

## Policy No - 003

### PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE POLICY

#### **OBJECTIVE:**

Unilog Content Solutions Private Limited (hereinafter referred to as “**Unilog**” or “**the Company**”) believes that all its employees have a right to be treated with respect and dignity. The Organization is committed to creating a healthy working environment that enables its employees to work without fear, prejudice, gender bias, or sexual harassment. Unilog recognizes issues related to Sexual Harassment in the workplace and pledges to prohibit all such issues through a committee to prevent and deter the commission of acts of sexual harassment and to provide the procedure for the resolution, settlement, or prosecution of acts of sexual harassment by taking all the steps required.

In accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 (hereinafter referred to as the “Act”) & the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (hereinafter referred to as the “Rules”), Unilog has framed the following policy (the “Policy”) for prevention of sexual harassment at workplace, which aims at protection of all its employees from sexual harassment at workplace and to provide effective redressal mechanism in case of anyone being subjected to sexual harassment at the workplace.

#### **SCOPE:**

This Policy applies to all categories of employees of Unilog, including permanent employees, permanent management, workmen, temporary employees, trainees, consultants, advisers, ad-hoc employees, daily wage earners, probationers, apprentices, employees on a contract, etc., at its workplace or at visits to partner organizations. The Policy is applicable to all categories of employees as stated above, irrespective of whether such persons have been engaged directly or through an agency or a contractor, and whether such employees are working for remuneration or on a voluntary basis.

The Policy shall also be applicable to all third parties such as visitors, clients, customers, contractors, service providers, and any other person authorized to be present within the premises/ workplace of Unilog.

The Organization will not tolerate sexual harassment if engaged in by partners, or by suppliers, or any other associates of the Organization. It shall extend to cover sexual harassment of women by men, of men by women, or between the same sexes. Harassment is unlawful irrespective of who is involved in the behavior.

#### **2. Definition:**

- a) “**Complainant**” means, in relation to a Workplace (*as hereinafter defined*), a man or a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent (*as hereinafter defined*);

- b) **“Employees”** means all employees of Unilog as set out in the scope of this Policy and includes all categories of employees of the Company either working part-time or full-time and including but not limited to:
- Permanent employees;
  - Temporary employees;
  - Trainees;
  - Contract employees;
  - Consultants; and
  - Advisors.
- c) **“Employer”** means and includes –
- i. A Director of Unilog and
  - ii. Any person(s) or board or committee responsible for the formulation and administration of policies that enable management, supervision, and control of the Workplace.
- d) **“Internal Committee (IC)”** means a committee constituted by the Employer for the purpose of dealing with all matters in relation to sexual harassment. In pursuance of The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act of 2013 and its Rules, an Internal Committee has been constituted to redress complaints of sexual harassment at the workplace. The IC is the sole inquiring authority into all complaints of sexual harassment at the workplace and a recommendatory body for disciplinary actions thereof based on the findings of the inquiries.
- e) **“Member/s”** means a member/s of the Internal Committee;
- f) **“District Officer”** means an officer notified under Section 5 of the Act
- g) **“Local Committee” or “LC”** means a committee notified by the State Government for the purpose of dealing with matters in relation to sexual harassment in every district.
- h) **Respondent** means a person (Employee) against whom the Complainant has made a complaint of Sexual Harassment.
- i) **“District Officer”** means an officer notified under Section 5 of the SHWW (PPR) Act 2013.
- j) As per the Act, “Sexual Harassment” includes unwelcome sexually determined behavior (whether directly or by implication) such as:
- a. Physical contact and advances;
  - b. A demand or request for sexual favors;
  - c. Sexually colored remarks;
  - d. Showing pornography; or

- e. Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.

Further, the Act mentions that any of the following actions against a woman may constitute sexual Harassment, against which proceedings may be initiated if complained by the affected woman:

1. Implied or explicit promise of preferential treatment in her employment.
2. Implied or explicit threat of detrimental treatment in her employment;
3. Implied or explicit threat about her present or future employment status;
4. Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
5. Humiliating treatment is likely to affect her health or safety.

