

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

Table of Contents

OBJECTIVE	2
APPLICABILITY	2
ACTIONS IDENTIFIED AS SEXUAL HARASSMENT	3
OBLIGATIONS OF THE COMPANY EMPLOYEES	5
INTERNAL COMPLAINTS COMMITTEE (ICC)	6
DUTIES AND FUNCTIONING OF ICC	6
PROCEDURE FOR FILING AND DEALING WITH THE COMPLAINTS	7
GUIDELINES ON THE RECOMMENDATIONS TO BE SUGGESTED BY ICC	10
CONFIDENTIALITY OF THE PROCEEDINGS	11
ASSURANCE AGAINST RETALIATION	11
INTERPRETATION OF THE POLICY AND QUESTIONS IN RELATION TO ITS APPLICATION	11

1. OBJECTIVE

- 1.1. Addictive Learning Technology Limited (hereinafter referred to as “LawSikho” or the “Company”) aims to provide a safe and inclusive workplace for individuals irrespective of their gender, caste, community, race/ethnicity, colour, social status, civil status, age, physical ability.
- 1.2. The Company takes a strong stance against any form of sexual harassment. All efforts shall be made to ensure that all decisions of the Company are free of any discrimination. Prompt and strict disciplinary action will be initiated against any individual or group caught in engaging in any form of sexual harassment or discriminatory activities.
- 1.3. The Company is required by law to lay down guidelines and establish a forum for redressal of grievances related to sexual harassment in accordance with the laws prevailing in India. This policy takes complete cognizance of the latest legislation by the Government of India i.e. the “The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013 and its notification published on 9th December 2013 (“Act”), as amended from time to time. The intent of this legislation is to provide protection against sexual harassment of women at workplace and matters connected therewith or incidental thereto.

2. APPLICABILITY

- 2.1. This policy applies to the co-founders, employees, consultants, trainee associates, interns, external experts and people engaged on a project basis, irrespective of location within India or elsewhere (together, the “Team Members”).
- 2.2. This policy will be applicable in all work-related settings and activities, whether inside or outside the workplace, including business trips and social events organised with Team Members and any virtual workplaces including WhatsApp Groups, all virtual meeting platforms, all productivity measurement or performance measurement or project management platforms. Any meeting or engagement required for any social work undertaken by the Company is covered by this policy.

- 2.3. This policy applies to the conduct of the team members amongst themselves as well as the conduct of the team members with third parties such as customers, suppliers, contractors and third-party vendors.
- 2.4. The Company acknowledges that individuals covered by the scope of this policy shall be informed of this policy and will have access to the information needed to prevent sexual harassment. The Company will openly, publicly and widely display this policy together with the contact information of the designated Internal ICC members and external parties authorised to process complaints.

3. ACTIONS IDENTIFIED AS SEXUAL HARASSMENT

- 3.1. "Sexual harassment" includes (but it is not limited to) any one or more of the following unwelcome and inessential acts or behavior (whether directly or by implication) namely:
 - a) Physical contact and advances;
 - b) A demand or request for sexual favours;
 - c) Making sexually coloured remarks;
 - d) Showing pornography;
 - e) Any other unwelcome and inessential physical, verbal or non-verbal conduct of sexual nature;
 - f) Creating a hostile work environment for team members by putting a complainant (of sexual harassment) in disadvantageous position w.r.t. employment, associated privileges, benefits & career enhancement in connection or related to any act or behavior of sexual harassment;
 - g) Physical contact and advances such as touching, stalking, making sounds which have explicit and / or implicit sexual connotations / overtones, molestation;
 - h) Display of pictures, signs etc. of sexual nature/connotation/overtones in the work area and work-related areas;
 - i) Verbal or nonverbal communication which offends the individual's sensibilities and affects her/his performance and has sexual connotation/overtone/nature;
 - j) Repeatedly asking to engage in a romantic relationship;

- k) Teasing, voyeurism, innuendos and taunts, physical confinement and /or touching against one's will and likely to intrude upon one's privacy;
- 3.2. Sexual harassment is not limited to demands for sexual favors. It also may include such actions as:
- a) Sex-oriented verbal "kidding," "teasing" or jokes;
 - b) Repeated offensive sexual flirtations, advances, or propositions;
 - c) Continued or repeated verbal abuse of a sexual nature;
 - d) Graphic or degrading comments about an individual or her appearance;
 - e) Display of sexually suggestive objects or pictures;
 - f) Subtle pressure for sexual activity;
 - g) Inappropriate physical contact.
- 3.3. At any work or work related setting and in all their interactions with business stakeholders, all Team Members are expected to uphold the highest standards of ethical conduct. The Team Members have a responsibility to:
- a) treat each other with respect;
 - b) follow the letter and spirit of law;
 - c) refrain from any unwelcome behaviour that has a sexual connotation (of sexual nature);
 - d) refrain from creating hostile environment at workplace via sexual harassment; and
 - e) report sexual harassment experienced by themselves or as witnesses to appropriate authorities and abide by the complaint handling procedure of the company
- 3.4. The following acts, if they occur in relation to or connected with any act or behaviour of sexual harassment, irrespective of whether or not they occur during instances of hiring, firing, performance appraisal, promotion / demotion, performance of assignments etc, may also amount to sexual harassment:
- a) implied or explicit promise of preferential treatment in employment; or

