

## **POLICY FOR PREVENTION OF SEXUAL HARASSMENT**

### **1.0 POLICY**

1.1 The FEDBANK FINANCIAL SERVICES LTD, (FEDFINA), is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable.

1.2 The company aims to provide a safe working environment and prohibits any form of sexual harassment.

1.3 In this policy, any reference to "Act" means The Sexual Harassment of Women at Workplace (Prevention, prohibition and Redressal) Act 2013 (14 of 2013) and rules made thereunder.

1.4 This policy prohibits such occurrences and also details procedures to follow when an employee believes that a violation of the policy has occurred within the ambit of all applicable regulations under Sexual Harassment

1.5 Making a false complaint of Sexual Harassment or providing false information regarding a complaint will also be treated as a violation of policy and dealt with accordingly.

### **2.0 SCOPE & APPLICABILITY**

2.1 This Policy extends to all employees of the company including outsourced employees, on deputation, temporary either directly or through a third party, including a contractor, whether for remuneration or not, working on a voluntary basis or otherwise .

2.2 This policy is with respect to prevention, prohibition and redressal of Sexual Harassment which may arise in places not limited to geographical locations viz., Company offices/branches but also includes all such places or locations where acts are conducted in the context of working relationships or whilst fulfilling professional duties or which may be visited by an employee during the course of employment

2.3 Sexual Harassment is judged by the impact on the complainant and not the intent of the Respondent. Sexual Harassment as addressed in this policy need not necessarily be from a male to a female employee, it can be vice versa as well as between individuals of same gender.

### **3.0 Sexual Harassment definition**

3.1 Sexual harassment would mean and include any of the following:

i) Unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;

ii) Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mails, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance;

iii) Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;

iv) Any unwelcome gesture by a person having sexual overtones.

v) Act or conduct by a person in authority which creates hostile work environment at workplace or intimidating to a person belonging to the other sex;

Hostile work environment includes

Hostile environment sexual harassment occurs when either speech or conduct of a sexual nature takes place and is seen or perceived as offensive and interferes with the work performance of the recipient or any one or more employees

Hostile environment sexual harassment may also include intimidating or harassing conduct that is directed at an individual or a group of individuals

This is only an indicative list of the possible acts which could be treated as Sexual Harassment and is no way intended to be construed as an exhaustive list.

3.2 "Employee" means any person on the rolls of the Company including outsourced employees, on deputation, temporary either directly or through a third party, including a contractor, whether for remuneration or not, working on a voluntary basis or otherwise .

3.3 "Company" means FEDBANK FINANCIAL SERVICES LIMITED (FEDFINA)

3.4 "INTERNAL COMPLAINTS COMMITTEE" means a committee constituted by the Company as per this policy.

3.5 "Aggrieved Person" means a person who alleges to have been subject to any acts of sexual harassment

#### **4.0 INTERNAL COMPLAINTS COMMITTEE**

To specifically address and effectively deal with complaints pertaining to such cases "Internal Complaints Committee" (ICC) shall be formed at Corporate Office (CO) and Regional Office (RO) at Chennai. The CO ICC will cater to complaints of employees received from CO, all offices and branches in West and North and RO ICC will cater to complaints received from all employees in the South states.

4.1 The committee will constitute of the following members nominated by the company from time to time.

- (A) Presiding Officer (Chairperson) who shall be a woman employee at a senior level at workplace amongst the employees
- (B) Not less than 2 members shall amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge
- (C) One member from amongst Non- governmental organization (NGO) or associations committed to the cause of the women or person familiar with issues relating to sexual harassment.

Provided that, at least one half of the total members so nominated shall be women.

4.2 The Presiding Officer and every member of the committee shall hold office for a period of three (3) years from their date of nomination.

4.3 In addition to the handling of complaints of sexual harassment, the ICC is responsible for :-

- (a) Review the complaints in a fair and objective manner
- (b) Determine the facts of the case with individuals concerned and witnesses if any
- (c) Be bound by the principals of natural justice and be unbiased in their evaluation

4.4 A quorum of 3 members is required to be present for the proceedings to take place out of which 2 members should be women. The quorum shall include the Presiding Officer.

## **5.0 REDRESSAL PROCESS**

5.1 Any employee who feels and is being sexually harassed directly or indirectly, such aggrieved employee may file a written complaint with any member of the committee in their state or send an email to [posh.committee@fedfina.com](mailto:posh.committee@fedfina.com) within a period of 03 months from the date of incident or in case of series of incidents, within a period of 03 months from the date of last incident.

