

# Evolve To Excel

## Anti-Sexual Harrassment Policy

Owner	Secretary- ICC
Approver	Presiding Officer - ICC
Organization	Quick Heal Technologies Ltd.
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1-Jul-12	VP – HR	1.0	1.0	All	Baseline	All
01 <sup>st</sup> April, 2013	VP – HR	1.0	1.1	All	Review of Policy Document	Updated to match the current organizational change
1-April-14	VP – HR	1.0	1.2	All	Review of Policy Document	Updated to match the current organizational change
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1-Sep-17	GM – HR	1.0	1.5	Pg. No. 5	Change in Internal complaint Committee	Change in Internal complaint Committee
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8 <sup>th</sup> Dec 2022	Compliance Officer	2.0	2.0	Page 1	Change of Approver	Approver changed to HR Head
12 <sup>th</sup> Dec, 2023	Secretary- ICC	2.1	2.1	Page 1 & Page 5	Change of Owner and Change in Working Committee	Owner changed to ICC Secretary & changes in working committee

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## **Purpose & Objective**

Sexual harassment at the work place if involving employees is a grave offence under law and is, therefore, punishable. The Sexual harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013,<sup>1</sup> is a law that mandates companies to undertake measures for its prevention and prohibition, and constitute Internal Complaints Committee for redressal of such complaints.

The company in upholding zero tolerance for sexual harassment at workplace, incorporates the mandates laid down by this Act in this Policy. The Company prohibits sexual harassment in any form and expects all employees to read and understand this policy and abide by it.

## **Definition**

Quick Heal is committed towards zero tolerance for any form of sexual harassment. It undertakes to promote healthy & conducive work atmosphere that encourages all associates for mutual respect, congenial relationship and equality amongst it employees/associates and believes that each one has the right to be treated with dignity.

Sexual Harassment is a form of discrimination which includes a range of behavior from seemingly mild transgressions and annoyances, to more severe forms of sexual abuse or sexual assault, and is strictly prohibited.

Through this policy formulated by the Management of Quick Heal Technologies Ltd. prohibits and undertakes to prevent and redress Sexual Harassment at work place.

**1.0 Scope & Effective date:** This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees. **The Policy has come into effect since 1st August 2014.** It has been modified keeping in mind the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013, and comes into effect from this date.

**2.0 “Employee”** “Employee” means any person associated with the Company including those on deputation, contract, probation, temporary, part time, adhoc or daily wage basis or working as consultants, employed either directly or through an

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<sup>1</sup>The Sexual harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 is based on the Supreme Court guidelines in the ‘Vishaka Judgement’.

agent or contractor, whether employed with or without the knowledge of the Management or person/s responsible for the management, supervision and control of the Company.

A trainee, apprentice and volunteer working with the company whether being paid or not is also considered an “employee” for the purpose of this policy. employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

**What is a workplace?** “Work place” means the office of the Company and its branches across India. It would also include any place visited by the employee arising out of or during the course of employment, including transportation provided by the company for undertaking the journey.

**“Management”** Management includes “Board of Directors” responsible for formulation and administration of policies of an organization.

### **3.0 Sexual Harassment would mean and include any of the following:**

- Physical contact
- A demand or request for sexual favors
- Sexually Colored remarks
- Showing pornography
- Any other physical, verbal or non-verbal conduct of a sexual nature.

#### **Sexual Harassment takes place if an employee;**

**3.01** Makes unwelcome sexual advances, requests or demand for sexual favors, either explicitly or implicitly, in return of employment, promotion, examination or evaluation of a person towards any company activity; implied or explicit threat about her present or future employment status;

**E.g.** Promises about promoting as a team leader, project lead or any higher position, posting or transfer to desired state or city or location, overseas or national official tours, important conferences or meet participation, shift placing, good increment, assurance about job guarantee to non-performer or those who are under PIP or notice period, favor to candidate being as a panel member of Interview Committee, in return of sexual benefit. If a supervisor requests sexual favors from a junior in return for promotion or other benefits or threatens to sack for non-cooperation.

