



Prevention of Sexual Harassment of Women at Workplace

History of Revisions

Version	Summary of Revisions	Date of Approval
1.5	Annual Review	29-Apr-21
1.4	Annual Review	29-Jan-20
1.3	Annual Review	31-Jan-19
1.2	Annual Review	30-Jan-18
1.1	Policy Formulation	04-Sep-16

Table of Contents

1. Preamble	3
1.1 Objective of the Policy	Error! Bookmark not defined.
1.2 Scope of the Policy	3
1.3 Definitions.....	4
2. Regulatory Framework - Applicable Regulations.....	5
2.1 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013	5
3. EDIT Policy framework.....	6
3.1 Sexual Harassment	6
3.2 Internal Complaints Committee	6
3.3 Complaint of Sexual Harassment	6
3.4 Inquiry Report.....	
3.5 Action against False or Malicious Complaint	8
3.6 Prohibition of publication or making known contents of complaint and inquiry proceedings	8
3.7 Internal Complaints Committee to submit Annual Report.....	9
4. Provisions in policy over and above but in consonance with RBI guide lines.....	9
5. Changes to the Policy.....	10
6. Periodicity of Review of the Policy.....	10

1. Preamble

1.1 Introduction

Equitas Development Initiatives Trust (EDIT) believes in the right of all its employees to work in a safe and secure environment and is committed to maintaining a workplace free from sexual harassment and offensive or inappropriate sexual behavior at work.

Sexual harassment is a form of discrimination at workplace and EDIT has a zero-tolerance policy for any form of sexual harassment meted out to any of its employees, in particular women employees. All employees, irrespective of the gender, are required to contribute to the work environment free from sexual harassment and avoid any action or conduct, which could be viewed as sexual harassment.

This Policy reflects EDIT's commitment to a discrimination-free work environment. All employees have the legal right to a workplace free from sexual harassment. Women employees can exercise this right by filing a complaint with the EDIT, Chief Functionary.

1.2 Objective of the Policy

All employees are expected to treat their colleagues with respect and dignity. To this end, the objective of this policy is to

- a. Provide all employees of EDIT a safe work environment, free from sexual harassment.
- b. Provide a framework, which shall enable EDIT to ensure protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

1.3 Scope of the Policy

This Policy is applicable to: -

- a. All Employees of EDIT
- b. Interns whether paid or unpaid
- c. Directors of EDIT
- d. Consultant / Contractors and persons conducting business with EDIT
- e. Any other person / customer having an association with EDIT, particularly while working with EDIT employees

1.4 Definitions

a. Employee

“Employee” means a person employed at EDIT for any work on regular, temporary, ad-hoc or fixed salary basis, either directly or through an agent, including a contractor, with or without the knowledge of EDIT, 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 similar, called by any other such name

b. Sexual Harassment

Sexual harassment includes harassment and/or discrimination on the basis of sex, sexual orientation, gender identity and the status of being transgender. Sexual harassment includes unwelcome conduct, which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- a. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- b. Such conduct is made either explicitly or implicitly a term or condition of employment;
- c. Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment consists of words, signs, jokes, gestures, pranks, intimidation, uncalled for physical advances or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the person against whom it is intended, which may cause to the recipient discomfort or humiliation, and/or which interferes with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment.

Examples of sexual harassment

The following describes some of the indicative (but not exhaustive) acts that may be unlawful sexual harassment and that are strictly prohibited:

- a. Sexually determined behaviour (whether directly or by implication) of physical contact and advances / assaults of a sexual nature, such as:
 - a. Touching, pinching, patting, grabbing, groping, brushing against another employee’s body or poking another employee’s body;
 - b. Rape, sexual battery, molestation or attempts to commit these assaults.

