



## **FX MULTITECH LIMITED**

**(Earlier Known as FX MULTITECH PRIVATE LIMITED)**

**CIN NO: U52100GJ2008PLC053391**

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## **ANTI – SEXUAL HARASSMENT POLICY**

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### **PREAMBLE**

1) The Government of India has made a law called “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013” which has come into force on 9th December, 2013; on prevention of sexual harassment against female employees at the workplace. Any person making unwelcome physical contact and explicit sexual overtures, demanding or requesting sexual favours, making sexually coloured remarks or showing pornography against the will of a woman shall be guilty of the offence of Sexual Harassment and Section 354A of the Indian Penal Code 1860 prescribes punishment for this offence, ranging from simple to rigorous imprisonment, for term one year to three years, or with fine, or with both.

2) FX Multitech Limited (‘the Company’) aims to provide a safe working environment and prohibits any form of sexual harassment. The Company is committed to create a safe and healthy working environment that enables its employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all its employees have the human right to be treated with dignity. Sexual Harassment at the work place or in the course of official duties, if involving employees of the Company shall be considered a grave offence, and is therefore punishable under the applicable laws.

3) Accordingly, the Company has formulated this Policy called as “The Anti – Sexual Harassment Policy” (“Policy”) to create and maintain a safe working environment where all employees treat each other with courtesy, dignity and respect irrespective of their gender, race, caste, creed, religion, place of origin, sexual orientation, disability, economic status or position in the hierarchy. This policy intends to prohibit occurrences of any form of sexual harassment 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 regarding Sexual harassment. Making a false complaint of sexual harassment or providing false information regarding a complaint will also be treated as a violation of policy. Violation of this policy will call for strict disciplinary action up to and including termination.

4) This policy has been framed specifically in compliance with the requirements of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

5) This Policy seeks to assist individuals who believe they have been subjected to such behavior with appropriate support and remedial action.

### **APPLICABILITY**

This policy will extend to all employees of the Company including those employed on contractual basis. The policy extends to those who are not employees of the Company, such as customers, visitors, suppliers, etc., subjected to sexual harassment at the Premises (defined hereinafter) of the Company.

### **DEFINITIONS**

- “Aggrieved Individual” means in relation to a workplace, an individual, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- “Complainant” is any aggrieved individual who makes a complaint alleging sexual harassment under this policy.

- “Employee” means a person employed with the Company for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.
- “Respondent” means the person against whom the Complainant has made a complaint.
- “Sexual Harassment” would mean and includes any or all of the following unwelcome acts or behavior (directly or implied) but not limited to:
  - i. Any unwelcome sexually determined behavior such as physical contact or advances, requests or demand for sexual favours, either explicitly or by implication, in return for employment, promotion, examination or evaluation of a person towards any company activity;
  - ii. Any unwelcome sexual determined behavior involving verbal, non-verbal or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, SMS or email communication, gestures, showing of pornography, lewd stares, physical contact or molestation, stalking, sounds, display or pictures, signs, verbal or non-verbal communication which offend the individual’s sensibilities and affects his or her performance at the workplace;
  - iii. eve-teasing, innuendos and taunts, physical confinement against one’s will and likely to intrude upon the individual’s privacy;
  - iv. Any act of showing pornography or any other unwelcome physical verbal or non-verbal conduct of sexual nature; and
  - v. Any act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other gender, such as presence or occurrence of circumstances of implied or explicit promise of preferential treatment in employment; threat of detrimental treatment in employment; threat about present or future employment; interference with work or offensive work environment; or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation or humiliating treatment likely to affect the person’s health or safety.
- “Workplace” means: i. Premises, location, establishments, enterprises, institutions, offices, branches or units established, owned and controlled by the Company. ii. Places visited by the employee arising out of or during the course of employment including official events, transportation, and accommodation provided by the employer for undertaking such journey.

## **OBJECTIVE:**

- 1) To provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- 2) To uphold Women’s’ Right to Protection against Sexual Harassment and the Right to Livelihood and towards that end for the prevention and Redressal of Sexual Harassment of Women;
- 3) To evolve an effective mechanism for the prevention, prohibition and redress of sexual harassment of employees at the work place or in the course of official duties with the Company.

4) To promote an environment that will raise awareness about and deter acts of sexual harassment of employees of the Company.

5) to ensure implementation of the Policy in letter and spirit by taking all necessary and reasonable steps including but not limited to constitution of appropriate Committees for purposes of gender sensitization and to conduct enquires into complaints of sexual harassment.

6) To uphold the commitment of the Company to provide an environment that is free from discrimination and violence against women.

7) To generate general awareness against sexual harassment of women at the workplace.

#### **COMPLAINT MECHANISM:**

An appropriate complaint mechanism in the form of "Complaints Committee" has been created in the Company for time-bound redressal of the complaint made by the victim.

#### **COMPLAINTS COMMITTEE:**

The Company has instituted a Complaints Committee for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

Initially, and till further notice, the Complaints Committee will comprise of the following four members out of which at least two members will be of the same gender as that of the complainant:

1. Head-Corporate HR (Presiding Officer)
2. Employee at the level of Assistant General Manager or above from Personnel & Administration Department (Member)
3. Divisional Personnel Head of the Division from where the complaint has originated (Member)
4. Member from an NGO or Lawyer (Member)

The Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
- Discouraging and preventing employment-related sexual harassment

#### **PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:**

The Company is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

##### **A. Informal Resolution Options**

When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently.

If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the Complaints Committee for redressal of their grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

## B. Complaints:

1. An employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Presiding Officer of the Complaints Committee constituted by the Management. The complaint shall have to be in writing and can be in form of a letter, preferably within 15 days from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the employee can send complaint through an email. The employee is required to disclose their name, department, division and location they are working in, to enable the Presiding Officer to contact them and take the matter forward.

2. The Presiding Officer of the Complaints Committee will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from receipt of the complaint.

In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the Presiding Officer will record this finding with reasons and communicate the same to the complainant.

3. If the Presiding Officer of the Complaints Committee determines that the allegations constitute an act of sexual harassment, he/ she will proceed to investigate the allegation with the assistance of the Complaints Committee.

4. Where such conduct, on the part of the accused, amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

5. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Executive Director & Head-P&A as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint. The Executive Director & Head-P&A will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.

Corrective action may include any of the following:

- a. Formal apology
- b. Counseling
- c. Written warning to the perpetrator and a copy of it maintained in the employee's file.
- d. Change of work assignment / transfer for either the perpetrator or the victim.
- e. Suspension or termination of services of the employee found guilty of the offence

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

## **CONFIDENTIALITY:**

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

**ACCESS TO REPORTS AND DOCUMENTS:**

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

**PROTECTION TO COMPLAINANT / VICTIM:**

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

**CONCLUSION:**

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

## Annexure I

### Complaint Sheet\*

[Pursuant to the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 & Anti – Sexual Harassment Policy of the Company]

Particulars	Details
Name of the alleged offender(s)/ harasser(s) including designation and contact number	
Date(s) and location(s) of the alleged incident(s) of harassment	
A detailed description of the incident(s) in question as well as other relevant circumstances	
Name of witness(s) including designation and contact number	
Details of physical and/or documentary proof if any that supports the allegation; including other potential complainants, if any	

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact No: \_\_\_\_\_

Designation: \_\_\_\_\_

Department: \_\_\_\_\_

Date:

Place:

(Please sign and return this form to any member of the Internal Complaints Committee or Human Resources Department of the Company)

\* Within 3 months from the date of occurrence of incident.