



Vreedhi Financial Services Pvt Ltd

ANTI SEXUAL HARASSMENT POLICY

December - 2021

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Adopted by Board	
Director (On behalf of the Board of Directors)	Shamik Trehan, Executive Director

ABSTRACT

This Policy defines Sexual Harassment and intends to prevent and prohibit occurrences of Sexual Harassment at the Workplace and also details the mechanism to address any complaints of Sexual Harassment.

OBJECTIVE: Vreedhi Financial Services (VFS) is committed to providing an organizational space that is free from all forms of gender discrimination, intimidation and sexual harassment. VFS acknowledges its legal responsibility to provide a safe working environment free from Sexual Harassment and discrimination for all its employees.

SCOPE & APPLICABILITY: The provisions of this Policy are applicable to all employees (male and female) of VFS with effect from November 1, 2019 regardless of the nature of their contract, duration of employment or position in the organization. This Policy is applicable in all such cases where any VFS employee is subjected to Sexual Harassment at the Workplace.

DEFINITIONS:

“Employee” means any full-time, part-time, temporary, voluntary, or contracted employee of VFS, including any person engaged through a contractor to work at VFS office premises, whether remunerated or not and shall include a trainee, an intern and an apprentice.

“Workplace” for the purpose of this Policy means the office premises of VFS and its precincts and includes any places visited by the employee in the course of his/her employment for official events, any accommodation or transportation provided by VFS for the purpose of undertaking the journey from the employee’s home to the VFS office premises.

“Sexual Harassment” spans a wide range of actions and behaviors. Whether or not a particular action or behavior constitutes sexual harassment is determined by the effect it has had on the recipient, independent of the intention of the perpetrator. Sexual Harassment includes any unwelcome acts or sexually determined behavior, which could be all or any one of the following:

- Physical contact and advances; or
- A demand or request for sexual favors; or

- Sexually colored remarks; or
- Showing pornography; or
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

In addition, the following are some examples of conduct which if unwelcome, may constitute Sexual Harassment:

- Sexual advances -- whether they involve physical touching or not.
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess.
- Displaying sexually suggestive or explicit visual material, in the form of pictures/cartoons/pin-ups/calendars/screen savers on computers/any offensive written material/pornographic e-mails,
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities,
- Subjects another person to an unwelcome act of physical intimacy, like grabbing, brushing, touching, pinching etc.
- Sending Email /SMS with the intention to malign or damage the reputation of any person.

Sexual Harassment at Workplace is determined when:

- Submission to or rejection of such sexual advances, requests or conduct as described above is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; OR if
- Such advances, requests or conduct (whether direct or implied) has the purpose or effect of interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment; OR if
- Such acts or sexual behavior as described above are perpetrated along with humiliating treatment which is likely to affect the health or safety of the Employee.

Sexual Harassment at Workplace is generally classified into two distinct types:

'Quid pro quo', which means seeking sexual favors or advances in exchange for work benefits; it occurs when consent to sexually explicit behavior or speech is made an implicit

condition for employment or refusal to comply with a 'request' is met with retaliatory action which has a direct impact upon ones work, such as dismissal, demotion, difficult work conditions, decreased work performance.

'Hostile working environment' is a more pervasive form of Sexual Harassment that involves work conditions or behavior that is intimidating, hostile, or offensive for the employee and thus interferes with a person's ability to work. The presence of any of the form of Sexual Harassment that has been mentioned above is an example of Hostile Work environment. Creation of Hostile Work environment will also mean Retaliation which includes:

- Marginalizing the employee in the Workplace with regard to his / her roles and responsibilities.
- Socially ostracizing, intimidating the employee physically, psychologically, emotionally or someone close to or related to the victim spreading canard.
- Any other behavior that may commonly be construed as retaliatory to the person on whom such behavior is inflicted.

ANTI-SEXUAL HARASSMENT COMMITTEE: VFS has constituted an Anti-Sexual Harassment Committee at its administrative head office and all its centers in India.