- b. Unwanted sexual advances or propositions, attempts or efforts to establish physical relation having sexual implication by abuse of administrative, authoritative or professional powers such as:
 - i. Requests for sexual favors accompanied by implied or over threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;
 - ii. Subtle or obvious pressure for unwelcome sexual activities viz., making indecent proposal and exerting pressure or posing threats in case of refusal to accept such proposal;
- c. Sexually coloured verbal and visual representations;
- d. Sexually coloured remarks or gestures; commenting and discussing about a person's sexual life; attractiveness, physical attributes or otherwise;
- e. Indecent gestures, teasing through abusive language, stalking, joking / telling jokes having sexual implication or humiliation, showing pornography, adult and lewd material;
- f. Insult through letters, telephone calls, SMS, emails, social media and messenger apps, notice, cartoons, writing on furniture, notice boards, walls of office premises having sexual implication;
- g. Taking still or video photographs for the purpose of blackmailing and character assassination;
- h. Preventing participation in organizational activities on the ground of sex and/or for the purpose of sexual harassment;
- i. Attempt to establish sexual relation by intimidation, deception or false assurance etc.

c. Workplace

The workplace includes the following:

- a. All establishments, offices, administrative units or other premises from where EDIT conducts its business
- b. Any site away from the EDIT's premises where any activities related to the EDIT's business is organized, or arranged for by EDIT
- c. Any place visited by an employee arising out of or during the course of employment, including transportation provided by EDIT for undertaking such journey or during an outing or get-together.

2. Regulatory Framework - Applicable Regulations

2.1 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 seeks to protect women from sexual harassment at their place of work.

The objective of the Act is to ensure and assure that no woman shall be subjected to sexual harassment at any workplace. (Chapter 3 of the Act)

3. EDIT Policy framework

3.1 Internal Complaints Committee

EDIT has established an Internal Complaints Committee for dealing with complaints of sexual harassment at the work place.

- a. The Internal Complaints Committees shall consist of the following members:
 - i. Chairperson who shall be a woman employed at a senior level at the workplace
 - ii. Not less than two members from amongst employees committed to the cause of women or who have had experience in social work or have legal knowledge.
 - iii. One member from non-governmental organization or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- b. Provided that at least one-half of the total members so nominated shall be women.
- c. The Chairperson and every Member of the Internal Complaints Committee shall hold office for such period as mentioned in the appointment order, not exceeding three years, from the date of their nomination. Chairperson
- d. Apart from the above members, EDIT shall be at liberty to induct such employee of EDIT on case to case basis for the purpose of the enquiry in order to use their competence and expertise in the field of law, compliance, investigation in similar cases etc.

3.2 Duties

The Internal Complaints Committee shall:

- a. Receive Complaints related to Sexual Harassments
- b. Investigate cases appropriately and make recommendations thereon
- c. Ensure proper dissemination of knowledge with in EDIT related to Sexual Harassment
- d. Submit quarterly reports to the Management and/or Appropriate Authority

3.3 Redressal Process

(i) Reporting

- a. The aggrieved woman employee may make, in writing, a complaint of sexual harassment at workplace to the Internal Complaints Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident.
- b. The complaint may also be sent via email to EDIT's Chief Functionary at johnalex@equitasbank.in
- c. Where such complaint cannot be made in writing, the Chairperson or any member of the Internal Complaints Committee, shall render all reasonable assistance to the aggrieved woman employee for making the complaint in writing.
- d. Further, the Internal Complaints Committee may extend the time limit not exceeding three months, if it is satisfied that the circumstances were such, which prevented the woman from filing a complaint in writing within the said period.

- e. Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person nominated by her may make a complaint.
- f. It is encouraged that the complainant shall make the grievance known first to the Internal Complaints Committee and report to external agencies only if not satisfied with response from the Internal Complaints Committee.

(ii) Investigation:

An investigation in line with the Disciplinary Policy of EDIT may be required. The Internal Complaints Committee shall hold a meeting with the complainant within five working days of receipt of the complaint considering the gravity of the matter.

At the first meeting, the Internal Complaints Committee members shall hear the complainant and record her allegations. The complainant can also submit any corroborative material with a documentary proof, oral or written material, etc. to substantiate her complaint. If the complainant does not wish to depose personally due to embarrassment of narration of event, a woman officer authorized by the INTERNAL COMPLAINTS COMMITTEE shall meet and record the statement.

Thereafter, the person against whom complaint is made may be called for a deposition before the Internal Complaints Committee and an opportunity shall be given to the person to give an explanation. The Internal Complaints Committee shall have the power to send notice by mail/ in writing to the parties and the witnesses, conduct hearing, gather evidence, and examine all relevant papers. Emphasis shall also be placed on circumstantial evidence apart from oral evidence. Care shall be taken to avoid questions and comments which could be intentionally demeaning, insulting or harassing to either parties.