Provided that the Internal Committee may extend the time not exceeding 03 months, for the reasons to be recorded in writing, if it is satisfied that the circumstances were such which prevented the aggrieved employee from filing a complaint within the said period.

5.2 In case the complaint cannot be made in writing the Presiding Officer or any member of the committee, as the case may be, shall render all reasonable assistance to the Aggrieved Employee for making the complaint.

5.3 In cases where aggrieved employee is unable to make complaint on account of physical incapacity or under any other circumstances a complaint may be filed by:-

- (a) His/her relative or a friend or
- (b) His/her co-worker or
- (c) Any person who has knowledge of the incident, with the written consent of the aggrieved employee

5.4 The complaint needs to be a detailed complaint, along with any documentary evidence available or names of witnesses

5.5 The Committee will maintain a record to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

5.6 The Committee will hold a meeting with the Complainant within five to seven working days of the receipt of the complaint, but not later than a week.

5.7 Once the complaint is received before initiating an enquiry and at the request of aggrieved employee takes step to settle the matter between the employee and respondent through conciliation. However, ICC shall ensure that:-

- (a) No monetary settlement shall be made as a basis of conciliation.
- (b) Where the settlement is arrived at, the settlement terms shall be signed by both parties and shall be provided with a copy of it.

Where a settlement is arrived at no further enquiry shall be conducted by the Internal Committee.

5.8 If no settlement is arrived, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a women officer for female employees involved and a male officer for male employees, involved shall meet and record the statement. The Statement of allegations will be shared with the respondent within seven (7) working days.

5.9 The respondent will be asked to prepare a response to the statement of allegations along with list of documents and names and addresses of witnesses if any and submit to the ICC within a period not exceeding ten (10) working days from the date of receipt of communication, where after, an "Enquiry" shall be conducted and concluded.

In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.

In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Company.

## **6.0 ENQUIRY PROCESS**

6.1 The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made. The Internal Committee shall have **the** powers of civil court under the Code of Civil Procedure, 1908. The Committee shall enquire into the complaint in accordance with the Principles of Natural Justice.

6.2 During the pendency of an enquiry, on a written request made by the aggrieved employee, the internal committee may recommend to the company to:

- i) to transfer the aggrieved employee or respondent to any other workplace; or
- ii) grant leave to the aggrieved employee up to a period of three months; or
- iii) grant such other relief to the aggrieved employee as may be prescribed

The leave granted to the aggrieved employee shall be in addition to the leaves **he/she** would be otherwise entitled.

6.3 If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es whom they propose to call. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings.

6.4 If the Complainant desires to tender any documents by way of evidence before the ICC, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the ICC he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.

6.5 The ICC shall call upon all witnesses mentioned by both the parties.

6.6 The ICC shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.

6.7 The ICC will be empowered to do all things necessary to ensure a fair hearing of the complaint including all things necessary to ensure that victims or witnesses are neither victimized nor discriminated against while dealing with a complaint of sexual harassment.

6.8 The ICC shall have the right to terminate the inquiry proceedings or to give ex-parte decision on the complaint, if the aggrieved employee or respondent fails, without sufficient cause, to present herself or himself for three (3) consecutive hearing convened by the Presiding Officer, provided fifteen (15) days advance notice is provided to the party concerned, provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen (15) days in advance, to the party concerned.

6.9 The investigation into a complaint will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

6.10 The ICC shall complete the "Enquiry" within reasonable period but not beyond 90 days and communicate its findings and its recommendations to the Company within a period of 10 working days from the date of completion of enquiry and such report shall be made available to the concerned parties. The report of the ICC shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.

6.11 The ICC shall make a determination regarding the validity of the harassment allegations. If it is determined that the harassment has not occurred, it shall recommend to the Company that no action is required to be taken in this matter. The ICC shall share investigation details and the findings thereof with the Head of Human Resources department.

6.12 The HR department will act on the recommendation proposed by the Committee within 60 days from the date of receipt.

6.13 This policy shall not be used to raise malicious complaints. If the complaint has been made in bad faith, as demonstrated by clear and convincing evidence, appropriate disciplinary action may be taken against the person raising such complaints

6.14 The presiding officer will share the details of all complaints received and redressed with the Company Ombudsman on a quarterly basis.

6.15 The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

## **7.0 APPEAL**

Any person aggrieved with the recommendations made by the committee/disciplinary action taken by the Company may prefer an appeal to the Appellate Authority constituted by the Company within a period of thirty (30) days from the date of the recommendation.