The composition of the Anti-Sexual Harassment Committee (hereinafter referred to as "ASH Committee") shall consist of the following with at least half of the members being as women:

VFS ASH Committee

- A Senior level woman employee of VFS as the Presiding Officer
- Two Members from amongst the employees of VFS
- One member from an NGO or any other agency conversant with the issues of sexual harassment or a person familiar with laws related to Sexual Harassment

In addition to the above members there shall be one representative from amongst the employees of each of VFS's center for the ASH Committee formed for such VFS center.

It shall be the primary responsibility of the Head-HR to facilitate the renewal of the ASH Committee at the VFS Head office and to fill the vacancies as and when they may occur in consultation with the other ASH Committee members and/or such other authorized person(s) of VFS.

The members of the ASH Committee shall hold office for three (3) years and VFS shall pay such fees and allowances [to the member appointed from the NGO] or any other agency for holding the proceedings of the ASH Committee as may be determined by VFS.

A member of the ASH Committee shall cease to hold membership should any one of the following conditions arise:

- Upon s/he ceasing to be a VFS employee.
- Any member of the ASH Committee against whom a complaint of Sexual Harassment,
- Violation of VFS Code of Conduct or any other criminal charges is made and prima facie established.

In the event of any vacancy arising in the ASH Committee due to resignation, termination, death or for any other reason whatsoever, the same shall (within a period of three(3) months of such vacancy) be filled in accordance with the provisions prescribed by this Policy.

PROCEDURE OF FILING COMPLAINTS:

1. If any employee at VFS believes that he or she has been subjected to Sexual Harassment, such employee shall have the option to file a complaint to the ASH Committee on the designated email id: **ic@vreedhi.com** within a period of three (3) months of the date of occurrence of the incident and in case of series of incidents within a period of 3 months from the date of last incident. However, the ASH Committee for reasons to be recorded in writing and if it is satisfied that the circumstances were such which prevented the employee from filing a complaint, may extend the said time limit not exceeding 3 months. The complainant shall submit six copies of his/her complaint signed by him/her to the ASH Committee along with supporting documents (if any) and the list of witnesses on whom he/she would rely for his/her complaint. In the event, the employee is unable to give the complaint in writing because of her physical or mental incapacity or for any other reason, *inter alia*, his/her co-worker; relative or friend or any person who has the knowledge of the incident, with the written consent of the employee, as the case may be, may also submit the copy of the complaint in writing to the ASH Committee.

On receipt of such written complaint the ASH Committee may, if required, ask the complainant to furnish additional information about the alleged harassment.

Upon receipt of the complaint in writing, the ASH Committee shall send one of the copies received from the complainant to the respondent within a period of seven (7) working days from the date of receipt of the written complaint. The respondent shall file his/her reply to the complaint along with the list of documents, names and addresses of witnesses on whom he/she relies within ten (10) working days from the date of receipt of the copy of the complaint and other documents by him/her.

2. Conciliation: The ASH Committee may, before initiating any inquiry take steps to settle

the issue between the complainant and the respondent by conciliation if the complainant so desires and submits a request in writing to the ASH Committee that he/she is desirous to settle the complaint. Provided however, no monetary settlement shall be made as a basis of conciliation. In the event that the parties reach a settlement, the ASH Committee shall record the settlement and forward the same to the Head HR for taking the recommended action and no further inquiry shall be conducted by the ASH Committee. A copy of the settlement will be provided to the complainant and the respondent.

3. The ASH Committee shall provide full co-operation and assistance to the complainant as well as the respondent to discuss any concerns and clarifications which the complainant/respondent may have about VFS's Policy on Sexual Harassment and the complaint redressal and resolution process under this Policy; however neither of the parties i.e. the complainant or the respondent shall be allowed to bring in any legal practitioner to represent their case in any manner before the ASH Committee.

INVESTIGATION AND INQUIRY PROCESS:

All complaints that are reported will be investigated promptly in an impartial manner.

