

## Prevention of Sexual Harassment Policy

### Introduction

This Policy on Prevention of Sexual Harassment at Workplace (Hereinafter called "**POSH Policy**") shall be effective from the opening business hours of August 1, 2024. This POSH Policy is Gender Neutral to bring in equity for both men and women at workplace and specially when women are the victim, the Organization will other than what is formulated in the below mentioned POSH Policy, shall also abide by and Rules thereto.

- a) The Organization believes that sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. All employees have the right to work in an environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive such as sexual harassment.
- b) The Organization is committed towards creating a safe and healthy work environment that enables its employees to work without fear of prejudice, gender bias and sexual harassment. Gender equality includes protection from sexual harassment and the right to work with dignity, which is a universally recognized basic human right. In the Organization we believe equality to employment can be seriously impaired when people are subjected to gender specific violence, such as sexual harassment at work that affects the dignity of men and women at work.
- c) The Organization's POSH Policy is aimed at prohibiting, preventing or deterring the commission of acts of sexual harassment at the workplace and to provide procedure for the redressal of complaints pertaining to sexual harassment and also ensuring that in the case of misconduct, the employees have a fair and lawful procedure for redressal of their complaints.
- d) Sexual harassment would constitute any unwelcome sexually determined behavior (whether directly or by implication) including as below:
  - i. Physical contact and advances.
  - ii. A demand or request for sexual favors.
  - iii. Making sexually colored remarks.
  - iv. Showing pornography; or
  - v. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

### Applicability

The policy applies to all employees including Trainees, Retainers and Third Party Contractual engaged across all offices of the Organization including any other place visited by an employee arising out of or during the course of or on account of his / her employment.

### Handling of Complaints, Internal Committee and Disciplinary Action

If an employee is being harassed:

- a) Must tell the accused that his/her behavior is unwelcome and ask him/her to stop.
- b) Keep a record of the incidents, if possible (dates, times, locations, witnesses, what happened, his / her response)
- c) It is not mandatory to have a record of events to file a complaint, but a record can strengthen the case and help him / her remember the details over time.
- d) Must file a complaint, along-with supporting documents & names of witnesses, if any, within a period of 90 (ninety) days from the alleged incident with the relevant Internal Committee notified by the Organization

### Internal Committee (IC):

- MD & CEO will approve the constitution of Internal Committee (IC) for the Organization. The tenure of the members (members as mentioned herein shall also be deemed to include the Chairperson) appointed on the Committee will be for a period of three years.
- The tenure of the appointment of members may be extended / curtailed at the sole discretion of the MD & CEO.

## Prevention of Sexual Harassment Policy

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### Quorum:

- Quorum for a valid meeting of the relevant Committee would be at least three members personally present representing one male and two female members.
- In the absence of a valid quorum, the meeting of the Committee shall be adjourned for such period as may be decided by the Chairperson.
- The management of the Organization shall have a right to substitute the members on the Committee at its sole discretion from time to time besides reducing or enlarging the number of members in the Committee. The quorum will always have male and female members on the Committee.

