



Policy on Prevention of Sexual Harassment at the workplace

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Document Control Section

Document Name	Policy on Prevention of Sexual Harassment at the Workplace
Abstract	To ensure consistent practices, in accordance with applicable laws, are followed to prevent sexual harassment at workplace.
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Authorization

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Review / Amendment Log

Version	Modification Date (DD/MM/YYYY)	Section	Amendment / Modification / Deletion	Brief Description of Change/Review (performed by – details)
1.1	01/09/2015	NIL	Modification	Name of the policy, Key definition, Constitution of ICC, CASH to ICC, Authorities and timelines.
1.2	03/04/2017	NIL	Amendment	Change in the Name of ICC

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Purpose

The purpose of this global policy is to ensure that consistent practices, in accordance with applicable laws, are followed to prevent occurrence of Sexual Harassment, procedure for redressal of complaints of Sexual Harassment at workplace.

Applicability

This policy is applicable to all employees (permanent, temporary or contractual), consultants, trainees, volunteers, third parties and/or visitors at all business units or functions of the company – CIPLA LIMITED, its subsidiaries and/or its affiliated or group companies including transportation provided by employer for undertaking such journey, across all locations and geographies (collectively termed as 'CIPLA').

Ownership and Compliance

Head of Industrial & Employee Relations is the owner of this policy and is responsible for the overall implementation, execution and compliance of the policy.

Key Definitions

- 1. Aggrieved person** refers to a male or female employee of CIPLA, who is a victim of Sexual Harassment, during the course of employment, wherein the harasser may be a male or female. For the ease of reference, this document mentions the term 'he' and 'his' for the aggrieved person of either gender.
- 2. Sexual Harassment** refers to any unwelcome and unreasonable act or behavior of the harasser, whether directly or by implication, against the aggrieved person.

It includes, but is not limited to: physical contact and advances or a demand or request for sexual favours or making sexually coloured remarks or showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature, which may be through gestures or verbal, textual, graphic or electronic means.

It also includes implied or explicit promise of preferential treatment or threat of detrimental treatment in the employment of aggrieved person or implied or explicit threat about his present or future employment status or interferes with his work or creating an intimidating or offensive or hostile work environment for his employment or humiliating treatment likely to affect his health or safety, if it occurs in connection with any act or behavior of sexual harassment.

3. Classification of Sexual Harassment includes, but is not limited to the following:

- Physical harassment which refers to kissing, patting, pinching or touching in an inappropriate manner or demand or request for sexual favours by action or any form of unwelcome physical contact of a sexual nature;
- Verbal harassment which refers to unwelcome comments about a person's sex or private life, jokes and insinuations, sexually explicit conversation, suggestive comments about a person's appearance or body, demand or request for sexual favours, sexually coloured remarks or overture of sexual nature;
- Non-verbal harassment which refers to sexually suggestive gestures such as nods, winks, gestures with hands, fingers, legs or arms and making colleagues uncomfortable by looking at their body while communicating with them;
- Written, visual or graphic harassment which refers to sending text content or graphic content of sexually explicit nature, which may include but not limited to pornography, screen savers, calendars, desktop wallpaper, posters, pin-ups, websites, presentations or using emails, computer games, short messaging services, mobile messaging applications or multimedia messaging services for the above purposes, addressing unwanted communications, relentless pursuits and any communication or messages of a sexually explicit nature; and/or

4. Hostile Work Environment refers to a work environment when unwelcome physical, verbal, gestural behavior or any written, visual or graphic

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representations focusing on sexuality is present to interfere with the victim's work performance or be intimidating or offensive to a reasonable person. e. g. certain sexist remarks, display of pornography or sexist or obscene graffiti, physical contact or brushing against female employees.

5. **Quid pro quo** refers to sexual favours 'in exchange' of promotion, bonus, perquisites, increment, etc.
6. **Workplace** refers to any office or business unit or any other place where the employee works or visits during the course of employment with CIPLA. It also includes any vehicle used for travel for work, duration of transportation and/or transit for travel.
7. **Internal Committee (IC) against Sexual Harassment** refers to a Committee constituted, nominated in accordance with the law / policy, at all offices or business units of CIPLA.

