



Policy on Prevention of Sexual Harassment at Workplace (POSH)

Purpose

“Sexual Harassment” in India has always been an issue at the backend of workplaces. A tacit acceptance and turning a blind eye towards unruly attitude have raised major concerns in India.

We at Masters' Union (hereinafter referred to as the Company”) vehemently condemn these incidents and strive to make our work environment employee friendly and safe. Your workplace shall be the place where you as an employee are comfortable and not feel afraid to stand up for your right to life and liberty and to live with freedom or without any worry.

The protection against sexual harassment and the right to work with dignity are universally recognized human rights. The Constitution of India and the international Convention on the Elimination of Discrimination against Women (CEDAW) to which India is a signatory, the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“Sexual Harassment Act”) have brought this issue to the fore and it is a prerogative of employers to provide justice to the victims of such harassment.

The Company is committed to providing a safe environment for all its employees, irrespective of gender, free from discrimination on any ground and from harassment at work including sexual harassment. Any employee found to have sexually harassed another employee will face disciplinary action, up to and including dismissal from employment as per procedure provided in this Policy and subject to the applicable law. The Company operates on a zero-tolerance policy for any form of sexual harassment in the workplace. All employees shall be





treated with respect and dignity including the women employees. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence.

In this backdrop, this Policy on Sexual Harassment has been introduced at the Company. It draws its inspiration from the Sexual Harassment Act and the applicable laws in India regarding harassment at workplace.

Preventive Action

The Company will take reasonable steps to ensure prevention of sexual harassment at work which may include circulating applicable policies, changes thereto and other relevant information to all employees, including all outgoing employees and newly joined employees.

What should all of us do?

In our endeavour to create a safe and friendly work environment, it is imperative that all of our employees follow a certain code of conduct to maintain the decorum of the Company through the below, including but not limited to the specific actions:

1. to ensure that their behaviour is not contrary to this Policy
2. to reinforce the maintenance of a work environment free from sexual harassment
3. to report to the Internal Complaints Committee any cases of violation of this policy and the rules framed thereunder by any employee of the Company
4. to act as a witness, providing true account of the events, if any, if the person being harassed decides to lodge a complaint
5. to support the person to reject unwelcome behavior which may lead to sexual harassment





6. to complete all necessary trainings and courses in order to create awareness about sexual harassment as and when prescribed by the Company

Please note that often some behaviours are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately an opportunity to modify or stop their offensive behaviour.

Are you covered under this policy?

This Policy is gender neutral and covers with equal rigor both women and men, including same-sex harassment.

“Employee” shall mean a person employed at a workplace for any work on regular, temporary, ad hoc or daily wages 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.

This policy applies to all categories of employees of the Company, whether paid or unpaid, and including permanent, temporaries, trainees, freelancers and employees on contract or any other basis or form at the Company’s office, workplace or at client sites as the case may be pursuant to the definition of “Employee” in this Policy.

“Workplace” shall include any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit managed, owned, controlled, financed (wholly or substantially) by the Company. It shall also include





any place visited by the Employee arising out of or during the course of employment including transportation provided by the Company for undertaking such journey. Thus, broadly the concept of workplace includes:

1. All offices or other premises where the Company's business is conducted
2. All company-related activities performed at any other site including on any online platform away from the Company's premises
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations
4. Any place through where the Employees perform their work for the Company

Without any prejudice to the rights of an Employee(s) in relation to the above, the scope shall include any complaint raised specifically by an Employee of the Company due to being subjected to any act of sexual harassment by another Employee(s) of the company:

1. At any location, including but not limited to the private residences of the aggrieved employee(s)
2. In any mode of transport

What exactly is Sexual Harassment?

"Sexual harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely

1. Physical contact and advances; or
2. A demand or request for sexual favours; or
3. Making sexually coloured remarks; or
4. Showing pornography; or
5. Any other unwelcome physical, verbal or nonverbal conduct of sexual nature





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

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

In addition to the instances mentioned hereinabove, any other acts or behaviour, which outrages the modesty of a female Employee, will be considered as sexual harassment.

Redressal Mechanism

1. What to do if you have a complaint?

It is encouraged that all employees to report immediately any incidents of sexual harassment or retaliation that they experience or observe regardless of the offender's identity or position. All claims will be promptly and thoroughly investigated. No one will be victimized for making such a complaint.

2. Who can report a complaint?

Any aggrieved employee can make a complaint of sexual harassment, in writing, to the Internal Complaints Committee at Posh@mastersunion.org with proper signature or any member of the Internal Complaints Committee whose names shall be notified from time to time by the Company, within a period of 3 (three) months from the date of the alleged incident of sexual harassment, and in case of





a series of incidents, within a period within 3 (three) months from the last alleged incident of sexual harassment.

If the aggrieved employee is unable to lodge the complaint in account of their incapacity, the following may do so on their behalf, with their written consent:

- Legal heir, relative or friend, in cases of death, the condition for written consent to be waived;
- Co-worker; or
- Any person having the knowledge of the incident.

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

3. Manner of reporting a complaint:

All cases of Sexual Harassment shall be dealt with in accordance with the applicable law in place.

