



Reliance Infrastructure Limited

## Prevention of Sexual Harassment

Prepared & Issued by	Date of Implementation	Version
<b>Corporate HR Reliance Infrastructure Ltd.</b>	<b>01.06.2024</b>	<b>5.0</b>

<b>Title</b>	<b>Prevention of Sexual Harassment</b>
Version	V 5.0
Creation Date	1 <sup>st</sup> June 2024
Business Scope	Reliance Infrastructure and Group / Associate Companies
Geographical	Across locations

<b>Responsibility</b>	a. HR is responsible for the maintenance and advocacy of the Policy b. HR is responsible for compliance with local laws/ statutory requirements c. HR and Competent Authority / HODs are responsible for implementing and ensuring communication of this policy to all staff with support of Business HR
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<b>Assurance Check (Optional)</b>	Head Audit
Policy Owner	HR Lead – Operations & Compliance
Final Approval	CHRO (Chief Human Resource Officer)
<b>Topics</b>	This document covers the policies and guidelines with respect to • What is Sexual Harassment • Internal Complaints Committee • Complaint procedure and Guidelines • Enquiry Procedure • Penal Consequences
Deviation	Any deviation to the Policy shall be based on final approval of R-Infra CEO / CHRO

## Prevention of Sexual Harassment

### 1. Introduction

- 1.1. Sexual Harassment can be defined as unwelcome sexual advances, requests for sexual favours, and other verbal and physical conduct of a sexual nature by any person(s) in the following situations:
  - 1.1.1. When unreasonable conduct is expected from the employee and the same is made a term or condition of the individual's employment; either explicitly or implicitly.
  - 1.1.2. When employment decisions like equal opportunities and career development of an individual are affected or denied due to submission to or rejection of such conduct by any individual; or
  - 1.1.3. When the conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

### 1.2. Such conduct includes, but is not limited to the following:

- 1.2.1. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, molestation, advances, or propositions;
- 1.2.2. Verbal Harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
- 1.2.3. Demeaning, insulting, intimidating or sexually suggestive comments (oral / written) about an individual's personal appearance or electronically transmitted images / messages;
- 1.2.4. The display in the workplace of demeaning, insulting, intimidating, pornographic or other offensive or derogatory or sexually suggestive objects, pictures, photographs;
- 1.3. Harassment that is unchecked has the potential to hurt the Organisation's brand image as well as operations through decreased productivity and increased employee turnover.

### 2. Objective

- 2.1. To create awareness amongst employees regarding harmful effects of Sexual Harassment on a healthy work environment.
- 2.2. To avoid tolerance of any verbal or physical conduct of a sexual nature by any employee who harasses, disrupts, or interferes with another's work performance or conduct that creates an intimidating, offensive, or hostile environment.
- 2.3. To prescribe appropriate treatment / punishment to the guilty for indulging in any activity related to sexual harassment.

### 3. Scope

- 3.1. The policy is applicable to all employees / trainees / consultants / OSDs / or employees of any third party appointed by the Organization within Reliance Infrastructure Ltd. and its Group Companies.
- 3.2. The policy applies to all persons irrespective of race, caste, creed, religion, physical disability, family background, or age.

- 3.3. This policy is applicable to all allegations made against an individual, irrespective of whether sexual harassment is alleged to have taken place within or outside company premises at any place visited by the employee arising out of or during the course of employment.

#### **4. Policy**

- 4.1. Sexually Harassing or offensive conduct is prohibited in the work place, whether committed by employees / consultants / OSDs / or employees of any third party appointed by the organization to carry out its outsourced activities.
- 4.2. Any of the above conduct, directed at individuals because of their race, caste, creed, religion, physical disability, family background, pregnancy or age is also prohibited.
- 4.3. Sexual Harassment shall be treated as misconduct and appropriate action shall be initiated for such misconduct.
- 4.4. In case of a complaint being investigated, all the employees involved shall make available to the Internal Complaints Committee such information, as it may require having regard to the complaint made.
- 4.5. A person knowingly making a false claim or producing a forged / misleading document during investigation shall be subject to disciplinary action as per the Discipline Policy. Provided that mere inability to substantiate a complaint or provide adequate proof should not attract action against the complainant.

#### **5. Internal Complaints Committee**

- 5.1. Business-wise Internal Complaints Committees have been constituted for redressal of complaints related to sexual harassment.
- 5.2. The Internal Complaints Committees have the following composition:
  - 5.2.1. Presiding Officer, who shall be a senior level woman. In case a senior level woman employee is not available, the Presiding Officer shall be appointed from a sister organization;
  - 5.2.2. Not less than two members from amongst members shall be committed to the cause of women or who have had experience in social work, or have legal knowledge;
  - 5.2.3. One member from a nongovernment organization or association committed to the cause of women, or person familiar with the issues of sexual harassment.
  - 5.2.4. Provided that at least fifty per cent of the members so nominated shall be women.
- 5.3. Term of Committee members shall be 3 years, after which Committee Constitution shall be reviewed.
- 5.4. The Committee shall have the power to:
  - 5.4.1. Summon and enforce attendance of any person and examine him / her;
  - 5.4.2. Require the discovery and production of documents; and
  - 5.4.3. Any other power as prescribed.

- 5.5. The Committee may direct such person to produce such documents / information by serving a notice in writing, summoning the person, or calling for such documents or information at such place and within such time as may be specified.
- 5.6. Where any relevant document or information is recorded or stored by means of a mechanical, electronic or other device, the Committee shall have the power to direct that the same be produced, or that a clear reproduction in writing of the same be produced.
- 5.7. Upon production of documents / information called for by it, the Committee shall have the power to (i) make copies of such documents / information or extracts there from; or (ii) retain such documents / information for such period as may be deemed necessary for purposes of the proceedings before it.
- 5.8. The Committee shall have the right to put questions to witness, seek clarification of documents and/or other material available on record.
- 5.9. The Committee shall have the power to issue interim directions to any employee participating in the proceedings before it.
- 5.10. The Committee shall have the power to recommend the action to be taken against any person found guilty of (a) sexually harassing the complainant; (b) retaliating against / victimizing the complainant or any other person before it; and (c) making false charges of sexual harassment against the accused person; (d) giving false evidence during enquiry into the allegations of sexual harassment; and (e) forging documents to substantiate a false charge or support a false defense.

## 1. Procedure

- 1.1. All persons covered under this Policy have the responsibility to report or complain about actions or words of any other person (as given in the scope of this topic) which constitute harassment.

### 1.2. Reporting of Sexual Harassment Complaints

- 1.2.1. Any aggrieved person who feels/presumes that he/she has been subject to sexual harassment by a person, including a supervisor, manager, employee of the organization or vendor or client or visitor by way of any action or words should immediately report or complain the incident to any member of respective IC within one month from the date of occurrence of the said incident and in case of a series of incidents within a period of one month from the date of the last incident. Delay in reporting makes it more difficult to establish the facts of a case and may contribute to the repetition of offensive behavior.
- 1.2.2. Where the aggrieved person is not able to make a complaint on account of physical or mental incapacity or death or otherwise, a friend, co-worker, legal heir or an immediate family member may make a complaint.
- 1.2.3. Any complaint shall be lodged in writing along with supporting documents if any, generally within one month of occurrence of the incident. If the Committee is satisfied that the circumstances were such that the circumstances were such that prevented the complainant from filling the complaint within the said period, they can extend the time limit not exceeding 3 (three) months.

- 1.2.4. The receiver of the complaint shall refer the complaint to the Internal Complaints Committee without any delay.
- 1.2.5. The Internal Complaints Committee shall make inquiry into the complaint in accordance with the principles of natural justice
- 1.2.6. Complaints of harassment shall be handled and investigated promptly as per the Investigation Procedure and in a mature, impartial and confidential manner.
- 1.2.7. Any employee involved in the complaint procedure shall be treated courteously, sensitively and based on the gravity of the situation.
- 1.2.8. Employees are required to cooperate in every investigation.
- 1.2.9. Each case shall be duly recorded and documented by Internal Complaints Committee.

#### **1.3. Complaint Mechanism**

- 1.3.1. The Complainant is required to send the written Complaint to the respective IC. The Complainant may also email the Complaint to a IC member.
- 1.3.2. It is pertinent to mention that the written Complaint is mandatorily required to be filed by the Complainant with full name and details for seeking any action under this Policy and / or the Act. Any anonymous Complaint shall not be entertained.
- 1.3.3. A third party can also be a Complainant; however, a written Complaint from the person who has been subject to Sexual Harassment is mandatory to be filed with the respective IC.
- 1.3.4. Both written/mailed Complaints must provide the details of the Incident together with the name/s of the Respondent/s and the Complainant/s as available.