Policy Statement

- CIPLA has zero-tolerance towards any act of Sexual Harassment at workplace.
- The perception of the recipient is taken into consideration to assess the situation, not the intent of the perpetrator. Hence, subtle hints seeking sexual favours, double meaning comments and any probability of sexual harassment is viewed seriously in keeping with the zero-tolerance policy.
- In case of any incident of Sexual Harassment, proper inquiry will be carried out and strict action will be initiated, in accordance with the policy.
- Victim will be assisted in filing a police complaint against the Respondent if requested in writing by the Complainant.

Constitution of Internal Committee (IC) against Sexual Harassment

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- IC shall consist of at least 5 (five) members (nominated, in writing and signed by Global Chief People officer or CEO or Whole-time Director) namely:
 - i) Presiding Officer, a senior woman employee at the location (in the event of her unavailability, the Presiding Officer shall be nominated from other units or locations),
 - ii) 3 (three) or more Members from the employees who are committed to the cause of women.
 - iii) 1 (one) member from NGOs or associations familiar with the issues relating to sexual harassment.
- At least 50% of the total Members nominated should be women.
- This committee will be treated as an independent Committee and not part of the CIPLA Management. However, for the purposes of smoother administration, the Committee will route the communications to Management through Global Chief People officer or Presiding officer of IC.
- The details of Presiding Officer and Members of IC to be made available to all employees of the respective units or locations.
- A common email-id of IC (icc@cipla.com) will be available with Presiding Officer and it shall be communicated to all employees.
- The list of members of IC for each location is mentioned in Annexure.

Procedure

Filing a Complaint

- Any aggrieved person can file a complaint of Sexual Harassment, in writing to IC, within a period of 3 (three) months from the date of incident or in case of series of incidents, within a period of 3 (three) months from the date of last incident. A delay of an addition to 3 (Three) months can be condoned if the IC is convinced for the reason of delay, provided in writing by the Complainant.
- A colleague or a co-worker can initiate the complaint in place of the victim, in the afore-said time frame.

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- The complaint can be filed before the reporting manager or Presiding Officer or any other member of IC in writing. The same must be escalated to the IC immediately if escalated to a non-IC member.
- In the event, the aggrieved person is not able to complain in writing, the Reporting Manager or Presiding Officer or any member of IC shall provide reasonable assistance to the aggrieved person for making the complaint in writing.
- Anonymous complaints will not be entertained by the IC. However, the same will be looked into as per provisions of the code of conduct policy.
- Retaliation, in any form, by any other person against either victim or complainant or witness in such complaints will tantamount to serious misdemeanor and strict disciplinary action will be taken against such employee.
- In the event of physical or mental incapacity or death of aggrieved person, the legal heirs may file a complaint.

Conciliation

- Before initiating an inquiry, IC may, at the request of the aggrieved person, take steps to settle the matter between the complainant and respondent through conciliation.
- No monetary settlement can be made on the basis of conciliation.
- In case of settlement through conciliation, IC will record the settlement, with reasons and forward the same to Global Chief People Officer / Business Head for specific action as per recommendation. Also, provide copies of settlement to both complainant and respondent.
- In case, the terms of settlement are not complied with, IC will conduct a formal inquiry. Post-settlement, no further inquiry is required to be conducted by IC.

Conducting and Concluding Inquiry

- In the event, the complainant does not wish to initiate settlement through conciliation; an inquiry will be initiated against the respondent by IC.
- IC will conduct all proceedings in closed room and / or in camera (if required), wherein both the complainant and the respondent will be heard separately.
- At the time of inquiry, statements of both complainant and respondent; will be recorded by IC and reasonable opportunity will be given to both the sides to make representations and provide evidence.
- IC may cross-examine the complainant and the respondent.
- On request, witnesses may be allowed from each side to substantiate their claims.
- IC may, however, on their discretion, call upon or question any other person who they think might have knowledge of the incident.
- Any person who appears as a witness before IC must maintain the confidential nature of inquiry. In case, such a person is found to be delving information to any other person, disciplinary action will be conducted against him.
- The inquiry must be completed within a period of 90 (ninety) days on filing of the complaint.
- IC must follow the following milestones for conducting the investigation:
 - i) Within 3 (three) working days of receipt of a complaint against any incident of Sexual Harassment, the Presiding Officer must acknowledge the complaint and revert to the Complainant regarding the options of redressal available with the IC.
 - ii) Within 2 (two) working days of receipt of a complaint against any incident of Sexual Harassment, the Presiding Officer must confirm verbally or in writing with the members of IC whether there is any inability to be a part of the Committee to investigate the incident, say from the same department or function, etc.
 - iii) In such event, the Presiding Officer must then invite any other such members from the nominated list, who can be part of the Committee.

