

PREVENTION OF SEXUAL HARASSMENT (POSH POLICY)

(Approved by Board at its meeting held on March 18th, 2024)

❖ **Background:**

Supreme Facility Management Limited ("the Company") is committed to create a secure work environment where all its stake holders such as Employees, Agents, Vendors and Partners can work and pursue business in an atmosphere free from any sexual harassment, exploitation and intimidation.

This policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed there under (hereinafter "the Act"). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

Further, as stated in the "Supreme Facility Management Limited" - Our success is based on our people. We treat each other with respect and dignity and expect everyone to promote a sense of personal responsibility. We recruit competent and motivated people who respect our values, provide equal opportunities for their development and advancement; protect their privacy and do not tolerate any form of harassment or discrimination.

The Policy on Prevention of Sexual Harassment of women at workplace: Guidelines for "Supreme Facility Management Limited" intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

❖ **Definitions:**

The definitions of some of the key terms used in this policy are given below.

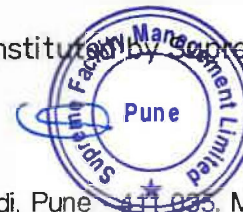
"Aggrieved woman" means in relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors.

"Company" means 'Supreme Facility Management Limited.

"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;

"Employer" A person responsible for management, supervision and control of the workplace.

"Internal Complaints Committee " (ICC) means a committee constituted by Supreme Facility Management Limited as per this policy.



"Respondent" means a person against whom the aggrieved woman has made a complaint.

"Sexual harassment" includes any one or more of the following unwelcome acts or behavior (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;

In addition, the following acts circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:

- i. implied or explicit promise of preferential treatment in the employment;
- ii. Implied or explicit threat of detrimental treatment in the behavior;
- iii. Implied or explicit threat about their present or future employment status;
- iv. Interfering with their work or intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
- v. humiliating treatment likely to affect the health and safety of the aggrieved person.
- vi. any other acts or behavior, any reasonable person views as such.

"Workplace" In addition to the place of work Head office / Branch offices, it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with "Supreme Facility Management Limited ", including transportation provided for undertaking such a journey.

❖ **Roles and Responsibilities:**

Responsibilities of Individual: It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- Refusing to participate in any activity which constitutes harassment.
- Supporting the person to reject unwelcome behavior.
- Acting as a witness if the person being harassed decides to lodge a complaint.

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

Responsibilities of Managers: All managers at "Supreme Facility Management Limited " must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

❖ **Internal Complaints Committee:**



To inquire and advice suitable action on the complaints on Sexual Harassment, there shall be a Committee called as "Internal Complaints Committee". The Committee shall be constituted by Chairman and Managing Director with the following members:

Internal Complaints Committee at Head Office "Supreme Facility Management Limited"

Presiding Officer	Mrs Rupali Mohite
Member	Mr Sura Banerjee
Member	Mrs Priaynka Jadhav
External Member	Mrs Vandana Mandhare, NGO Member

Every complaint received shall be forwarded to the Internal Complaints Committee for investigation, inquiry.

The committee members on need basis will be provided with necessary training to handle such matters effectively and with the required sensitivity and concern.

❖ Complaint Redressal Mechanism:

1. Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to Internal Complaints 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, which may further be extended for a period not exceeding three months by Internal Complaints Committee by recording the reasons in writing, if circumstances were such which prevented the aggrieved from filing a complaint within the said period. Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of Internal Complaints Committee shall render all reasonable assistance to the aggrieved for making a complaint in writing.
2. Where the aggrieved employee is unable to make a complaint on account of their physical or mental incapacity or death or otherwise, (a) legal heir or friend; or (b) co- worker; or (c) an officer of the National Commission for Women or State Women's Commission; or (d) any person who has knowledge of the incident, with a written consent of the aggrieved women; may make a complaint.
3. The Internal Complaints Committee shall make inquiry into the complaint in accordance with the principles of natural justice.
4. The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the Internal Complaints Committee along with supporting documents and names and address of witnesses.
5. On receipt of such complaint, Internal Complaints Committee shall provide a copy of such complaint along with supporting documents to the Respondent within 7 working days.
6. Respondent shall file reply to the complaint along with their list of documents, and names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents from Internal Complaints Committee.
7. The Internal Complaints Committee shall investigate the complaint in detail by giving reasonable opportunities for both the parties. For the purpose of making an inquiry, under this policy, Internal Complaints Committee have the power of a civil court, vested in it, in respect of:
 - a. Summoning and enforcing the attendance of any person and examining him under oath;
 - b. Requiring discovery and production of documents;
 - c. Any other prescribed matters.
8. During the enquiry process, the Complainant and the Respondent shall refrain from any



form of threat, intimidation or influencing of Witnesses.