Where any of these acts are committed in circumstances where the victim of such conduct is in employment with UNILOG, whether permanent/temporary/contractual and drawing a salary, it would constitute sexual harassment.

- k) **“Workplace”** means and includes the offices of Unilog as well as the premises of other third parties, vendors, and associates of Unilog where the Employees of the Company are required to perform work or that are visited by the Employees of Unilog arising out of or during the course of employment and includes transportation provided by the Company for undertaking any journey, in connection with its business.

### 3. CONSTITUENTS OF SEXUAL HARASSMENT:

- 3.1 Conduct must be unwelcome, unwanted, uninvited, unreasonable, and/or offensive to the Complainant which adversely affects the dignity of the Complainant.
- 3.2 Physical contact is not an essential factor for sexual harassment.
- 3.3 A person’s rejection of or submission to such conduct is used explicitly or implicitly as a basis for a decision that affects that person’s job.
- 3.4 Conduct that creates an intimidating, hostile, or humiliating working environment for the Complainant.
- 3.5 Act of Sexual Harassment must be related to employment or work. Hence, acts committed outside the office, for example in the cafeteria, on business travel on a flight or hotel, and places of visit for official purposes such as client premises, offices, official events, etc. are covered. Additionally, acts that are committed during Work from Home arrangements that are authorized and/ or mandated by the Organization would fall within the ambit of sexual harassment at the workplace. “Work from Home” here refers to a situation wherein Employees are working from a remote location that is not the Organization’s physical premises, client/ vendor premises, or any other location within the ambit of Clause 2(k) of this policy. Actions that take place in a personal capacity will not be considered workplace concerns unless there is a connection with the workplace by way of the creation of a hostile work environment for the aggrieved person.



3.6 The Respondent can be whosoever provided Unilog has sufficient control over the said person and, without limitation, can be the victim's boss, supervisor, sub-ordinate, trainer, colleague, mentor, co-worker, vendor, contractor, or agent of the Employer.

#### **4 EXCLUSION:**

It is to be noted that this Policy does not apply when the Complainant is performing work outside of the Workplace, of their own accord and for personal reasons, and without the authorization of the Organization.

#### **5 THIRD PARTY HARASSMENT:**

5.1 Third-party harassment means Sexual Harassment perpetrated by visitors, patrons, vendors, independent contractors, auditors, consultants, and others with whom the Employees have come in contact, directly or indirectly, because of Unilog having a relationship/business relationship with them.

5.2 Where the Sexual Harassment at the Workplace occurs as a result of an act or omission by any third party, the Company shall take all steps necessary and reasonable to assist the affected Employee in terms of support and preventive action.

#### **6. PREVENTION OF SEXUAL HARASSMENT:**

6.1 Unilog will maintain a zero-tolerance policy as far as Sexual Harassment is concerned and as such the same is unacceptable and will strive through education and deterrence to create an environment that is free from Sexual Harassment.

6.2 All Employees are expected to:

- a) Treat others with respect and dignity.
- b) Refrain from actions that may offend, embarrass or humiliate others (whether deliberate or unintentional).
- c) Let others know they don't approve of disrespectful or harassing behavior.
- d) Apologize if someone tells them they are offended by their words or actions, and
- e) Familiarize themselves with this Policy.

#### **7. ZERO TOLERANCE TO RETALIATION:**

If an employee feels that he/she is experiencing any kind of retaliation, victimization, or discrimination in the nature of intimidation, pressure to withdraw the complaint, or threats for reporting, testifying, or otherwise participating in the proceedings, he/she should immediately report the matter by sending an email to the dedicated email id [POSH@unilogcorp.com](mailto:POSH@unilogcorp.com). All members of the IC are mapped to/ included in this email id. Unilog prohibits retaliation against anyone for raising a complaint or helping in addressing the complaint. Any retaliation or reprisals are subject to immediate corrective action, up to and including termination of services. Alleged

retaliation or reprisals are subject to the same complaint procedures and disciplinary action as complaints of Sexual Harassment.

