GUIDELINE ON **PREVENTION, PROHIBITION AND REDRESSAL**

OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE

GUJARAT FLUOROCHEMICALS
VALUE THROUGH GREEN CHEMISTRY
An INOXGFL Group

GUIDELINE NO HR/49

This Policy is applicable to all the Employees of the Company that means Gujarat Fluorochemicals Limited and its subsidiaries is deemed t o be incorporated in the service conditions of all employees and comes into effect immediately.

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01. OBJECTIVE

To maintain a positive climate and a safe work environment at workplace in which individuals can work in an atmosphere without fear of prejudice, gender bias, coercion and intimidation. Sexual harassment is destructive of such environment and the Company has zero tolerance for sexual harassment and therefore, laid down a policy and procedure to deal with the sexual harassment complaints as provided in this Guideline following the provisions of THE SEXUAL HARRASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013 read with Rules framed there under, the Company has formatted this Policy to redress a Complaint filed by any of its Woman Employee for Sexual Harassment and for matters connected therewith or incidental thereto and also to provide protection against Sexual Harassment to her at Workplace.

02. SCOPE AND EFFECTIVE DATE

This Policy is applicable to all the Employees of the Company [that means Gujarat Fluorochemicals Limited and its subsidiaries is deemed to be incorporated in the service conditions of all employees and comes into effect immediately. Sexual Harassment is an offence and any complaint of sexual harassment will be dealt with as provided hereinafter under this Policy.

03. DEFINTION

1. **Aggrieved Woman**

Aggrieved Woman means in relation to a workplace, a woman of any age, employed in the Company directly or through contractor who alleges to have been subject to any act of sexual harassment by the respondent .

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2. **Employee**

Employee means a person employed at any workplace of the Company for any work on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent, including contractor, with or, without knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

3. **Complaint**

Any complaint in writing made by the Aggrieved Woman Employee or any other person on her behalf relating to Sexual harassment.

4. **Sexual Harassment**

Sexual harassment includes any one or more "unwelcome" acts or behaviour (whether directly or by implication) towards any Woman Employee namely:

- Physical contact and advances; or
- Demand or request for sexual favours; or
- Making sexually coloured remarks; or
- Showing pornography; or
- 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 behaviour of sexual harassment as defined above may amount to sexual harassment:

- Implied or explicit promise of preferential treatment in her employment; or
- Implied or explicit threat of detrimental treatment in her employment; or
- Implied or explicit threat about her present or future employment status; or
- Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- Humiliating treatment likely to affect her health or safety.

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5. **Complaints Committee**

A Committee named Internal Complaints Committee has been constituted by the Management to consider and redress complaints of any aggrieved woman employee for her Sexual Harassment.

Please refer ANNEXURE 1 for the Constituents of Internal Complaints Committee (ICC).

04. COMPLAINT MECHANISM

1. **<u>The Aggrieved Woman Employee or any other person with the consent of the Aggrieved Woman Employee may</u>**

- Report to any member of Internal Complaints Committee (ICC) and make a Complaint on sexual harassment in writing or by an email on complaint@gfl.co.in. Complainant shall submit to Internal Complaints Committee (ICC) six copies of Complaint along with supporting documents and names and addresses of witnesses. On receipt of Complaint, Internal Complaints Committee (ICC) shall send one of the copies of compliant received from complainant to the respondent within a period for seven working days. The respondent shall file his reply to the Complaint along with his list of documents, names and address of witnesses within a period not exceeding ten working days from the date of receipt of document to Internal Complaints Committee (ICC).

- In case the Complainant is not in a position to report her Complaint in writing to any member of Internal Complaints Committee (ICC) then the presiding officer or any member of the ICC will render all reasonable assistance to the Aggrieved Woman Employee to make the complaint in writing.

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- A Complaint can be made within 3 (three) months of the date of incident of Sexual Harassment in writing to any member of Internal Complaints Committee (ICC).
- The ICC, for reasons to be recorded in writing, may extend the time for making a Complaint to a further period of 3 (three) months from the date of incident.
- Where the Aggrieved Woman Employee is unable to make a Complaint on account of her physical or mental incapacity or death or for any other reason to Internal Complaints Committee (ICC), her legal heir or such other person authorized under law may make a Complaint in writing to Internal Complaints Committee (ICC).
- All complaints on sexual harassment shall be forwarded to the Management.

2. **Preliminary Inquiry, Conciliation and Settlement**

- **Within 2 (two) working days of receipt of the Complaint, the Internal Complaints Committee (ICC) shall meet to examine the Complaint**
- The Internal Complaints Committee (ICC) shall take steps to settle the matter between the complainant and the respondent by conciliation. No monetary settlement shall be made as a basis of Conciliation.
- Where a settlement has been arrived at between the complainant and the respondent, the Internal Complaints Committee (ICC) shall record the settlement and forward a copy of the settlement along with its recommendation to the Company. The Company shall implement such recommendation of the Internal Complaints Committee (ICC) and send a report of implementation to the Internal Complaints Committee (ICC) within 15 (fifteen) days.
- A copy of the settlement shall also be provided to the complainant and the respondent.

05. PROCESS OF INQUIRY

- In case no settlement is arrived in between the complainant and respondent or the terms of settlement have not been complied with by the respondent, the Internal Complaints Committee (ICC) shall proceed with the inquiry in the matter of Compliant in accordance with the service rules applicable to the respondent.

