

EVEXIA LIFECARE LIMITED

Policy for Prevention of Sexual Harassment (POSH)

1) Introduction

We at Evexia Lifecare Limited (which includes our affiliates and subsidiaries, hereinafter referred to as the “Company”) have zero-tolerance for Sexual Harassment. We value every single Staff working at the Company and wish to protect their dignity. In order to do so, we are determined to promote an environment where all individuals are treated as equals. We take all allegations of Sexual Harassment seriously and strive to address them promptly and confidentially, where possible.

The Company encourages every member of Staff who believe that they are being or have been sexually harassed to use the Grievance Redressal System that has been laid down in this Policy, and we are committed to ensure that every individual is given a fair and just hearing. This Policy is gender neutral and is aimed to protect the interests of everyone. Therefore, the Complainant or the alleged harasser may be of any gender. Sexual Harassment is treated as a serious misconduct and the Company takes very serious action against any retaliation or victimization of the Complainant or the alleged harasser in the complaint. In some cases, it may even amount to gross misconduct leading to termination, dismissal or discharge.

2) Scope

This Policy for Prevention of Sexual Harassment (“Policy”) applies to all allegations of sexual harassment at the Workplace (as defined in the Policy) and is applicable to all Staff (as defined in the Policy) associated with the operations of the Company

3) Objectives

We are determined to provide a work environment that is free from any form of unlawful discrimination or harassment by maintaining a Workplace where all Staff are considered equal, and the dignity of each Staff is respected and promoted. Any person, who is involved in causing sexual harassment, shall be subject to appropriate disciplinary action.

4) Definitions

Complainant: Any aggrieved individual who makes a complaint alleging Sexual Harassment at Workplace.

Respondent: A person against whom a complaint of Sexual Harassment has been made by the Complainant.

Staff: 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. All permanent, full time and part-time employees including employees on-probation, temporary employees, fixed term employees, interns, project trainees, job applicants, contractual employees, vendors, suppliers and clients of the Company and its subsidiaries.

Employer: Any person or board or committee responsible for the management, supervision and control of the Workplace, including formulation and administration of policies of the Company.

Management: For the purpose of this Policy means Company’s officer or officers/nominee or nominees as may be authorized on this behalf by the promoter/managing director/director who will

be responsible for implementing the recommendations of the Internal Complaints Committee within the Company.

Internal Complaints Committee (IC): Refers to the redressal committee established within the Company to receive and inquire into complaints pertaining to incidents of Sexual Harassment at Workplace and provide its final recommendations to the management of the Company for implementation.

Workplace: Workplace means establishments, enterprises, institutions, offices, branches, premises, locations or units established, owned, controlled by the Company or places visited by the employees out of or during the course of employment including accommodation, company official gathering/parties and transportation provided by the employer for undertaking such journey.

5) Actions defined and identified as Sexual Harassment at Workplace

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 –

- Physical contact and advances and demand or request for sexual favours; Any other unwelcome physical, visual, verbal or non-verbal conduct of sexual nature including but not limited to cat- call, vulgar/indecent jokes, gestures etc.
- Showing pornography; Making sexually coloured remarks or remarks of sexual nature about a person's clothing or body:
- Hostile Working Environment
- A 'Quid pro quo' arrangement, which means seeking sexual favors or advances in exchange for work benefits (favorable performance appraisals, promotions, sustained employment and provision of employment) or when consent to sexually explicit behavior or speech, whether oral or electronic, is made a condition for employment; or when refusal to comply with a 'request' is met with retaliatory action such as dismissal, demotion, difficult work conditions, etc.
- Behavior that isolates or is discriminatory towards or excludes a person on the grounds of his or her sexual orientation.
- Virtual harassment: Offensive remarks and overtones during video calls, WhatsApp, emails, telephone conversations, other social media, sexual advances through various online portals, unnecessary calls after office hours, undefined work hours, dressing inappropriately for video calls, physical & cyber stalking and threatening.
- Third Party Harassment: Where third party harassment occurs as a result of an act or omission by any third party or outsider (such as a guest, client, customer or any other person whom the Staff may come into contact with in the course of performing their role). The Staff can bring this to the notice of the Company or person in- charge at the relevant time (e.g. the line manager or supervisor)

6) Rights and Responsibility of Staff

- Be aware of and abide by laws and procedures applicable at the Company.
- Respect the rights of others and to never encourage harassment.
- Support/co-operate during any investigation as part of the inquiry process and provide a full and truthful disclosure of relevant information and assist with investigations.
- Come forward as a witness if the person being harassed decides to lodge a complaint.
- Handle information related to known or suspected violations of this policy in a discreet

and confidential manner and not attempt to investigate the information or suspected violations of this policy on their own i.e. without involving the IC.

7) Grievances Redressal System

a) Internal Complaints Committee

- The Company has constituted an Internal Complaints Committee (“IC”) in its Head office, and branch offices to address and redress complaints of Sexual Harassment. The IC is appointed by the senior management of the Company in compliance with applicable law.
- The IC will act in accordance with the provisions of the law, including investigation of complaints and recommending the appropriate action to be taken.
- The IC shall comprise of a minimum of one senior most female staff member who will be the presiding officer, one external member who is well versed with the subject (for instance, an NGO committed to the cause of women or a social worker with at least 5 years’ experience in the field of social work towards empowerment of women or a person familiar with labor, service, civil or criminal law) and one male or female member of the Staff.
- The name of the IC members will be displayed in a conspicuous place in the office

b) Roles and Responsibilities- Internal Complaints Committee

- Receiving complaints of Sexual Harassment at the Workplace and performing its duties in accordance with the law.
- Initiating and conducting inquiry as per the established procedure under law.
- Submitting findings and final recommendations on complaints of Sexual Harassment at Workplace which will be implemented by the Company.
- Maintaining strict confidentiality throughout the process as per established guidelines and ensuring absolute transparency in its activities, disclosing necessary information to the respective stakeholders when required and investigating the complaints while abiding by the principles of natural justice.

