

iLink Digital

Prevention of Sexual Harassment Policy (POSH)

Prevention of Sexual Harassment Policy

This Prevention of sexual Harassment Policy (“Policy”) is effective from 01st March 2023 and applies to all employees of iLink its Subsidiaries (Hereinafter “Company”)

Company is committed to creating a safe work environment free from any form of Sexual Harassment and where all employees are treated with Dignity and Respect.

As per the Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“POSH Act”) and rules thereunder the Company has framed this policy and adopted the same. While this 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. This policy aims at prohibiting, preventing, and deterring the commission of Acts of Sexual harassment at the workplace and provide the procedure for redressal of complaints pertaining to sexual harassment.

The Company is committed to the effective dissemination of this policy. All Stakeholders and managers are required to ensure that they and their team are aware of the Policy and are encouraged to adhere to it.

❖ The Policy Statement:

Company is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment. Company will operate a zero-tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be Victimized for making such a complaint.

❖ What is Sexual Harassment:

Sexual harassment is defined as:

1. Objectionable, coercive, or lewd comment of a sexual nature to a person or persons, that is known or ought reasonably to be known as unwelcome.
2. Actions or communications with a sexual connotation that create an intimidating, demeaning, or offensive work environment.

3. Unwanted sexual request or advance, inappropriate touching, or sexual assault.
4. An implied or expressed reprisal or threat of reprisal, or denial of opportunity for refusing to comply with a sexual request.
5. Any implied or expressed reward for complying with a sexually oriented advance or request
6. Displaying pornographic, offensive, or derogatory pictures or text.
7. Reprisal or threat of reprisal against an individual for any action they take following this policy and its procedures.

❖ **What is NOT Sexual Harassment?**

Sexual harassment does not refer to normal conversation that all parties affected find acceptable. It does not refer to office relationships that are freely entered into without intimidation or coercion.

❖ **What Can Employees Do If They Think They Are Being Sexually Harassed?**

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. Company recognizes that sexual harassment may occur in unequal relationships (i.e., between a supervisor and his/her employee) and that it may not be possible for the victim to inform the alleged harasser. If a victim cannot directly approach an alleged harasser, he/she can approach one of the designated staff members responsible for receiving complaints of sexual harassment. This person could be another supervisor, a member of the human resource department, etc.

❖ **Maintain Records**

Employees who feel they have been harassed must maintain records of incidents, including dates, times, places, witnesses, responses of the alleged harasser and harasser, and any other relevant information.

❖ **Informal Resolution**

1. Talk to the harasser

- Employees should indicate clearly and directly that the behavior is not acceptable and must stop.

2. Talk to the immediate supervisor or another manager

- Employees may discuss the situation with their immediate supervisor or with another person in a position of authority.

❖ **Formal Complaint Mechanism:**

If the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter. The aggrieved person can at the initial Stage inform and approach the HR POC Vanitha and if not resolved at the initial level the person can reach The POSH Committee on icc-posh@ilink-systems.com and submit a written Complaint. Who will refer such Complaint to Complaints Committee, with available supporting documents and list of witnesses within a period of 3 months from the date of the incident/s.

In case the aggrieved person is not able to register complaint due to any physical incapacity, complaint can be registered with written consent from the aggrieved person either by relative, friend, colleague and an officer of the National Commission for Women or State Women's Commission or by any person who has knowledge of the incident.

In case the aggrieved person is not able to register complaint due to mental incapacity, the complaint can be registered with written consent from either of the aggrieved person's relative, friend, colleague, special educator, a qualified psychiatrist or psychologist, guardian or authority under whose care the aggrieved person is receiving treatment or care, or any person who has knowledge of the incident jointly with the aggrieved person's relative, friend, colleague, special educator, a qualified psychiatrist or psychologist, guardian or authority under whose care the aggrieved person is receiving treatment or care.

Where the aggrieved person is dead, a complaint can be filed by any person who has knowledge of the incident with written consent of the legal heir of the aggrieved person.

The Complaint Committee may extend the time limit not exceeding 3 months by recording the reasons in writing if it is satisfied that the circumstances were such that prevented the aggrieved person from filing the complaint during the period.

❖ **What Rights Does an Alleged Offender Have?**

Alleged offenders have the right:

1. To be informed that a complaint has been filed.
2. To have a copy of the complaint, stating the allegation(s) and the name of the complainant.
3. To respond to the allegation(s).
4. To be accompanied during investigative interviews by a co-worker, or another support person.
5. To be informed in writing of the CEO's decision on what action, if any, will be taken and the reasons for that decision.

