

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

### **1. INTRODUCTION**

**GTS TELECOM SERVICES(I) PRIVATE LIMITED** (hereinafter referred to as Company) is committed to maintaining a work environment where each individual feels respected and safe. This includes a work environment free of sexual harassment, gender bias and fear of prejudice. Our Company is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity.

In response to The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as the Act) the Company has introduced a Sexual Harassment Policy (hereinafter referred to as Policy). This Policy is separate from and in addition to policies relating to anti-harassment or any such other policy.

This is a gender-neutral company policy and is applicable to all categories of employees, whether permanent or on contract, and at their workplace or client sites. All complaints will be dealt with in a just and fair manner and may have serious consequences. The Company will not tolerate any form of sexual harassment engaged in by clients or by suppliers or any other business associates and is committed to taking all necessary steps to ensure the safety and well-being of all employees and associates.

The existing Policy has been revised by incorporating the rules and procedures as mandated in the Act.

### **2. SCOPE**

#### ***Workplace***

The 'workplace' is defined as including office premises and any place visited by the employee arising out of or during employment. The workplace includes:

- All offices or other premises where the Company's business is conducted
- Any other site away from the Company's premises where Company-related activities are performed (for example, off-sites or company-organized social events)
- Any social, business, or other events related to the Company's work, where any conduct Or comments may have an adverse impact on the workplace or workplace relations
- Transportation provided by the Company to undertake a professional journey

***Complainant***

The Complainant refers to the individual filing the complaint. This includes anyone associated with the Company in a full-time/part-time capacity as a permanent or temporary employee, contractor, client, partner, consultant, vendor, intern, or volunteer.

***Respondent***

The Respondent refers to the individual against whose actions the complaint has been filed. Thus, referring to anyone associated with the Company in a full-time/part-time capacity as a permanent or temporary employee, contractor, consultant, vendor, intern, or a volunteer.

In a situation where the allegation of sexual harassment is made against a third party, the Company will work with the direct employer of the alleged offender to decide how the matter should be dealt with.

***Internal Committee***

The Company has instituted an Internal Committee (hereinafter referred to as IC or Committee), for the redressal of sexual harassment complaints and for ensuring unbiased and time-bound resolution of complaints.

The Internal Committee is responsible for conducting an inquiry into every formal written complaint of sexual harassment and making recommendations to the Company on the actions to be taken against the Respondent. The IC will also be responsible for the preparation and submission of the annual report prepared by the IC for each calendar year to be submitted to the District Officer or employer, and maintain a record of such annual reports.

The names and contact details of the members of the Internal Committee are displayed on the noticeboard and in this Policy (Please see Annexure). The maximum term of each member of the IC shall be 3 (Three) years from the date of their nomination.

***Witness***

Individuals who have been called upon by either the Complainant, Respondent or Committee to report their statements as part of the inquiry proceedings.

**3. DEFINITION OF SEXUAL HARASSMENT**

During the inquiry into an incident, it is ***the impact or effect of the behavior on the Complainant and not the intent of the Respondent that is critical in the IC taking up the case.***

The following unwelcome acts or behaviors, either occurring individually, as a combination of individual acts, or collectively, may constitute sexual harassment at the workplace (whether directly or by implication), namely: -

- Physical contact and advances
- A demand or request for sexual favors
- Making sexually colored remarks
- Showing pornography
- Any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature

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

- Implied or explicit promise of preferential treatment in the employment
- Implied or explicit threat of detrimental treatment in employment
- Implied or explicit threat about the present or future employment status
- Interference with work or creating an intimidating, offensive, or hostile work environment
- Humiliating treatment is likely to affect health and safety

In addition to the above, the following acts below are also considered sexual harassment in the workplace. This includes but is not restricted to,

- Unwelcome sexual advances (verbal, written, or physical)
- Sexually colored remarks, including but not limited to vulgar/indecent jokes; innuendos or taunts; letters, phone calls, text messages, e-mails with a sexual message, and sexually suggestive gestures
- Showing pornographic content or the like
- Any other unwelcome physical, verbal, or nonverbal sexually oriented conduct, including but not limited to teasing, voyeurism, physical confinement.
- Unwelcome physical contact and advances such as touching, stalking, sounds which might have implicit/explicit sexual connotations/overtones

Ignorance of this Policy will not be considered an excuse during an incident.