## 8. INTERNAL COMMITTEE

8.1 The IC shall consist of the following Members namely: (a) a Presiding Officer who shall be a woman Employee at a senior level; (b) not less than two Members from amongst Employees who have had experience in social work or have legal knowledge; (c) one member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment. One-half of the total Members so nominated shall be women. This Policy details the names and contact details of the members of the IC under Clause 20 herein.

8.2 The Presiding Officer and every Member of the IC shall hold office for a period not exceeding (3) three years from the date of nomination. The Member appointed from amongst the non-governmental organizations or associations shall be paid such fees or allowance as prescribed under the Rules. IC shall send periodical reports to the Employer constituted under this Policy.

8.3 The procedure as regards the IC shall be as contemplated under the provisions of the Act.

8.4 The Committee shall be represented by the following people:

Sl No.	Name	Designation	Email ID	Location	Contact Number
1	Aruna Rani D	Presiding Officer	arunarani@unilogcorp.com	Mysuru	9945901413
2	Shweta Bhat	External Committee Member	shwetabhat@sashaindia.com	Bengaluru	9916476302
3	Sowmya Prakash	Member	sowmya.prakash@unilogcorp.com	Mysuru	9731700263
4	Ranjitha G	Member	ranjitha.g@unilogcorp.com	Mysuru	9731911715
5	Chandana Francis	Member	chandana.f@unilogcorp.com	Mysuru	9845326075
6	Praveen N	Member	praveen@unilogcorp.com	Mysuru	9900246276
7	Mahadevaswamy Bidigar K M	Member	bidigar@unilogcorp.com	Mysuru	9980981007
8	Prasanna Kumar N	Member	prasannakumar.n@unilogcorp.com	Bengaluru	9535438480

## 9. COMPLAINT OF SEXUAL HARASSMENT:

9.1 In the event the Complainant is unable to make a complaint on account of the Complainant's physical or mental incapacity or death or any other reason which prevents the Complainant from making a complaint, then the Complainant's legal heir or any other person as mentioned below may make the complaint on the Complainant's behalf under the Policy:

- i. In the event the Complainant is unable to make the complaint on account of the Complainant's physical incapacity, the complaint may be filed by:
  - a) the Complainant's relative or friend;
  - b) the Complainant's co-worker;

- c) an officer of the National Commission for Women or State Women's Commission (in case the Complainant is a woman); or
  - d) Any person who has knowledge of the incident, with the written consent of the Complainant.
- ii. In the event the Complainant is unable to make the complaint on account of the Complainant's mental incapacity, the complaint may be filed by:
    - a) the Complainant's relative or friend;
    - b) a special educator;
    - c) a qualified psychiatrist or psychologist;
    - d) the guardian or authority under whose care the Complainant is receiving treatment or care; or
    - e) Any person who has knowledge of the incident jointly with the Complainant's relative or friend, or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care the Complainant is receiving treatment or care.
  - iii. In the event the Complainant is unable to make the complaint for any other reason, the complaint may be filed by any person who has knowledge of the incident, with the Complainant's written consent.
  - iv. In the event of the death of the Complainant, the complaint may be filed by any person who has knowledge of the incident, with the written consent of the Complainant's legal heir.
- 9.2 A Complainant may make a written complaint to the IC. No particular form is required but the complaint must be in writing and signed by the Complainant.
- 9.3 Any Employee may make a complaint of Sexual Harassment at Workplace to the IC of the location within a period of three months from the date of the incident.
- 9.4 The IC is empowered to extend the time limit beyond three months from the date of the incident, but not exceeding three months thereafter, for reasons to be recorded in writing if the IC is satisfied that the circumstances were such which prevented the person from filing the complaint within the said period.
- 9.5 The Presiding Officer or any Member of IC may also render reasonable assistance to the Employee for making any complaint in writing if he/she cannot make the complaint in writing themselves.
- 9.6 Legal heirs or such other persons may also make the complaint if the Complainant is unable to make the complaint on account of his/her trauma, physical or mental incapacity, or death, or otherwise.
- 9.7 A withdrawal of the complaint made or filed at any stage of the proceedings shall not preclude the IC from proceeding with the investigation of the complaint.

