

Policy on Prevention of Sexual Harassment (PoSH) of women at workplace

Introduction

This policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter "the Act"). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

The 'Policy on Prevention of Sexual Harassment of women at workplace

Guidelines intend to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

Definitions

1. Sexual harassment may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between a Dey's Medical Stores (Mfg.) Ltd. employee and someone that employee deals with in the course of his/her work who is not employed by the Company.

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

- (a) Any unwelcome sexually determined behavior or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
 - (i) Physical contact and advances;
 - (ii) Demand or request for sexual favors;
 - (iii) Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;

- (iv) Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
 - (v) Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - (vi) Giving gifts or leaving objects that are sexually suggestive;
 - (vii) Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
 - (viii) Persistent watching, following, contacting of a person; and
 - (ix) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature
- (b) The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment:
- Implied or explicit promise of preferential treatment in employment;
 - Implied or explicit threat of detrimental treatment in employment;
 - Implied or explicit threat about the present or future employment status;
 - Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
 - Humiliating treatment likely to affect her health or safety.

The reasonable person standard is used to determine whether or not the conduct was offensive and what a reasonable person would have done. Further, it is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

2. **Aggrieved woman:** In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors.
3. **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman.

4. **Employee:** A person employed at the workplace, for any work on regular, temporary, ad-hoc or daily wage basis, either directly 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 coworker, a contract worker, probationer, trainee, apprentice or by any other such name.
5. **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/contract/engagement with Dey's Medical Stores (Mfg.) Ltd., including transportation provided for undertaking such a journey.
6. **Employer:** A person responsible for management, supervision and control of the workplace

Redressal Mechanism - Formal Intervention

In compliance with the Act, if the complainant's warrants formal intervention, the complainant needs to lodge a written complaint, which shall be followed by a formal redressal mechanism as described in this Policy. In case of a verbal complaint, the complaint will be reduced in writing by the receiver of the complaint and signatures of the complainant will be obtained.

Internal Complaints Committee (Henceforth known as 'committee')

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "**Internal Complaints Committee**" is constituted at each location. The committee consists of following members –

- (a) Mr. Ambarish Mukherjee - General Manager, Works
- (b) Mr. Shankar Sen - Sr. Personnel Manager
- (c) Mrs. Sutapa Banerjee - Librarian

Lodging a Complaint

The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace.

The complaint must be lodged within **3 months** from the date of incident/ last incident. The Committee can extend the timeline by **another 3 months** for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the women for making the complaint in writing.

If the aggrieved woman is unable to lodge the complaint on account of her incapacity, the following may do so on her behalf, **with her written consent**.

- Legal heir, relative or friend
- Co-worker
- Any person having the knowledge of the incident

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

Wherever possible all the complaints of harassment are dealt with speedily, discreetly and as close as possible to the point of origin.

Receiving a Complaint (guidelines)

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are kept in mind by the receiver of the complaint:

- Complaints are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily
- Situations are not to be pre-judged. Written notes are taken while listening to the person. Complainant is allowed to bring another person

