



Shalimar Paints – Sexual Harassment Policy

Document Title	Sexual Harassment Policy
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Objective:

- To implement the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“Act”).
- The policy is to clearly communicate the organization’s commitment to provide a working environment which is free of any form of sexual harassment or intimidation and to foster a professional, open, safe and trusting environment.

Scope:

This policy is applicable to all Employees of Shalimar Paints Ltd.

Features:

Shalimar Paints Ltd. is committed to ensuring employees are treated fairly and equitably in an environment free of intimidation and sexual harassment. Sexual harassment is an unacceptable form of behavior which will not be tolerated under any circumstances. It is also unlawful. All complaints of sexual harassment will be treated seriously and promptly, with due regard to confidentiality. Disciplinary action will be taken against any employee who breaches the policy.

- **Definition**

“Sexual harassment includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely: Physical contact & advances; or a demand or request for sexual favors; or making sexually coloured remarks; or showing pornography; or any other unwelcome physical, verbal or non-verbal conduct of sexual nature”.

Sexual Harassment can take many different forms & may include physical contact, verbal comments, passing lewd comments, comments about a person’s private life, spreading rumors with malicious intent of tarnishing the reputation of employee, jokes, propositions, the displaying of offensive material, sexually suggestive behavior such as leering or staring or other behavior which creates sexually tense or hostile working environment.

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

- Implied or explicit promise of preferential treatment in his/her employment; or
- Implied or explicit threat of detrimental treatment in his/her employment; or



- Implied or explicit threat about his/her present or future employment status; or work environment of his/her; or
 - Humiliating treatment likely to affect his/her health or safety.
- **Shalimar Paints Ltd.** recognizes comments and behavior which do not offend one person can offend another. Management accepts individuals may react differently and expects this right to be generally respected.
 - Any complaints or reports of sexual harassment will be treated promptly, seriously, confidentially and empathetically. They will be investigated thoroughly, impartially. HoD's and Reporting Managers must act immediately on any report(s) of sexual harassment. Employees will not be disadvantaged in their employment conditions or opportunities as a result of lodging a complaint.
 - Any proven misconduct will be treated as non-compliance with the Code of Conduct and appropriate disciplinary action will be taken Depending on the severity of the case, consequences can include an apology, counseling, dismissal, demotion or other forms of disciplinary action that the Committee recommends and Management deems appropriate. Immediate disciplinary action will also be taken against anyone who victimizes or retaliates against a person who has complained of sexual harassment.

Process Highlights:

Shalimar Paints Ltd. has moral and legal responsibility to prevent any form of sexual harassment at workplace.

Therefore, the organization shall:

- Provide safe working environment at the workplace, which shall include safety from the persons coming into contact at the workplace.
- Display at any conspicuous place in the workplace, the penal consequences of Sexual Harassment; and the Internal Committee members
- Organize workshops and awareness programs at regular intervals for sensitising employees and Orientation program for the committee.
- Provide necessary facilities for the committee to deal with the complaint and conduct enquiry.
- Provide assistance to the aggrieved party if he/she chooses to file a complaint under Indian Penal Code or any other law in force at that point in time.

All HoD's and Reporting Managers have a responsibility to:

- Monitor the working environment to ensure acceptable standards of conduct are observed at all times.
- Model appropriate behavior themselves.
- Treat all complaints seriously and take immediate action as per the policy.



All employees have a responsibility to:

- Comply with the organization's Sexual Harassment Policy.
- Offer support to anyone who is being harassed and let them know where they can get help and advice.
- Maintain complete confidentiality if they provide information during the investigation of a complaint (employees who spread gossip or rumours may expose themselves to defamation action)

Sexual Harassment Complaints Committee

Shalimar Paints Ltd. shall create a Sexual Harassment complaints Committee consisting of Six members (3 Female, 3 Male). One of the female members will be from an independent NGO. This committee shall be headed by Chief Human Resources Officer. The announcement on the committee members will be intimated from time to time.

The Sexual Harassment Complaints committee shall be responsible for investigating and enquiring the details of any complaint so received by it and submits it finding in the form of a report with recommendations to the Head of the committee.

Making a Complaint:

Any employee believes he/she is being or has been, harassed, follow this below given process:

- Inform the offender the behavior is offensive, unwelcome, and against company policy and should stop (only if you feel comfortable enough to approach them directly) and inform your Reporting Manager, HoD or any member of the Committee in writing not later than 3 months from the occurrence of the incident.
- If the complaint has been done verbally, the receiving shall put the same in writing and forward to the Committee.
- Keep a record of the incident(s).
- Employees can take along a friend (colleague) while lodging the complaint.

