

## Policy : Sexual Harrasment

Policy Number and Title: 1.1

Applicable to: All Employees associated directly with CMC, Contractors, Visitors, Clients, Vendors.

Effective Date: October 01, 2014

### OBJECTIVE:

Classic Marble Company Pvt. Ltd. is committed to providing zero tolerance towards verbal, psychological conduct of a sexual nature by any employee or stakeholder that directly or indirectly harasses, disrupts, or interfaces with another's work performance or that creates an intimidating, offensive, or hostile environment. Focus would be to ensure that all allegations of sexual harassment are investigated and dealt with effectively, appropriately as well as promptly.

### SCOPE:

The Policy applies to:-

All employees, consultants, visitors & vendors, contractors, clients associated with us & visiting any premises of the company, or whose premises our employees visit during the course of business.

### GUIDELINES:

It is mandatory for all employees to follow this policy and the guidelines formulated herein. Sexual Harassment at the work place will be deemed to be a violation/breach of terms of employment, and a criminal offence in addition to violation of gender equality guaranteed under the constitution.

### **Definition of Sexual Harassment:**

For the purpose of this Policy, Sexual Harassment shall include:

- Any form of verbal or physical behavior which is unsolicited and unwelcome and interferes with an individual's work performance by creating an intimidating/insecure working environment.
- Unwelcome sexually determined behavior (whether directly or by implication) in any form, such as:
  - Physical contacts.
  - A demand or a request for sexual favours.
  - Lurid Stares.
  - Sexually remarks.
  - Showing pornography.
  - Any other unwelcome physical, verbal/non-verbal conduct of sexual nature.
  - Spoken or written comments, jokes, the display of offensive material or other behaviour which creates a sexually hostile environment.

- Gestures or leering, sending letters, gifts or offensive publications. Alternatively sexual harassment may consist of spoken comments, jokes of a sexual nature, questions or comments of a sexual nature or the suggestion that an employee's career can be advanced by bestowing sexual favours or alternatively that an employee's career will be damaged if they do not accede to sexual requests. Another sort of sexual harassment involves "accidental" contact, or deliberate patting, fondling or groping, blocking movements.

➤ OPERATING PROCESS:

**Reporting of Sexual Harassment Allegations:**

**First Stage:** The employee should make it clear to the person who is harassing him/her that their behaviour is unacceptable and ask them to refrain from such conduct. Delay in reporting makes it more difficult to establish the facts of a case and may contribute to the repetition of offensive behavior. **Second Stage:** If the problem continues despite his/her having made clear about the conduct of harassment being unacceptable, (or if the employee feels that he/she cannot speak to them directly), he/she should ask his/her Reporting Manager to investigate and resolve the matter. If the employee cannot speak to his/her immediate supervisor about the problem (perhaps because they are the problem) then he/she should either escalate to a level higher or, take up with HR. The most important thing is for the employee to take appropriate steps to tell someone who will be able to take action. **Third Stage:** If the problem still continues victims should report the incident immediately to Sexual Harassment Committee.

**Confidentiality**

The company will do everything consistent with enforcement of this policy and with the law to protect the privacy of the individuals involved and to ensure that the complainant and the accused are treated fairly. Information about individual complaints and their disposition is considered confidential and will be shared only on a "need to know" basis.

**Assurance against Retaliation**

This policy seeks to encourage all employees to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about sexual harassment or behavior that might constitute sexual harassment is also strictly prohibited. Any act of reprisal, including internal interference, coercion, and restraint, by an employee, violates this policy and will result in appropriate disciplinary actions.

**Reporting Channel:**

Any employee who believes that a supervisor's, manager's or other employee's action or words constitute unwelcome sexual harassment has a responsibility to report or complain, preferably in

writing, about the situation as soon as possible to the Sexual Harassment Committee or any member thereof established for the purpose.

**What action the company will take:**

The Company wishes all employees to realize that sexual harassment is a very serious offence and will be treated as gross misconduct under the Company's disciplinary procedure. An incident of sexual harassment is therefore likely to lead to suspension/dismissal.

If, after investigating the complaint, the Company agrees that there are reasonable grounds to uphold the complaint then disciplinary action will be taken against the accused under the Company's usual disciplinary procedures. This action may result in the dismissal of the accused.

**Responsibilities of Management:**

All persons covered by the scope of this policy are required to:

- Comply with this policy
- Behave appropriately
- Promote a climate of mutual respect
- Maintain confidentiality concerning any complaint or investigation

Managers are accountable for the conduct of people they manage.

It is integral to a manager's responsibilities that they identify, prevent and redress potential problems in the workplace. Therefore, any manager observes inappropriate behavior has a duty to raise it with the person so behaving and to take further action if the behaviour does not cease. This duty exists even in the absence of a complaint.

Staff members with managerial or supervisory responsibility or both are required to:

- Manage complaints of sexual harassment in a timely, confidential and fair manner ensuring due process.
- Attempt to resolve any complaint of sexual harassment at the local level, whenever possible.
- Allegations of sexual assault should be reported to Human Resources immediately.
- Managers and supervisors must report any allegations of sexual assault to Human Resources as soon as the allegations come to their attention.

**How to deal with breaches of this policy:**

Any complaints made by staff members under this policy will be dealt with Employees Grievance procedure.

If a serious breach of this policy by a customer, contractor, service provider or visitor, while engaging with the Company, is confirmed, appropriate action shall be taken in accordance with the relevant.

All reports of this type of behaviour will be treated seriously.

### **Victimisation**

CMC will not tolerate victimisation and may take disciplinary action in response to any victimisation.

CMC will ensure, as far as is practicable, that persons covered by the scope of this policy are not victimised or penalised for reporting alleged unreasonable behaviour. Any person who is found to have victimised the person who has made or intends to make a complaint, or to have victimised a witness or associate of the person who has made, or intends to make a complaint, will be subject to the consequences of breaching this policy.

### **Consequences for breaches of this policy**

CMC will treat all allegations of sexual harassment seriously and impartially. The consequences for breaching this policy will depend on the seriousness of the case. Outcomes may include, but are not restricted to the following:

- Gaining a commitment from one or more persons to cease, and not to repeat, the behaviour.
- Making an apology to the affected person or persons.
- Providing mediation between the parties, if both parties agree to mediation process and to the mediator.
- Providing targeted training regarding prevention of unacceptable workplace behaviours.
- Offering support to the person making the complaint.
- Offering support to the person against whom the complaint is made.
- Referral of matter to the Police.
- Disciplinary action, up to and including dismissal, suspension or expulsion, against the person found responsible for sexual harassment in cases of serious misconduct
- Disciplinary action, up to and including dismissal, suspension or expulsion, against the person making a complaint of sexual harassment if, after investigation, the complaint is found to have been malicious.

Disciplinary action may be taken against anyone who victimises or retaliates against a person who has made a complaint.

### **What should employees do if they feel that they have been unfairly accused?**



If an employee feels that he/she has been unfairly accused he/she should use the Company's grievance procedure or bring it to the Management's notice.

The Company will not tolerate harassment or victimization in the workplace and will ensure that all complaints of such behavior are fairly investigated. Behavior of this type constitutes gross misconduct and will result in disciplinary action.

<b>PREPARED BY</b>	:	<b>AUTHORIZED BY</b>	:
Name	:	Name	:
Signature	:	Signature	:
Designation	:	Designation	:
Date	: 01/10/2014	Date	: