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**PROTECTION OF SEXUAL
HARRASMENT AT**

WORK PLACE

Policy Document

ABSTRACT

Prayas is committed to providing equal opportunity to all its employees irrespective of their gender, religion, caste or any other consideration. Prayas will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subject to any form of harassment

PRAYAS FINANCIAL SERVICES PRIVATE LIMITED

CIN: U67190GJ2017PTC096063

REGISTERED OFFICE:

Satyam-1/308, Amba Business Park,
Tri Mandir Campus, Above HDFC/SBI
Bank, Adalaj, Gandhinagar - 382 421

1. INTRODUCTION:

Prayas Financial Services Pvt. Ltd (PFSPL) is committed to providing safe working environment to all its employees, especially female team members. PFSPL is also committed to providing equal opportunity to all its employees irrespective of their gender, religion, caste or any other consideration. PFSPL will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subject to any form of harassment.

The Company operates a zero-tolerance policy for any form of Sexual Harassment at Workplace, deals with all incidents seriously and promptly investigates all allegations of Sexual Harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment.

This policy has been developed to provide safe working environment to all staff, beneficiaries and other stakeholders of PFSPL. The policy complies with the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

2. OBJECTIVE:

The Policy for Prevention of Sexual Harassment at Workplace (hereinafter referred to as “the Policy”) reinforces the Company’s commitment to foster and create a Workplace which is safe and free from any act of Sexual Harassment; the Policy encompasses the following objectives:

- a. To lay down a policy/code ensuring prevention, prohibition and protection against Sexual Harassment;
- b. To lay down guidelines for reporting acts of Sexual Harassment at the Workplace; and
- c. To provide procedures for resolution and redressal of complaints of Sexual Harassment.

3. SCOPE OF THE POLICY:

This policy is applicable to employees, workers, volunteers, probationer and trainees including those on deputation, part time, contract, working as consultants or otherwise (whether in the office premises or outside while on field work assignment). This policy shall be considered to be a part of the employment contract or terms of engagement of the persons in the above categories.

Where the alleged incident occurs to our employee by a third party while on a duty outside our premises, the Company shall perform all reasonable and necessary steps to support our employee.

4. DEFINITION:

- a. **“Act”** means The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- b. **“Aggrieved Person”** means (i) in relation to a Workplace, any individual, of any age whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent; (ii) in relation to a dwelling place or house, a person of any age who is employed in such a dwelling place or house.
- c. **“Board”** means the Board of Directors of the Company.
- d. **“Committee(s)”** means committee(s) formed by PF SPL for redressal of Complaints of Sexual Harassment in accordance with the procedure laid down in this Policy.
- e. **“Complainant”** means the Aggrieved Person or any other person making complaint against Sexual Harassment.

***Explanation:** Any other person referred in the aforesaid definition includes a relative, friend, co-worker, special educator, legal heir or person who has knowledge of the incident (with the consent of Aggrieved Person, however, if the Aggrieved Person is dead with the consent of such person’s legal heir), officer of National Commission for Women or State Women’s Commission (where the Aggrieved Person is a woman).*

- f. **“Complaint”** means any complaint (written or oral form) in the nature of Sexual Harassment made by a Complainant against any other Employee within PF SPL or any Third Party having business dealings with PF SPL. Complaint by any other person not covered herein, can be considered only if made as per the procedure prescribed herein and as per the discretion of Committee.
- g. **“Employee”** means a person employed for any work on regular, temporary, ad hoc or daily wage basis, either directly or by 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 domestic worker, a co-worker, a contract worker, probationer, trainee, apprentice or by any other name called.

***Explanation:** The aforesaid definition of ‘Employee’ shall be used only for the purposes of the Policy and cannot be used to claim rights of an employee conferred by any law for the time being in force.*

- h. **“Employer”** means (i) in relation to any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit, the head of that department, organization, undertaking, establishment, enterprise, institution, office, branch or unit; (ii) in any workplace not

covered under (i) above, any person responsible for the management, supervision or control of the workplace.

Explanation: For the purposes of this definition “management” includes the person or board or committee (including Apex Committee) responsible for formulation and administration of policies related to prevention of sexual harassment at workplace.

- i. **“Executive Management”** means Executive Directors who are in whole time employment of PFSPL.
- j. **“Respondent”** means a person against whom the Complainant has made a Complaint.
- k. **“Sexual Harassment”** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:-
 - i. physical contact and advances; or
 - ii. a demand or request for sexual favours; or
 - iii. making sexually coloured remarks; or
 - iv. showing pornography video, photos or messages; or
 - v. any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.
- l. **“Third Party”** includes any person not on the rolls of PFSPL but interacts with the employees such as consultants, retainers, customers, vendors, suppliers, contract workers, trainees or any outside visitor within or outside PFSPL
- m. **“Workplace”** includes –
 - i. Any premises, locations, establishments, enterprises, institutions, offices, branches, or units established, owned, controlled by PFSPL;
 - ii. Any external location visited by the Employee arising out of or during the course of employment with the Company/ dealing for the Company;
 - iii. Any mode of transportation provided by the Company (or a representative of the Company) for undertaking a journey to and from the aforementioned locations.
- n. **“Retaliation/ Victimization”** includes an adverse employment action against a person because the person has lodged a Sexual Harassment complaint or participated in the Company’s investigation on the complaint of Sexual Harassment.
- o. **“Rules”** means The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.

5. CIRCUMSTANCES OF SEXUAL HARASSMENT:

Sexual Harassment is an unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual Harassment can involve one or more incidents and actions whether physical, verbal and non-verbal.

The following circumstances/actions, among other circumstances, if it occurs or is present in relation to or are connected with any act or behaviour of Sexual Harassment may amount to Sexual Harassment:

- a. Implied or explicit promise of preferential treatment in the employment; or
- b. Implied or explicit threat of detrimental treatment in the employment; or
- c. Implied or explicit threat about the present or future employment status; or
- d. Interference with the work or creating an intimidating or offensive or hostile work environment for the person; or
- e. Humiliating treatment likely to affect health or safety of the person.

6. COMPOSITION OF INTERNAL COMPLAINTS COMMITTEE (ICC):

To address any complaints of Sexual Harassment and ensure implementation of this Policy across all the locations of PFSP, the **Internal Complaints Committee**, (hereinafter referred to as '**ICC**') shall be constituted by an order in writing:

1. The ICC shall at-least consists of the following members nominated by the Employer, namely:
 - a. Presiding Officer who shall be a woman employed at a senior level at Workplace from amongst the employees:

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace:

Provided further that in case the other offices or administrative units of the Workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of PFSP/PFSP group/Associate;
 - 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 amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to Sexual Harassment;

Provided that at least one-half of the total Members so nominated shall be women.

2. The Presiding Officer and every Member of the ICC shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by Employer. The Presiding Officer or any Member of the ICC shall be removed from the ICC on the following grounds:
 - a. If convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her; or
 - b. If found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her; or
 - c. Has abused his/her position as to render his/her continuance in office prejudicial to the public interest; or
 - d. Contravenes the provisions of Section P of this Policy.

As mentioned hereinabove, the ICC shall consist of minimum four members. While conducting the inquiry, it is mandatory that a minimum of three Members of the ICC (including the Presiding Officer or Chairperson) shall be present. Inquiry Committee shall preferably have one (1) external member from the ICC.

7. ROLES, DUTIES AND RESPONSIBILITIES:

A. Employer:

- a. Provide a safe working environment at the Workplace which shall include safety from the persons coming into contact at the Workplace and display at any conspicuous place in the Workplace the penal consequences of Sexual Harassment;
- b. Spread/Create awareness at regular intervals for sensitizing the Employees with the procedure and provisions of the Policy and Act.
- c. Provide necessary facilities to the Committee, as the case may be, for dealing with the Complaint and conducting an inquiry;
- d. Assist in securing the attendance of Respondent and witnesses before the Committee;
- e. Make available such information to the Committee as it may require having regard to the Complaint;
- f. Provide assistance to the Aggrieved Person if they choose to file a Complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force;
- g. In event the Respondent is not an Employee then provide necessary support and assistance to the Aggrieved Person;

- h. Treat Sexual Harassment as a misconduct under the service rules and initiate action for such misconduct;
- i. Monitor the timely submission of reports by ICC as per the applicable provisions of jurisdictional/ local laws and the Act and Rules made thereunder.
- j. To disclose in the Annual Report of the Company published for every financial year, the number of cases filed, disposed of and pending on Sexual Harassment.

B. ICC:

- a. Ensure that the redressal procedure provided in the Policy is implemented in letter and spirit.
- b. Operate as an inquiry authority for complaints received from Complainant.
- c. Take preventive action to stop development of systemic hostile or offensive work environment.
- d. Enquire into Complaint of Sexual Harassment promptly and thoroughly and make adequate recommendation to correct the situation and effectively deal with the Respondent.
- e. Take immediate and appropriate corrective action to end and prevent any further harassment, provide interim relief to the Aggrieved Person (if sought by Aggrieved Person, transfer the Respondent until the pendency of the inquiry or any period as it deems fit, restraining Respondent from appraisal decision applicable to the Aggrieved Person until the pendency of the inquiry or any period as it deems fit, or any other action as it deems necessary and reasonable, grant leave to the Aggrieved Person as prescribed, in Act/Rule, which will be in addition to the entitled leave).
- f. If the Respondent is found guilty after the inquiry process, then recommend appropriate disciplinary action ranging from reprimand to discharge, where necessary. As a general rule, the corrective action/ remedial measure must commensurate with the severity and persistence of misconduct.
- g. Make follow-up inquiries to ensure the harassment has not resumed or the Complainant/Aggrieved Person is not being victimized.
- h. Ensure complete confidentiality of the process. In case of any direct or indirect sharing of information with any person not directly related to the Complaint without good reason, such acts can result in disciplinary action.
- i. Take an appropriate action in case of any retaliatory behavior towards or victimization of Aggrieved Person/Complainant.
- j. In instances of Sexual Harassment towards associates deputed on client sites, or due to acts of commission or omission of third parties in dealing with the matter, take reasonable steps to assist Aggrieved Person/Complainant via preventive action.

- k. Maintain records at the organization level for minimum period as may be prescribed under the local laws, undertake appropriate analysis and appraise the Management of the same on a periodic or need basis.
- l. Submit organization level report for statutory compliance to relevant government agencies.
- m. Create orientation and training material or any other collateral such as notification, for creating awareness on Sexual Harassment, the guidelines, ongoing updates on legislation and associate's rights and remedies.
- n. To prepare and submit complaints report in compliance with the Act and Rules made thereunder.

8. PROCEDURE:

A. Incident Reporting:

Any Aggrieved Person/Complainant may make, in writing, a Complaint of Sexual Harassment as per Annexure 1 (Template for Reporting Sexual Harassment to ICC) within a period of three months from the date of incident, and in case of series of incidents, within a period of three months from the date of last incident.

Provided that, where such Complaint cannot be made in writing, the Presiding Officer or any Member of ICC shall render reasonable assistance to the Aggrieved Person/Complainant for making the Complaint in writing.

Provided further that, the ICC may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such, which prevented the Aggrieved Person/Complainant from filing a Complaint within the said period.

B. Redressal Mechanism:

- i. ICC shall within 7 days of the receipt of Complaint, provide an acknowledgement to the Complainant and also send a copy of Complaint to the Respondent.
- ii. ICC shall examine the Complaint and decide whether to pursue it or not.
- iii. If any Member of ICC is Respondent or party to Sexual Harassment Complaint, such Member shall not be involved in the proceedings of the ICC or inquiry/investigation or decision making process for such Complaint.
- iv. If after preliminary examination of Complaint, ICC concludes that the Complaint is not tenable, it shall inform the same to the Complainant and Respondent, giving reasons in writing for not pursuing the Complaint.
- v. If after preliminary examination of Complaint, ICC concludes that the Complaint is tenable, it shall prepare a Statement of Allegations against the Respondent and issue the same to the Respondent seeking explanation for accusations. The Respondent shall file a written reply on the Complaint along with the list of documents, name and address of witnesses, if any, within a period not exceeding 10 days from the date of receipt of the letter from ICC.
- vi. ICC at the written request of the Aggrieved Person may initiate preliminary steps like restraining the Respondent from reporting at the workplace of the Aggrieved Person or writing confidential report (such as Performance Appraisal, etc.) to the Aggrieved Person or assigning the same to another officer.
- vii. ICC shall inform the Complainant, the policy and procedure for both the formal and informal inquiry ('Conciliation') for pursuing the Complaint. The Complainant shall be under no duress to accept any of the two options.

