

Policy on Prevention of Sexual Harassment at workplace

Purpose

Kemp & Company Ltd (hereinafter referred to as “the Company”), is committed to provide a safe and conducive work environment for all its employees. Towards this it is essential that each employee deals with their colleagues and third parties with full fairness and respect and realizes that his/her behaviour will be attributed to the company and can affect its reputation. Under the corporate compliance, harassment of any kind including sexual harassment is forbidden. Every employee has the right to be protected against harassment, regardless of whether the accused considers his or her own behaviour to be normal or acceptable and of whether the harassed person has the opportunity to avoid the harassment. Kemp & Company Ltd is committed to providing a work environment free of sexual harassment. Sexual harassment is a form of workplace harassment of a sexual nature that affects the dignity of men and women at work. Sexual harassment results in violation of fundamental rights of a woman to equality, right to life and live with dignity as provided under the Constitution of India.

The policy on Prevention of Sexual Harassment at workplace – 2014 has been formed to prohibit, prevent or deter the commission of acts of sexual harassment at workplace and to provide the procedure for the redressal of complaints pertaining to sexual harassment.

Applicability & Scope

This policy is applicable to all employees of Kemp & Company Limited, including contract, probationer, trainee or apprentice. An alleged act of sexual harassment, whether the incident has occurred during or beyond office hours within the Company’s premises. This Policy has been revised to align itself with the Sexual Harassment of Woman at Workplace (Prevention, Prohibition & Redressal) Act, 2013 (hereinafter referred to as “the Act”) and the Sexual Harassment of Woman at Workplace (Prevention, Prohibition & Redressal) Rules, 2013 (hereinafter referred to as “the Rules”).

Effective Date

This policy is revised as on 1st April 2015 and may be reviewed periodically.

Important Definitions

Some of the important term used in this Policy shall have the following meaning which is aligned as per the Act and reproduced below.

1. **Workplace** – Workplace means all branch offices, representatives offices, manufacturing plants, retail stores whether located in India or abroad, corporate office and registered office of Kemp & Company Limited.

2. **Employee** – Employee includes a person employed at a workplace for any work on regular, temporary, probationer, trainee, ad hoc, daily wage basis, including through a contractor and also includes an apprentice.
3. **Sexual Harassment** – Sexual harassment includes the following unwelcome acts or behavior (whether directly or by implication) namely:--
 - (a) physical contact and advances; or
 - (b) a demand or request for sexual favours; or
 - (c) making sexually coloured remarks; or
 - (d) showing pornography; or
 - (e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature. [Section 2(n)]
4. **Aggrieved Woman** – Aggrieved Woman in relation to a workplace means a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent. [Section 2(a)]

Responsibilities

All individuals must follow this Policy and the Human Resource and Administration Department at the respective location shall coordinate for effective implementation of this Policy.

Policy Framework

None of the employees of the Company shall indulge into any activities at workplace involving sexual harassment whether directly or indirectly in any manner and under any mode whatsoever.

As defined under Section 2(n) of the Act, Sexual Harassment includes such unwelcome sexually determined behavior, as physical contacts and advances, sexually colored remarks, showing pornography and sexual demands whether by words, gestures or actions. Such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory when the complainant has reasonable grounds to believe that his or her objection would disadvantage them in connection with employment, including recruiting or promotion or when it creates a hostile working environment.

Sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as:

- (a) Physical contact and advances;
- (b) A demand or request for sexual favours;
- (c) Sexually coloured remarks;
- (d) Showing pornography;
- (e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

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 favours 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-employee or supervisor creates a work environment through verbal or physical conduct that interferes with another co-employee'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-employees.

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

If any employee is being harassed:

- (a) Inform the accused that his / her behaviour is unwelcome and ask him/her to stop.
- (b) Keep a record of incidents (dates, times, locations, possible witness, what happened, your response). It is not mandatory to have a record of events to file a complaint, however, a record can strengthen your case and help you remember the details over time, in case the complaint is not filed immediately.
- (c) File a complaint as soon as possible. If, after asking the accused to stop his / her behaviour, the harassment continues, report the abuse to the Complaints Committee formed for this purpose.

The Complaints Committee :

A Complaints Committee has been formed consisting of the following:

Sr. No.	Name	Role	Contact Details
1.	Ms. Shalini Piramal Managing Director	Chairperson	+91-22-6653 9000
2.	Mr. Sunil Gupta Chief Financial Officer	Member	
3.	Mr. Kunal Chhatwani Company Secretary	Member	
4.	Ms. Jayshree Thombre	Member	

Complaint Handling:

- It is the obligation of all the employees to report sexual harassment experienced by them personally. A concerned Co – employee may also inform the Complaints Committee of any instance or behavior of sexual harassment by co employee towards another employee.
- The concerned employee shall give his/her complaint in writing to the Chairperson of the Committee giving details of the incident within a week of its occurrence.
- Once the complaint is received, it will be kept strictly confidential.
- The person accused will be informed that a complaint has been filed against him/her and no unfair acts of retaliation or unethical action will be tolerated.
- The Committee shall ensure that a fair and just investigation is undertaken immediately.

- Both the complainant and the alleged accused initially will be questioned separately with a view to ascertain the veracity of their contentions. If required, the person who has been named as a witness will need to provide the necessary information to assist in resolving the matter satisfactorily.
- The complainant and the accused shall be informed of the outcome of the investigation. The investigation shall be completed within 90 days of the receipt of the complaint. If the investigation reveals that the complainant has been sexually harassed as claimed, the accused will undergo the disciplinary actions as prescribed in this policy.
- The victim of sexual harassment has the option to seek transfer of the accused or his/her own transfer.
- Decision of the Complaints' Committee shall be final and binding on the employees concerned.

Disciplinary Action:

Where any misconduct is found by the Committee, appropriate disciplinary action shall be taken against the accused. Disciplinary action may include transfer, withholding promotion, suspension or even dismissal or any other action as may deem fit by the Committee. This action shall be in addition to any legal recourse sought by the complainant.

Confidentiality:

All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.

Protection against retaliation:

Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the Committee shall ensure that the Complainant or the witness are not victimized or discriminated again by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the accused against the complainant while the investigation is in progress should be reported by the complainant to the Complaints Committee as soon as possible. Disciplinary action will be taken by the Complaints Committee against any such complaints which are found genuine.

Documentation:

The Committee shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof. The incident would be documented in both the complainant's and the accused files with the full report of the Complaints Committee.

Dissemination of the Policy:

A copy of this Policy shall be given to all employees and to all new joiners and they shall sign a statement acknowledging that they have received, read, understood and will abide by the Policy.

Complaints made with a malicious intent :

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, the Company's employees have a forum to approach in the event of instances of sexual

harassment. However, if upon conclusion of the investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing his/her image in the company and to settle personal/professional scores, strict action may be taken against the complainant. The employees who are victims of sexual harassment may, in addition to the above, seek legal remedies as may be provided under various laws for the time being in force.

Annexure

Location wise ICC details

In case of any clarification, please contact the Corporate HR Department.

■ HR Policy Manual – Standard Terms ■

- **Authority:** Kemp & Company Limited, Human Resources Department shall be responsible to formulate / amend / deploy / exercise discretion.
- **Interpretation:** The Human Resources Department is responsible for official interpretation of this policy in consultation with management
- **Policy Rights:** Kemp & Company Limited reserves the right to amend or withdraw the policy at anytime without any notice.