8) Lodging a complaint

Any Staff who feels that they have been harassed or discriminated against, or who witness any harassment or discrimination, should immediately report such conduct to their supervisor, or the IC as appropriate.

On receipt of the complaint, the IC will contact the Complainant as soon as possible, or at least within 2 working days to understand the complaint and to provide necessary support.

A Complainant may, in writing, make a complaint of Sexual Harassment at Workplace to the IC within a period of 3 months from the date of incident/ last incident. The IC can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint within the period.

9) Resolution procedure for Informal Inquiry through conciliation

- In case the Complainant expresses a desire to opt for the informal route, the IC will support the Complainant by facilitating a meeting with the Respondent.
- No monetary settlement can be made as a basis of conciliation.
- In case a settlement is arrived at, the IC will record and report the same to the Company for taking appropriate action. Resolution through conciliation is to happen within 2 weeks of receipt of complaint.
- Where a settlement is arrived at, no further inquiry is to be conducted by the IC.
- In case the informal route fails or the Complainant so chooses, the IC will initiate a formal inquiry.

10) Procedure of inquiry into Formal complaint:

- The IC will meet with the Complainant no later than within seven (7) days of receipt of the complaint.
- They will inform the Complainant of this meeting date at the earliest.
- Where there is need for additional facts, the IC will undertake fact-finding or make necessary detailed inquiries relevant to the case. This may include personal interviews with concerned staff members, request for documents or records and so on.
- The procedure will be thorough, impartial and objective, and carried out in a timely manner with sensitivity and due respect for the rights of all parties concerned.
- The IC shall provide every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective case.
- No legal practitioner can represent any party at any stage of the inquiry procedure.
- In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not amount to an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof

11) Actions taken post inquiry

- a) Termination of Inquiry

IC may terminate the inquiry or give an ex-parte decision, if either the Complainant or Respondent are absent for 3 consecutive hearings, without sufficient reason. 15 days' written notice is to be given to the party, before termination of enquiry or ex-parte order.

b) Actions to be taken after inquiry

Post the inquiry, the IC will submit its report containing the findings and recommendations to the Company, within 10 days of completion of the inquiry.

Complaint unsubstantiated

Where the IC arrives at the conclusion that the allegation against the Respondent has not been proved, it recommends to the Company that no action is required to be taken in this matter. Further, the IC ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded, and neither party will be at a disadvantage within the Company.

Complaint substantiated – Disciplinary Action

The nature and severity of the disciplinary action against the guilty will be commensurate with the seriousness of the offence. This could range from, but will not be limited to:

A letter of warning that will be filed in the personnel file, immediate transfer, demotion or suspension without pay or both, termination of employment/services from the Company, any other action that the IC may deem fit.

The Company is required to act upon the recommendations within 60 days and confirm to the IC that the requisite action has been taken. This will be implemented by the respective HR representative or a nominated disciplinary authority.

Post implementation of the actions, follow up with the Complainant should also occur to ascertain whether the behavior has stopped, whether the solution is working satisfactorily and that the victimization of either party is not occurring.

12) Complaint Investigation

a) Protection against Retaliation

- The Company has an obligation to ensure that a person who lodges a complaint in good faith and without malice, or who participates in a proceeding relating to, or otherwise opposing Sexual Harassment is protected, and will not allow a person raising a concern to be victimized for doing so.
- The IC at all times must be sensitive to the possibility of the alleged Respondent displaying retaliatory behavior and take appropriate action wherever required.

b) Personal Liability and Frivolous Charges

- The Complainant should be aware that they may be held personally liable for certain acts of harassment that they commit and also for failing to deal with, or

report, any active harassment of which they are aware.

- Filing of false and malicious charges or false documents will not be tolerated, and those responsible would be subject to disciplinary action.

c) Malicious Allegations

- Where the IC arrives at the conclusion that the allegation against the Respondent is malicious or the Complainant or any other person making the complaint has made the complaint knowing it to be false or the Complainant and the investigation has proved that the motivation of the Complainant was in bad faith, such as to willfully defame the Respondent, or any other person making the complaint has produced any forged or misleading document, the IC may recommend to the Company to take action against the person making the complaint.
- The action recommended should be similar to the ones proposed for the Respondent in case of substantiated complaints.

d) Confidentiality

- The identity of the Complainant, Respondent, witnesses, statements, and other evidence obtained in the course of inquiry process, recommendations of the IC, action taken by the Company is considered confidential material, and is not published or made known to public or media.
- Individuals involved in the complaints process/system must refrain from divulging the details of the complaint, any information gathered during the inquiry and the identities of the persons involved, unless required as part of the investigation process itself.

e) Right to appeal

- If any party to the complaint is dissatisfied with the actions taken by the management for the resolution of a complaint, they can file an appeal to the local authorities in accordance with the law of the land. If a Staff has any doubt regarding the appropriate authority, they may reach out to any of the IC members directly.
- If the law of the land is silent about the provision relating to appeal, then the dissatisfied party through a written statement can ask for a fresh inquiry which involve the HR Geography Head and an IC member who was not involved in the earlier inquiry process.