

HARIOM PIPE INDUSTRIES LIMITED

SEXUAL HARASSMENT POLICY

**POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE
(POSH POLICY)**

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1. OBJECTIVE:

HARIOM PIPE INDUSTRIES LIMITED (“the Company” or “HARIOM”) is committed to create a secure work environment where all its stake holders such as Employees, Agents, Vendors and Partners can work and pursue business in an atmosphere free from any sexual harassment, exploitation and intimidation.

HARIOM values each and every employee working with them and committed to protect their dignity and self-respect. Further, HARIOM is determined to maintain personal dignity; promote a working environment where both genders complement each other as equals and to strive for maximum productivity.

The objective of this policy is to provide protection against Sexual Harassment at workplace.

2. SCOPE:

The Policy on “Prevention of Sexual Harassment” (POSH Policy) is applicable to all categories of employees of the HARIOM, including permanent employees, regular, temporary, ad hoc employees, individuals engaged on a daily wage basis, either directly or through an agent, contract labour, co-workers, probationers, trainees and apprentices or any person called by any other name or designation, including individuals working in honorary, on deputation, retainership or in consultancy capacity whether working in its offices, manufacturing sites or branch offices located across India and outside.

Sexual Harassment shall be irrespective of sex, between same sex or opposite sex. Sexual Harassment is judged by the impact on the complainant and not the intent of the Respondent.

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.

3. DEFINITIONS:

- 3.1. “**Act**” means “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and any amendment thereto;
- 3.2. “**Aggrieved Person**” means a person in relation to work place whether employed or not who alleges to have been subject to any act of Sexual Harassment by the Respondent;
- 3.3. “**Company**” means Hariom Pipe Industries Limited, in short ‘HARIOM’;
- 3.4. “**Complainant**” means any aggrieved person who makes a complaint alleging sexual harassment under this policy;

- 3.5. **"Employee"** means 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 whether the terms of employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;
- 3.6. **"Employer"** means a person responsible for management, supervision and control of the workplace;
- 3.7. **"Internal Complaints Committee"** means a committee constituted by the HARIOM as per the provisions of the Act;
- 3.8. **"Respondent"** means the person against whom the allegation of Sexual Harassment has been made by the aggrieved person;
- 3.9. **"Sexual harassment"** includes one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- (i) Physical contact and advances; or
- (ii) a demand or request for sexual favours; or
- (iii) making sexually coloured remarks; or
- (iv) showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets, or sayings; or
- (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

In addition, the following acts 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:

- (i) implied or explicit promise of preferential treatment in the employment;
- (ii) implied or explicit threat of detrimental treatment in the behaviour;
- (iii) implied or explicit threat about their present or future employment status;
- (iv) interfering with their work or intimidating or offensive or hostile work environment;
- (v) humiliating treatment likely to affect the health and safety of the aggrieved person;
- (vi) any other acts or behaviour, any reasonable person views as such.

- 3.10. **"Workplace"** includes all Company premises and shall include any place visited by the employee in the course of employment including transportation provided by the employer for undertaking such journey.

4. **PREVENTIVE ACTION:**

HARIOM is committed to take reasonable steps to ensure prevent sexual harassment in the workplace. This includes circulating applicable policies and other relevant information to all employees, including new joiners. Ensuring a safe and respectful working environment is the priority of HARIOM and HARIOM will continuously work towards maintaining and enhancing these standards.

5. INTERNAL COMPLAINTS COMMITTEE:

As per the POSH Act, the Committee shall be comprised of:

- (i) A Presiding Officer, who shall be a woman employed at a senior level at workplace from amongst the employees. In case of non-availability of senior level woman employee, the Presiding Officer shall be nominated from administrative units of the work place;
- (ii) Not less than two (2) Members from amongst employees of HARIOM, preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- (iii) 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.
- (iv) At least one-half (50%) of the total members so nominated shall be women.

To inquire and advice suitable action on the complaints on Sexual Harassment, HARIOM has constituted a Committee called as “Internal Complaints Committee” (‘ICC’).

The Internal Complaints Committee is responsible for:

- (i) Prevention, Prohibition and Redressal;
- (ii) Receiving complaints of sexual harassment at the workplace;
- (iii) Initiating and conducting inquiry as per the established procedure;
- (iv) Submitting findings and recommendations of inquiries;
- (v) Coordinating with the employer in implementing appropriate action;
- (vi) Maintaining strict confidentiality throughout the process as per established guidelines;
- (vii) Create Awareness;
- (viii) Submitting annual reports in the prescribed format.

Every complaint received shall be forwarded to the ICC for investigation, inquiry. Besides, handling complaints on sexual harassment, the committee will also co-ordinate to create a sexual harassment free atmosphere.

The committee members on need basis will be provided with necessary training to handle such matters effectively and with the required sensitivity and concern.

6. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

HARIOM is committed to fostering a supportive environment where concerns of sexual harassment can be addressed and resolved effectively. This commitment includes implementing comprehensive policies, providing clear reporting mechanisms, ensuring prompt and thorough investigations, and protecting the rights and dignity of all individuals involved throughout the process.