ICC may before initiating an inquiry and at the request of the Aggrieved Person take steps to settle the matter between both parties through Conciliation. Provided that no monetary settlement shall be made as a basis of Conciliation.

If Conciliation is reached the same shall be recorded and shared with both parties.

The agreed terms & conditions of the resolution of the Complaint shall be formalized in a report and signed by both parties.

In case of failure of the informal route or the Complainant so chooses, a formal inquiry shall be initiated.

Where any term or condition of the settlement/Conciliation arrived has not been complied with by the Respondent, ICC shall proceed to make a formal inquiry into the Complaint or may forward the Complaint to the police, depending on the gravity of the Complaint.

- viii. ICC shall summon witnesses and ask for production of documents by Complainant & Respondent, examine witnesses and take statements on oath. ICC, in India, shall be deemed to be an inquiry authority and will have same powers as vested in a Civil Court under the Code of Civil Procedure, 1908 as stated under the Act. ICC shall make inquiry into the Complaint in accordance with the principles of natural justice.
- ix. ICC may, based on the gravity of the Complaint, appoint an external investigation officer and may seek its report within 30 days. Further, where a Member of Apex Committee or Executive Management is named as Respondent or party to the Sexual Harassment Complaint, the Board may appoint an external investigation officer or request ICC to conduct investigation.
- x. Keeping in mind the criticality of the responsibility that has been bestowed upon ICC, it is necessary for them to operate within realistic and reasonable time frames for resolution of Complaints, depending upon the magnitude of seriousness. In any case, ICC should initiate action expeditiously on receipt of Complaint and complete the inquiry process within a period of three months (90 days) from the date of receipt of Complaint.
- xi. A copy of the full inquiry report along with all the annexures of the Complaint, post completion of investigation process along with its recommendations shall be made available by ICC to the Apex Committee/Board, wherever applicable, within 10 days of completion of inquiry/investigation
- xii. Simultaneously, a copy of the report shall be provided to the Aggrieved Person/Complainant and the Respondent, respectively. It must be ensured that the identity of the witnesses is kept strictly confidential.
- xiii. Board (wherever applicable) on receipt of the Report shall take an action based on the recommendations of ICC and send action taken report to ICC, within 50 days. Board may take assistance of Chief Human Resources Officer/ Regional HR Head for implementation of recommendations of ICC.

- xiv. **Appeal:** Any person aggrieved from the ICC recommendations may prefer an appeal to Court/Tribunal within **90** days of the recommendation.
- xv. The parties to the Complaint shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before ICC.

*A flowchart for addressing Complaints / cases of Sexual Harassment is provided as **ANNEXURE-2** to this Policy.*

9. DISCIPLINARY ACTION FOR SEXUAL HARASSMENT:

ICC shall recommend disciplinary action against the Respondent, if found guilty, post completion of the investigation proceedings. The nature and severity of the disciplinary action will commensurate with the severity and persistence of misconduct.

The disciplinary action includes but is not restricted to the below:

- i. Mandatory Written Apology accepting such action not to repeated in future towards any person.
- ii. Mandatory training or counseling session.
- iii. Letter of Warning that shall be marked in the employee's employment record with the Company.
- iv. Immediate transfer to a different department, location or both.
- v. Withholding of promotion, increment or both.
- vi. Demotion from the Respondent's present grade.
- vii. Dismissal from service of the Company.
- viii. Any other action that the Committee deems reasonable.

10. IMPLEMENTATION OF DISCIPLINARY ACTION:

- i. The disciplinary action recommended by the ICC must be disclosed to the Respondent and the Complainant/Aggrieved Person, separately.
- ii. The disciplinary action to be taken shall be informed to the parties in writing by the Chief Human Resource Officer/ Regional HR Head or the nominated disciplinary authority, as the case may be within a reasonable time.
- iii. Failure or refusal of any person to co-operate with the Committee, disturb the proceedings of the Committee, mis-guide the Committee by giving false testimony or suppression of fact during the investigation shall attract disciplinary action as deemed appropriate.

- iv. All inquiries for complaint of Sexual Harassment must be completed within 90 days of commencement of inquiry or as per existing legal provision of the country under question, whichever is less.