The decision of the Appellate Authority shall be final and binding on all, however the same is without any prejudice to any recourse that the Company or the individual concerned may have to pursue nor shall be precluded from pursuing such further and other legal actions as may be available within a period of sixty (60) days from the date of the decision of appellate authority.

## **8.0 OTHER POINTS TO BE CONSIDERED**

8.1 The Company shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.

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

8.3 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.

8.4 The contents of complaints made under the Policy, identity and addresses of the aggrieved employee, respondent and witnesses, any information relating to conciliation and enquiry proceedings, recommendations of the ICC and the action taken by the company shall not be published, communicated or made known to the public, press, media in any manner. Provided that information may be disseminated without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the parties involved.

8.5 The Company shall display the notice showing the name of the respective Internal Complaints Committee members at its every location at a conspicuous place.

8.5 This policy will be implemented and reviewed by the HR Department. The Company reserves the right to amend, abrogate, modify, rescind/reinstate the entire policy or any part of it at any time.

## **ANNEXURES**

### **Duties of Employer**

The Company shall

- a) provide a safe working environment at the workplace which shall include safety from the external persons coming into contact at the workplace;
- b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments
- c) organize workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the members of the Internal Complaints Committee in the manner as may be prescribed;
- d) provide necessary facilities to the Internal Complaints Committee for dealing with the complaint and conducting an inquiry;
- e) assist in securing the attendance of respondent and witnesses before the Committee;
- f) make available such information to the Internal Complaints Committee as it may require having regard to the complaint made;
- g) provide assistance to the Aggrieved Employee if he/ she so chooses to file a complaint against the respondent in relation to the offence under the Indian Penal Code or any other law for the time being in force;
- h) cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the Aggrieved Employee so desires, where the perpetrator is not an employee , in the workplace at which the incident of sexual harassment took place;
- i) treat sexual harassment as a level 3 misconduct under the disciplinary policy of the Company and initiate action for such misconduct;
- j) monitor the timely submission of reports by the Committee

## **RESPONSIBILITY OF EMPLOYEES**

The below is only an indicative list of basic Do's and Don'ts and is in no way intended to be construed as an exhaustive list.

### **Do's**

- Know Fedfina's Policy on Prevention of Sexual Harassment
- Be aware of inappropriate behaviours and avoid the same.
- Say — "NO if asked to go to places, do things or participate in situations that make you uncomfortable.
- Trust your instincts. Walk away from uncomfortable situations.
- Say — "NO to offensive behaviour as soon as it occurs.
- Refrain from taking discriminatory actions or decisions which are contrary to the spirit of this policy.
- Maintain confidentiality regarding any aspect of an inquiry to which they may be party to

### **Don'ts**

#### **Verbal harassment:**

- Sexually suggestive comments or comments on physical attributes
- Offensive language that insults or demeans a colleague, using terms of endearment.
- Singing or humming vulgar songs
- Requests for sexual favours, sexual advances, coerced acts of a sexual nature
- Requests for dates or repeated pressure for social contact.
- Discussing sexual activities, sexual prowess or intruding on the privacy of an associates.
- Sexually colored propositions, insults or threats.
- Graffiti in the office premises

#### **Nonverbal harassment**

- Offensive gestures, staring, leering or whistling with the intention to discomfort another.
- Even if not directly done to a particular individual, uttering a word, making a gesture or exhibiting any object with the intention that such word, gesture, or object be heard or seen by employees
- Sounds, gestures, display of offensive books, pictures, cartoons, magazines, calendars or derogatory written materials at one's workplace.
- Showing or mailing pornographic posters, Internet sites, cartoons, drawings.
- Suggestive letters, phone calls, SMS, electronic instant messaging or email messages

#### **Physical harassment**

- Physical contact or advances
- Intentional touching of the body, e.g. Hugs, kisses, brushing, fondling, pinching etc. that make others uncomfortable.
- Any displays of affection that make others uncomfortable or are inappropriate at the workplace.



### **Roles & Responsibilities of the POSH Committee**

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### **INTERNAL COMPLAINTS COMMITTEE**

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- (d) Review the complaints in a fair and objective manner
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In cases where aggrieved employee is unable to make complaint on account of physical incapacity or under any other circumstances a complaint may be filed by:-

- (d) His/her relative or a friend or
- (e) His/her co-worker or
- (f) Any person who has knowledge of the incident, with the written consent of the aggrieved employee

The complaint needs to be a detailed complaint, along with any documentary evidence available or names of witnesses

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5.9 The respondent will be asked to prepare a response to the statement of allegations along with list of documents and names and addresses of witnesses if any and submit to the ICC within a period not exceeding ten (10) working days from the date of receipt of communication, where after, an "Enquiry" shall be conducted and concluded.