**Details of members of the Committee are provided in Annexure-1.**

### Dealing with the complaint:

- a) An employee is expected to report sexual harassment experienced by him / her, within a period of 90 (ninety) days from the alleged incident, or if it is series of incidents, then 90 (ninety) days from the occurrence of last incident to the Chairperson of the relevant Committee, in writing (each page should be duly signed including all supporting documents), preferably in a sealed cover. A copy of the complaint can also be forwarded to email id [EKFL\\_poshcommittee@escortskubota.com](mailto:EKFL_poshcommittee@escortskubota.com) for necessary action. The complaint should contain all the material and relevant details concerning the alleged sexual harassment including the details of the accused and the names of the witnesses, if any. The complaint should specify the incidents of sexual harassments clearly and should not have general incidents.
- b) Promptly upon receiving the complaint, the Chairperson shall proceed to convene a meeting of the relevant Committee. The Committee may before initiating any inquiry and at the request of the victim take steps to settle the matter between the victim and the accused through conciliation. Provided that no monetary settlement shall be made as a basis of conciliation. Where settlement has been arrived at, the Committee shall record the settlement so arrived and forward the same to the Employer to take action as specified in the recommendation with copies to the victim and the accused. In case of such settlement no further inquiry shall be conducted by the Committee thereafter
- c) The minutes of the meeting of the Committee shall be recorded, signed and kept in the custody of Chairperson of the Committee.
- d) The complaint and all investigations carried out shall be kept strictly confidential. Any person involved in the investigation, including the members, complainant, accused and the witnesses would be bound to maintain confidentiality. Any breach of confidentiality may attract disciplinary action.
- e) The person accused will be informed that a complaint has been filed against him / her and he / she would be asked to submit his / her explanation in writing (including any supporting documents, list of witnesses etc.), if any to the Chairperson of the Committee within 10 days of receiving such information. The accused would also be advised not to act in retaliation.
- f) The Committee shall ensure that a fair and just investigation is undertaken immediately as per the principles of natural justice.
- g) Both the complainant and the accused would be summoned by the Committee to ascertain the facts. In addition, other employees may be interviewed to elicit sufficient factual information. Any persons named as witnesses may also be summoned by the Committee to ascertain the facts in the complaint.
- h) The Committee shall, after examination of the complaint, submit its recommendations to the CEO.

## Prevention of Sexual Harassment Policy

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- i) **The Committees shall adhere to act within the following timelines namely:**
- 90 days' time to register complaint after the incident date or in case of series of incidents, within a period of 90 days from date of last incident.
  - 90 days to complete enquiry.
  - 10 days for report submission - after completion of enquiry
- j) The complainant and the accused shall be informed of the outcome of the investigation. If the investigation reveals that the complainant has been subjected to sexual harassment, the accused will face disciplinary action including other actions as may be required/ available to the Organization under the provisions of law and / or this Policy.
- k) The Organization shall take suitable action within a period of 60 days' after receiving the Committees' recommendations.
- l) In case a complaint is filed against an IC member, the member shall be removed from IC till the final report is submitted to the Head HR
- m) In case a member has a conflict of interest in a particular complaint, then such a member would be excluded from the relevant Committee (for that complaint).
- n) In case the aggrieved person is unable to make a complaint or has passed away, the complaint can be filed by any relative, friend, Co-worker or any other person with knowledge of the incident.

### Disciplinary Action:

Where any misconduct is found by the Committee, appropriate disciplinary action shall be taken against the accused by the Organization. Disciplinary action may include actions including but not limited to transfer, withholding promotion including variable pay, suspension or even dismissal.

## Prevention of Sexual Harassment Policy

### **Confidentiality**

All information received through the investigation shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be liable for Disciplinary Action.

### **Protection against Retaliation**

- Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint, the accused and all witnesses shall be protected from any form of retaliation. In order to ensure this, at the request of the complainant, the relevant Committee may recommend to the employer to take any interim action as permitted under the applicable law.
- Any unwarranted pressures, retaliatory or any other type of unethical behavior from the accused against the complainant/witnesses while the investigation is in progress or later should be reported by the complainant/witnesses to the relevant Committee as soon as possible.

### **Complaints made with a Malicious Intent**

- If on investigation it is revealed that the complaint was made with a malicious intent- that is with the intent of tarnishing someone's image or to settle a personal score, or otherwise, disciplinary action shall be taken against the complainant.

### **Disclosure in Annual Report**

The Committee on annual basis will prepare a report giving full account of all the complaints received during the year, statement of which shall also be disclosed under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in its annual report

### **Third Party Harassment**

- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the employee and person in charge will take all necessary steps that are reasonable to assist the affected person in terms of support or preventive action.

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**Annexure-1**  
**Details of members of the Committee**

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The tenure of the members (members as mentioned herein shall also be deemed to include the Chairperson) appointed on the relevant Committee will be for a period of three years.

The tenure of the appointment of members may be extended / curtailed at the sole discretion of MD & CEO. Committees constituted effective August 1, 2024 are as follows:

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| <ol style="list-style-type: none"><li>1. Chairperson: Mini Kohli</li><li>2. Member: Kishan Rao</li><li>3. Member: Ankit Srivastava</li><li>4. Independent Member: Jyoti Grover</li></ol> |
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