**3.02** Inviting for dinner, lunch or any public or private places alone with appealing gestures of sexual benefit.

**3.03** Subjects another employee to an unwelcome act of physical intimacy, like grabbing, brushing, touching, pinching ,intentionally shaking hands, asking to sit very close to him or her with etc.

**3.04** Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually Colored remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance;

**E.g.** Shows a person any sexually explicit visual material, in the form of pictures/cartoons/pin-ups/calendars/screen savers on computers/any offensive written material/pornographic e-mails, engages in any other unwelcome conduct of a sexual nature, which could be verbal, or even non-verbal, like staring to make the other person uncomfortable, making offensive gestures, kissing sounds, missed calls, non-veg SMS, looking at personal parts which makes it uncomfortable to work with him/ her.

**3.05** Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;

**E.g.** A boss to make intrusive inquiries into the private life of employees, or persistently ask them out, talk about husband wife relationship intentionally, taking advantage of personal information for sexual benefit.

**3.06** Act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex;

**E.g.** On denying the sexual favors forcing to work late , making situations difficult to work with, humiliating publicly on purpose, spreading rumors to other employees about fidelity & compelling towards sexual relationship.

**3.07** Conduct of such an act at work place or outside in relation to an Employee of Quick Heal , or vice versa during the course of employment;

**3.08** Any unwelcome gesture by an employee having sexual overtones.

**E.g.** Whistle, dedicating sexual connotations songs etc.

**3.09** Humiliating treatment likely to affect his/her health or safety

#### **4.0 Internal Committee:**

A Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Presiding officer and Members of the Committee are as follows:

Netra Deshpande	Presiding Officer	<a href="mailto:netra.despande@quickheal.com">netra.despande@quickheal.com</a>	020-66813232
Abhishek Sikchi	Secretary	<a href="mailto:abhishek.sikchi@quickheal.com">abhishek.sikchi@quickheal.com</a>	
Anupama Katkar	Member	<a href="mailto:anupama@quickheal.co.in">anupama@quickheal.co.in</a>	
Sudhanshu Tripathi	Member	<a href="mailto:Sudhanshu.tripathi@quickheal.com">Sudhanshu.tripathi@quickheal.com</a>	
Merley Mathew	Member	<a href="mailto:merley.mathew@quickheal.com">merley.mathew@quickheal.com</a>	
Sopan Jagtap	Member	<a href="mailto:Sopan.jagtap@quickheal.com">Sopan.jagtap@quickheal.com</a>	
Prasanna Invally	NGO Member	<a href="mailto:prasanna.peace@gmail.com">prasanna.peace@gmail.com</a>	

If you are an employee, associate or visitor at Quick Heal and you face sexual harassment you may approach any member of the Committee or register your complaint at [asha@quickheal.co.in](mailto:asha@quickheal.co.in)

#### **The Committee assures strict confidentiality**

Each member would hold office for three years from the date of their nomination. A quorum of 3 members is required to be present while conducting inquiry into a complaint. The quorum would include the Presiding officer and at least two members, one of whom would be a woman member.

### **5.0 PROCEDURE FOR MAKING A COMPLAINT TO THE INTERNAL COMMITTEE**

**5.01** Any woman employee who feels and is being sexually harassed directly or indirectly may submit a written complaint of the alleged incident to any member of the Committee in writing within three months of occurrence of the particular incident or the last incident, in case she has faced a series of incidents. The Committee can extend the time limit to another three months under certain circumstances and the reasons for allowing this extension would be recorded in writing.

Where an aggrieved employee is unable to make a complaint on account of physical incapacity or mental incapacity a complaint may be filed by;

- His/Her relative or friend or;
- A special educator or;
- A qualified psychiatrist or psychologist or;
- The guardian or authority under whose care an aggrieved employee is receiving treatment or care or;
- Any person who has knowledge of the incident with the written consent of an aggrieved employee or;
- Any person who has knowledge of the incident jointly with any one of the above along with the aggrieved employee.
- Any bystander of the incident who has directly or indirectly witnessed the incident.

