

# ASCEND TELECOM INFRASTRUCTURE PRIVATE LIMITED



## POSH POLICY

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### **POLICY TO PREVENT AND DEAL WITH SEXUAL HARASSMENT UNDER PREVENTION OF SEXUAL HARASSMENT IN WORKPLACE (POSH) Ascend Telecom Infrastructure Private Limited**

#### **Objective:**

It is the responsibility of the organisation to ensure a safe, secure and congenial work environment where employees will deliver their best without any inhibition, threat or fear. In pursuance of this objective, we have evolved a "Sexual Harassment at the Workplace (Prevention and Redressal) committee". The approach is to spread awareness about the consequences of sexual harassment at workplace and thereby prevent any occurrences. In the event of such an occurrence, the committee will provide the framework for action.

#### **Definition of Sexual Harassment at Workplace (Prevention and Redressal):**

Sexual harassment in the work place has been defined as "unwelcome" sexually determined behaviour (whether directly or by implication). It includes any or all of the following:

- Physical contact and advances

- A demand or request for sexual favours
- Sexually coloured remarks
- Showing pornography
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

**Redressal Committee Members:**

- Ms. Pushpavalli K – Chairperson
- Ms. Sripriya – Member
- Mr. Naga Anil – Legal Advisor
- Dr. Harry C D - Coordinator
- External Legal advisor – Adv. Aishwarya Mankare

**(The members will be nominated by the management once a year and immediate on exit of any member).**

**The Committee will meet formally once in Qtr. The Chairperson can call for an early meeting (Case based).**

Employees are requested to contact the committee members if faced by any of the above mentioned harassments or any other forms which is not mentioned. Identity will be kept confidential and appropriate actions will be taken by the committee members upon receipt of complaint.

You can lodge your complaints to [shrc@ascendtele.com](mailto:shrc@ascendtele.com) or call/ write to the committee members

**Team – Human Resources**

**GUIDELINES ON SEXUAL HARASSMENT REDRESSAL COMMITTEE (SHRC)**

**Basic Way of Thinking:**

1. All Employees should have a sense of Security in workplace irrespective of their sex.
2. No Employee shall be harassed in the Company by the virtue of his / her sex or external appearance.
3. It is the responsibility of the company to prevent or deter the commission of acts of sexual harassment by developing appropriate internal norms.

**Purpose:**

1. To prevent or deter the commission of acts of sexual harassment inside the company premises.
2. To form a Sexual Harassment Redressal Committee to attend to the grievances related to sexual harassment inside the company premises.
3. To comply with the legal requirements.

**What is Sexual Harassment?**

Sexual Harassment includes such unwelcome behaviour (whether directly or by implication) as

1. Physical Contact and advances;
2. A demand or request for sexual favours;
3. Sexually coloured remarks;

4. Showing pornography;
5. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

**Experiencing sexual harassment when one of the following is true:**

1. It is stated or understood that you must submit to the behaviour in order to get or keep a job (an explicit or implicit term or condition of employment)
2. Employment decisions are based on whether or not you go along with the behaviour, or
3. The behaviour creates a hostile or offensive or intimidating and abusive work environment that changes the conditions of your job.
4. Sexual harassment is conduct based upon sex, whether directed toward a person of the same or opposite sex.

**"Hostile environment"**

Sexual harassment occurs where the sexually oriented conduct of one employee creates an offensive and unpleasant working environment for any other employee. Harassment is often about one person (or a group of people) using power inappropriately over another person / group of people. But harassment can also happen between people when there is no power relationship. It may simply create a hostile environment.

Depending on the circumstances, each of the following kinds of behaviour may be sexual harassment:

1. Material that is sexual in nature, sexist, sexually explicit and is displayed in the workplace, circulated, or put in someone's workspace or belongings, or on a computer or fax machine or on the Internet or any other public display system or public place in the work premises. This will also lead to misuse of company facilities.
2. Verbal abuse or comments that put down people because of their sex.
3. Comments about people's (women/men) bodies.
4. Pressure for dates.
5. Sexually explicit gestures, unwelcome touching and hugging.
6. Sexist jokes and cartoons. There is a difference between harmless humour which may refer to gender, race and so on and using a racist, sexist or other types of stereotyping jokes to have a "dig" at someone (and therefore to harass them). If this difference is not clear or if someone is offended, the behaviour should stop immediately
7. Obscene phone calls.
8. Displaying pornography in the workplace.
9. Insisting that workers wear revealing clothing.
10. Inappropriate gifts.
11. Discussion of one's partner's sexual inadequacies.
12. Lewd and threatening letters.
13. Sexual sneak attacks (such as grabbing private parts on the run), Indecent exposure, Subtle or overt pressure for sexual favours, Soliciting & demanding sexual services, Sexual or physical contact, such as slapping, kissing or touching. Intrusive questions about sexual activity, Sexual assault, repeated sexual invitations when the person invited has refused/ignored similar invitations.

14. Coerced sexual intercourse (e.g., as a condition of employment or academic status). In some cases, a single act may be enough to amount to harassment.

**Constitution of Sexual Harassment Redressal Committee (Complaints Committee) :** Guidelines by Honourable Supreme Court of India on the formation the committee.

- A woman should head this Committee.
- Not less than half of the members should be women.