- b) implied or explicit threat of detrimental treatment in employment;
or
 - c) implied or explicit threat about present or future employment status; or
 - d) interferes with work or creating an intimidating or offensive or hostile work environment or
 - e) humiliating treatment likely to affect the health or safety of the community members.
- 3.5. All of the above acts are prohibited through any mode of communication including in person, over the phone, on voice mail, through pen and paper, on e-mail, over WhatsApp, Basecamp, inside of or outside of the workplace, through chat, through SMS or any other form of communication.
- 3.6. Sexual harassment does not include occasional compliments of a socially acceptable nature, or consensual personal and social relationships without a discriminatory act. However, please note that the company has a dating policy in place which restricts sexual or romantic relationships between Team Members or customers, and if you really want to engage in one, you must inform the management right away so that we can avoid a conflict of interest situation. Hence it should be clear that any romantic or sexual advances towards colleagues would be unacceptable and unwelcome. However, all such acts may not constitute sexual harassment unless the same is personally intimidating, hostile, or offensive.

4. OBLIGATIONS OF THE COMPANY EMPLOYEES

- 4.1. Each member of the Company employees is obligated to follow this policy for themselves. This policy also obligates anyone to report any incident of sexual harassment observed as a third party to the authorized ICC members. It is the combined responsibility of the employees to withhold the values and principles of equal opportunity and zero discrimination for all involved.

5. INTERNAL COMPLAINTS COMMITTEE (ICC)

- 5.1. An appropriate forum in the form of “Internal Complaints Committee” (ICC) has been constituted by the Company for time bound redressal of any complaints made for violation of this policy. The names of the ICC members are available on the website of the company and the Team Members can reach the ICC on the email id icc@lawsikho.in.
- 5.2. Following are the members of the ICC:
1. Ms. Priyanka Karwa, Director of Employability and Placements, Presiding Officer
 2. Ms. Sapna Anil Sarada, Member
 3. Ms. Sanghita Mukherjee, Member
 4. Mr. Siddhant Baid, Member
 5. Mr. Ashok Naik, External Member
- 5.3. The ICC members will have a tenure of 3 years from the date of their appointment. The ICC will receive complaints; investigate every formal written complaint received by them under this policy; provide conciliation, if requested; recommend appropriate actions for punishment for any substantiated allegations of harassment; and take actions discouraging and preventing employment related harassment.
- 5.4. If any complaint arises against the Presiding Officer or any of the members of the ICC, the Presiding Officer or the member as the case may be, will recuse himself or herself from the proceedings and an alternative member shall be appointed in his or her position to the ICC by the Company Board of Directors, with exception of such ICC member to avoid any conflict of interest.

6. DUTIES AND FUNCTIONING OF ICC

- 6.1. The members of the ICC will ensure that they remain accessible to the Company employees to ensure avoiding the violation of this policy.

- 6.2. The ICC will ensure that they maintain the records of any observed and informed incidents for the purpose of future proceedings.
- 6.3. The ICC will ensure fair disclosure in its activities and initiatives, disclose necessary information to the respective stakeholders when required and investigate the complaints while abiding by the principles of natural justice.
- 6.4. The ICC will ensure absolute integrity and honesty and ensure that they keep their own biases aside while dealing with the complaints.
- 6.5. The ICC will develop the standards for its day to day functioning by identifying its performance metrics, initiatives, timelines, record keeping and evaluation of its members.
- 6.6. The ICC will ensure confidentiality of identity of individuals involved, details of the incidents, proceedings of the matter resolution, and will only disclose information with a reason required to protect a possible damage greater than one caused by withholding the information. This decision will require a vote of majority and be executed accordingly.
- 6.7. Proceedings can be held and participants of any proceedings of the ICC can join through video conferencing facilities such as Zoom, Google Meet or similar facilities.
- 6.8. The ICC may appoint a secretary to record the proceedings of the meetings and to coordinate and arrange the meetings.
- 6.9. The ICC shall keep a record of the proceedings of all meetings and shall even maintain the minutes of the meetings, where required, in addition to the video recordings.

7. PROCEDURE FOR FILING AND DEALING WITH THE COMPLAINTS

The ICC shall follow the procedure and timelines prescribed under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.

- 7.1. Form of complaint

Anyone can lodge a complaint, only in writing, with the ICC. Email can be sent to icc@lawsikho.in. The complaint can be sent by an email and the complainant's identification i.e. name, address, phone number, company email address and designation should be informed to the ICC. No anonymous complaints shall be acted upon by the ICC.