**5.02** The complaint can also be sent via a digitally signed electronic mail at [asha@quickheal.co.in](mailto:asha@quickheal.co.in) however it will have to be subsequently submitted as hard copy and with the original signature of the complainant.

**5.03** An aggrieved woman who may not be an 'employee' but has alleged to have been sexually harassed by an employee of the Company at the workplace may also submit a complaint in writing to the Committee. Time limits as stated above will apply.

**5.04** In case for some reason the aggrieved woman cannot give it in writing, the Presiding Officer or any member of the Internal Committee would refer her to a person who would assist her to make the complaint in writing(refer 5.01).

**5.05** The Committee will maintain a register that assigns identification numbers to the complaints received, notes the date of receipt of complaints and tracks the complaint

until it is disposed. It would keep the contents confidential, except to use the same for discreet investigation.

## **6.0 THE OPTION OF CONCILIATION**

The complainant has the option of requesting for conciliation. If so, the following conditions apply:

**6.01** The Committee would take steps for conciliation only at the written request of the complainant at the time of filing the complaint or immediately thereafter.

**6.02** No monetary settlement will be made as a basis of conciliation.

**6.03** If the complainant does not request for conciliation, or if conciliation fails or if terms of conciliation are not complied with, the committee will conduct a fair inquiry into the complaint in accordance of principles of natural justice.

**6.04** Conciliation efforts may be completed within 30 days of receipt of such request.

## **7.0 INQUIRY PROCESS AND REDRESSAL**

On receipt of the complaint, and if the complainant does opt for conciliation, the Internal Complaints Committee shall conduct a fair inquiry into the complaint in accordance with the principles of natural justice. The inquiry procedure is as follows:

**7.01** The Committee shall send one copy of the complaint to the person against whom complaint has been made within seven working days of having received it, and take an acknowledgement of its receipt.

**7.02** The person against whom complaint has been made is expected to give a written reply within ten days of receipt of the complaint, a copy of which will be given to the complainant.

**7.03** The Committee will hear the Complainant and record her allegations. The Complainant may also submit any corroborative material with a documentary proof, oral or written material, to substantiate her complaint.

**7.04** Thereafter, the person against whom complaint has been made will be called for a deposition before the Committee and an opportunity will be given to him/ her to give an explanation. He/she may also submit any corroborative material with a documentary proof, oral or written material, to substantiate defense.

**7.05** If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es whom they propose to call.

**7.06** If the Complainant desires to tender any documents by way of evidence before the Committee, she shall supply original copies of such documents. Similarly, if the

person against whom complaint has been made desires to tender any documents in evidence before the Committee he /she shall supply original copies of such documents. Both shall affix his /her signature on the respective documents to certify these to be original copies.

**7.07** The Committee shall call upon or summon all witnesses mentioned by both the parties and any person and record their statements. Where required, the Committee, shall also call for production of documents or any other material.

**7.08** The parties will **NOT** be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings.

**7.09** The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom the complaint has been made, for putting forward and defending their respective case.

**7.10** In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.

**7.11** In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

**7.12** The Committee shall complete the “Inquiry” within reasonable period but not beyond three months and communicate its findings and its recommendations for action to Management. The report of the committee shall be treated as an inquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.

**7.13** Where the allegation against the person against whom the complaint is made is proved the Committee may recommend to Management, to take action including written apology, warning, withholding of promotion withholding of increments, or terminating the person from the service of the Company. The Committee may also recommend payment of appropriate compensation to the complainant, the sum of which would be worked out with regard to mental trauma and agony caused to the complainant, the medical expenses she may have incurred, the income and financial status of the person against whom the complaint has been made.

**7.14** The Committee may also recommend to the Management on measures to be taken during the pendency of the inquiry, if the complainant has so requested to transfer the complainant or the person against whom the complaint has been made to another workplace; grant special leave to the complainant, and/or restrain him from reporting work performance of the complainant.