Every complaint received shall be forwarded to ICC formed under the policy for redressal of sexual harassment. The investigation shall be carried out by ICC constituted for this purpose. If any employee believes that he/she has been subjected to sexual harassment, such person may file a complaint in writing with any member of the ICC or send mail to “HR Head at HARIOM”, within 3 months from the date of incident and in case of a series of incidents, within a period of

3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the ICC, for reasons to be recorded in writing.

On receipt of complaint, the ICC shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The ICC shall follow principles of Natural Justice while handling such complaints.

Where the aggrieved person is unable to make a complaint on account of their physical, mental incapacity, a complaint may be filed by a) a relative or friend; or b) a co-worker; c) a special educator' or d) a qualified psychiatrist or psychologist; or e) the guardian or authority under whose care they are receiving treatment or care; or f) any person who has knowledge of the incident jointly with any of the above.

Where the aggrieved person is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.

The committee will ensure confidentiality during the inquiry process and will ensure that in the course of investigating a complaint: Both parties will be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents.

On receipt of any complaint, ICC shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days. Respondent shall file a reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses.

ICC shall investigate in detail into the matter of the complaint. The ICC shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary and prepare an enquiry report with recommendations within three weeks of the complaint being filed.

ICC shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause, provided that such termination or ex-parte Order may not be passed without giving 15 days' notice in writing, to the concerned party. The ICC must complete its investigation within a period of 90 days from the date of complaint.

The ICC may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation. However, ICC shall ensure that:

- a) Monetary settlement will not be made as a basis of conciliation.
- b) Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.

Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the ICC.

The ICC may during such investigation exercise the power of a civil court, vested in it, in respect of:

- (a) summoning and enforcing the attendance of any person and examining him under oath;
- (b) requiring discovery and production of documents;
- (c) any other prescribed matter.

During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:

- (a) to transfer the aggrieved person or the respondent to any other workplace;
- (b) grant leave to the aggrieved person of up to three months which is in addition to leave to which she is otherwise entitled.

Provided, the aggrieved person has to tender justified reason for such transfer or leave, such as threat to work in the workplace.

Upon completion of the investigation, both parties will be informed of the results of investigation.

Once the investigation is completed, validity of the harassment allegations need to be checked. If it is determined that the harassment occurred, prompt remedial action will be taken. The committee will share the investigation details with HR and recommend the disciplinary action.

HR will take appropriate disciplinary action, up to and including termination against the accused. If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, or if such complaint is proved to be false or malicious, it shall recommend taking action for sexual harassment as misconduct, as per the following punishment matrix:

Penalty Matrix	Disciplinary action
Minor	Warning, reprimand, written apology to the complainant
Moderate	Withholding of promotions / increments, Rescinding of bonus, Carrying out community service, Transfer from location
Stringent	Compensation or deduction from the salary/wages of the respondent or; Issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may determine; Suspension, termination/ dismissal from employment; Legal action under the Criminal Code.

The anti-sexual harassment policy shall not, however be used to raise malicious complaints. If a complaint has been made in bad faith, or false or forged or misleading documents, as demonstrated by clear and convincing evidence, disciplinary action which may include, termination will be taken against the person who raised the complaint. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the ICC concludes, that he/she has given false evidence or produced forged or misleading documents.

It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. HARIOM recognizes and expects that some claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

7. MISCELLANEOUS:

- 7.1. Company with the approval of Management 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.
- 7.2. Any such alterations or amendment or rescinding will be intimated to the employee.
- 7.3. Nothing contained in policy shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.
- 7.4. The ICC shall prepare an annual report with the following details and shall submit the same to the Company to include in its Annual report:
 - (a) Number of complaints of sexual harassment received during the year;
 - (b) Number of complaints disposed off during the year;
 - (c) Number of cases pending for more than 90 days;
 - (d) Number of workshops or awareness program against sexual harassment carried out;
 - (e) Nature of action taken by the employer.
- 7.5. The above Annual Report should be reviewed by the Human Resources Department and shall be submitted before the end of a financial year to the Senior Management of the Company.

8. CONCLUSION:

- 8.1. Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behaviour. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.
- 8.2. The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.
- 8.3. The decision of the Committee shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

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:

HARIOM is committed to ensuring that no employee who raises a harassment concern will face any form of reprisal. Any act of reprisal will result in disciplinary action. HARIOM will also ensure that victims or witnesses are not victimized or discriminated against during the handling of sexual harassment complaints.

However, any individual who misuses this procedure by making a knowingly false allegation will be subject to disciplinary action.

12. AWARENESS:

- 12.1. All the Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy.
- 12.2. An awareness program shall be conducted among the employees on the Policy & formation of ICC.
- 12.3. The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at work place.
- 12.4. Company shall display the notice showing the name of the ICC members suitably.
- 12.5. Company shall make a declaration regarding the Policy on sexual harassment every year in the annual report.