a written request to the ICC for grant of interim relief. The ICC will submit its recommendations to the Directors for effecting the relief, which might include:

- a) Grant leave/work from home to the aggrieved person for upto 3 months.
- b) Grant such other relief as may be deemed appropriate.

9. CONFIDENTIALITY

The Aggrieved person and the Respondent are guaranteed utmost confidentiality throughout the Resolution Process. As per the 2013 Act, all persons including ICC members are prohibited from publishing or communicating the identities, addresses of the parties or contents of the complaint or information relating to inquiry proceedings to the press, third parties, media or persons not directly involved in the case.

10. MALICIOUS OR FALSE COMPLAINT

- a) If the ICC finds that a complaint was filed against the Respondent maliciously or the facts/ evidentiary documents were established to be false upon investigation, then ICC can recommend the Management to take such disciplinary action against the false complainant, as would be taken against a Respondent found guilty.
- b) An aggrieved person's mere inability to substantiate a complaint must not be construed as malicious intent. The malicious intent must be proven beyond reasonable doubt.

11. APPEAL

Within ninety (90) days from the date of receiving the ICC Report containing recommendations, the parties who are not satisfied with the findings of Investigation or the recommended disciplinary action, can file an appeal with the appellate authority as prescribed in the 2013 Act.

ANNEXURE A***MIS of Cases filed under this Policy and disposed by the ICC***

COMPLAINT #	STATUS	COMPLAINT FILING DATE	DATE OF INITIATING INQUIRY	DATE OF DISPOSAL	DECISION BY ICC	REMARKS

ANNEXURE B***Policy Version Amendments***

POLICY VERSION #	AMENDMENT TO CLAUSE	EFFECTIVE DATE	MODIFIED BY	REVIEWED BY	APPROVED BY	REMARKS