



TREKKINGTOES.COM LIMITED

Prevention of Sexual Harassment (PoSH) policy for companies:

This policy is in accordance with the provisions of POSH Act, The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013. The purpose of this policy is to prevent sexual harassment against women in the workplace and also to protect them. Every company aims to provide a safe working environment for all people.

This policy is applicable to all the members of the company including employer and those who are employed on regular, temporary, on a daily wage basis, etc.

The policy also extends to those who are not employees of the company such as customers, clients, visitors, interns, contract workers, suppliers, etc.

This policy is restricted to the business locations of the company and any external location visited by the employees during the course of employment whether inside or outside of India.

All the employees should have the personal responsibility to ensure that their behaviour is not in contravention with the policy. Every company has to display the and list in a place where everyone can see and read it.

Sexual Harassment:

Any behaviour which may be physical, psychological, graphical, emotional, verbal, written, electronic, gestures which are offending, etc. is defined as inappropriate by the policy. Any act of the person either intentional or not, should not offend the dignity of the other person. If done so then serious disciplinary action is taken against the person who has performed such act.

Sexual harassment (direct or by implication) includes:

• Any kind of unusual and unwelcome sexual requests or demand for sexual favors in return for employment, promotion, examination or evaluation of a person.

• Stalking, displaying indecent posters, showing pornography, sending jokes, comments, messages which are inappropriate and sexual in nature, lurid stares, physical contact or molestation, inappropriate sounds, signs, questioning about person's private life or body, insults or taunts based on sex or any kind of communication either verbal or non-verbal which affects the performance of the individual.

• Physical confinement against a person will and likely to interrupt the privacy of the person.

• Any act or conduct by a person who is in authority, which creates the environment at workplace hostile or intimidating to a person belonging to the other sex.

ICC (Internal Complaint Committee):

Every company in which there are 10 or more employees must have ICC and all the complaints regarding sexual harassment are dealt with the committee. The ICC should comprise of 4 members among them half of the members will necessarily have to be women.

4 members of ICC:

1. A presiding officer, women working at a senior level in the office
2. Any member who is committed to the cause of women
3. Any member of the company who has legal knowledge and experience in social work
4. Any external member for example NGOs, any person familiar with issues related to sexual harassment.

If in a company there are less than 10 persons then no need to form a committee and in this case all the complaints go to the local complaints committee which is set up by district officers in every district as per the Act.

The complaints committee is responsible for receiving and investigating every complaint of sexual harassment, submitting findings and recommendation of the inquiry to the employer and coordinating with the employer before implementing any kind of appropriate action. The committee is also responsible to maintain confidentiality throughout the process.

It is the duty of the employer to provide a safe working environment and conduct awareness programs regarding the prevention of sexual harassment and provide necessary assistance and facilities to the committee in dealing with the complaints.

Procedure for dealing with complaints:

The complaint is needed to be lodged within 3 months from the date of incident along with any documentary evidence or names of witnesses if available. The committee can also extend the timeline to another 3 months if it is satisfied with the reasons which prevented the lodging of a complaint within the first 3 months. The complaint shall be in any form wither through phone or email but every oral communication should be followed up with the written communication and in any case where a complaint cannot be made in writing then the presiding officer or any member of the committee shall assist the person for making the complaint in writing.

In case if an aggrieved person is unable to lodge the complaint then any person who is having knowledge of the incident or any family member/ relative/ friend or co-worker can lodge

the complaint on behalf of his/her. It is the responsibility of the person who receives the complaint should inform the committee members.

ICC can try and make parties to settle but monetary compensation is not the basis for settlement. If the aggrieved person is not ready to settle then ICC will inquire into the complaint and both the parties will get a chance to be heard and complete the inquiry within 90 days. After the inquiry, if the person who committed such act is found guilty then Corrective action is taken by the appropriate authority. Corrective action includes

Formal apology

Transfer of the person to another department

Suspension or termination of services of the employee found guilty for such offence

Counselling

A written warning to the concerned employee and a copy of it are maintained in his record.

Reliefs to victims:

Monetary compensation

Grant leave for 3 months

Transfer the victim to any other department where he/she feels safe to work

Penalty:

If the employer does not comply with the law then fine of Rs.50,000/- can be imposed. On repeated non-compliance of the law employer can be penalized with twice the punishment. Non-compliance can also lead to cancellation of licence, withdrawal or non-renewal of registration for carrying on business, by the Government.