9.8 If so requested in writing, by the Complainant, pending completion of the Inquiry, the IC may recommend Employer to:

- a) Transfer the Complainant or the Respondent to any other Workplace; or
- b) Grant leave up to 3 (three) months to the Complainant; or
- c) Grant such other relief to the Complainant as may be prescribed in the Rules, including restraining the Respondent from reporting on the work performance of the Complainant or writing any confidential report and assigning the same to another officer.

9.9 The Employer shall implement such recommendations and send a report of such implementation to the IC.

*Note: In the event that the Complainant is granted leave in accordance with this Policy, such leaves shall be in addition to the leave the Complainant is otherwise entitled to.*

## **10. CONCILIATION:**

10.1 The Complainant can request conciliation before the commencement of an inquiry by the IC.

10.2 No monetary settlement shall be made as a basis of conciliation.

10.3 The IC shall then record the settlement so arrived and forward the same to the Employer to take action as specified in the recommendation.

10.4 The IC shall provide copies of the settlement to the Complainant and the Respondent.

10.5 Where a settlement is arrived under conciliation, no further inquiry shall be conducted by the IC.

10.6 While any conciliation proceeding shall ordinarily be conducted in face-to-face meetings, Clause 12.9 more fully describes other modes of conducting the same.

*Note: In cases where the Complainant feels that it is a minor instance that could be redressed through conciliation settlement, only in such cases, conciliation can be arrived at.*

## **11 INQUIRIES INTO COMPLAINT:**

11.1 The IC shall follow the prescribed procedures. The IC shall, where the Respondent is an Employee, proceed to make an inquiry into the complaint in accordance with the provisions of the service rules applicable to the Respondent and where no such rules exist, in such manner as may be prescribed under the Rules.

11.2 In case of breach of the terms of conciliation settlement then an inquiry shall also be held to look into such breach.

11.3 IC shall give equal opportunity of being heard to both parties.

11.4 The inquiry shall be completed within ninety days from the date of complaint.

11.5 IC shall forward a copy of the findings to both parties to make representation against the findings of the IC.

## **12 INQUIRY PROCEDURE:**

12.1 The Complainant shall submit/send by e-mail a copy of the complaint, supporting documents, and a list of witnesses to the IC.

12.2 One copy of the complaint is to be sent to the Respondent, after receipt of the complaint, within 7 (seven) working days by the IC.

12.3 The Respondent shall file his/her reply within 10 (ten) working days from the date of receipt of the complaint with his/her list of documents and the list of witnesses.

12.4 IC should follow the principles of natural justice during the course of the proceedings.

12.5 IC may at its discretion conduct the inquiry ex-parte if the Complainant or the Respondent fails without sufficient cause to present themselves for 3 (three) consecutive hearings convened by IC. However such ex-parte order may not be passed without giving a notice in writing at least 15 (fifteen) days in advance to the party remaining absent from the proceedings.

12.6 No legal practitioner is allowed to be brought by the parties to represent them in their case at any stage of the proceedings before the IC.

12.7 A minimum of 3 (three) members including the Presiding Officer and the external member shall be present while conducting the inquiry.

12.8 For the purpose of making an inquiry, the IC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:

- a) summoning and enforcing the attendance of any person and examining him on oath;
- b) requiring the discovery and production of documents; and
- c) any other matter as may be prescribed.

12.9 While the inquiry/ conciliation proceedings shall ordinarily be conducted face-to-face with the parties and witnesses physically appearing for meetings at the office premises or any other location specified by the IC, in certain circumstances, the IC may allow the parties or witnesses to appear before it through videoconference or telephonic means. In such situations, the following guidelines shall also be observed:



- a) Videoconference or telephonic proceedings shall be conducted only with the consent of the parties and witnesses involved.
- b) The parties or witnesses who are required to depose before the IC shall be given adequate notice of 24 hours to ensure that they have enough time to set up the infrastructure required for taking a video-conference call.
- c) The IC members/ parties/ witnesses to any inquiry or conciliation will be bound by the same standards of confidentiality as in the case of face-to-face proceedings. Audio or video

recording of proceedings shall not be permitted. The IC member/ party/ witness appearing through virtual means must ensure that they are alone in the room when taking the call and that no part of the information relating to the proceedings is made known to any unauthorized individual.