#### **1.4. Confidentiality**

- 1.4.1. The company will do everything consistent with enforcement of this policy and with the law to protect the privacy of the individuals involved and to ensure that the Complainant and the Respondent are treated fairly. Information about individual Complaints and their disposition is considered confidential and will be shared only on a "need to know" basis. However, the IC members and /or Company shall not be held responsible under present confidentiality clause in the event the Complaint is filed by a third party and / or material facts with regard to Complaint are already known to other persons/individuals.

#### **1.5. Assurance against Retaliation**

- 1.5.1. This policy seeks to encourage all employees to express freely, responsibly, and in orderly way opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about sexual harassment or behavior that might constitute sexual harassment is also strictly prohibited. Any act of reprisal, including internal interference, coercion, and restraint, by an employee, violates this policy and will result in appropriate disciplinary actions.
- 1.5.2. Such disciplinary action will be proposed by the Committee as per the provisions of the Act.

#### **1.6. Conciliation**

- 1.6.1. It is important to mention herein that, before initiation of enquiry, the respective IC on receipt of any Complaint from the Complainant should upfront seek her expectation from the IC with regard to Complaint and the respective IC should also brief the Complainant about the option of conciliation available to her with the Respondent if so desired by the Complainant. However, once the enquiry has initiated the option of conciliation ceases to exist.
- 1.6.2. The IC at the request of the aggrieved party should take steps to settle the matter between the two parties involved through conciliation provided that no monetary settlement shall be made based on conciliation. Where a settlement has been arrived, no further inquiry shall be conducted by the IC.

#### **1.7. Enquiry Procedure**

- 1.7.1. A timely enquiry of Complaints of sexual harassment is of utmost importance. Normally, the enquiry shall be concluded and acted upon at the earliest from the date of the Complaint being made in writing.
- 1.7.2. The respective IC, as the case may will conduct an enquiry and provide an opportunity to the Complainant as well as the Respondent to represent their case and explanations/reasoning thereto.
- 1.7.3. On receipt of Complaint in writing/email, an enquiry is initiated through the members of the respective IC.
- 1.7.4. The enquiry seeking detailed information/explanation/ reasoning will be conducted with the Complainant as well as Respondent independently by the respective IC.
- 1.7.5. The enquiry proceedings convened by respective IC should always be minuted and/or video recorded and same to be saved and maintained for records by the respective IC. The proceedings of the enquiry (while the witness makes his/her submission) should be recorded on camera.
- 1.7.6. The respective IC will study the findings and shall then proceed to deal with the Complaint in accordance with the Policy and the Act and redress the Complaint within ninety (90) days from the date of receipt of the Complaint and accordingly submit its detailed findings and advise in connection with the Complaint to the respective Employer.
- 1.7.7. A copy of the findings shall be made available to both the parties so that they may represent against the findings before the IC.
- 1.7.8. However, the respective IC may close the enquiry and/or is not required to initiate same in the event the Complainant fails to appear before the respective IC and/or fails to revert to the query(s) raised by the respective IC for three consecutive events. The respective IC shall record the reasons for the closure of the Complaint accordingly. Further, in the event, the respondent deliberately avoids appearance before the respective IC, the employer or any person so appointed by the employer should direct/instruct the Respondent to appear before the respective IC.

- 1.7.9. The respective IC will present the decision including the handover of all the collected material i.e., the duly signed statement of the Complainant, Respondent, witnesses, involved parties and material objects if any along with a recommendation to the Secretary of IC. The implementation authority of the consequences as suggested by IC will be the Office of the Head of the Organization.
- 1.7.10. In the event that there are no eyewitnesses, the respective IC may have to resolve a sexual harassment claim based on the credibility of the parties. Circumstantial evidence also would play an important role during the decision-making process by the Committee.
- 1.7.11. The employer may seek clarification from the respective IC on the recommendation and will implement the same.
- 1.7.12. The final decision shall be communicated to the Complainant and the Respondent.
- 1.7.13. An enquiry in connection with any Complaint may be initiated/continued irrespective of the fact that police proceeding has also been initiated in connection with the said Complaint.
- 1.7.14. On the completion of an enquiry under POSH Act, the IC shall provide a report within a period of 10 (ten) days from the date of completion of the enquiry and such report be made available to the concerned parties.
- 1.7.15. The final outcome along with recommendations shall be shared by the IC presiding officer with the head of the Company.