1. If conciliation is not requested by the employee or the employee informs that the conciliation settlement is not complied with or if the complaint cannot be resolved by conciliation between the complainant and the respondent, the ASH Committee shall proceed to conduct further inquiry and investigation in respect of the complaint. Confidentiality will be strictly maintained during the investigation of all complaints.

2. The ASH Committee shall consider the complaint, the reply submitted by the respondent; the documents submitted by either complainant or the respondent and shall examine all the witnesses as per the list of witnesses submitted by the complainant and the respondent to render its decision.

3. In the course of investigating any complaint of Sexual Harassment, the ASH Committee shall ensure that the principles of natural justice are adhered to, namely:

- Both parties shall be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents before the ASH Committee.
- Upon completion of the investigation and inquiry, both parties will be informed of the results of that investigation.

4. The ASH Committee shall be empowered to do all things necessary to ensure a fair hearing of the complaint including ensuring that the aggrieved employee, respondent and the witnesses are neither victimized nor discriminated against while dealing with a complaint of Sexual Harassment.

In this regard the ASH Committee shall also have the discretion to make appropriate interim recommendations vis-à-vis an accused person pending the outcome of a complaint including suspension, transfer, leave, change of office etc. The request to do so must be initiated by the aggrieved employee.

ACTION POST INVESTIGATION:

1. Once the Investigation and Inquiry is completed, the veracity of the Sexual Harassment allegations shall be determined by the ASH Committee and a decision in writing will be served on both the parties mentioning the appropriate course of action which shall be taken if the charges of Sexual Harassment are proved against the respondent.
2. The specific action taken in any particular case where the charges of Sexual Harassment are proved against the respondent depends upon the nature and gravity of the complaint of Sexual Harassment. Such action can and may include counselling, monitoring and/or disciplinary action. Disciplinary action can include a written apology, warning, withholding of promotion or increments, demotion (with commensurate reductions in salary), or other appropriate action up to and including dismissal or termination and/or even referring the case to law enforcing agency depending on the gravity of the case.
3. If claims of Sexual Harassment are found to be true in respect of a non-employee of VFS, VFS will decide what appropriate action should be taken against such non-employee including exclusion from the premises, suspension or termination of service/contract etc.
4. If the respondent is found not guilty, the ASH Committee shall record the same in its decision and also state what action has been taken. It may also state that no action is taken or that some kind of counselling session(s) is required between the complainant and the respondent.
5. The ASH Committee shall be bound to submit the report of its inquiry and investigation within a period of ten (10) days from the date on which such inquiry/investigation is completed. In any event, the ASH Committee shall complete the inquiry/investigation within a period of ninety (90) days from the date of receipt of the complaint.
6. False Allegation: False allegations occur when individuals knowingly and recklessly make untrue allegations of Sexual Harassment. They are not the same as situations of finding the occurrence of Sexual Harassment. False allegations are serious and are discouraged.

RESPONSIBILITIES:

Employees: All employees of VFS have a personal responsibility to ensure that their behavior is not contrary to this policy. All employees are encouraged to reinforce the maintenance of a work environment free from Sexual Harassment.

Non-employees: Sexual Harassment at work by non-employees such as customers, contractors, suppliers and visitors is not tolerated and may lead to termination of contracts or suspension of services, as appropriate. If any employee is concerned that the behavior of non-employees may amount to Sexual Harassment they should report the matter to their manager or the HR.

CHANGES TO THIS POLICY:

VFS may from time to time revise, amend, review, modify the provisions of this Policy as per the latest statutory amendments in its sole discretion and in accordance with all the applicable laws (along with its amendments thereto). VFS also reserves the right to interpret the provisions of this Policy in accordance with the applicable laws and any/all interpretation of VFS in respect of this Policy shall be final.

EXCEPTIONS: Any exceptions to the above policy, if in the interest of the organization, will be under the sole discretion of the Head of the Organization, and subject to his / her approval.

POWER TO AMEND: The organization reserves the right to amend/withdraw the policy at any time without assigning any reason whatsoever. The utility and interpretation of the policy will be at the sole discretion of the Management.