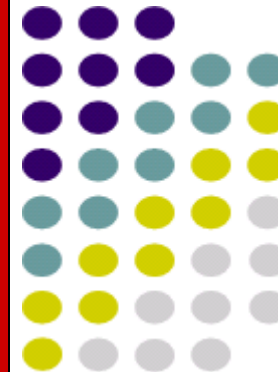


***** POLICY DOCUMENT *****



POSH Policy

Policy No.
POL_POSH_01

Applies to: The Policy is applicable to all women employees in India including officers, directors, employees, visitors, suppliers, contract labor, agents, and representatives of Mphasis, and or any third party with whom an employee may have to interact with or in connection with employment in Mphasis.

Policy Sponsor Chief Risk Office

All policies/supplements are subject to local laws where Mphasis operates. These policies/supplements are subject to change without prior notification

Effective date of this version 15th June 2022

Supersedes version dated 01-Jul-2021

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DOCUMENT CONTROL

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Classification

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Version History

Version	Date	Approver for Change	Author	Description
1.0	Jul-2008	Sivaram Nair		Initial draft
1.1	15-Jun-10	Sivaram Nair		Provision in respect of having an appellate authority included
1.2	6-Jun-12	Sivaram Nair		CFO removed from the Executive Committee for POSH and replaced with one other person from the Executive Committee

INTERNAL

				The Quorum for all meetings of the Complaints Committee changed to four members instead of three Members
1.3	13-Jul-12	Sivaram Nair		Any serving employee aggrieved by the findings and decision in a complaint under the Policy may submit an appeal before the Appellate Authority within 7 working days from the date of communication of the decision The appellate authority can be reached through appellate.POSH@mphasis.com
1.4	15-Nov-13	Sivaram Nair		Policy revised in alignment with the Sexual Harassment of Women at workplace (Prevention, Prohibition, and Redressal) Act'2013
1.5	15-Jan-14	Sivaram Nair		Policy revised in alignment with the Rules pertaining Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act'2013
1.6	10-Feb-14	Sivaram Nair		Policy revised in alignment with the Rules pertaining Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act'2013
1.7	25-Jul-14	Sivaram Nair		Any serving employee aggrieved by the decision of a complaint under the Policy may submit an appeal before the Appellate Authority not later than 15 calendar days from the date of communication of the decision. The appellate authority can be reached through appellate.POSH@mphasis.com . The order of the Appellate Authority in all appeals shall be final.
1.8	26-Jul-16	Sivaram Nair		Policy revised in alignment with the rules pertaining to Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act'2013
1.9	22-Nov-16	Sivaram Nair		Inclusion of ex-parte decision based on the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act'2013
2.0	17-Apr-17	Sivaram Nair		Included clauses of interim steps, disciplinary action against witness for providing false statement, revision of disciplinary action and change of Internal Complaints Committee (ICC) to The Complaints Committee (CC)
2.1	7-Sept-17	Sivaram Nair		The nomenclature has been changed from Complaints Committee (CC) to Internal Committee (IC) and Core Complaints Committee (CCC) to Core Committee (CC)
2.2	26-Mar-18	Sivaram Nair		Inclusion of disciplinary action for non-cooperation in an investigation under Process/ Process in case of a complaint of sexual harassment.

2.3	10-May-18	Eric Winston		Deletion of the Appellate authority from the process
2.4	13-Feb-20	Eric Winston		Under Objective: Redressal extended to employees irrespective of their gender and "sexuality". Inclusion of "sexuality"
2.5	1-Jul-20	Eric Winston		Inclusion of company provided virtual platforms in the examples of extended workplace
2.6	31-May-22	Sethu S Raman	Ekta Jaiswal	Exclusive POSH policy for women employees in India in line with the provisions of POSH Act

Access List			
List of Users	Access Type	Type of Media	Retention Period
CRO Management	Read/Write/Delete	Soft Copy	Default
Mphasis employees	Read	Soft Copy	Default

Contact Information

For any question regarding this policy, please contact.

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1 Objective & Philosophy:

Mphasis Limited has Zero Tolerance for sexual harassment in workplace. The Company is committed to ensuring a workplace, free from sexual harassment and to provide a mechanism for redressal of complaints of sexual harassment of women at workplace without fear or threat of reprisals in any form or manner to all its women employees. Accordingly, the Company has framed the Policy for the Prevention of Sexual Harassment of Women at Workplace (the "POSH Policy") in adherence to Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the "POSH Act").

