



Prevention of Sexual Harassment at Workplace Policy (POSH)

Version 2.1

June 2022

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1. Document Control

| Information Classification Level | Definition | Select (✓) any one |
|----------------------------------|---|----------------------|
| Public | Information that may be broadly distributed without causing damage to the organization, its employees and stakeholders | |
| Internal | Information which can be distributed within the company | ✓ |
| Confidential | Sensitive information available within a group of people which must not be disclosed outside the organization without explicit permission of document owner | |

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|-----------------------|----------------|
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| | | | | |
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| Version 1.9 | November 2021 | Revision with minor changes | Heena Kurawale | Ramesh Naicker |
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|--|
| Accelya Solutions India Limited |
| Accelya Services India Private Limited |



2. Objective

Providing a safe and congenial work environment to all employees is an integral part of the Company's employment policy. Accelya India respects the dignity of all employees working for the Company irrespective of their gender or hierarchy. Employees at all levels (men and women alike) are expected to be responsible in their conduct and behavior.

This policy has been framed with a view to:

- a. Promote a workplace based on equality and respect
- b. Provide a safe and congenial work environment
- c. Promote awareness and sensitization about sexual harassment at workplace
- d. Take effective measures to prevent and prohibit sexual harassment at workplace
- e. Have a mechanism to redress cases of sexual harassment and impose punishment for those responsible in case of complaint of sexual harassment at workplace
- f. Ensure protection against retaliation to complainants, witnesses, committee members and other employees, involved in prevention and complaint resolution

Sexual harassment at workplace or other than workplace, if involving employees, is a severe offence and is, therefore, punishable. This policy is made under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 and in accordance with the Hon. Supreme Court Guidelines on Sexual Harassment at workplace.

This policy therefore intends to prevent and prohibit such occurrences and also details procedures to follow when an employee believes that a violation of the policy has occurred within the ambit of all applicable regulations regarding Sexual Harassment



3. Scope

Includes: -

- On roll employees
- Consultant
- Insource
- Outsource
- Interns
- Vendor/Supplier/Contractor including their agents, supervisors, managers and their employees, visiting any of the offices.
- Any associate engaged on fixed term contract, short term engagement, temporary assignments and visitors on company premises

The scope of the policy is restricted to the following for all employees:

- Business locations of the Company
- Any external location visited by associates due to or during the course of their employment with the Company such as business locations of other Companies/entities, guest houses etc.
- Any mode of transport provided by the Company (or a representative of the Company) for undertaking a journey to and from the aforementioned locations



4. Acronyms and Definition

| Acronyms / Definition | Description |
|--------------------------------------|--|
| Sexual Harassment | Unwelcome sexually determined behaviour at workplace |
| Workplace | Any place where working relationships and/or employer-employee relationships between the company and the person exists. This includes remote working and company premises (including transit houses and guest houses) and any place visited by the employee arising out of or during the course of employment including travel / transportation provided by the employer for undertaking such a journey. |
| Aggrieved Party / Complainant | In relation to workplace, an employee of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent |
| Respondent / Accused | Against whom the aggrieved party has made a complaint. |



5. Sexual Harassment

Sexual harassment includes such unwelcome sexually determined behaviour (whether direct or by implication) such as:

- a. Physical contact and sexual advances
- b. Demand or request for sexual favors
- c. Sexually - coloured remarks
- d. Showing pornography
- e. Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature

“Sexual Harassment” would also mean:

- I. Quid pro quo sexual harassment: It means something in return or an exchange of one thing for another.

In the workplace, quid pro quo sexual harassment takes place if sexual favors are asked in exchange for any kind of special treatment on the job. Threatening an associate if he/she does not consent to such sexual advances or favors also amounts to sexual harassment. The act of ‘asking’ may either be verbal or implied and the ‘sexual conduct’ may be verbal or physical. But, in either case, it must be unwelcome.

For e.g.: Direct or implied requests or offers by any associate for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits or continued employment, constitutes sexual harassment

- II. Hostile work environment: Hostile environment sexual harassment occurs when either speech or conduct of a sexual nature takes place, and is seen or perceived as offensive and interferes with the work performance of the recipient or any one or more associates

Hostile environment sexual harassment may also include intimidating or harassing conduct that is directed at an individual, or a group of individuals

It will also mean related retaliation which includes marginalizing someone in the workplace with regard to his / her roles and responsibilities, socially ostracizing, intimidating someone physically, psychologically and emotionally or someone close to or related to the victim



- III. Workplace incident: From the POSH perspective, especially in today's state of affairs, it is vital to look at facts and circumstances in each case to determine whether an alleged incident took place in a workplace or not. Thus, be aware that posting any unwelcome sexual comments or any such acts even while working from home is considered a 'workplace incident' and liable to disciplinary action

Physical or Digital space when an employee is connected to work, even if it is from home, coffee shop or hotel room.

Office provided Telecom or Communication channels – Phone, Internet, Chat, Email, Video/Audio Conference tools, Collaboration tools etc.,

Publicly available social media or other electronic tools if used to communicate between employees for both official and personal purposes. Eg : Microsoft Teams. WhatsApp, LinkedIn, Facebook.

This is only an indicative list of the possible acts which could be treated as sexual harassment and is in no way intended to be interpreted as an exhaustive list.

The interpretation of 'sexual harassment' and the investigation procedure shall be guided in accordance with the local laws / regulations as applicable.

A few examples of "Unwelcome sexually determined behavior" are listed in 'Annexure I'.



6. Internal Committee (IC)

Under the POSH Act, every employer/ establishment employing ten or more employees is required to constitute an Internal Committee (hereinafter referred to as the “IC”) to provide a redressal mechanism to the women aggrieved by the incident of sexual harassment.

The names and contact details of the members of the Internal Committee (IC) is given in adherence to the Act and the list of members are published on the notice boards.

Committee Structure:

The Committee will be nominated by the Head – People and Culture which will consists of minimum of 4 members and would be headed by Central Chairperson (Not less than half of the members (Min 50%) would be women. The committee would also include a centrally nominated member from an NGO or legal body or any other social work body familiar with the issues of sexual harassment.

One of the appointed members is nominated as a Convener for the location. It is the responsibility of the convener to document all the reports and findings for the respective location. While the IC nominated members and the NGO representative will review all cases of sexual harassment reported within the Location/Company.

The committee members, Chairperson and Conveners will be provided necessary training inputs to handle such issues effectively and with the required sensitivity and concern.

IC Roles & Responsibility:

The Internal Committee will receive the complaints on sexual harassment, enquire into the complaints, conduct the enquiry and submit the findings on the complaint.

Term:

The term of the office of the Internal Committee is for a period of 3 years. On the expiry of the three years period, the exiting members of the Internal Committee will continue to hold office, till new Internal Committee is constituted.

Quorum:

A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a woman.



Member Entry / Exit:

If a member of the Internal Committee who is an employee of the company and when she/he ceases to be an employee of the company, then she/he will also cease to be member of the Internal Committee. A new member will be appointed by the Chairperson in his/her place at earliest.



7. Procedure to File a Complaint

The Company is committed to providing a supportive environment to resolve concerns of sexual harassment and below is the procedure to File a Complaint:

1. If any aggrieved employee believes that he/she has been subjected to sexual harassment, such employee may file a complaint with IC or any IC member in writing or send an email to posh@accelya.com . The complaint can also be routed through the internal committee at respective locations.
2. Any complaint received by the members should be immediately forwarded to the Chairperson and this must be notified to other committee members at the earliest and not later than 3 days and a meeting should be called for discussing the matter
3. The Committee shall discuss and decide on its jurisdiction to deal with the case or reject the complaint prima facie and recommend that no action is required to be taken in the matter.
4. Keep a record of incidents (dates, times, locations, possible witness, what happened, response). It is not mandatory to have a record of events to file a complaint, but a record can strengthen your case and help you remember the details over time, in case the complaint is not filed immediately.
5. The complaint is to be lodged within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of the last incident; and within 180 calendar days of being an Ex-employee of Accelya India.
6. The Internal Committee will render reasonable assistance to employee for making the complaints in writing. Every attempt will be made to get the Complainant to provide the complaint in writing. The complaint shall include the circumstances giving rise to the complaint, the dates of the alleged occurrences and names of witnesses, if any. The complaint shall be signed by the Complainant.
7. Notice shall be issued to the respondent within 7 working days of receipt of the complaint and 10 working days shall be given for submission of reply (along with the list of witnesses and documents.)
8. If it is determined that harassment has occurred; prompt, remedial action will be taken; but if the complaint does not rise to the level of sexual harassment, the Committee may determine to dismiss the complaint without further investigation after consultation with Legal Team. The convener will record this finding with reasons and communicate the same to the complainant.



9. Complaints brought after that time period will not be pursued absent extraordinary circumstances. The determination of whether the complaint was timely or whether extraordinary circumstances exist to extend the complaint period must be made in conjunction with the Legal Team.
10. Where the aggrieved employee is unable to make a complaint on account of her/his physical or mental incapacity or death or otherwise, her/his legal heir or such other person as may be prescribed may make a complaint within 3 months of the incident.