Receiving a Complaint:

When a Reporting Manager/HoD/Sexual Harassment Committee receives a complaint, they should follow the procedure below:

- Listen to the complaint seriously
- Treat the complaint confidentially
- Allow the complainant to bring another person to the interview if he/she chooses to
- Ask the complainant for the complete background and details
- Take notes, using the complainant's own words



- Ask the complainant to check your notes to ensure your record of the conversation is accurate
- Explain and agree next action with the complainant.

Investigating a Complaint:

Whenever the HOD/Manager/Sexual Harassment Complaints Committee investigates a complaint, it should follow the procedure below:

- Interview all directly concerned: Aggrieved party, respondent and witness (es) if any, separately.
- Keep records of interviews and investigation.
- Do not assume guilt.
- Let the respondent know exactly what he/she is being accused of and provide a copy of complaint to both parties involved.
- Give the respondent a fair chance to represent himself/herself.
- Ensure confidentiality, minimize disclosure
- Determine appropriate action based on investigation and evidence collected
- Check to ensure the action meets the needs of the complainant and company

Timelines:

Submission of Complaint:	Within 3 months of the last incident
Notice to the Respondent:	Within 7 days of receiving copy of the complaint
Completion of Inquiry:	Within 90 days
Submission of Report by ICC/LCC to Employer/DO:	Within 10 days of completion of the inquiry
Implementation of Recommendations:	Within 60 days
Appeal Within:	90 days of the recommendations

Interim Remedies:

- During the pendency of an inquiry, on a written request made by the Aggrieved Woman, the Committee may recommend to the Company to: (i) transfer the Aggrieved Woman or the Respondent to any other workplace; or (ii) grant leave to the Aggrieved Woman upto a period of three months (which leave will be in addition to the leave to which she is otherwise entitled); or (iii) grant such other relief to the Aggrieved Woman as may be provided at an under this Policy when so prescribed by the Act.
- On the recommendation of the Committee, the Company shall implement the recommendations made by the Committee and will send the report of such implementation to the Committee.



Inquiry Report:

- On the completion of an inquiry, the Committee shall provide a report of its findings to the Company within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.
- Where the Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Company that no action is required to be taken in the matter

Potential Outcomes:

1. If the complaint is found to be justified and allegation against the respondent is proved, the complainant may be entitled to any or all of the following:

The complainant may receive:

- Disciplinary action against Respondent, which could be in the form of Demotion, Salary reduction or freeze or even termination depending on the gravity of the situation.
- Commitment the behavior will cease & Private apology (written)
- Re-credit of any leave taken due to the stress caused
- Payment of medical and counseling expenses
- Transfer of the aggrieved complainant or the respondent to any other Department.

Action so taken in each such case could be very different from the other looking at the nuances and sensitivity of each case individually.

2. If the Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend that no action is required to be taken in this matter.
3. In case the committee arrives at the conclusion that the allegation against the respondent is malicious or a false complaint has been made, disciplinary action against the complaining employee as deemed fit by the committee will be initiated.

Prohibition on Disclosure:

Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint, the identity and addresses of the Aggrieved Woman, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee and the action taken by the Company under the provisions of this Act shall not be published, communicated or made known to the public, press and media in any manner.



Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the Aggrieved Woman and witnesses.

Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendation or action to be taken under the provisions of the Act, contravenes what has been provided hereinabove, he shall be liable for penalty in the manner as may be provided under this Policy when so prescribed by the Act.

The Company shall also provide assistance to the Aggrieved Woman if she so chooses to file a Complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force. Further the Company can also cause initiation of action under the Indian Penal Code or any other law for the time being in force against the Respondent. If the Respondent is not an Employee of the Company, such action can also be initiated at the workplace of the Respondent.

The Company hereby declares that it treats any act or incident of Sexual Harassment as a gross violation of the rules and regulations of the Company and will always initiate all necessary action including disciplinary action to deal with such incidents.

The Management of the Company reserves the right to withdraw any provision of this Policy or the Policy as whole or add, delete or modify all or any provisions of the Policy. However, such action of the Management shall always be in consonance with the Act and any other law for the time being in force.



ICC Members for Sexual Harassment Policy

1. Anita Verma (Chairperson ICC)
2. Anil Kumar Pandey
3. Salini Sharma (NGO representative)
4. Nupur Sethi
5. Uttam Negi
6. Mayank Khatri