The POSH (Prevention of Sexual Harassment) Policy implemented by Mphasis is reformatory and not only Penal in nature.

The following Core Principles are the guiding principles to be followed by all stakeholders in the implementation of the POSH Policy. The acronym (for easy recall) of the values of this program is CONCERN. This has been detailed below:

- C** •Confidentiality to the extent that is possible pursuant to the local law will be ensured, information related to POSH complaints and disciplinary process is shared only as permitted by law and only on a "need to know " basis.
- O** •Objectivity to keep focus on evidence and to be unbiased in the handling of all aspects of an investigation.
- N** •Neutrality to treat all the stake holders equally irrespective of age, gender, caste, language, race, region of origin, religion, level in the organization etc.
- C** •Closure to provide speedy conclusion to the investigation of cases with appropriate sharing of information with all relevant parties.
- E** •Empathy to be sensitive to the experiences of all the stakeholders and ability to understand what the person has gone through.
- R** •Responsiveness to treat all cases as important and urgent and commit to resolve every grievance.
- N** •Follow Principles of Natural Justice while investigating a grievance.

2 Scope

This POSH Policy is applicable to all women employees in India in Mphasis Limited and its subsidiaries, affiliates and / or group companies (hereinafter collectively referred to as “Mphasis”). The POSH Policy applies to all employees and individuals coming to the workplace for employment or for any other purpose whatsoever, including but not limited to officers, directors, trainees, consultants, vendors, visitors, suppliers, contract labor, agents, representatives of Mphasis, and or any third party with whom an employee may have to interact with or in connection with employment in Mphasis; and applies to any alleged act of sexual harassment against women at workplace, whether the incident has occurred during or beyond office hours, in the premises defined as Workplace herein below.

3 Definitions

1. **Sexual harassment** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication):
 - a. Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
 - i. physical contact and advances, including those involving unwelcome and explicit sexual overtures.
 - ii. a demand or request for sexual favors.
 - iii. making sexually colored remarks or remarks of a sexual nature about a woman's clothing or body.
 - iv. showing pornography, making, or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, WhatsApp or through any social media etc.; and
 - v. any unwelcome physical, verbal, or non-verbal conduct of sexual nature.
 - b. Conduct that may be construed as Sexual Harassment not only violates the Prevention of Workplace Sexual Harassment Act, 2013, but also could constitute an offence under the Indian Penal Code, 1860:

- i. 354 Outraging the modesty of a woman
 - ii. 354-A Sexual harassment by a man
 - iii. 354-B Assault or use of criminal force to woman with intent to disrobe
 - iv. 354-C Voyeurism
 - v. 354-D Stalking
 - vi. 376C- Sexual intercourse by person in authority. Where a person in a position of authority or in a fiduciary relationship, abuses such position or fiduciary relationship to induce or seduce any woman either under his charge or present in the premises to have sexual intercourse with him.
 - vii. 509 Insulting the modesty of a woman
- c. 294 Singing lewd songs directed at women in public spaces is considered sexual harassment, The following circumstances may amount to Sexual Harassment, among other circumstances, if it occurs or is present in relation to any other act of Sexual Harassment:
- i. Implied or explicit promise of preferential treatment in employment.
 - ii. Implied or explicit threat of detrimental treatment in employment.
 - iii. Implied or explicit threat about the present or future employment status.
 - iv. Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
 - v. Humiliating treatment likely to affect her health or safety.
- Further, Sexual Harassment may occur not only where a person uses sexual behavior to control, influence or affect the career, salary, or job of a woman, but also between co-workers. It may also occur between an Employee of the Company and someone that such Employee deals within the course of his/her work who is not employed by the Company.
2. **Quid Pro Quo** – when submission to or rejection of “unwelcome” sexual advances or conduct of sexual nature is used as the basis for employment decisions, it is termed as “Quid Pro Quo”.
 3. **Hostile Work Environment** - occurs when the conduct unreasonably interferes with an individual's work performance or creates an intimidating or offensive working environment.