4. The Internal Complaints Committee:

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

Initially, and till further notice, the Internal Complaints Committee will comprise of the following members:

1. Presiding Officer: Mahak Garg
2. Permanent Members: Swati Ganeti and Abhinav Goyal
3. Other Members: Aayushi Banotra and Sudhanshu Garg

In case the person complaining is other than a woman, the Internal Complaints Committee members shall be substituted in a way to have at least one half of the



members of the same gender as that of the complainant. In any case, the Presiding Officer shall remain the same in any committee.

The Internal Complaints Committee shall be responsible for:

- a) Investigating every formal written complaint of sexual harassment;
- b) Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment; and
- c) Discouraging and preventing employment-related sexual harassment.

5. Processing of a complaint by the committee:

- a) A copy of the complaint shall be issued to the person accused within 7 (seven) days of receipt of the complaint by the Internal Complaints Committee. To this, the accused shall respond in writing and provide all documents necessary to support their claim, within a period of 10 (ten) days of receiving the complaint against them.
- b) Upon receipt of the response, the Internal Complaints Committee may take steps to settle the matter between the parties through conciliation, if requested by the complainant. In case conciliation is not possible or where it does not work out, the Internal Complaints Committee will investigate the complaint in the manner prescribed under the Sexual Harassment Act and/or this policy, as applicable. During the course of an investigation, the company will conduct verbal hearings with the complainant and the accused.
- c) The committee shall have the powers to call any person and record their statements and make such investigation as may be necessary to decide as to the truth or falsity of the complaint.



- d) The Company shall take testimonies of other relevant persons and review the evidence wherever necessary.
- e) During the inquiry process, the complainant and the accused shall refrain from any form of threat, intimidation or influencing of witnesses.
- f) In the event there is a prima-facie case against the accused, the committee may investigate the allegations and charges through the mechanism of a departmental enquiry which shall be conducted in accordance with the principles of natural justice in cases of any aggrieved employee and/or in accordance with the provisions of the Sexual Harassment Act, as applicable.
- g) The Company shall maintain confidentiality during the inquiry process and will ensure that in the process of investigating a complaint:
- Both the parties are given reasonable opportunity to be heard and to produce any relevant documents;
 - Upon completion, both parties shall be informed of the results.
- h) The above process of inquiry shall be completed within 90 (ninety) days of the date of receiving a complaint.
- i) In a situation of departmental inquiry, the committee shall provide a report of its findings to the employer, and one copy each shall be given to the complainant and the accused. Such a report shall be issued within 10 (ten) days of completing the inquiry.

6. Decision & Action:

On completion of the investigation, a determination will be made regarding the validity of the harassment allegations. If it is determined that the harassment has occurred, prompt remedial action shall be taken.





Where the Internal Complaints Committee arrives at a conclusion that the allegation against the accused has been proved, it shall recommend to the Company's management and/or board of directors, any of the following actions:

- a) To take action for sexual harassment as a misconduct in accordance with the provisions of the Company's code of conduct
- b) To deduct, from the salary of the accused employee, such amount as it may deem appropriate, to be paid to the complainant, provided that where the employer cannot deduct such amount on account of absence of employee or cessation of employment, the employer can direct the accused to pay the complainant.

Additionally, the employer may take any further actions, such as:

- Counselling;
- Censure or reprimand; or
- Apology to be tendered by respondent; or
- Written warning; or
- Withholding promotion and/or increments; or
- Suspension; or
- Termination; or
- any other action that the management and/or the board of directors of the Company may deem fit.

The above action, as recommended by the committee shall be executed within 30 (thirty) days of receipt of report.

7. Malicious Allegations:

Where the Internal Complaints Committee arrives at the conclusion that the allegation against the accused is malicious or the aggrieved employee or any



other person making the complaint has made the complaint knowing it to be false or the aggrieved employee or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action against the concerned employee.

The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints. While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

8. Confidentiality:

The identity of the aggrieved employee, complainant, witnesses, statements and other evidence obtained in the course of the inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not published or made known to public or media. Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

9. Appeal:

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the applicable law, within 90 (ninety) days of the recommendations being communicated.

10. Applicable Law:

This Policy is gender neutral. The applicable law in order to interpret this policy shall be the laws of India in force at the time. In case the aggrieved employee is a woman, the Sexual Harassment Act shall specifically apply. However, in all cases





of an aggrieved employee or otherwise, the guidelines laid out under the applicable law of India, including but not limited to the various international human rights conventions, Vishakha case shall be made broadly applicable and taken as guiding principles.

Disclaimer

The Company shall hold the right to take any disciplinary action as it may deem fit, up to and including termination of employment.

All Employees should read, understand, and comply with all the above-mentioned points in this policy. The Company reserves its right to amend or modify this Policy in whole or in part, at any time without assigning any reason whatsoever.



Masters' Union, A Unit of Shanti Informatics
Ground Floor, Tower C, DLF Cyber Park, Parcel of Land
at Plot No-405- B, Sector 20, Udyog Vihar, Phase III,
Gurgaon, Haryana, PIN-122008



1800 120 5288



GSTIN : 06ADSF8704JIZG