6. To discuss the matter with an Advisor.

❖ **Inquiry Process:**

The senior human resources manager may deal with the matter him/herself, refer the matter to the Complaints committee in accordance with this policy.

The person carrying out the investigation will:

- interview the victim and the alleged harasser separately.
- interview other relevant third parties separately.
- decide whether or not the incident(s) of sexual harassment took place.
- produce a report detailing the investigations, findings, and any recommendations.
- if the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e.- an apology, a change to working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal)
- follow up to ensure that the recommendations are implemented, that the behavior has stopped and that the victim is satisfied with the outcome.
- if it cannot determine that the harassment took place, he/she may still make.
- recommendations to ensure proper functioning of the workplace keep a record of all actions taken.
- ensure that all records concerning the matter are kept confidential.
- ensure that the process is done as quickly as possible and, in any event, within 60 days of the complaint being made.

❖ **Sanctions and disciplinary measures**

Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

- verbal or written warning
- adverse performance evaluation
- reduction in wages
- transfer
- demotion
- suspension
- dismissal

The Complaints Committee shall have the sole right to decide the sanctions based on the gravity and extent of the harassment. In all cases suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

❖ **Appeals:**

In case any decision by the Complaints Committee is not acceptable to the aggrieved person and / or respondent, they shall be given an opportunity to represent their case to the Complaints Committee in-writing or in-person.

The decision arrived at thereafter by the Complaints Committee shall be final and binding to both and shall be implemented by HR. They could further appeal to a court or tribunal as per the law within a period of 90 days. Not explicit

❖ **False and Malicious Complaints**

The Company is strongly opposed to misuse of this Policy. Therefore, both the aggrieved person and the respondent must be prepared to go through a fair process of inquiry by the Complaints Committee.

In case Complaints Committee comes to a conclusion that complaint is found to be done and supported with malicious intent by the aggrieved person and witnesses respectively, done and supported knowing that it is false or if the aggrieved person and / or witnesses produced forged or misleading document/ s, the Complaints Committee will recommend suitable action to the Management to prevent recurrence so that others are deterred from raising complaints in bad faith. The aggrieved person and / or witnesses will be liable for appropriate disciplinary action by the Management.

However mere inability to substantiate a complaint or provide adequate proof will not mean that the complaint is false. Malicious intent on the part of the complainant and witnesses shall be established after an enquiry by the Management as per the code of conduct of the Company before any action is recommended against them.

❖ **External Complaint Options**

Employees have the right to make a complaint to the Human Rights Commission. In a case of alleged sexual assault, employees have the right to make a complaint to the police.

❖ **What Are the responsibilities of a manager or Supervisor?**

Managers and supervisors shall ensure to maintain safe environment for all its employees free from discrimination on any ground and from sexual harassment at work and:

a. Take preventive action.

Are required to make sure that all employees and supervisory staff are aware of what action to take if harassment occurs. Managers must also set the appropriate standard of conduct through their own behavior.

b. When approached by an employee with a complaint.

Must be supportive and explain what options are available. Managers should also find out how the employee prefers to deal with the situation and address any concerns the employee may have about filing a formal complaint. Finally, managers must keep a confidential record of all pertinent information.

c. If the employee files a formal complaint.

Must provide assistance as required and be available to discuss any concerns that the employee may have. Cooperation with the members of the Investigative Committee is also required.

d. If the employee chooses not to file a formal complaint.

Managers must explain to the employee that they are required under the policy to take action even in the absence of a formal complaint.

Annexure A

List of Internal Complaints Committee Members:

S.No	Employees Name	Location	Role
1	Shilpa Duggal	Pune	Presiding Officer
2	Ganga Mahendhiran	Chennai	Internal Committee Member
3	Prasanna Cheyyar Nageswaran	Chennai	Internal Committee Member
4	Vikram Tamilmani	Trichy	Internal Committee Member
5	Bhagyashri Patil	Pune	Internal Committee Member
6	Rushi Mallawat	Pune	Internal Committee Member
7	Nagarajan Rengamani	Trichy	Internal Committee Member
8	Karthikadevi C	Trichy	Internal Committee Member
9	Rama Sarode	Pune	External POSH Consultant