## 1.8. Interviewing the Involved Parties

- 1.8.1. The investigator needs to be prepared to deal with the complaining employee's embarrassment and anger by patiently but firmly explaining that details are needed for an accurate investigation.
- 1.8.2. The complaining party shall be interviewed first, to ensure that all important details and witnesses are identified promptly.
- 1.8.3. It is important for interviewers to be objective and non-judgmental and allow the alleged harasser to respond to each allegation. The investigator shall inform him of the type of disciplinary action that may be taken if the allegations are found to be true.
- 1.8.4. Both parties shall be told to avoid contact with one another, and ways to minimize contact shall be implemented.
- 1.8.5. The complaining employee shall be encouraged to report any further incidents of harassment or retaliation.
- 1.8.6. Witnesses shall be told as little as possible about the details of the complaint in order to reduce the employer's exposure to later claims of defamation.
- 1.8.7. In the event the Complainant has filed a complaint against his/her reporting manager, or any person placed high on hierarchy then during the course of the enquiry, based on written request from the complainant, the Complainant may be:
  - a. transferred to another department / location, OR

- b. granted leave from employment (maximum period of 3 months which shall in addition to the regular entitlement of leaves), OR
- c. be granted such other relief as may be prescribed.

#### **1.9. Appeal**

- 1.9.1. Any aggrieved person on non-implementation of recommendations may prefer to appeal to the court or tribunal with provisions of the service rules applicable to the said person. The appeal is to be made within ninety days of the recommendations given by the IC.

#### **1.10. Penal Consequences**

- 1.10.1. The Penal consequences to be recommended by IC. Depending upon the severity / intention / impact of the case the recommendations may be suggested. However, they may lead to termination of employment or Wage salary loss or maybe considered for Criminal actions with concerned administrative authority.

#### **1.11. Reporting**

- 1.11.1. At the end of every Financial Year an Annual Report containing all the details like the number of complaints filed, the stage of each Complaint and number of Complaints redressed will be prepared and furnished by the respective Employer to the respective local District Commissioner.

#### **1.12. Criminal Proceedings**

- 1.12.1. Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the respective Employer based on the findings and advice of the respective IC may initiate appropriate action in accordance with law by making a complaint with the appropriate authorities.
- 1.12.2. The respective IC would provide assistance to the aggrieved if they chose to file Complaint under the Indian Penal Code.
- 1.12.3. The respective IC would ensure that Complainants or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

#### **1.13. Mala Fide Complaints**

- 1.13.1. If the enquiry reveals that the Complaint is unjustified or Complainant had raised the concern with ulterior motives, Employer or any person duly authorized by the Employer will counsel the Complainant and recommend suitable action to prevent a recurrence.
- 1.13.2. However, the Employer or any person duly authorized by the Employer will ensure that the Complainant is not victimized.
- 1.13.3. Requisite penal actions shall be invoked against Mala Fide Complainant.

#### **1.14. Consequences of Violation of the Policy**

- 1.14.1. Any employee, supervisor or manager who is found to have violated the harassment policy (whether sexually harassing another employee of the opposite sex or the same sex or if any person falsely accuses another person of sexual harassment) shall be subject to appropriate disciplinary action, up to and including termination.

- 1.14.2. In the event, any criminal proceedings are initiated the matter may be referred to Head Legal or such other person as may be authorized by the Employer.
- 1.14.3. The organization shall not tolerate any form of retaliation against employees for bringing bonafide Complaints or providing information about harassment.
- 1.14.4. If any act of sexual harassment occurs because of an act or omission by any third party or outsider, the respective Employer will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

## **2. Documentation**

- 2.1. Each complaint received by Internal Complaints Committee shall be duly recorded and documented by them.
- 2.2. All the relevant documents / statements shall also be maintained and preserved.

## **3. Display & Communication of Policy**

- 3.1. The Policy shall be displayed to all employees through intranet portal of the Company, under the Section of 'Standards of Conduct' Policies.
- 3.2. Any changes in the Policy and / or Internal Complaints Committee shall be notified through the intranet portal by way of updated Policy document.
- 3.3. The Policy Awareness shall be conducted regularly through various discussion / communication forums.