The complainant can choose to file a complaint with the police in case of serious offences. If a police complaint is filed, the Company will extend support to the potential victim.

7.2. Dealing with complaints

Informal resolution option: Once a complaint is accepted, the ICC will aim first and foremost for any form of resolution that is possible through conciliation to identify a possible case of misunderstanding and miscommunication and explore steps to amicably settle the matter between the complainant and the accused. The above process can only be initiated if the complainant agrees to the same.

7.3. Investigation:

If either of the parties (complainant and accused) disagree with the conciliation, the ICC can carry out the investigation process which shall involve taking statements from the witnesses.

The complainant and accused as well as the witnesses will be asked to provide written statements and sign the same as a part of the investigation.

The ICC may carry out as many hearings as are required for the purpose of ensuring that the principles of natural justice are adhered to.

7.4. Documentation

Every detail of the incidents, complaints, investigation, hearings, evidence, conclusions, agreements and closures will be documented and recorded in soft copy form. These records will be maintained by the ICC in a safe

and secure manner, and shall be shared with both the complainant and the accused.

7.5. Final meeting and report

After the investigation process, the ICC members will have a final meeting and prepare a report.

This report shall contain recommendations to be sent to the management for execution.

This report shall be confidential in nature and in the event that it is proved that the act complained against does fall within the realm and scope of sexual harassment, the ICC can recommend one or more of the actions as stated in clause 8 of the policy.

If, after the investigation, the complaint is found to be frivolous in nature or false and lodged with a malicious intent, the above actions can be taken against the complainant also.

In case the ICC finds the degree of offence to be serious enough, such that a criminal case is required, then this fact shall be mentioned in its report and appropriate action shall be initiated by the employer for making a Police Complaint.

In the event that the matter is found to be a mere misinterpretation of the events that occurred and the complainant and the accused agree to this inference in writing, the ICC will recommend that no action is to be taken against the complainant or the accused, and the report of the ICC shall state accordingly.

Where it is found that the sexual harassment has occurred as a result of an act or omission by any third party or outsider, the Company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

7.6. Timelines

The following timelines will be applicable for the activities of the ICC:

- a. Accepting a complaint: Any complaint can be accepted if it is reported within a period of 90 days of the occurrence of the incident which has alleged sexual harassment.
- b. Initiating the proceedings: After receiving the complaint, ICC has 10 days to initiate the proceedings unless it is a matter of extreme urgency.
- c. Investigation: The ICC has a maximum of 90 days to look into the matter and complete the investigation.
- d. Submission of report: The ICC must submit its report to the management within 10 days. Thereafter, the management has 60 days to implement the suggestions made in the report. These timelines are prescribed and mandated and shall be followed in all instances except when the complainant, accused or ICC can provide a valid written reason for the extension accepted by all parties involved.

8. GUIDELINES ON THE RECOMMENDATIONS TO BE SUGGESTED BY ICC

- 8.1. The recommendations suggested by the ICC after the investigation of the complaint may vary depending upon the degree of offence committed by the accused. Sexual harassment complaints may have a combination of one or more of the following categories: mental trauma, emotional, physical and professional damage.
- 8.2. Such recommendations may contain the following options:
 - a) Formal apology, whether public or private;
 - b) Counselling;
 - c) Written warning to the accused and a copy of it maintained in the employee's file;
 - d) Change of work assignment / transfer for either the accused or the complainant;
 - e) Suspension or termination of services of the employee found guilty of the offence;
 - f) Demotion of the employee found guilty of the offence; and
 - g) Direction to the accused to pay monetary compensation to the complainant.

9. CONFIDENTIALITY OF THE PROCEEDINGS

9.1. The complaints shall be dealt with in an utmost confidential manner amongst all parties involved including the ICC members. Any violation of the confidentiality requirements will result in financial and legal action against the person who violates such requirements. The penalty for violation of confidentiality shall be determined by the ICC and in the event that any member of the ICC violates confidentiality, the remaining members shall determine the penalty. In the event that all or majority of the members of the ICC violate such confidentiality requirements, such members shall be removed from the ICC and the board of directors of the Company will determine the penalty.

10. ASSURANCE AGAINST RETALIATION

10.1. The Company will ensure that the complainant or witnesses are not victimized or discriminated against in any manner while dealing with complaints of sexual harassment.

10.2. This policy seeks to encourage all employees to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about sexual harassment or behavior that might constitute sexual harassment is also strictly prohibited. Any act of reprisal, including internal interference, coercion, and restraint, by an employee, violates this policy and will result in appropriate disciplinary actions.

11. INTERPRETATION OF THE POLICY AND QUESTIONS IN RELATION TO ITS APPLICATION

11.1. Any questions in relation to the interpretation of the policy and its application can be sent by email to icc@lawsikho.in.