#### **4. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT**

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this Policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

##### ***i. Management & Team Managers' responsibilities***

- Create and maintain a working environment in which all employees feel respected
- Be alert to observe any inappropriate conduct or comments
- Refer to the Internal Committee in accordance with this Policy, when instances of sexual harassment which occur within the workplace are brought to their attention

##### ***ii. Employees' responsibilities:***

- Read and understand the Policy document
- Take reasonable care not to offend co-workers and associates through one's actions or behavior
- Take responsibility to discourage unwelcome conduct that is offensive, degrading or humiliating
- Know who is on the Committee
- Cooperate in the inquiry of complaints when called to do so
- Maintain confidentiality at all times in the event that you are involved in or have access to information related to any complaint that is raised

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

The Company is committed to providing a supportive environment in which the concerns of sexual harassment shall be resolved as follows:

##### **(a) Written complaint**

When an incident of sexual harassment occurs, a Complainant may make a written complaint to the Presiding Officer or any member of the Committee. The Complainant can file a physical copy of the complaint through a sealed envelope or send it through an email.

**The complaint should be in writing and clearly include:**

- The identity, designation of the Complainant and the identity of the Respondent against whom the complaint is being lodged;
- The dates, time and location of the incident or incidents, since these are useful for speedy redressal;
- The identities, designation, contact information of any other employee who may have witnessed the incident (if any);
- Other relevant documented evidence (if available).

The complaint should be made, preferably no later than three months from the date of the incident. If the incidents are continuous or have occurred more than once then the complaint should be made within three months since the most recent incident. The time period of three months for filing the written complaint may be extended by the Committee at its discretion for an additional three months if it is satisfied that the circumstances were such which prevented the Complainant from the filing of the complaint within the period of three months. The reasons for an extension will be recorded in writing by the Committee in its final report.

In the event that the Complainant is not able to file a written complaint, they may be assisted by co-workers, relatives, friends, or any other person with knowledge of the incident with the written consent of the Complainant.

#### **(b) Initial IC meeting**

The IC will hold a meeting with the Complainant, as soon as practicable, but no later than a week in any case. At this meeting, the IC shall hear the Complainant, record the allegations, and encourage the Complainant to submit any corroborative material with documentary proof, oral or written material, etc. to substantiate the complaint.

#### **(c) Statement of allegations to Respondent**

Within seven working days from the initial complaint, the IC shall forward a copy of the complaint or a statement of allegations to the Respondent, and give the Respondent an opportunity to submit a written explanation.

#### **(d) Written response from Respondent**

The Respondent will receive a copy of the complaint within seven days of the complaint being lodged with the Committee. The Respondent will have an opportunity to submit a written response, along with a list of witnesses' dates and events if any, to the Committee or make an oral representation in response to the contents of the complaint within ten days of receipt of the complaint.

#### **(e) Internal Committee jurisdiction**

In the event the Committee concludes that prima facie the complaint does not fall within the purview of sexual harassment, the Internal Committee will forward the complaint to the relevant adjudicating body that can look into the complaint.

**Once the complaint has been filed, the following courses of action may be taken**

#### **5.A. Informal Resolution: Conciliation**

The Complainant can communicate disapproval and objections immediately to the Respondent and request the Respondent to behave appropriately. If the harassment does not stop or if the Complainant is not comfortable with addressing the Respondent directly, the Complainant may request the Committee to speak with the Respondent so as to address the matter through the process of conciliation.

The possible corrective action in an Informal Redressal includes a verbal/written warning, counseling, or a gender workshop. Under the informal process, compensation cannot be granted to the Complainant.

The Internal Committee will maintain documentation complaints that have been addressed through the Informal Redressal.

#### **5.B. Formal Resolution: Inquiry**

If the Complainant is not comfortable with the informal resolution, a formal resolution or inquiry into the complaint will be conducted.

##### **a. Quorum**

The quorum for the inquiry proceedings shall be three members of the Internal Committee including the Presiding Officer.

##### **(b) Attendance at an inquiry hearing**

The committee will provide a reasonable opportunity of being heard to both, the Complainant and the Respondent.

**Both the Respondent and the Complainant (unless specifically exempted by the IC in writing) shall be required to attend every hearing that they have been called for. If either party fails to attend three consecutive hearings without sufficient cause, the IC may terminate the inquiry or pass an ex- parte order with fifteen days' notice to the concerned party**

**(c) Summoning Witnesses**

While conducting the inquiry, the IC shall call upon such Witnesses as it may deem appropriate. The Complainant and the Respondent will have the right to submit a list of Witnesses.

