



May 11, 2023

Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) POLICY

1. INTRODUCTION CUM OBJECTIVE:

Ampersand is committed to provide a work environment that ensures that every female employee is treated with dignity, respect and afforded equitable treatment to create a healthy working environment that enables female employees to work without any fear.

Objective of this Policy is to provide protection against sexual harassment of women at workplace and for the prevention, prohibition, and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

The Management has **Zero Tolerance for Sexual Harassment** of women in any manner at any of the premises where Ampersand has its presence. As required by and subject to the provisions of the "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013," a committee has been formed to enquire / redress complaint/s of victims of sexual harassment. The Committee will comprise of a Presiding Officer (Senior Woman Employee), other Committee Members (internal employees) and an External Committee Member, an empaneled Advocate. This committee shall investigate all the complaints of sexual harassment placed before it. This Committee has been conferred with judicial powers by the Act to deal with subject related complaints / matters. This Committee known as '*Internal Complaint Committee*' (referred as '*ICC*') to address the grievances will have a combination of Apex Committee and Centre Committee. The roles of both these committees are defined below:

2. APEX COMMITTEE:

Is a parent body which would be responsible to address and redress all complaints as filed by the female employee/s located at Mumbai Vertex Office as well as Other Locations across Group Companies. Thus, this Apex Committee will also have its presence in addressing and redressing all subject related complaints and to suggest corrective actions/measures to be initiated.

3. CENTRE / LOCATION COMMITTEE:

Each office / operational Centre (school / location) will have an Internal Complaint Committee that shall be responsible to redress the complaints arising at that Centre under the guidance of the Apex Committee.

4. SCOPE:

This policy applies to all categories of employees of the organisation and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately. "Employee" means any person on the rolls of the organisation, including those on deputation, contract, temporary, part time or working as consultants/retainers.



5. WHAT CONSTITUTES SEXUAL HARASSMENT?

Sexual Harassment includes any one or more of the following unwelcome acts or behavior (whether directly, indirectly or by implication): -

- a. Physical contact and advances
- b. Molestation whether directly or indirectly
- c. Offensive visual conduct
- d. A demand or request for sexual favors
- e. Making sexually colored remarks
- f. Showing pornography
- g. Threatening reprisals for an employee's refusal to respond to requests for sexual favours
- h. Any other unwelcome physical, verbal or non-verbal conduct of sexual in nature

The following circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:

- a. Implied or explicit promise of preferential treatment in her employment; or
- b. Implied or explicit threat of detrimental in her employment; or
- c. Implied or explicit threat about her present or future employment status; or
- d. Interference with her with or creating an intimidating or offensive or hostile work environment for her; or
- e. Humiliating treatment likely to affect her health or safety
- f. Sexual harassment in any form is a serious offence as per act

6. NON-COMPLIANCE:

All breaches to the Sexual Harassment and Redressal Policy will be treated and amount to as misconduct, if proven, under the redressal findings and would lead to disciplinary proceedings.

7. SECTION OF THE INDIAN PENAL CODE (IPC) – SEXUAL HARASSMENT AND PUNISHMENT FOR SEXUAL HARASSMENT:

Under the Indian Penal Code, Section (S. 354A) which deals with sexual harassment has made this a 'cognizable offence' i.e. - a person charged with sexual harassment may be arrested without a warrant.

1. A man committing any of the following acts:
 - i. Physical contact and advances involving unwelcome and explicit sexual overtures; or
 - ii. A demand or request for sexual favours; or
 - iii. Showing pornography against the will of a woman; or
 - iv. Making sexually colored remarks shall be guilty of the offence of sexual harassment.
2. Any person who commits the offence specified in clause (i) or clause (ii) or clause (iii) above shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine or with both.



3. Any man who commits the offence specified in clause (iv) above shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both In addition to Section 354A set out above, acts of sexual harassment may also constitute other offenses under IPC including Section 354 (assault or criminal force to woman with intent to outrage her modesty), Section 354C (Voyeurism), section 354D (Stalking), Section 375 and 376 (Rape) and Section 509 (word, gesture or act intended to insult the modesty of a woman) of the IPC.

8. **CONSEQUENCES:**

If any person is found guilty of any of the above acts of sexual harassment, the Management shall take very strict disciplinary action against the concerned employee/s, including dismissal from the services and filing a complaint, against the concerned employee with the local police authorities as decided by the committee. However, if the complaint of sexual harassment is found to be false or fictitious in nature, appropriate disciplinary action shall be initiated against the complainant.

As per Section 12(1), during pendency of an inquiry, on written request made by aggrieved woman, the Internal Committee or the Local committee, may recommend to the employer to –

- i) transfer the aggrieved woman or respondent to any other workplace
- ii) grant leave to the aggrieved woman up to a period of 3 months (in addition to the entitled leaves)
- iii) grant such other relief as may be prescribed

9. **DETERMINATION OF COMPENSATION:**

For the purpose of determining the sums to be paid to the aggrieved woman under Clause (II) of sub-section (3) of Section 13, the Internal Committee as the case may be, shall have regard to -

- a) Mental trauma, pain, suffering and emotional distress caused to her.
- b) Loss in career opportunity due to the incident of sexual harassment.
- c) Medical expenses incurred by the victim for physical or psychiatric treatment.
- d) Income and financial status of the respondent.
- e) Feasibility of payment in lump sum or in instalments.