The Internal Complaints Committee shall submit the investigation report with recommendation within 30 working days to the Managing Director. The period of 30 days may be extended up to 60 days where it is found necessary on recommendation of the Internal Complaints Committee Chairman and approval by the Managing Director. The Internal Complaints Committee shall make recommendations on the basis of the view expressed by the majority of its members.

3.4 Action against False or Malicious Complaint

If the Internal Complaints Committee finds that the allegations against the alleged perpetrator is malicious or that the complaint made by the complainant knowing it to be false or if the complainant produces any forged or misleading document, the Internal Complaints Committee shall, if malicious intent on the part of the complainant is established as part of the inquiry, recommend that appropriate disciplinary action be taken against the complainant, which action may include one or more of the disciplinary actions as permissible. Mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.

For the purpose of enquiry, the Internal Complaints Committee shall be guided by the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, in gathering evidences and recommending action.

3.5 Other Remedies:

Any person who is a victim of sexual harassment may, in addition to the above, seek appropriate legal remedies as may be provided under the various laws in force from time to time and the Management shall provide such assistance as may be requested by the victim in this regard

In an event of the INTERNAL COMPLAINTS COMMITTEE even after a comprehensive enquiry cannot conclude the commission of any offence against the perpetrator or the latter has been persistently denying the allegations against him and the complainant has been holding on to her allegations, but could not prove it beyond reasonable doubt, then the INTERNAL COMPLAINTS COMMITTEE shall be at liberty to request the complainant to resort to appropriate legal proceeding including filing of a police complaint and EDIT shall render all necessary assistance to the complainant.

3.6 Confidentiality:

All individuals involved in the investigation of the Sexual Harassment issue as well as any witness involved and the accused individual himself/herself shall be responsible for maintaining strict confidentiality of the issue.

3.7 Prohibition of publication or making known contents of complaint and inquiry proceedings

The contents of the complaint, identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Complaints Committee and the action taken by the management shall not be published, communicated or made known to general employees, public, press and media in any manner. Provided that, information may be disseminated regarding the justice secured to any victim of sexual harassment under this Act without disclosing the name, address, identity or any other particulars to lead to the identification of the aggrieved woman and witnesses for educational and reporting purposes as appropriate.

3.8 Prohibition of Retaliation:

This policy strictly prohibits any retaliation against an employee or other person who reports a concern about Sexual Harassment or other inappropriate behavior, provides information, or otherwise assists in any investigation of a sexual harassment complaint. EDIT has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of EDIT who retaliates against anyone involved in a sexual harassment investigation shall be subjected to disciplinary action, up to and including termination.

3.9 Disciplinary Process

- a. Where the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the Management that no action is required to be taken in the matter.
- b. Where the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Management the appropriate action for sexual harassment misconduct in accordance with the provisions of the rules applicable
- c. The Management shall act upon the recommendation of the Internal Complaints Committee within sixty days of receipt of the report.
- d. In case the complaint is found to be false, the complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

The Managing Director shall review the recommendation of the Internal Complaints Committee and if satisfied forward the recommendations to the Chief People Officer. The Chief People Officer shall be responsible to ensure that the appropriate disciplinary measure is taken.

The Managing Director or the CPO, may at their discretion confer with Head of Legal or other competent authority and may, in turn request the complainant to approach the appropriate court, authority or tribunal if the act complained of, constitutes an offence under any applicable penal law.

3.10 Internal Complaints Committee to submit annual report.

The Internal Complaints Committee shall in each Financial year, prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the Management and/or appropriate authority prescribed for this purpose. This report shall include information on number of cases filed, if any, and their disposal under this Act. The Management shall include it in the annual report submitted to the Board.

4 Provisions in policy over and above but in consonance with RBI guide lines

EDIT is not proposing any changes over and above the regulations.

5 Changes to the Policy

Not Applicable

6 Periodicity of Review of the Policy

The Board shall review this policy at annual intervals or at such intervals as may be required on the regulatory and other exigencies.

Author of the Policy	Human Resources
Reviewer of the Policy	Compliance
Name of Committee which recommended to the Board	Executive Policy Formulation Committee
Date of Board Approval	29-04-2021
Date of Next Review	28-04-2022