4. **Aggrieved Woman** – shall mean in relation to a Workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent.
5. **Complainant**- Any Aggrieved Woman who makes a complaint alleging Sexual Harassment under this POSH Policy.
6. **Complaint**- means a complaint of Sexual Harassment of woman at Workplace submitted to the Internal Committee by the Complainant.
7. **Employee** is a person employed at the 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 by any other such name.
8. **Respondent** – shall mean a person against whom the Complainant has made a Complaint to the IC.
9. **Workplace** - includes all office premises of Mphasis, any place where working relationship and/or employer-employee relationship between Mphasis and the Aggrieved Woman exists, all branches and units (including transit houses and guest houses), dwelling place or house and any places visited by the Complainant arising out of and during employment. It further includes any place visited by the Employee arising out of or during the course of employment including transportation provided by Mphasis for undertaking such a journey. It also includes the extended workplace such as food courts, cafeterias, and other recreational facilities, Mphasis sponsored training programs, parties and other events organized/hosted by Mphasis. Additionally, the workplace includes employee remote workspace and any Mphasis provided virtual platforms like Skype, Microsoft teams, Yammer, Webex, Zoom, etc.
10. **The Internal Committee** (hereinafter referred to as the “**IC**”) shall mean the committee duly constituted in accordance with Section 4 of the POSH Act by Mphasis. The Internal Committee shall receive Complaints of Sexual Harassment at the Workplace from the Complainant, as well as inquire into all Complaints of Sexual Harassment and make recommendations to the Employer on the action required pursuant to its inquiry of such a Complaint.
11. **The Employer** is any person responsible for the management, supervision, and control of the Workplace, including appointment/ removal/ termination of Employees and includes the person discharging contractual obligations with respect to his or her Employees. Explanation: The

term “management” includes the person or board or committee responsible for formulation and administration of policies for such organization.

For all practical purposes, the CHRO shall act as the representative on behalf of the employer.

12. **Member:** A member of the IC.

Interpretation:

- Within this POSH Policy, the terms under the above-mentioned section shall have the meanings as defined under the Para/Section- ‘Definitions’ when used in this POSH Policy, unless otherwise stated or required.
- The term ‘Sexual Harassment’ wherever used shall mean ‘Sexual Harassment of women at Workplace’ unless the context otherwise requires.
- Words importing the singular include the plural and vice versa.

4 Redressal Committee – The “Internal Committee”

4.1 Constitution:

The IC shall be constituted for each location(s) at divisional or sub-divisional level from where Mphasis operates and shall consist of:

- a. A Presiding officer, who shall be a senior level woman employee.
- b. Two Members (minimum) from amongst employees preferably committed to the cause of women or have had experience in social work or have legal knowledge.
- c. One external Member (minimum) from amongst non-governmental organization or association committed to the cause of women or a person familiar with the issues relating to sexual harassment.
 - i. One half of the total Members shall be women.
 - ii. The term of IC Members shall not exceed three (03) years.

Quorum:

The quorum for all meetings of the IC shall be three (03) Members including the Presiding Officer.

IC Members:

- a. The Company has formed an IC to investigate and inquire into the Complaints of Sexual Harassment of women at the Workplace.
- b. The Employer reserves the right to add to, remove or replace, the IC members from time to time.

Meeting:

The IC shall meet at least once a month.

5 Rights of the Aggrieved Women:

- a. The aggrieved woman has the right to and is encouraged to lodge a Complaint with the IC in case of sexual harassment, even if it is against the 'employer'
- b. She can authorize, in writing, specified people (as provided in the law) to file a complaint on her behalf or seek assistance from the IC to file a complaint, as necessary
- c. She can request, in writing, interim relief for transfer (for her / respondent) or leave, pending inquiry by the Committee
- d. After lodging a complaint, she may request the IC to facilitate resolving the issues through conciliation (no monetary settlement permitted)
- e. Make a reasonable request to be accompanied by a member, whose presence in the inquiry shall not cause any conflict of interest
- f. If not satisfied with the inquiry proceedings / recommendations by the IC / implementation of the recommendations of the IC, choose to appeal to such Statutory Body or Court or Tribunal designated by Government in this regard, within 90 days of such recommendations.

6 Complaint against Employer:

Where the Complaint is preferred by the Complainant against the Employer, the Complaint shall without any delay, be forwarded to the Local Committee constituted in the respective State by the applicable authority for inquiry.