10. **PROCEDURE FOR HANDLING SEXUAL HARASSMENT COMPLAINTS:**

- All sexual harassment complaints should be reported in writing to the Presiding Officer of the Internal Committee. In case, a complainant is not in a position to submit her complaint in writing, any member of the Internal Committee shall render all reasonable assistance to the aggrieved woman / victim to write her complaint.
- The Internal Committee will initiate steps to investigate the complaint in a fair and appropriate manner at the earliest and may at the request of the complainant, settle the matter between the complainant and the respondent. The settlement shall not involve any amount of money and shall be recorded down in writing, duly signed by both the parties.



- Where the aggrieved individual is unable to make the complaint on account of her/his physical or mental incapacity or death or otherwise, his/her representative, may make a complaint. A representative can be a friend / colleague of the aggrieved individual and would have observed the act.
- If the harassment does not stop or if the aggrieved Individual is not comfortable with addressing the harasser directly, she can bring her concern to the attention of the Internal Complaints Committee for redressal of her grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.
- Then the Chairperson of the Complaints Committee will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 7 days from receipt of the complaint. In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not mean an offence of Sexual Harassment, she/he will record this finding with reasons and communicate the same to the complainant
- If the allegations against the respondent are not proved or that complaint is found to be frivolous, the committee shall recommend in its report to the Management that no action be taken against the respondent and/or an appropriate action against the complainant be recommended.
- Within fifteen days of completion of the investigation, the committee shall forward its report to the Management, with a copy to the complainant and the respondent, for appropriate action.

11. INFORMAL RESOLUTION OPTIONS / CONCILIATION:

The Internal Complaint Committee may before initiating an inquiry at the request of the aggrieved woman, take steps to settle the matter between her and the respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.

12. THIRD PARTY HARASSMENT:

Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the Internal Complaint Committee will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

13. CONFIDENTIALITY:

The Organization understands that it is difficult for the aggrieved individual to come forward with a complaint of sexual harassment and recognizes the aggrieved individual's interest in keeping the matter confidential. To protect the interests of the aggrieved individual, the respondent person or any other individual who may report incidents of sexual harassment, absolute confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.



14. POWERS OF THE INTERNAL COMPLAINT COMMITTEE:

As per Section 11 (3), for the purpose of an enquiry under sub-Section (1), the internal committee shall have the same powers as are vested in a civil court-

- Summoning and enforcing the attendance of any person
- Examining him on oath
- Requiring the production and discovery of any documents
- Any other matters which may be prescribed

15. TIMEFRAME FOR COMPLAINT OF SEXUAL HARASSMENT:

As per Section 9 (1), any aggrieved female employee may make, in writing, a complaint of sexual harassment to the Internal Complaint Committee, within a period of three months (3 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. The time limit, however, can be extended if the ICC is satisfied that the circumstances prevented a woman from filing a complaint within the period of 3 months, after recording the reasons in writing.

16. TIMELINES FOR COMPLETION OF INQUIRY:

- As per Section 11 (4), the inquiry under sub- Section (1) shall be completed within the period of ninety days.
- The members of Internal Committee shall always be accessible to any complainant in this regard.
- The Human Resources team will always be available to assist / guide in the entire procedure.

17. DUTIES AND RESPONSIBILITIES OF INTERNAL COMPLAINTS COMMITTEE MEMBERS:

- To treat all complaints seriously and take immediate action as deemed fit.
- To keep all complaints / reports and identity of complainant "confidential at all times"
- To render all reasonable assistance to the female Complainant for making the complaint in writing, in the complaint is not in a position to do so.
- To obtain feedback in writing from the complainant about the overall handling / redressal of the complainant's complaint in the form of satisfactory note.
- Provide monthly / annual report to the Management.
- To provide assistance to the complainant if the complaint is of grave in nature and the complainant chooses to file the complaint to the police under the Indian Penal Code (45 of 1860) or any other law for the time being in force.
- In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint



Composition of Internal Committee

PIMPLE SAUDAGAR

The Internal Committee comprises of Apex Committee and External Member as well:

Sr. No.	Name & Designation	Title	Contact Details	E-mail ID
1	Ms. Tripti Parekh, Cluster Principal	Chairperson	99308 80925	tripti.parekh@vgos.org
2	Dr. Shilpa Kulkarni, Sr. Vice President – Human Resources	Committee Member	98210 05362	shilpa1.kulkarni@vgos.org
3	Mr. Milind Lotlikar, Vice President – Human Resources	Committee Member	93202 80835	milind.lotlikar@ampersandgroup.in
4.	Dr.Meenakshi Mestry, Principal	Committee Member	83081 28853	meenakshi.mestry@vgos.org
5.	Ms. Abhiruchi Trivedi, Assistant Manager- Human Resources	Committee Member	91589 99042	abhiruchi.trivedi@vgos.org
6	Ms. Ketki Gore, Advocate	External Committee Member	98703 43004	ketki.gore17@gmail.com


Kiranjit S Rannu
Chief Executive Officer