**Constitution in ATIPL:**

- Chairperson : Lady Officer
- Members : Three lady members and one male member
- Co-ordinator : HR Department

**Roles and responsibilities of Sexual Harassment Redressal Committee:**

1. To meet on regular intervals (Quarterly) and review on complaints received regarding sexual harassment.
2. Fact-finding, investigating or enquiring about the sexual harassment incident to find out the actual problem.
3. Submit report to HR Department with its proposal for redressal of complaint. (Responsibility of HR Division to study the report of SHRC and take appropriate action). HR Department will update Management on all such incidences.

**Role of the Advisor:**

1. Guidance to the committee on all issues related to sexual harassment.
2. Advise & Direction in issue resolving pertaining to enquiry & investigation in case of harassment reported.
3. Review of working and recommendations of the committee on quarterly basis.

### Q&A's

**IF any employee thinks that he is sexually harassed, or a part of a Hostile environment, what should she / he do?**

The first thing he / she should consider is going to the Sexual Harassment Redressal Committee.

#### **Do not ignore the Problem**

Many Employees initially respond by trying to ignore the problem. But often, harassment grows worse when it is ignored. Here are some primary steps to deal with sexual harassment.

#### **Tell the harasser to stop**

Make it clear you don't welcome this behaviour. You can say this in person or through written communication. Keep copies of any written correspondence.

## **Follow the grievance procedures outlined in the company's Policy against Sexual Harassment.**

Remember that stopping sexual harassment is the responsibility of the employer as well as the Employee. If you feel that SHRC is not working on your complaint, you may escalate the matter to HR Department (second level), to CEO's office (third level) or call upon concern line (last level).

### **How to Lodge the Complaint related to Sexual Harassment:**

- Lodge the complaint with the Chairperson or the members of Sexual Harassment Redressal Committee. You can do this through Email, written communication in a confidential manner to the following email id: [shrc@ascendtele.com](mailto:shrc@ascendtele.com)
- Please note that anonymous complaints will not be taken up. If you choose to complain to your manager, he/she will ensure that the complaint is routed to the committee.
- Keep notes describing each incident, including date, time, place, what the harasser said or did, how you responded, who else might have heard or seen it and what you did at the time?
- Keep these notes at home. Also keep any gifts, notes or cartoons you've received from the harasser.
- Talk to others at work, even though it may be embarrassing. Be judicious about talking to your co-workers so you don't encourage gossip or possibly harmful actions by others. But you may find witnesses, allies or other victims of the harasser who will support you. It may be helpful to talk about the experience with friends and family as well.
- Keep copies of your employment record at home. Harassers sometimes try to defend themselves by attacking their victims' job performance.

### **Who are the responsibility holders in the SHRC? Who are the contact officers?**

- The chairperson of the SHRC
- The members of the committee
- Apart from this, the office of the committee consists of Advisor & coordinators. • Only committee members will have access to [shrc@ascendtele.com](mailto:shrc@ascendtele.com)

### **To whom should I complain if I am in an office in India that is outside Bangalore?**

You can approach the Contact Officer designated in ATIPL and ask him/her to take cognizance of the complaint and to transmit the complaint immediately to the Chairperson of the Sexual Harassment Redressal Committee. Alternatively you can lodge a complaint directly with the Sexual Harassment Redress Body through any approved communication channel (E-mail: [shrc@ascendtele.com](mailto:shrc@ascendtele.com), registered letter, written complaint or meeting them).

### **If an Employee complies, does that make it consensual sex instead of harassment?**

No, not necessarily. If the sexual advances were "unwelcome", but the Employee complied in order to keep his or her job; it is still considered harassment. However, if an on-going relationship develops, it often becomes more difficult - as a matter of evidentiary proof - to convince the Grievance Redress Body that the original advances were "unwelcome". It is therefore very important to bring all sexual harassment to the notice of the Grievance Redress Body at the earliest possible instance.

### **Is ATIPL liable if an Employee is harassed?**

If SHRC is aware of a hostile environment, and has not taken any appropriate action to correct the problem, then the employer may well be held liable for the harassment. However, whether it was supervisors, co-workers, or customers who created the hostile environment, if the employer is not made aware of the situation, the employer should not be held responsible for hostile environment harassment.

#### **What are my responsibilities as an Employee?**

All Employees are required to comply with the rules of the Company prohibiting sexual harassment. More specifically Employees are required to refrain from sexually oriented behaviour while interacting with other Employees. It may be noted that the acts teasing, sporadic abusive utterances, occasional sexually coloured jokes, could upset a person, even though it may not have been intentionally directed at him/her, and may not form a sexual harassment claim. If the censurable behaviour you are engaging in, is upsetting someone stop it immediately and refrain from future indulgences in such behaviour. Additionally you are required to report all incidents of sexually oriented behaviour that you are aware of, to the appropriate persons.

#### **If a supervisor wants an Employee to dress in what is considered a "sexy" manner, is that sexual harassment?**

It could be. Supervisors shall not discriminate against Employees on the basis of sex. No Employee should be required to be put in a position that encourages people (whether other Employees or visitors, vendors, customers, or salespeople) to make unwelcome sexual advances.

#### **Can my Supervisor retaliate against me for filing a complaint?**

It is unlawful for a supervisor to retaliate against someone, who files a charge of discrimination, participates in an investigation, or opposes discriminatory practices.

#### **Deviations**

-Any deviations to this policy require approval from the Head HR.

Management reserves the right to modify or terminate this policy without prior notice