**POLICY FOR PREVENTION OF SEXUAL HARASSMENT (POSH)**

**1. PURPOSE:**

To create and maintain safe work environment, free form sexual harassment & discrimination for all its employees. Establish guidelines as per the guidelines of “The Sexual harassment of women at workplace (prevention, prohibition & redressal) Act, 2013.

**2. SCOPE:**

SOLAR aims to adopt zero tolerance attitudes against any kind of Sexual Harassment or discrimination caused by any employee during their tenure in SOLAR towards any other person being an employee of SOLAR, Client, Vendor and Contractor in Company premises or elsewhere in India or abroad.

**3. APPLICABLITY:**

The Policy on “Prevention of Sexual Harassment” (POSH Policy) covers every "employee" at Solar. Sexual Harassment shall be irrespective of sex, between same sex or opposite sex. Sexual Harassment is judged by the impact on the complainant and not the intent of the Respondent.

**4. DEFINITION:**

I. **Employee of SOLAR** – Includes person carrying out any work on behalf of SOLAR and may have been hired as Permanent, Temporary, Contracted or on Retainership Basis, part-time basis etc., either directly or indirectly or through vendor organization.

II. **Sexual Harassment** – Harassment of a Female/Male employee consisting of any unwelcome sexually determined behavior, whether directly, indirectly, by any male/female in charge of the management or a male/female co-employee either individually or in association with other persons to exploit the sexuality of co-employee to harass him/her in a manner which prevents or impairs his/her full utilization of full benefits, facilities or opportunities or any other behavior which is generally considered to be derogatory .

III. "**Aggrieved Person**" means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent

IV. **Respondent**: Employees against whom the complaint has been filed.

V. **Workplace** includes all Company premises and shall include any place visited by the employee in the course of employment including transportation provided by the employer for undertaking such journey.

VI. **Committee** means a committee constituted by Company as per this policy.

**VII "Company"** means ‘Solar Chemferts Private Limited in short “SOLAR”**.**

**5. POLICY GUIDELINES:**

Sexual Harassment shall include but not limit to: -

• Physical Contact & Sexual advances

• Demand or request for sexual favors;

• Sexually- colored remarks;

• Showing pornography;

• Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

In addition, the following acts circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

1. Implied or explicit promise of preferential treatment in the employment;
2. Implied or explicit threat of detrimental treatment in the behaviour;
3. Implied or explicit threat about their present or future employment status;
4. Interfering with their work or intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
5. humiliating treatment likely to affect the health and safety of the aggrieved person.
6. any other acts or behaviour, any reasonable person views as such

**6. GRIEVANCE MECHANISM: PROCEDURE TO REGISTER COMPLAINTS:**

A complaint shall be submitted through email to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or can be discussed

during the meeting with any member of the Internal Committee mentioned herein within 3

months of occurrence of an act of Sexual Harassment.

A complaint shall be submitted at the Complaint Box placed at the entrance of the Office Premises within 3 months of occurrence of an act of Sexual Harassment.

If the respondent is direct supervisor of the complainant, or person influencing the career growth of the complainant, the reporting structure will be changed till the time the enquiry is completed.

**7. INTERNAL COMMITTEE:**

a. Each complaint of Sexual Harassment shall be dealt with utmost confidentiality and urgency by an Internal committee consisting of:

(i) A Presiding Officer, who shall be a woman employed at a senior level at workplace from amongst the employees. In case of non-availability of senior level woman employee, the Presiding Officer shall be nominated from administrative units of the work place.

(b) Not less than two (2) Members from amongst employees of Solar preferably committed to the cause of women or who have had experience in social work or have legal knowledge:

(c) One member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

Provided that at least one-half of the total Members so nominated shall be women.

b. Within 3 working days, the internal committee shall commence Official Internal Enquiry

by:

* By informing the said complaint to the respondent.
* By instructing to stop the alleged act of Sexual Harassment immediately
* By informing not to reach out to the complainant directly or indirectly
* BY asking an immediate explanation from him/her to the same
* By asking an immediate explanation from him/her to the same

c. Within 5 working days from the receipt of original complaint, the designated person shall respond in writing to the complainant informing him/her about the initial steps taken by SOLAR in order to stop the alleged act(s)

d. Within 15 days from receipt of the complaint, the Internal committee shall record and accordingly communicate in writing to the complainant and the Respondent, its prima facie findings, upon giving the concerned parties a fair and due opportunity to represent themselves and upon conducting fact finding, truth verification and counseling sessions with persons involved in alleged act(s)

e. A complaint will be closed no later than one month from receipt of complaint by recording the decisions of the internal committee, accordingly informing to the complainant and the Respondent of the same.

f. Employees are duty bound to assist in investigative steps, employees’ wholehearted participation shall be mandatory in this regard. Whistleblowers shall be protected from exposure, retaliation or hostility.

g. Within 2 working days from receipt of prima facie findings or the charges, if the complainant or the Respondent is dissatisfied with the decision of internal committee, she or he may appeal specifying the reasons in writing to Managing Director. Within 5 working days from the receipt, the appeal shall be finally disposed of by written communication to the said party. The decision of Managing Director shall be final and cannot be appealed.

**8. REDRESSAL:**

a. An amicable resolution of the complaint is possible only with the written consent of the complainant.

b. Within 24 hours of closing the case file, the internal committee shall present the same to and inform its decision to the Managing Director.

c. In case of decision establishing the offence of Sexual Harassment of the complainant, within 3 working days, the internal committee shall recommend Disciplinary action against the offender considering the nature and extent of injury caused to the complainant, prior complaints or repetition of offence etc and the impact of the offence on the company profile as a whole.

d. The position of the offender and the criticality of the position occupied by the offender shall not be any hindrance to the disciplinary action taken against the offender.

e. The disciplinary action that shall be commensurate with the nature of the gravity of the offence, shall include but not limited to:

➢ Warning

➢ Written apology from offender,

➢ Bond of good behavior

➢ Transfer

➢ Debarring from supervisory duties

➢ Denial of employee benefits like increments/promotion/salary correction etc.

➢ Cancellation of specific work Assignment

➢ Suspension

➢ Dismissal

Annual report summarizing complaints and Redressal of Sexual harassment shall be prepared by designated person. The said report as well as all documents regarding Sexual Harassment complaints shall be in the custody of designated person and will be termed as ‘Strictly Confidential’.

**MONITORING AND REVIEW**

This Policy and Procedure will be reviewed whenever required from the date of implementation. Reviews will be initiated by the HR Department. Where changes in employment legislation occur that directly affect this Policy, these will be reflected with immediate effect and communicated through HR.

**FALSE ALLEGATIONS:**

1 The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false accusation.

2 On inquiry, if the committee comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, the NICC may recommend to take action against the person who made the complaint as per Service Rules. In such a case, malicious intent has to be established after an enquiry in accordance with the procedure prescribed, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein.

A similar recommendation for taking action would be recommended against any witness whom the committee concludes, that he/she has given false evidence or produced forged or misleading documents.

3 The above provision is not to discourage employees from coming forward with complaints. Solar recognizes and expects certain claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to conclude as Sexual Harassment. Complaints falls under the above, shall not be considered to be false accusations.

**AWARENESS:**

1. All the women Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy.

2. An awareness program shall be conducted among the women employees on the Policy & formation of Committee

3. The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at work place.

4. Company shall display the notice showing the name of the Committee members suitably.

5. Company shall make a declaration regarding the Policy on sexual harassment every year in the annual report.

**MISCELLANEOUS**

1 Company with the approval of Competent Authority may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies the Act.

2 Any such alterations or amendment or rescinding will be intimated to the employees.

3 Nothing contained in these Policy shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.

4 The Committee shall prepare an annual report with the following details and shall submit the same to the Management to include in its annual report:

a. Number of Complaints of sexual harassment received during the year;

b. Number of complaints disposed of during the year;

c. Number of cases pending for more than 90 days;

d. Number of workshops or awareness program against sexual harassment carried out;

e. Nature of action taken by the employer.

5. The above Annual Report and the MIS should be prepared by the Committee and shall be submitted before the end of each financial year to the Senior Management of the Company.

**CONCLUSION**

1 Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz. the person filing the charge, potential witnesses, and the person accused of improper behaviour. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

2 The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.

3 The decision of the Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.