7 Confidentiality:

- a. At all stages of the procedures, informal and formal, and from the first discussions when the potential allegations of Sexual Harassment are discussed, all parties to the discussion are required to be aware of the sensitivity of the matters under discussions, the potential impact on individual lives and careers, and to exercise extreme caution in the disclosure of the information and to maintain the confidentiality of the Complaint, Complainant, Respondent, witnesses, conciliation, inquiry proceedings, recommendations made by IC and the action taken by Employer.
- b. Notwithstanding the Right to Information Act, 2005, the contents of the Complaint submitted, the identity and addresses of the Complainant, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations by the Internal Committee and action taken by the Employer shall not be published, communicated or made known to the public, press and media in any manner.
- c. If any person contravenes the above, the Employer shall be entitled to take appropriate disciplinary action against such person including recovery of such amounts from such person as permitted under law and determined by the IC.

8 Procedure for dealing with complaints

8.1 Who can file a complaint?

- i. Any woman who has been subjected to Sexual Harassment at Workplace as defined in this policy has the right to and is encouraged to lodge a Complaint with the IC.
- ii. A situation may arise where the Aggrieved Woman is unable to make a Complaint because of some physical incapacity she suffers. In such cases, the Complaint may be filed by:
 - Her relative or friend.

- Her co-worker.
 - An officer of the National Commission for Women or State Commission for Women.
 - Any person who has knowledge of the incident, with the written consent of the Aggrieved Woman.
- iii. In a situation where the Aggrieved Woman is unable to make a Complaint because of any mental incapacity she suffers, the Complaint may be filed by:
- Her relative or friend.
 - Her special educator.
 - Her qualified psychiatrist or psychologist. The guardian or authority under whose care she is receiving treatment or care.
 - Any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care.
- iv. If the Aggrieved Woman is unable to lodge a Complaint for any other reason, the Complaint can be filed by any person who has knowledge of the incident, with her written consent.
- v. If the Complaint cannot be made in writing, the Presiding Officer or any Member of the IC will render all reasonable assistance to the Aggrieved Woman to make a written complaint.
- vi. In the event of demise of the Aggrieved Woman, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

8.2 Filing of Complaint

- i. All Complaints of Sexual Harassments shall be made to the IC. The Complaint is to be addressed to IC at POSH@mphasis.com.
- ii. If complaints of sexual harassment are submitted to or received by colleagues, leaders, managers or the concerned HRBPs, the said colleagues, leaders, managers or HRBPs have a duty to encourage the Complainant to forward the same immediately to POSH@mphasis.com and maintain confidentiality of the same.
- iii. For cases where the Complainant is a visitor or an employee of a vendor, sub-contractor, business partner or other, the Complainant is

- advised to contact the IC either through email (POSH@mphasis.com) or through the point of contact specified in the concerned contractual agreement, if any. As required, the Complaint may be addressed in coordination with the employer of the Complainant.
- iv. For example, if an employee from organization 'A' is being harassed by an Employee of Mphasis the investigation and resolution may be done by Mphasis in coordination with organization 'A'.
 - v. A Complaint relating to Sexual Harassment must be made within three (03) months from the date of the alleged offence. In case of a series of events, the Complaint must be made within three (03) months from the date of the last incident. A delay, if any, in lodging such Complaint may be condoned by the IC, provided that the Complainant submits sufficient cause for such delay, subject to a limit of another three (03) months. The Complainant must furnish six (06) copies of the complaint to the IC. This must be accompanied by all the supporting documents, evidence and the names and addresses of witnesses in connection with the incident of Sexual Harassment.
 - vi. Anonymous Complaints shall not be entertained.

8.3 Interim Measures

- i. If the Complainant makes a request, in writing, the IC may recommend to Employer to take any of the following measures:
 - Transferring the Complainant or the Respondent to any other workplace.
 - Granting leave to the Complainant, subject to a maximum of three (03) months.
- ii. Restraining the Respondent from reporting on the work performance of the Complainant or writing her confidential report and assigning the same to another manager.
- iii. Grant such other relief as may be prescribed. Employer will act upon the recommendation and will send a report of implementation to the IC.

Suspension pending inquiry:

IC, if the situation so warrants, may recommend suspension of the services of the Respondent as an interim measure pending disposal of the Complaint. The Employer may on receipt of the recommendation by the IC consider suspension of services of the Respondent till such time as the inquiry is complete and the final report with findings is submitted to the Employer. The order of suspension in contemplation of inquiry may be issued to the Respondent specifying therein the:

- i. Reasons for suspension.
- ii. Date and time from which the suspension will operate.
- iii. Approximate timescale of the suspension.
- iv. The amount of subsistence allowance that will be paid to the Employee.

8.4 Time Limit

Any inquiry into a complaint and its redressal that is carried out by the IC shall be completed within a period of ninety (90) days from the date of the receipt of the complaint.