11. PROTECTION AGAINST FALSE ACCUSATIONS:

- i. False or malicious accusations of Sexual Harassment can have serious or devastating effect on innocent Employees.
- ii. All Employees should note that Complaints of Sexual Harassment should be factual and true. If after investigation it becomes clear that the Aggrieved person or any other person making the Complaint, made false accusation (including producing forged or misleading document) against the Respondent, the Aggrieved person or any other person making the Complaint would become liable for appropriate disciplinary action.
- iii. A mere inability to substantiate a Complaint or provide an adequate proof need not attract action against the complainant.
- iv. The malicious intent on the part of the complainant shall be established after an inquiry in accordance with the procedure prescribed by the committee before any action is recommended.

12. PROTECTION AGAINST VICTIMIZATION/RETALIATION:

The Company shall not accept, support or tolerate victimization or retaliation measures of any kind against any person, who acting in good faith, reports acts of Sexual Harassments. Any person, who engages in such retaliation/ victimization, directly or indirectly or encourages others to do so, may be subject to appropriate disciplinary action.

At PFSPL:

- i. Victimization or retaliation will be treated as a major misconduct.
- ii. Victimization or retaliation against those reporting Sexual Harassment is prohibited by this Policy.
- iii. Anyone suspecting or experiencing victimization or retaliation should report to the appropriate authorities.
- iv. Anyone feeling that a complaint of victimization or retaliation did not get a prompt response can raise a grievance with ICC/ Apex Committee/ Executive Management.
- v. Victimization or Retaliation is treated by the Company as seriously as Sexual Harassment even if the original Sexual Harassment complaint is not proven.

13. CONFIDENTIALITY:

The Minutes of the Meeting of the Committees, the findings, recommendations, decisions of the Committees and any document or any verbal communication shall be kept strictly confidential and the members shall

not divulge the details to any other Employee within or to any person outside the company.

Also, to other employees involved in such discussions, the members should emphasise the necessity for maintaining confidentiality and the consequences of possible disciplinary action in case of transgression.

14. PROHIBITION OF PUBLICATION- COMPLAINT AND INQUIRY PROCEEDINGS:

The contents of the complaint made under the Policy, the identity and addresses of the Aggrieved Person, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC, as the case may be, and the action taken by the Apex Committee/Employer shall not be published, communicated or made known to the public, press and media in any manner.

Provided that information may be disseminated regarding the justice secured to any victim of Sexual Harassment without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the Aggrieved Person, Respondent and witnesses.

Information of Aggrieved Person, Respondent and witnesses shall also be kept confidential and protected as per the applicable Data Protections laws, of that jurisdiction.

15. CASES OF CRIMINAL NATURE:

In case of Complaints, which the Committee deems as being outside its jurisdiction. For instance, offences of criminal nature, the law of the land shall apply. The Committee should provide any assistance required by the Aggrieved Person/Complainant.

Note: In India, in case of complaint of criminal nature, which is an offence under the Indian Penal Code or under any other law, it is duty of the Company/ employer to assist the Aggrieved Person/Complainant in initiating appropriate action, in accordance with the law.

*In case of any dispute arises jurisdiction shall be in **Gandhinagar** only.*

16. IMPLEMENTATION:

Every person referred in this Policy shall ensure compliance with the provisions of the Policy, the Act, Rules and any other laws on Sexual Harassment as may be applicable to their jurisdiction, as the case may be.

ANNEXURE:1

Template for Reporting Sexual Harassment

Internal Complaint Committee against Sexual Harassment

Sexual Harassment Details:

Who is/are the person/s involved in this sexual harassment case?

Please provide the name, designation, location, Business Unit and relationship with you (e.g. supervisor, colleague etc.)

Critical Incidents and Factual Data:

- a. Please describe the incident/s preferably in a chronological order with dates.
- b. List of supporting information/data that the Committee can seek from you while investigating the Complaint. E.g. exact date/s, place/s of incidents/s, witnesses, if any, text messages, pictures, emails etc.