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- The Internal Complaints Committee (ICC) shall have the powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of following matters:

  • Summoning and enforcing the attendance of any person and examining him / her on oath;

  • Requiring the discovery and production of documents

- The Internal Complaints Committee (ICC) shall give an opportunity to complainant and respondent of being heard and make representations before the Internal Complaints Committee (ICC)

- The Internal Complaints Committee (ICC) shall complete the inquiry within 90 (ninety) days and shall submit a report of its findings to the Company within 10 (ten) days thereafter. The report of findings shall also be shared with the complainant and the respondent.

06. INTERIM RELIEFS

For Sexual Harassment Complaints by the Aggrieved Woman Employee:

1. During the pendency of inquiry and on a request in writing made by the Aggrieved Woman Employee, the Internal Complaints Committee (ICC) may make any of the following recommendations to the Company –

   • Transfer the complainant or the respondent to another location; or

   • Grant leave to the complainant up to a period of 3 (three) months. The leave so granted shall be in addition to the leave the complainant would otherwise entitled

   • Grant any other relief to the complainant specified in the Rules made under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013

2. Company shall implement such recommendation of the Internal Complaints Committee (ICC) and send a report of implementation to the Internal Complaints Committee (ICC) within 7 (seven) days

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07. FINDINGS OF THE COMMITTEE AND ACTION REQUIRED

For Sexual Harassment Complaints by the Aggrieved Woman Employee

1. Where the Internal Complaints Committee (ICC) arrives at a conclusion that the allegations against the respondent have not been proved, it shall recommend to the Management that no action is required to be taken against the respondent.

2. In case the Internal Complaints Committee (ICC) comes to a finding that the allegation was false or malicious or the complainant has produced forged documents as evidence it shall conduct an inquiry against the complainant / witness and may recommend to the Management the action to be taken against the complainant / witness. The Company shall implement the decision of the Internal Complaints Committee (ICC) and will send a report of the implementation to the Internal Complaints Committee (ICC).

3. In case the Internal Complaints Committee (ICC) comes to a finding that the allegation against the respondent has been proved, it shall recommend to the Management.

   A. To take action for Sexual Harassment as misconduct as it deems appropriate in accordance with the service rules applicable to the respondent, appropriate action against the respondent for such misconduct would include reprimand, written apology and / or termination of services without notice. The respondent will not be entitled to any compensation for the notice period.

   B. To deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary / wages of the respondent such compensation as determined by it to be paid to the Aggrieved Woman Employee/ complainant or her legal heir or direct the respondent to pay the amount. The compensation shall be determined by the Internal Complaints Committee (ICC) keeping in mind the following:

   i. Mental trauma, pain, suffering and emotional distress caused to the Aggrieved Employee
   ii. Loss to career opportunity due to the incident of Sexual Harassment
   iii. Medical expenses incurred by the Aggrieved Employee for physical or psychiatric treatment
   iv. Income and financial status of the respondent
   v. Feasibility of such payment in lump sum or in instalments

4. The Management shall act upon the recommendations made by the Internal Complaints Committee (ICC) within 60 (sixty) days of receipt.

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5. In case the Management is unable to make such deduction from the respondent's salary / wages due to his being absent from duty or cessation of employment, it may direct the respondent to pay such compensation to the Aggrieved Woman Employee.

6. In case the respondent fails to make the payment as directed by the Management then the Internal Complaints Committee (ICC) may forward the order for recovery of sum as an arrear of land revenue to the concerned District Officer.

7. The Management shall take a final decision on the recommendation

8. Any person aggrieved by the decision of the Internal Complaints Committee (ICC) or the non implementation of the Internal Complaints Committee's recommendations by the Management may prefer an appeal within 90 (ninety) days of such decision as prescribed in the Rules under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressed) Act, 2013.

08. CONFIDENTIALITY

1. All parties concerned shall maintain strict confidentiality in respect of all aspects of the complaints including but not limited to the contents of a complaint, the identity and addresses of the complainant, respondent and witnesses, recommendations of the committee and the action taken by the Company. Such action shall not be published or made known or disseminated in any form either privately or in any public media.

2. Any breach of the confidentiality provision by any person shall be liable to penalty.

09. COMMUNICATION STRATEGY

1. **All members are required to abide by this policy.**

2. **Training regarding Policy against Sexual Harassment shall be designed and all members including the members of the Complaint Committee (Annexure I - Internal Complaints Committee) will be required to undergo such training. The training program will contain:**

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- Understanding the definition of sexual harassment
- Gender sensitization
- Do's and don'ts - General Guidelines in terms of use of language and code of conduct
- Examples and case studies
- Discussion on appropriate behaviour
- Complaint Mechanism
- Complaints Committee (Internal Complaints Committee)

10. DUTIES

1. The Company shall provide necessary facilities to the Internal Complaints Committee (ICC) for dealing with complaints and conducting an inquiry.
2. The Company shall assist in securing the attendance of the respondent and the witnesses before the Internal Complaints Committee (ICC).
3. Provide assistance to the Aggrieved Woman Employee in cases of sexual harassment if she chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.
4. The Company shall monitor the timely submission of annual reports by Internal Complaints Committee (ICC) to the Company and the District Officer.

11. POWER TO AMEND

Any change of the guideline shall be approved by the Head – Group Corporate HR.

The management shall have the overriding right to withdraw and / or amend the guideline at its own discretion as it deems fit from time to time. The decision of the management shall be final and binding.

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