8. Process of Enquiry

1. The committee member on receiving a complaint will notify to the Convener and Chairperson immediately. The Convener along with the IC member would arrange for a meeting within three days of receipt of the complaint for discussing the complaint raised.
2. The Chairperson of the Committee shall ensure that the complaint is attended to within the mentioned timeframe after receiving it and that the investigations are completed within 30 working days.

3. Enquiry Process to follow:

The Committee will ask the aggrieved party to prepare a detailed statement of incidents/allegations and get it signed from the aggrieved party.

- The statement of allegations will be shared with the respondent.
- The respondent will be asked to prepare a response to the statement of allegations and submit to the Committee within 3 working days or as per agreed timeframe agreed/varying case-to-case.
- The statements and other evidence obtained in the inquiry process will be considered confidential.

4. Verbal Hearings & Documentation:

The Committee will organize verbal hearings with the aggrieved party and the respondent as mentioned below: (it is the responsibility of the location convener to document all aspects of the hearings)

- Will call upon both the parties separately,
- Listen, look at proof (if any),
- Verify documents produced by the parties,
- Allow the parties to produce witnesses and to put forth their say.
- The Committee will take testimonies of other relevant persons and review the evidence wherever necessary.
- Both the parties during the course of enquiry are given an opportunity of being heard.
- The Committee, before initiating the inquiry at the request of the aggrieved party, will take steps to settle the matter between her and the respondent through mutual settlement.
- The committee will conduct inquiry in accordance with the practices of natural justice.

On the basis of the above procedure, the Internal Committee would then hold an investigation/committee meeting and arrive at a decision. Once the investigation is completed, a determination will be made regarding the validity of the harassment



allegations; after carefully and fairly reviewing the circumstances, evidence and relevant statements.

5. Completion of Investigation:

- Upon completion of the investigation, both parties will be informed of the results of the investigation.
- At the end of the investigation, the Convener of the committee shall draft a report and share the investigation details and the findings thereof with Head – People and Culture, Location HR Operations and Committee Chair Person and agree on the applicable disciplinary action within 3 weeks or as per agreed timeframe agreed/varying case-to-case.
- The Head - People and Culture and Committee Chairperson would approve and sanction the disciplinary action.



9. Decision & Action

1. Wherever such settlement has been arrived, the Convener shall record it and send the same to the Human Resources department to take action as per recommendation.
2. The implementation of the recommendation of Internal Committee by Human Resources department should be done within 30 days of receipt of such recommendation as per agreed timeframe agreed/varying case-to-case.
3. Once such settlement has been arrived at and sanctioned no further enquiry shall be conducted by the Internal Committee, however, a woman can further refer the same to Internal Committee for redressal if the terms of settlement have not been complied.
4. Pursuant to a finding of Sexual Harassment by the Committee against the respondent, the Committee may initiate any one or more of the following actions:
 - a) Actions in accordance with misconduct mentioned in Code of Conduct or appointment letter
 - b) Issue a verbal warning
 - c) Issue a warning in writing,
 - d) Written/Formal Apology
 - e) Issue a suspension
 - f) Counselling
 - g) Deprived of increment or promotion
 - h) To deduct, notwithstanding anything in the service rules applicable, from the salary or ages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman
 - i) Order termination depending upon the severity & sensitivity of the incident
 - j) Financial Penalty (In accordance with the mental, physical trauma, loss of career opportunity, medical expenses) in lump sum or in instalments.

5. Reporting of incidents to Head – People and Culture and MD/CEO:

In any case all such incidents along with the resolution, needs to be reported to the Head of People and Culture, who then will provide a short report to the Managing Director/CEO as required by the management at that particular year and the matter will be closed.



10. Sexual Harassment Measures

10.1 Consequences of False Complaint

- a) Making a false complaint of sexual harassment or providing false information regarding complaint will also be treated as a violation of policy.
- b) In case the Internal Committee on conclusion of the enquiry finds that the allegation was malicious or have been made by the complainant knowing it to be false, or has produced any forged or misleading document, it will recommend action to be taken by HR against the complainant who has made false complaint.
- c) In all such cases the malicious intent on the part of the complainant must be established before any action is recommended.

10.2 Protection against Victimization

In the event complainant being an employee and the respondent is being his/her manager, during the pendency of investigation and even after such investigation if the manager is found to be guilty, the respondent shall not act as manager of the complainant.

10.3 Prevention Action

The Company will take reasonable steps to ensure prevention of sexual harassment at work which may include circulating applicable policies and other relevant information to all employees, including to all new joiners.