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In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Company.

### **Roles & Responsibilities of ICC**

- 1.) The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made. The Internal Committee shall have the powers of civil court under the Code of Civil Procedure, 1908. The Committee shall enquire into the complaint in accordance with the Principles of Natural Justice.
- 2.) During the pendency of an enquiry, on a written request made by the aggrieved employee, the internal committee may recommend to the company to:
  - i) To transfer the aggrieved employee or respondent to any other workplace; or
  - ii) Grant leave to the aggrieved employee up to a period of three months; or
  - iii) Grant such other relief to the aggrieved employee as may be prescribed

The leave granted to the aggrieved employee shall be in addition to the leaves he/she would be otherwise entitled.
- 3.) If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es whom they propose to call. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings.
- 4.) If the Complainant desires to tender any documents by way of evidence before the ICC, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the ICC he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.
- 5.) The ICC shall call upon all witnesses mentioned by both the parties.
- 6.) The ICC shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.
- 7.) The ICC will be empowered to do all things necessary to ensure a fair hearing of the complaint including all things necessary to ensure that victims or witnesses are neither victimized nor discriminated against while dealing with a complaint of sexual harassment.
- 8.) The ICC shall have the right to terminate the inquiry proceedings or to give ex-parte decision on the complaint, if the aggrieved employee or respondent fails, without sufficient cause, to present herself or himself for three (3) consecutive hearing convened by the Presiding Officer, provided fifteen

(15) days advance notice is provided to the party concerned, provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen (15) days in advance, to the party concerned.

9.) The investigation into a complaint will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

10.) The ICC shall complete the "Enquiry" within reasonable period but not beyond 90 days and communicate its findings and its recommendations to the Company within a period of 10 working days from the date of completion of enquiry and such report shall be made available to the concerned parties. The report of the ICC shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.

11.) The ICC shall make a determination regarding the validity of the harassment allegations. If it is determined that the harassment has not occurred, it shall recommend to the Company that no action is required to be taken in this matter. The ICC shall share investigation details and the findings thereof with the Head of Human Resources department.

12.) The HR department will act on the recommendation proposed by the Committee within 60 days from the date of receipt.

13.) This policy shall not be used to raise malicious complaints. If the complaint has been made in bad faith, as demonstrated by clear and convincing evidence, appropriate disciplinary action may be taken against the person raising such complaints

14.) The presiding officer will share the details of all complaints received and redressed with the Company Ombudsman on a quarterly basis.

15.) The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

#### **APPEAL**

Any person aggrieved with the recommendations made by the committee/disciplinary action taken by the Company may prefer an appeal to the Appellate Authority constituted by the Company within a period of thirty (30) days from the date of the recommendation.

The decision of the Appellate Authority shall be final and binding on all, however the same is without any prejudice to any recourse that the Company or the individual concerned may have to pursue nor shall be precluded from pursuing such further and other legal actions as may be available within a period of sixty (60) days from the date of the decision of appellate authority.

**Policy Name: Prevention Of Sexual Harassment (POSH).****Policy Version: 02****Policy Effective Date: Jan 20****Policy Owner: CHRO****CORPORATE OFFICE - WEST & NORTH ICC Members**

Member	Employee Code	Name	Designation
Presiding Officer	14371	Anila Rajneesh	Chief Human Resources Officer
Member 1	14549	Deepti Rathor	Audit Head
Member 2	14372	Sureshkumar .K	Business Head - LAP & Distribution
Member 3	14243	Vikas Mohan Srivastava	Business Head - Small Ticket Mortgages
Member 4	15262	Ashlesha Atul Paranjape	Head - Product
NGO	NA	Jayshree Pandit	NGO

**SOUTH REGIONAL OFFICES & SOUTH Branches**

Member	Employee Code	Name	Designation
Presiding Officer	13418	Ranjini AR	Zonal Talent Manager & TD
Member 1	11956	Sivakumar B	Head - TM & TD
Member 2	14299	Jagadeesh Rao	Business Head - Gold Loan
Member 3	15288	Shatakshi Sharma	Area Credit Manager
Member 4	13481	Sheeja KS	Area Manager - GL
NGO	NA	PN Parvathy	NGO