**(d) Completion of inquiry report**

The Committee will complete the inquiry within ninety days of receiving the complaint and submit a written report containing the findings and recommendations to one of the Founders or Board of Directors (as decided by the company).

**(e) Action taken by Company**

The Company will ensure corrective action on the recommendations of the Committee within sixty days of receiving the inquiry report. The IC will keep the Complainant and the Respondent informed of the same.

**(f) Appeal for re-evaluation**

If a Complainant or Respondent feels that the action taken pursuant to the complaint of sexual harassment does not fully or properly deal with the allegations raised in the complaint, they can bring the same to the notice of the Committee, which would then re-evaluate it accordingly on receipt of such other evidence. An appeal for re-evaluation may be made within a period of seven days of the recommendations.

Additionally, if any party is not satisfied with the recommendation/ decision of the committee, he/she may appeal to the appellate authority in accordance with the act within 90 days of the recommendation being communicated.

**(g) Legal representation**

Neither the Complainant nor the Respondent will have the right to be represented by legal counsel at any stage of inquiry by the Committee.

**(h) Assistance during criminal proceedings**

If the Complainant desires to take criminal action against the Respondent, there shall be no objection by the Internal Committee and the Company. In such an event, the Company will attempt to provide all reasonable assistance to the Complainant. The Company may also choose to initiate criminal proceedings against the Respondent.

## **6. CORRECTIVE ACTION**

Where the Committee arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to the employer to take action which may include one or more of the following:

- Undergoing a counseling session
- A written warning to the Respondent and a copy of it maintained in the employee's file
- Change of work assignment/transfer for either the Respondent or the Complainant
- Written apology to the Complainant
- Verbal warning
- Reprimand or Censure
- Withholding of Promotion
- Withholding of pay rise or increments
- Termination of services of the employee found guilty of the offense
- Carrying out community service

## **7. INTERIM PROTECTION**

The Committee is empowered to issue certain interim orders during the pendency of the inquiry on the written request of the Complainant. This is to provide interim protection to the Complainant. These include:

- A transfer of the Complainant or of the Respondent to another workplace
- Grant of leave to the Complainant for a period up to three months
- Restraint on the Respondent from reporting on the work performance of the Complainant, or from writing their confidential report, and assigning the said task to another officer;
- Such other relief as may be prescribed in the applicable law

## **8. CONFIDENTIALITY**

The Company understands that it is difficult to come forward with a complaint of sexual harassment. To protect the interests of the Complainant, Respondent, and Witnesses, confidentiality will be maintained throughout any inquiry process to the extent practicable and appropriate under the circumstances.

The identities of the Complainant, the Respondent, and Witnesses involved with the process are kept confidential. Anyone (Witness, Committee Members, Respondent or Complainant) who breaches this clause is liable to be penalized with consequences ranging from a fine of five thousand rupees to additional disciplinary action.

## **9. ACCESS TO REPORTS AND DOCUMENTS**

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

## **10. FALSE OR MALICIOUS COMPLAINT**

In case the complaint is found to be intentionally false and malicious in nature, the Complainant is liable for appropriate disciplinary action. This is only in cases where the Complainant is aware while filing the complaint, that it is false.

These recommendations to be made by the Internal Committee will be similar to the recommendations of disciplinary action to be taken against the Respondent if she/he is found guilty of sexual harassment, as discussed in clause 6.

In cases where there is insufficient evidence to prove that harassment has taken place, the Committee would deem the complaint as not proven. It won't be judged as a false complaint and the Complainant will not be liable.

## **11. COMPENSATION**

The purpose of compensation is to put the Complainant in the same position as they were had the harassment had not occurred. It is the Respondent who shall be liable to make good the financial loss suffered by the Complainant and not the employer.

In addition to disciplinary action recommended, the Committee is empowered to recommend monetary compensation, factoring in the income and financial status of the Respondent, in the following cases:

- Mental trauma, pain, suffering, and emotional distress
- Loss in a career opportunity
- Medical expenses (physical and psychiatric)

The compensation amount will be paid in a lump sum or installments.

## **12. PROTECTION OF COMPLAINANT AND WITNESSES FROM RETALIATION**

The Company is committed to ensuring that no employee or witness who brings forward a harassment concern or testifies is subject to any form of retaliation.

Any employee who retaliates against an employee who has reported in good faith, a sexual harassment claim, will be subject to disciplinary action, which may include dismissal. Any reprisal will be considered as a separate case of harassment. Anyone who abuses this procedure (for example, by maliciously putting an allegation knowing it to be untrue) would also be subject to disciplinary action including dismissal from service.