Date: _____

Location: _____

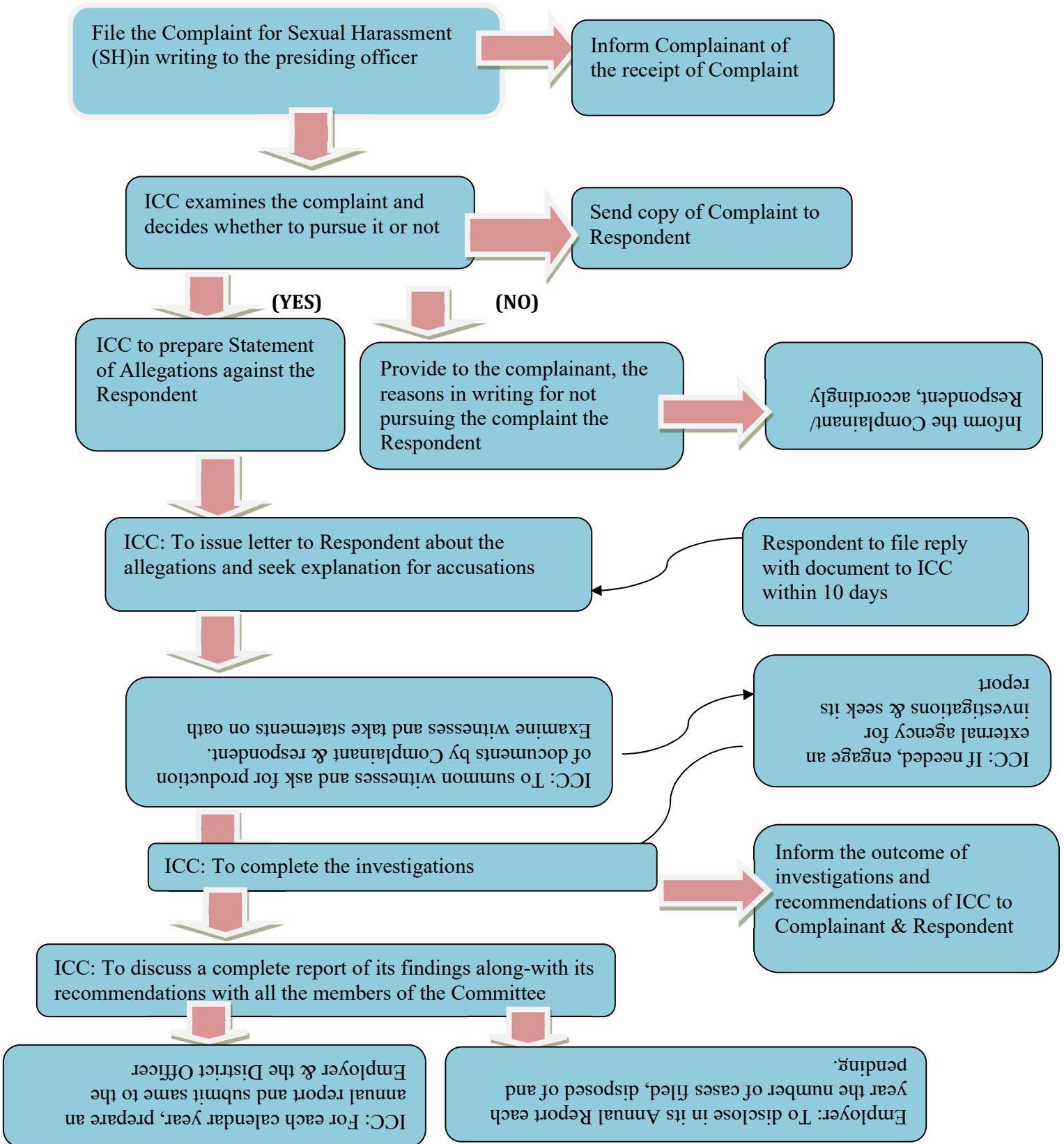
Name of the Complainant: _____

Contact Information: _____

(office email id/mobile number)

Signature of the Complainant: _____

ANNEXURE: 2



ANNEXURE :3

MEMBERS OF THE INTERNAL COMPLAINTS COMMITTEE:

Sr. No.	Committee Member Name	Position in PFSPL	Position in ICC
1.	Ms. Shrabanti Patel	AVP - HR, Ananya	Presiding Officer
2.	Mr. Abhijit Verma	AVP-HR	Member
3.	Ms. Jyoti Singh Chauhan	Company Secretary	Member
4.	Ms. Manisha Bansal	Deputy Manager - HR	Member
5.	Ms. Minaxi Shukla	N.A.	External Member [Chetna NGO-Founder]

