

**POLICY ON PREVENTION OF SEXUAL
HARASSMENT AT WORKPLACE**

OF

**XED EXECUTIVE DEVELOPMENT
LIMITED**

1. Introduction

- 1.1 The Company XED Executive Development Limited (“XED”/ the “Company”) believes in the conduct of its affairs in a fair and transparent manner to foster professionalism, honesty, integrity, and ethical behavior. XED is committed to provide a work environment free of any form of harassment and bullying that ensures every employee is treated with dignity and respect and afforded equitable treatment.
- 1.2 For this purpose, XED has adopted a Code of Business Conduct which lays down the principles and standards that should govern the actions of the Company and its employees. The code of business conduct requires the employee not only to comply with and strictly adhere to the standards of the business conduct contained therein but also report to the Managing Director or head of HR Department for any misconduct or any illegal activity, fraud or abuse of the assets of the Company. The employee reporting any misconduct shall be suitably protected and no unjust actions will be taken against any such employee(s).
- 1.3 In accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Company shall implement a policy to provide protection against sexual harassment of women at the workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.
- 1.4 The sexual harassment results in violation of the fundamental rights of women to equality under articles 14 and 15 of the Constitution of India and their right to life and to live with dignity under article 21 of the Constitution and the right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment.
- 1.5 It is required to implement this policy to protect the fundamental and human rights of the women against the sexual harassment at work place of the Company.

2. Objective

- 2.1 XED is committed to adhere to the highest standards of ethical, moral and legal conduct of business operations. To maintain these standards, our company is committed to providing a work environment that ensures every employee is treated with dignity, respect and equitable treatment. The Company is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity. The Company will not tolerate any form of sexual harassment and committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment when they are working in the Company.
- 2.2 The Company shall circulate the existence and contents of this policy to all the Employees.

3. Scope

This policy applies to all categories of employee of the Company, including permanent management and workmen, temporaries, trainees and employees on contract at their

workplace or at customer's sites if any. The company will not tolerate sexual harassment, if engaged in by customers or by suppliers or any other business associates.

The 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 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. Definition Sexual Harassment

As per section 2 (n) of Sexual Harassment of Women at Work Place (Prevention, Prohibition and redressal) Act, 2013 – "Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature.

(A) Sexual Harassment at the workplace includes:

- a) Unwelcome sexual advances (verbal, written or physical);
- b) Demand or request for sexual favours;
- c) Any other type of sexually – oriented conduct;
- d) Verbal abuse or 'joking' that is sex-oriented;
- e) Making sexually coloured remarks;
- f) Showing pornography;
- g) Conduct of such an act at work place or outside in relation to an Employee of the company, or vice versa during the course of employment
- h) Any conduct that has the purpose or the effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct is either an explicit or implicit term or condition of employment and/or submission or rejection of the conduct is used as basis for making employment decisions.

Sexual harassment is emotionally abusive and creates an unhealthy, unproductive atmosphere at the workplace. Sexual harassment cases can be classified into two categories:- quid pro quo and creation of a hostile working environment.

- (a) Under the quid pro quo (meaning this for that) form of harassment, a person or authority, usually the superior of the victim, demands sexual favors for getting or keeping a job benefit and threatens to fire the employee if the conditions are not met.
- (b) A hostile work environment arises when a co-worker or supervisor creates a work environment through verbal or physical conduct that interferes with another co-worker's job performance or creates the workplace atmosphere which is intimidating, hostile, offensive or humiliating and experienced as an attack on personal dignity. For example, an employee tells offensive jokes. No person shall indulge or caused to be indulged under instructions from superior in sexual harassment of co-workers.

However, an employee who is sexually harassed can complain about the same even if there is no adverse job consequence.

(B) “Employee” means any person on the rolls of the Company including those on deputation, contract, temporary, part time or working as consultants.

5. Responsibilities Regarding Sexual Harassment

All employees of the company have a personal responsibility to ensure that their behaviour is not contrary to this policy.

All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

6. Complaints Mechanism

An appropriate complaints mechanism in the form of “**Internal Complaint Committee**” has been created in the Company for time-bound redressal of the complaint made by the victim.

Lodging of Complaint

In the event of the complaint not being resolved through an informal mechanism, then it would need to be escalated to the Internal Complaint Committee for redressal. The Company is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

1. An employee with a harassment concern may make a formal complaint to the Presiding Officer of the Complaints Committee constituted/to be reconstituted by the Management. The complaint shall have to be in writing and can be in the form of a letter, preferably within 15 days from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternatively, the employee can send a 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 Managing Director & Head of HR Department as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint. The Managing Director & Head of the HR Department 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. Withholding promotion;
- f. 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. Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the woman for making the complaint in writing.

1. If the Aggrieved Woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by:

- a. her relative or friend; or
- b. her co-worker; or
- c. an officer of the National Commission for Women or State Women's Commission; or
- d. any person who has knowledge of the incident, with the written consent of the Aggrieved Woman

2. If the Aggrieved Woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed.

- a. her relative or friend; or
- b. a special educator; or
- c. a qualified psychiatrist or psychologist; or
- d. the guardian or authority under whose care she is receiving treatment or care; or
- e. any person who has knowledge of the incident jointly with the Aggrieved Woman's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care.

3. If the Aggrieved Woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent.

4. If the Aggrieved Woman is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

7. Constitution of Internal Complaints Committee

The company has instituted a “Internal Complaint Committee” for redressal of sexual harassment complaints (made by the victim) and for ensuring time-bound treatment of such complaints. Initially, and till further notice the complaints committee comprises three members. The company will constitute/ reconstitute the Committee with at least 3 members, with at least 2 members of the same gender as that of the complainant. The Constitution/reconstitution of Complaints Committee will be decided by the Board from time to time.

The Internal Committees shall consist of the following members to be nominated by the employer, namely: —

(a) a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees:

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub-section(1): Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organisation;

(b) not less than two Members from 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 organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment:

Provided that at least one-half of the total Members so nominated shall be women. The Presiding Officer and every Member of the Internal Committee shall hold office for such a period, not exceeding three years, from the date of their nomination as may be specified by the employer.

The Complaints Committee is responsible for:

1. Receiving complaints of sexual harassment at the workplace
2. Initiating and conducting inquiry as per the established procedure
3. Submitting findings and recommendations of inquiries
4. Coordinating with the employer in implementing appropriate action
5. Maintaining strict confidentiality throughout the process as per established guidelines
6. Submitting annual reports in the prescribed format
7. Investigating every formal written complaint of sexual harassment;
8. Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment;
9. Discouraging and preventing employment-related sexual harassment.

8. Procedure for Resolution, Settlement or Prosecution of Acts of sexual Harassment

The Company is committed to provide 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 the 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 complaint committee constituted by the management. The complaint shall have to be in writing and can be in the form of a letter, preferably within 15 days from the date of occurrence of the alleged incident, sent in seal envelope. Alternatively, the employee can send a 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, 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 of Department 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 of Department 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. Counselling
- 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. General

The Board of Directors of the Company shall have the right to amend the policy from time to time without assigning any reason whatsoever.

14. Annual report of Complaint Redressal Committee:

The Committee shall annex its Complaint Redressal Committee Report to the Annual report of the Committee as required under sec. 22 of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.