In the event that the Complainant or any Witness of the Complainant is being supervised by the Respondent or any of their Witnesses, then such reporting assignments will be changed to the extent possible by the Company.

The Company will not victimize or discriminate against a Complainant or Witnesses while dealing with complaints of sexual harassment.

## **13. AMENDMENT**

The Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendments or rescinding will be intimated to the employee.

## **14. CONCLUSION**

**In conclusion, GTS TELECOM SERVICES(I) PRIVATE LIMITED reiterates its commitment to providing its employees with a workplace free from sexual harassment, where every employee is treated with dignity and respect.**

## ANNEXURE

The Internal Committee at **GTS TELECOM SERVICES(I) PRIVATE LIMITED, Mumbai** is as follows:

Name	Designation	Email Address
Pallavi Kudtarkar	Presiding Officer	<a href="mailto:posh@globeteleservices.com">posh@globeteleservices.com</a>
Sudip Chatterjee	Member	
Srishti Jani	Member	
Richa Bhargava	Member	
Leena Suryawanshi	Member	
Jyotsna Datar	External Member	<a href="mailto:jyotsna@demeterconsultants.in">jyotsna@demeterconsultants.in</a>

The Internal Committee at **GTS TELECOM SERVICES(I) PRIVATE LIMITED, Bhopal** is as follows:

Name	Designation	Email Address
Pallavi Kudtarkar	Presiding Officer	<a href="mailto:posh@globeteleservices.com">posh@globeteleservices.com</a>
Gaurav Gupta	Member	
Neelam Shukla	Member	
Richa Bhargava	Member	
Leena Suryawanshi	Member	
	External Member	<a href="mailto:jyotsna@demeterconsultants.in">jyotsna@demeterconsultants.in</a>

The Internal Committee at **GTS TELECOM SERVICES(I) PRIVATE LIMITED, Gurugram** is as follows:

Name	Designation	Email Address
Pallavi Kudtarkar	Presiding Officer	<a href="mailto:posh@globeteleservices.com">posh@globeteleservices.com</a>
Himanshu	Member	
Marwah	Member	
Neha Sharma	Member	
Richa Bhargava	Member	
Leena	Member	
Suryawanshi		
Jyotsna Datar	External Member	<a href="mailto:jyotsna@demeterconsultants.in">jyotsna@demeterconsultants.in</a>

## **DO'S AND DON'TS**

### **DO's**

If you have faced sexual harassment in the workplace we advise you to,

1. Keep a record of incidents (date, times, locations, possible witnesses, what happened, your response, etc.). While the committee understands if you do not have a record of the same, a record of any details can strengthen your case and help you remember details over time.
2. Report incidents of workplace harassment as soon as possible after the incident occurs, as it aids in better recall of the incident and helps the Committee better ensure the employee's safety.

### **DON'Ts**

Our company is committed to the safety and well being of all those associated with us. To ensure that the workplace is safe we would like to list the behaviors we expect employee and associates to avoid :

1. Eve teasing;
2. Unwelcome sexual advances or propositions, whether they involve physical touching or not;
3. Comments on personal appearance and individual's body;
4. Sexual comments, innuendoes, gestures, and suggestive or insulting comments;
5. Use of lewd, foul, off-color, sexually-oriented language or "dirty" jokes with sexual implications;

6. Sexual epithets, written or oral references to sexual conduct, gossip regarding one's sex and personal life;
7. Comments about an individual's sexual activity, deficiencies, or prowess;
8. Leering or staring at another's body and/or sexually suggestive gesturing;
9. Whistling, touching, stroking someone's hair, brushing against another's body, pinching, patting, rubbing; grabbing, groping, kissing or fondling another person;
10. Displaying sexually suggestive or explicit objects, posters, pictures, photographs, calendars, cartoons, screen savers or one's own body parts;
11. Sitting in an obscene manner;
12. Direct or implied inquiries into one's sexual experiences;
13. The transmission of a sexually offensive email, voicemail, or instant or text messages;
14. Unwelcome repeated requests for dates or outings;
15. Gender-based insults or sexist remarks;
16. Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like such as prank calls, leaving lewd messages on answering machines, SMS, email, or by any other means;
17. Forcible physical touch or molestation and physical confinement against one's will;
18. Other behavior or acts that make the workplace intimidating
19. Gender stereotyping (for example, women only come late and leave early, or women don't do their work properly, etc.