
Econz IT Services Pvt. Ltd.

PoSH Policy

Under Purview of The Sexual Harassment of Women at Workplace (Prevention, Prohibition And Redressal) Act, 2013

OBJECTIVE

Econz recognizes the importance of a work environment and actively promotes best practices. The purpose of this Policy is to provide protection against sexual harassment of women at the workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

SCOPE

All the Employees including individuals coming to the workplace as guests or for any other purpose whatsoever i.e. visitors, contractual resources, vendors, contractors..etc.

This policy applies solely to the workplace and to any alleged act of sexual harassment that has occurred inside office premises during or beyond office hours.

DEFINITIONS

1. "aggrieved woman" 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;
2. "employee" means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage 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 otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;
3. "employer" means
 - a. in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate

Government or the local authority, as the case may be, may by an order specify in this behalf;

- b. in any workplace not covered under sub-clause (a), any person responsible for the management, supervision and control of the workplace.
Explanation: For the purposes of this sub-clause (b) "management" includes the person or board or committee responsible for formulation and administration of policies for such organisation;
- c. in relation to workplace covered under sub-clauses (a) and (b), the person discharging contractual obligations with respect to his or her employees;
4. "Internal Committee" means an Internal Complaints Committee;
5. "Member" means a Member of the internal Committee, as the case may be;
 - a. "prescribed" means prescribed by rules made under this policy;
 - b. "presiding officer" means the presiding officer of the Internal Complaints Committee nominated by the employer;
 - c. "respondent" means a person against whom the aggrieved woman has made a complaint;
 - d. "sexual harassment" includes any 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
 - v. any other unwelcome physical, verbal or non-verbal conduct of sexual nature:
6. "workplace" includes
 - a. any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the employer or management
 - b. any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;

CIRCUMSTANCES

1. 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 may amount to sexual harassment:
 - a. implied or explicit promise of preferential treatment in her employment; or

- b. implied or explicit threat of detrimental treatment in her employment; or
- c. implied or explicit threat about her present or future employment status; or
- d. interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- e. humiliating treatment likely to affect her health or safety.

No woman shall be subjected to sexual harassment at any workplace.

PROCEDURES & GUIDELINES

Complaint of sexual harassment

1. Any aggrieved woman may make, in writing via letter or email along with relevant proof, a complaint of sexual harassment at workplace to the Internal Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident.

Email Address of ICC - icc@econz.net

Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing.

Provided further that the Internal Committee, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

2. Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section.

Conciliation

1. The Internal Committee may, before initiating an inquiry and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation. Provided that no monetary settlement shall be made as a basis of conciliation.
2. Where a settlement has been arrived, the Internal Committee shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation.
3. The Internal Committee shall provide the copies of the settlement as recorded under sub-section (2) to the aggrieved woman and the respondent.

4. Where a settlement is arrived at under sub-section (1), no further inquiry shall be conducted by the Internal Committee.

Inquiry into complaint

In the case where a settlement is not feasible or could not be arrived at through conciliation, the Internal Committee will initiate the inquiry process post submission of complaint from the complainant in writing.

Inquiry Process

1. Within 7 working days of receiving the complaint from the aggrieved woman, the Internal Committee shall send a notice of complaint to the respondent for obtaining a response.
2. Within 3 working days of receiving the notice of complaint from the Internal Committee, the respondent shall reply to the notice of complaint along with a list of supporting documents, names, and addresses of witnesses.
3. Based on the complaint from the complainant and reply from the respondent, the Internal Committee will set a hearing date (intimated in advance). On the decided date a fair hearing shall be conducted where both the party (ies) will present the proof and witnesses.
4. Based on the outcome of hearing,
 - a. If respondent found guilty then
 - i. his/her employment will be terminated within 10 (ten) days from the date of completion of inquiry, or (and);
 - ii. (s)he has to pay a sum of INR 50,000/- as penalty to the aggrieved woman, or (and);
 - iii. based on the criticality of the case, a criminal case can be filed on the respondent.
 - b. If the allegation against the respondent has not been proved, no action is required to be taken in the matter.
 - c. In case of malicious complaint and false evidence:
 - i. complainant has to apologies in writing to the respondent, or (and);
 - ii. her employment will be terminated within 10 (ten) days from the date of completion of inquiry, or (and);
 - iii. she has to pay a sum of INR 1,00,000/- as a penalty to the respondent.
5. In the event of failure to attend the hearing before the Internal Committee by the complainant or the respondent on three consecutive dates (intimated in advance) without sufficient cause, the Internal Committee shall have the right to terminate the inquiry proceedings or give an ex-parte decision. However, the Internal Committee shall serve a

notice in writing to the party (ies), 15 (fifteen) days in advance, before such termination or the ex-parte order)

6. The inquiry process shall be completed maximum within the period of 90 (ninety) days from the date of receipt of the complaint.
7. During the pendency of an inquiry, on a written request made by the aggrieved woman, the Internal Committee may recommend to the employer to
 - a. transfer the aggrieved woman or the respondent to any other workplace; or
 - b. grant leave to the aggrieved woman up to a period of three months: or
 - c. grant such other relief to the aggrieved woman as may be prescribed.
8. The leave granted to the aggrieved woman shall be in addition to the leave she would be otherwise entitled.

NON DISCLOSURE

Any person including Internal Committee members, complainant as well as respondent are prohibited from publishing, communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the aggrieved women, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the Internal Committee.

Failing to adhere will lead to the termination of employment or (and) heavy penalty.

Policy Version	Amendment Date	Effective Date	Amended By	Approved by
v1.0	01st April, 2019	01st April, 2019	Flipcarbon	Alok (HR Partner)
v2.0	24th Dec, 2020	01st Jan, 2021	Kumar Gyanendra	Sunitha Mathai