9. The Committee shall ensure confidentiality during the enquiry process and will ensure that sufficient care is taken to avoid any retaliation against the witnesses. Internal Complaints Committee shall have the right to terminate the enquiry or give ex- parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause, provided that such termination or ex-parte order may not be passed without giving a notice in writing 15 days in advance, to the party concerned.
 10. The Internal Complaints Committee must complete its investigation within a period of 90 days.
 11. The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.
 12. For conducting the enquiry, the quorum of the Internal Complaints Committee shall be of 3 members including the presiding officer.
 13. The Internal Complaints Committee may before initiate an enquiry, and at the aggrieved party's request, attempt to settle the matter between them through conciliation. However, it shall ensure that:
 14. No monetary settlement made as a basis of conciliation.
 - a. Where a settlement has been arrived, the Internal Complaints Committee record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation. A copy of the same shall be provided to the aggrieved and the respondent.
 - b. Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Internal Complaints Committee.
 15. During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:
 - a. To transfer the aggrieved person or the respondent to any other workplace
 - b. Grant leave to the aggrieved person, up to three months with salary which is in addition to leave to which he/she is otherwise entitled.
- Provided, the aggrieved person has to tender justified reason for such transfer or leave, such as threat to work in the work place.

❖ **Actions:**

1. The committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to both Aggrieved and Respondent.
2. If the allegation against the Respondent has not been proved, the Committee may recommend not to take any action in the matter.
3. If the Internal Complaints Committee arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to the Employer to consider sexual harassment as a misconduct and take action in accordance with the provisions of the Service Rules of the Company.
4. Such action shall be taken within 60 days of the receipt of report.

❖ **False Allegations:**

1. The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false accusation.
2. On inquiry, if the Internal Complaints Committee comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, the Internal complaints committee may recommend to



take action against the person who made the complaint as per Service Rules. In such a case, malicious intent has to be established after an enquiry in accordance with the procedure prescribed, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the Internal Complaints Committee concludes, that he/she has given false evidence or produced forged or misleading documents.

3. The above provision is not to discourage employees from coming forward with complaints. Supreme Facility Management Limited recognizes and expects certain claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to conclude as Sexual Harassment. Complaints falls under the above, shall not be considered to be false accusations.

❖ **Awareness:**

1. All the women Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy.
2. An awareness program shall be conducted among the women employees on the Policy & formation of Internal Complaints Committee.
3. The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at work place.
4. Company shall display the notice showing the name of the Internal Complaints Committee members suitably.
5. Company shall make a declaration regarding the Policy on sexual harassment every year in the annual report.

❖ **Miscellaneous:**

1. Company with the approval of Competent Authority may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies the Act.
2. Any such alterations or amendment or rescinding will be intimated to the employees.
3. Nothing contained in these Policy shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.
4. The Internal Complaints Committee shall prepare an annual report with the following details and shall submit the same to the Management to include in its annual report:
 - a. Number of Complaints of sexual harassment received during the year;
 - b. Number of complaints disposed of during the year;
 - c. Number of cases pending for more than 90 days;
 - d. Number of workshops or awareness program against sexual harassment carried out;
 - e. Nature of action taken by the employer.
5. The above Annual Report and the MIS should be prepared by the Internal Complaints Committee and shall be submitted before the end of each financial year to the Human Resource Department of the Company.

❖ **Conclusion:**

1. Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an



impartial and confidential manner so as to protect the identity of all viz. the person filing the charge, potential witnesses, and the person accused of improper behavior. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

2. The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.
3. The decision of the Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

❖ **Mandatory Display Of The Policy:**

1. A copy of the Policy shall be displayed by all Offices of the Company at a prominent place inside the Company's premises and on the Company's website.