8.5 Conciliation, Inquiry and Redressal in case of a Complaint of Sexual Harassment**Conciliation:**

- i. After a complaint of Sexual Harassment is lodged, the Complainant may request the IC to resolve the matter between the parties through conciliation, before the commencement of the inquiry.
- ii. Any settlement brought about by such conciliation must be mutually acceptable to both the Complainant and Respondent. Monetary settlement shall not be the basis of such conciliation.
- iii. Where any settlement between the Complainant and Respondent is reached through conciliation process, the IC shall record the settlement and the terms so arrived at and share the copies of settlement with the Complainant and the Respondent. The recorded

settlement and terms so arrived at conciliation shall be forwarded to the Employer for action as recommended by the IC. Thereafter, no further inquiry will be initiated into the Complaint.

- iv. Where no mutually agreeable settlement can be reached during the conciliation process, the IC will proceed to conduct the inquiry as prescribed below.
- v. Where the Complainant informs the IC that any term or condition of the settlement arrived at has not been complied with by the Respondent, the IC shall proceed to make inquiry into the Complaint.

Inquiry:

Initial Phase

- i. At the commencement of the inquiry, the IC shall explain to both the Complainant and Respondent, the procedure which will be followed in the inquiry.
- ii. The IC will share a copy of the Complaint with the Respondent within seven (07) days of its receipt.
- iii. The Respondent must submit a statement of defense within ten (10) working days. This may be accompanied by the Respondent's own list of documents, evidence and names and addresses of witnesses.
- iv. The IC shall document the following:
 - v. A statement of the accusations of misconduct or misbehavior in support of each article of charge.
 - vi. A statement of all relevant facts including any admission or confession made by the Respondent.
 - vii. The IC shall inquire into the Complaint which shall be completed within ninety (90) days.
 - viii. The inquiry will be conducted by the IC in compliance with the Principles of Natural Justice.
 - ix. the IC shall have the same powers as vested in civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:
 - Summoning and enforcing the attendance of any person and examining him on oath.
 - Requiring the discovery and production of documents; and

- Any other matter which may be prescribed.

The IC is also vested with the following powers while conducting an inquiry into the allegations made in the Complaint:

- i. To fix the date of the inquiry for examination of the allegations of sexual harassment.
- ii. Provide necessary details to the Respondent to prepare his defense.
- iii. Fix the date(s) for inquiry at the place and time as may be determined by the IC.
- iv. Conduct the inquiry proceedings and ensure the rules of the inquiry are strictly observed.
- v. Hear and comprehend the evidence presented by both parties to the inquiry and record everything relevant.
- vi. To evaluate the credibility of any witness, the IC may put pertinent questions to the witnesses. The IC may recall any witness from either side at any time for additional examination.
- vii. Complainant shall be administered oath / affirmation before she makes her statement.
- viii. Witnesses shall be administered oath / affirmation before they make their statement.
- ix. The Respondent shall be given the opportunity to cross examine/question the Complainant and her witnesses.
- x. The Respondent or his witnesses may submit statements after being administered oath / affirmation. The Complainant shall be entitled to cross-examine the Respondent and / or his witnesses on such statements submitted by the Respondent or his witnesses before the IC.
- xi. Though the IC is primarily concerned only with the allegations against the Respondent, it is well within its rights to include in the report adverse remarks or strictures on the connected persons for further action by the Employer.
- xii. All statements presented before the IC shall be signed by the party concerned.
- xiii. Both, the Respondent, and the Complainant shall be furnished with a copy of the findings of the inquiry proceedings at the end of each proceeding.

- xiv. The Complainant and the Respondent are not permitted to be represented by a legal practitioner.
- xv. The IC may consider requests from the Complainant or Respondent on the language for conduct of inquiry (such as English, Hindi or other local language) as per its preference.
- xvi. The venue of the inquiry should, as far as practicable, be as per the convenience of the Complainant. The IC will make the final decision regarding the venue.
- xvii. In conducting the inquiry, at least three Members of the IC, including the Presiding Officer, shall be present.