**7.15** The Management will direct appropriate action in accordance with the recommendation proposed by the Committee.

**7.16** The Committee shall be governed by such provisions and rules as are framed by The Sexual harassment of Women at Workplace (Prevention, Prohibition &Redressal) Act, 2013.

**7.17** Information pertaining to the identity of complainant, person against whom the complaint is made, witnesses, contents of the complaint, conciliation, inquiry proceedings, recommendations, and action taken will be kept confidential and not be made public or published in any manner.

## **8.0 OTHER POINTS TO BE CONSIDERED**

**8.01** The Committee shall recommend appropriate disciplinary action to the Management.

**8.02** The Management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.

**8.03** Where sexual harassment occurs as a result of an act or omission by any third party or outsider, Management shall take all steps necessary and reasonable to assist the affected person in terms of support and action.

**8.04** The Committee shall analyze and prepare a report on all complaints of sexual harassment at the end of the year (January - December) for submission to Management and also submit an annual report to the District Officer appointed under The Sexual Harassment of Women at Workplace (Prevention, Prohibition &Redressal) Act, 2013.

**8.05** In case the Committee finds the offence is covered under the Indian Penal Code, prima facie or after inquiry, and/or if the complainant so desires, then appropriate action shall be initiated by the Management, for making a Police Complaint. Such cases shall also be mentioned in its annual report.

**8.06** The Management also undertakes to:

**8.06.01** provide safe working environment at workplace, including safety of all persons coming in contact with it.

**8.06.02** Display the names and contact of the Internal Complaints Committee at a conspicuous place, and also circulate through email/ net to all employees.

**8.06.03** Create sensitivity and awareness among employees about sexual harassment, the law and policy of the Company and provide for orientation and training for members of the Internal Complaints Committee.

**8.06.04** Make available information to the Internal Complaints Committee that it may require and provide other assistance such as securing attendance of the person

against whom the complaint is made or witnesses, and provide the necessary facilities for dealing with the complaint and conducting the inquiry.

**8.06.05** Complaints of Sexual Harassment of Male employees would be addressed as per listed service rule or the "Misconduct policy "listed in the Employee Handbook.

## **9.0 Role of the Management**

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- ✚ Taking sexual Harassment as a serious concern, Management will ensure speedy, unbiased and preventive mechanism of Sexual Harassment, as it is an enforcement and responsible authority.
- ✚ Management can ask committee to conduct Training programmes/work-shops to educate, to sensitize all employees to recognize sexual harassment, deal with when it occurs and prevent it.
- ✚ On frequent basis Management will conduct the surveys to identify and prevent factors /situations leading to incidence of Sexual Harassment.
- ✚ Management will keep tab on all business units heads/ RM / BM's by means of meetings with higher management, unscheduled spot check or periodical training sessions with implementing authority.
- ✚ Management can set precedence even if senior positioned employee or any other employee punished if found guilty under set procedure which will send strong message that company will not tolerate any harassment irrespective of position / designation / place.
- ✚ Management can channelize different formal and informal media or routes to employees who can report sexual harassment on time.

## **10.0 Consequences of Violation of the Policy:**

Any employee, supervisor, or manager who is found to have violated the harassment policy (whether sexually harassing another employee of opposite sex or the same sex or if any person falsely accuses another person of sexual harassment) shall be subject to appropriate disciplinary action. The company shall not tolerate any form of retaliation against employees for bringing bona-fide complaints or providing information about harassment. However, if an investigation of a complaint shows that the complaint or information was false and was made with mala fide intent, the individual who provided the false information will be subject to disciplinary action, up to and including termination.

### **11.0 Confidentiality :**

The company will do everything consistent with enforcement of this policy and with the law to protect the privacy of the individuals involved and to ensure that the complainant and the accused are treated fairly. Information about individual complaints and their disposition is considered confidential and will be shared only on a “need to know” basis.

-----End of Policy-----