- d) Parties/ witnesses will be sent a copy of the minutes of meetings or other relevant documentation (such as inquiry/ findings reports, evidence, etc.) Via email.
- e) Any and all communication (including but not limited to consent, confirmations, questions, comments, responses, and statements) shall be made through email and/ or digital signatures.
- f) In the event that videoconference or telephonic proceedings are not feasible, the IC may postpone the same until physical meetings can be conducted.

### **13 INQUIRY REPORT:**

13.1 The IC shall provide a Report of the findings to the Employer and both parties within a period of ten days from the date of completion of the inquiry.

13.2 The Employer shall act upon the recommendation within sixty days of the receipt of the findings report.

13.3 If the IC arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Employer that no action is required to be taken.

13.4 If the IC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to the Employer to:

- a) take action for Sexual Harassment as misconduct in accordance with the provisions of the service rules applicable or where no such service rules have been made, in such manner as prescribed under the Rules;
- b) Deduct, notwithstanding anything in the service rules applicable to the Respondent, from the salary or wages of the Respondent such sum as it may consider appropriate to be paid to the Complainant or to her legal heirs, as it may determine, in accordance with the provisions of Section 15 of the Act. In the event the Employer is unable to deduct the same or in the event of non-payment of the above-mentioned sum by the Respondent, the same shall be recovered in a manner as prescribed under Section 13 of the Act.

## **14 PENALTIES:**

### **14.1 Consequences of violation of the Policy:**

Any person found guilty of violating this Policy as substantiated by data and facts, will be subject to any of the below-mentioned disciplinary actions, leading up to and including termination of services with/or without compensation based on the severity of the case.

- Written apology
- Warning
- Reprimand or censure
- With-holding of promotion
- With-holding of pay rise or increments
- Terminating of service
- Undergoing a counseling session
- Carrying out community service
- Monetary Compensation

14.2 Irrespective of and without prejudice to complaints initiated before the IC, the Complainant may, at his/her sole discretion, also choose to lodge a complaint for the same offense with the Police. The IC shall provide reasonable assistance to the Police in its investigation. IC may take note of the findings by the Police and/or any other competent authority, in arriving in its recommendations and conclusion. The Respondent shall be subject to any findings or order of any competent authority, including but not limited to, a Court of Law.

### **14.3 Punishment for false or malicious complaint and false evidence:**

If the complaint is found to be false and malicious, the Complainant shall be liable for appropriate disciplinary action. However, this shall not include complaints in respect of which the investigation has remained inconclusive due to circumstances that have rendered the offense difficult to prove and/or such complaints which have been made in good faith. The malicious intent on the part of the Complainant shall be established after an inquiry in accordance with the procedure prescribed before any action is recommended.

### **14.4 Penalty for publication or making known contents of complaint and inquiry proceedings:**

Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken under the provisions of the Act violates confidentiality, he/she shall be liable for penalty as may be prescribed in the Rules.

Where any Employee who is part of the proceedings of the complaint as a witness, Complainant, and/or Respondent violates the confidentiality provisions of this Policy, he/she shall be subject to appropriate disciplinary action.

## **15 APPEAL:**

15.1 The Complainant and the Respondent shall have the right to appeal to the Tribunal/Court of appropriate jurisdiction within ninety days of the decision of the IC if they are not satisfied with the decision of the IC.

## **16 LOCAL COMMITTEE:**

16.1 If the Employer is unable to recover the amount of compensation from the Respondent, Employer shall forward the Inquiry Report to the District Officer of the Local Committee.

16.2 If the Complaint is against the Employer himself, Complaints can be filed before the District Officer of the Local Committee.

## **17 FILING OF POLICE COMPLAINTS:**

17.1 If the Complainant so desires, it is the duty of the Employer to assist the Complainant in filing the Complaint with the Police.