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- iv) The first meeting of IC must be held within 7 (seven) working days of receipt of complaint, wherein the members should fix the tentative schedule of meetings with the complainant, respondent and any other persons, as required and issue the requisite notices in writing, detailing the date, time and venue for the meetings.
- Within 45 (forty five) days of receipt of complaint, the preliminary meetings with all concerned, including witnesses and any other persons, must be completed. IC must ensure that there are no delays in conducting the inquiry, at any stage, and that the inquiry should be completed in the shortest possible time frame.
- All proceedings conducted by IC must be recorded, in writing, including the notices and minutes of meetings (MoM s) of all interactions.
- The complainant, respondent or witnesses must sign the records of proceedings. Refusal to sign the records of the proceeding will constitute misconduct and separate disciplinary action will be taken.
- During the pendency of an inquiry, on a written request made by the aggrieved person, the Internal Committee may recommend to the Management:
 - i) transfer of the aggrieved person / Complainant or Respondent to any other unit or location, or
 - ii) grant leave to the aggrieved person as per statutory provisions.
 - iii) suspend the accused for defined period or until the inquiry proceedings are completed, or
 - iv) grant any other interim relief to the aggrieved person as may be deemed fit.
- On implementation of such recommendation, a report will be maintained by IC.
- On the completion of inquiry, IC will provide a report of its findings to the Business Head, for reporting to the management, within a period of 10 (Ten) working days from the date of completion of the inquiry. This report must be generated within the stipulated 90 (ninety) days period of receipt of complaint.
- Findings shall be provided to the concerned parties.

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- On conclusion of inquiry, if the allegation against the respondent is proved, IC will recommend an appropriate action against the Respondent which may range from:
 - i) be Admonished or Reprimanded or warned verbally or in writing
 - ii) be suspended with full forfeiture of salary and allowance by an order in writing.
 - iii) be dismissed from service without notice
 - iv) Pay compensation To the Complainant as per statutory provisions if deemed appropriate by the IC.
- i) .
- The Management will ensure that appropriate action is taken against the respondent, on the basis of recommendation, within 15 (fifteen) days of receipt of report of conclusion of inquiry.
- On conclusion of inquiry, if the allegation against the respondent is not proved, the IC will forward report to the Management recommending no action required.
- IC must hold a meeting on a quarterly basis irrespective of any complaint or proceeding and record the MoMs.
- IC will submit an annual report of inquiries and recommendations to the Management and the District Officer as notified by the act.

Malicious or False Complaint

- On conclusion of inquiry, if IC determines that
 - i) allegation against the respondent is malicious, or
 - ii) aggrieved person or any other person who has filed the complaint, has knowingly filed a false complaint, or
 - iii) aggrieved person or any other person has forged any evidence,then IC may recommend strict disciplinary action against such person.
- Unless malicious intent is established, mere inability to substantiate a complaint or provide adequate proof will not attract action against the complainant

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Strict Confidentiality

- The identity and addresses of the aggrieved person, complainant, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of IC and the action taken by the Management will not be published, communicated or made known to the public, press and media in any manner.
- The information may be disseminated for awareness without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved person and witnesses.
- In case, any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken, contravenes the provisions of strict confidentiality, disciplinary action will be taken against such an individual.

Prevention of Sexual Harassment

- CIPLA takes full responsibility to provide a safe working environment at all offices or business units.
- CIPLA considers Sexual Harassment as a serious misconduct.
- CIPLA does not encourage late sitting of women at workplace, except in urgent circumstances and does not place them in isolated or dangerous locations.
- CIPLA will assist the aggrieved person in cases of incident of Sexual Harassment by visitors or third parties.
- Basic counseling will be provided to the victim or complainant, if required.
- Necessary facilities will be provided to IC for dealing with the complaint and conducting an inquiry in an independent manner and without any influence of management or any other senior officials.
- CIPLA will report the number of cases filed, if any, and their disposal in the annual report.

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Communication of Issues

- All queries regarding this policy should be addressed to the Global Chief People Officer or Head IER or Presiding Officer of IC.
- Any non-compliance to this policy may be reported to the Global Chief People Officer or CEO or a whole-time Director.

Amendments and Waiver

The company reserves the right to amend and/or alter this policy at any time, in accordance with the applicable laws.