10.4 Obligation of Management

The Management of the company shall provide all necessary assistance for the purpose of ensuring full effective and speedy implementation of the Internal Committee (IC) constituted as above and shall implement the decisions in an expeditious manner.

10.5 Third Party Harassment

In case of third-party Sexual Harassment the Internal Committee will actively assist and provide all its resources to the complainant in pursuing the complaint.

The Company encourages its clients/partners to have a commitment to a sexual harassment free working atmosphere within their Companies. The Company may play a facilitating role in redressal of complaints of sexual harassment in such circumstances.



10.6 Confidentiality

The Company understands that it is difficult for the complainant to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.


To protect the interests of the aggrieved party, the respondent and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

10.7 Savings

The proceedings under the policy shall not stall or postponed merely because the complainant is proceeding against the respondent under any other provision of civil or criminal law.

11. POSH Internal Committee Poster

| Accelya Solutions India Ltd. | | | | |
|--|--|---|---|---|
| Internal Committee under POSH of Women at the Workplace - Prevention, Prohibition and Redressal Act, 2013 | | | | |
| Chairperson | Seema Jamsandekar  seema.jamsandekar@accelya.com | | | |
| External Member | Usha Acharya  usha@talkitover.com | | | |
| Titles | IC Member | IC Member | IC Member | Convener |
| IC Member Details | Benjamin Sagalgile  benjamin.sagalgile@accelya.com | Melissa D'Souza  Melissa.Dsouza@accelya.com | Sampada Shet  sampada.shet@accelya.com | Vinita Shanbhag  vinita.shanbhag@accelya.com |
| If any aggrieved employee believes that he/she has been subjected to sexual harassment, such employee may file a complaint with IC or any IC member in writing or send an email to posh@accelya.com The complaint can also be routed through representatives at respective locations. | | | | |
| * It would be the responsibility of the Convener to document the Committee discussions, findings and conclusions. | | | | |

| Accelya Services India Pvt. Ltd. | | | | |
|--|--|--|---|---|
| Internal Committee under POSH of Women at the Workplace - Prevention, Prohibition and Redressal Act, 2013 | | | | |
| Chairperson | Seema Jamsandekar  seema.jamsandekar@accelya.com | | | |
| External Advisor | Usha Acharya  usha@talkitover.com | | | |
| Titles | IC Member | IC Member | IC Member | Convener |
| IC member Details | Sampada Shet  Sampada.Shet@accelya.com | Sriparna Saha  sriparna.saha@accelya.com | Amar Nair  amar.nair@accelya.com | Shwetta John  shwetta.john@accelya.com |
| If any aggrieved employee believes that he/she has been subjected to sexual harassment, such employee may file a complaint with IC or any IC member in writing or send an email to posh@accelya.com The complaint can also be routed through representatives at respective locations. | | | | |
| * It would be the responsibility of the Convener to document the Committee discussions, findings and conclusions. | | | | |



12. Annexure I - Examples of “Unwelcome Sexually Determined Behavior”

A few examples of “Unwelcome sexually determined behavior” are as listed below but not limited to:

1. Subjecting another person to an unwelcome act of physical intimacy including grabbing, brushing, touching, including sexual flirtations, advances or propositions.
2. Making any unwelcome remark with sexual connotations like sexually explicit, remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks and/or gossip regarding one’s sex life, comments on an individual’s body, comments about an individual’s sexual activity, deficiencies or prowess in an attempt to humiliate or make another person uncomfortable.
3. Showing any sexually explicit visual material in the form of pictures, cartoons, pin-ups, calendars, screensavers on computers, any offensive written or electronic material, including pornographic.
4. Engaging in any other unwelcome conduct of a sexual nature, verbal or even nonverbal, staring to make the other person uncomfortable, making offensive gestures, etc.
5. Sending unwelcome communication of a sexual nature, through e-mail, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of a sexual nature.
6. Eve teasing, innuendos and taunts, physical confinement against one’s will and likely to intrude upon one’s privacy.
7. Act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person following requests for sexual favours from a junior (or any other person) in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits or continued employment or threatens to terminate any such person for non-co-operation.
8. Where a boss or other senior person intrudes into the private life of employees or persistently asks them out.
9. Making an unwelcome demand or request whether directly or by implication for sexual favours and/or making it a condition of employment, payment of wages, increments, promotion, preferential treatment, threat to detrimental treatment in employment, threat to current or future employment status or similar act.
10. Conduct of such an act at workplace or outside in relation to an Employee of ‘Accelya, or vice versa during the course of employment, official travel, outings, on/off site etc.
11. Graffiti in the office premises.
12. Requests for dates or repeated pressure for social contact.