17.2 If it is a grave offense, then the Employer is duty-bound to report the matter to the Police.

## **18 SAVINGS**

18.1 The proceedings under this Policy shall be conducted in parallel with the other remedies of law if such a case arises.

18.2 The provisions of this Policy shall not restrict the power of the Employer or Complainant to proceed against the Respondent for any other misconduct or to pursue criminal or civil remedies.

## **EXAMPLES OF INSTANCES CONSTRUED AS SEXUAL HARASSMENT:**

- i. Sexual harassment is classified as below, which includes but is not limited to the following:
- ii. surreptitiously looking or prolonged staring at a person, giving rise to gross discomfort to the person;
- iii. telling sexist and/or smutty jokes or sending these through text, electronic mail, or other similar means, causing embarrassment or offense, and the same being carried out after the

the offender has been advised that they are offensive or embarrassing or, even without such advice, when they are by their nature clearly embarrassing, offensive, or vulgar;

- a. Malicious leering or ogling.
- b. The display of sexually offensive pictures, materials or graffiti.
- c. unwelcome inquiries or comments about a person's sex life;
- d. unwelcome sexual flirtation, advances, propositions;
- e. making offensive hand or body gestures;
- f. persistent unwanted attention with sexual overtones;

- g. unwelcome phone calls, text messages, online messages/ communication, video calls, or any such verbal or virtual communication with sexual overtones causing discomfort, embarrassment, offense, or insult to the receiver;
- h. Digital stalking (stalking in all forms of social media)
- i. Lewd gossips on colleagues about sexual affairs/sexual orientation/preferences/virginity
- j. Vulgar humor or language while communicating even over virtual team meetings / individual meetings.
- k. Encroaching personal space by asking inappropriate questions
- l. Unsavory remarks about a person's physical characteristics, dress, attitude, etc.; sexual assault.
- m. malicious and/or unwanted touching or brushing against a victim's body;
- n. requesting for sexual favors in exchange for employment, promotion, local or foreign travels, favorable working conditions or assignments, a passing grade, the granting of honors or scholarship, or the grant of benefits or payment of a stipend or allowance;
- o. Derogatory or degrading remarks or innuendoes directed toward the members of one sex, or one's sexual orientation or used to describe a person; verbal abuse with sexual overtones; and other analogous cases.

## **19 ANNUAL REPORT OF THE IC:**

19.1 The IC shall in each calendar year prepare an annual report in the prescribed form and submit the same to the Employer. The report shall encompass the following:

- a) number of complaints received that year;
- b) number of complaints disposed of during that year;
- c) number of workshops or awareness programs conducted;
- d) number of cases pending for more than 90 (ninety) days;
- e) Nature of action taken by the Employer.

<b>SL. No.</b>	<b>ACTION POINT</b>	<b>AUTHORITY/CONCERNED PERSON</b>	<b>TIME LIMIT</b>
<b>1</b>	Complaint:	Complaint to be lodged by aggrieved woman Before Internal Committee	1)within the period of 3 months from the date of the incident, or  2) In case of a series of incidents, within the period of 3 months from the date of the last incident.
<b>2</b>	Initiation of Inquiry Proceedings	By the Internal Committee, by sending the copy of complaint To the Respondent	Within the period of 7 working days of receipt of the complaint
<b>3</b>	Reply by the Respondent along with his list of documents, names, and addresses of witnesses	To the Internal Committee	Within 10 working days from the day of receipt of the copy of complaint forwarded by IC.
<b>4</b>	Completion of Inquiry proceedings	By IC	Within 3 months from the date of receipt of the complaint
<b>5</b>	Submission of Inquiry Report and Findings along with Recommendations by IC	To the Employer	Within 10 days of completion of Inquiry Proceedings by IC
<b>6</b>	Implementation of Recommendations made in the Inquiry Report of IC	By the Employer	Within 60 days of the receipt of the recommendations made in the Inquiry Report by IC
<b>7</b>	Appeal under clause 11.3 of the policy.	By the aggrieved person	Within a period of 90 days of Recommendations by IC.

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