Procedure for Cross Examination without the presence of Complainant / Respondent:

- (a) At the first examination of the Complainant, the IC shall formally enquire from the Complainant whether she wishes to avoid a face-to-face encounter of herself and / or her witnesses with the Respondent, including during the examination and cross-examination of herself and / or her response thereto.
- (b) In the event the Complainant indicates that she and / or her witnesses should not be put face-to-face with the Respondent during their examination and cross-examination, the IC shall communicate the same to the Respondent and the Complainant / her witnesses may be allowed to make her / their statement without the presence of the Respondent.
- (c) The cross-examination may be done through a questionnaire submitted by the Respondent. This entails that the Complainant or her witnesses need not be examined in the presence of the Respondent(s). The Complainant also has similar right with respect to cross-examination of the Respondent and his witness(es).

Ex-parte Hearing: If either the Complainant or Respondent fails to appear without sufficient cause for three (03) consecutive hearings convened by the IC, the IC will then have the right to terminate the proceedings or to give an ex -parte decision on the Complaint after giving the absenting party fifteen (15) days' notice before passing such order.

Copy of the report of inquiry and findings shall be shared with the Complainant and Respondent, enabling them to make representations before the

IC, if any within five (05) working days from the receipt of the aforesaid.

After receipt of any representations from the Complainant and the Respondent, the IC shall submit the report of inquiry, findings and the recommendations to the Employer within a period of ten (10) days from the date of completion of inquiry.

Employer shall act upon the recommendation within sixty (60) days of receipt of the recommendations from the IC.

Completion of the Inquiry and Possible Recommendations:

1. The IC will prepare an 'Inquiry Report' which will be submitted within ten (10) days of closure of the inquiry.
2. If the IC arrives at the conclusion that the allegation against the Respondent has not been proved, it will recommend that no action needs to be taken.
3. Where the IC arrives at the conclusion that the allegation against the Respondent has been proved, it may make any of the following recommendations after taking into consideration the severity, frequency, and pervasiveness of the act: –
 - a. Tendering written apology
 - b. Issuance of warning letter
 - c. Reprimand or censure
 - d. Undergoing counselling session
 - e. Carrying out community service
 - f. Transfer to other locations
 - g. Withholding of promotion / salary hikes/ increments etc.
 - h. Compensation to the Aggrieved Woman by making appropriate deductions from the salary or wages of the Respondent.

- i. Termination of services from the Company
4. Employer shall act upon the recommendation within sixty (60) days of receipt of the recommendations from the IC.

8.6 Right to be accompanied

- No legal practitioner shall be allowed to represent either party at the IC inquiry proceedings.
- The Complainant and the Respondent may, with prior consent of the IC, may be accompanied by a work colleague at any formal meetings. Any request to be accompanied must be reasonable. The Complainant and the Respondent cannot bring a representative whose attendance amounts to a conflict of interest or would prejudice the meeting. For example, a colleague who is involved as a witness in the case cannot be the accompanying person. Whether a request is reasonable will depend on the circumstances of the individual case.
- The person accompanying the Complainant, or the Respondent shall not have the right to address the IC.

8.7 Appeal

Any person aggrieved by a recommendation made, its implementation or lack thereof, may prefer an appeal to such Statutory Body or Court or Tribunal designated by the Government in this regard. This appeal must be made within a period of ninety (90) days of the recommendations. Aggrieved person may contact POSH office for further guidance.

9 Employer's Duties and Obligations:

POSH Act in addition to requiring an Employer to set up an IC and ensure redressal of grievances of Workplace Sexual Harassment in a time bound manner, casts certain obligations upon the Employer to:

- i. provide a safe working environment.
- ii. formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace.
- iii. display conspicuously at the workplace, the penal consequences of indulging in acts that may constitute sexual harassment and the

- composition of the IC.
- iv. declare the names and contact details of all members of the IC.
 - v. organize workshops and awareness programs at regular intervals for sensitizing employees on the issues and implications of workplace sexual harassment and organizing orientation programs for members of the IC.
 - vi. provide necessary facilities to the IC for dealing with the complaint and conducting an inquiry.
 - vii. Cause to initiate action, under the Indian Penal Code, 1860 (“**IPC**”) or any other law in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place.
 - viii. provide assistance to the aggrieved woman if she so chooses to file a complaint in relation to the offence under the IPC or any other law for the time being in force.
 - ix. treat sexual harassment as a misconduct under the service rules and initiate action for misconduct.
 - x. prepare an annual report with details on the number of cases filed and their disposal and where no such annual report is required to be prepared, intimate such number of cases, if any, to the District Officer.
 - xi. submit the same to the District Officer.
 - xii. monitor the timely submission of reports by the IC.