

VITAE International Accounting Services

Pvt Ltd



Policy on Prevention of Sexual
Harassment of Women at Workplace

&

Policy on Office Romance

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1. VITAE MISSION & VISION

“To help individuals and organization realize their fullest potential.”

The vision of VITAE International Accounting Services Pvt Ltd. (“VITAE” or “Company”) is to be a world class company of finance professionals and business consultants who are simultaneously committed to integrity and social responsibility, making positive social, moral, spiritual and environmental contributions in society. Harnessing technology and providing excellent service to its international clients will be its continued endeavor.

VITAE regards its stakeholders with dignity and responsibility

VITAE stands committed in its endeavor to harness human endowment and potential, granting favorable opportunities for their development and support, after careful examination and selection of suitable personnel for the fulfillment of its mission.

2. THE POLICY STATEMENT

VITAE is committed to providing a safe environment for all its employees free from discrimination on any ground, protection of life and personal liberty and from harassment at work including sexual harassment.

VITAE is committed to providing a safe working place for its women employees in particular and underlines that discrimination and attacks on women’s dignity violate the principle of equality of rights. The objective of this policy is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

VITAE 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 a woman employee 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.

This policy takes complete cognizance of all the guidelines and rules laid down in, “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter called ‘Act’) legislated by The Government of India.

3. SCOPE

This Policy extends to all the employees of VITAE, casual workers, contractors and visitors and prohibits all sexual harassment of women whether it takes place within VITAE premises or outside, including at social events, business trips, training sessions or conferences sponsored by VITAE.

4. DEFINITION

4.1 Definition of sexual harassment of women at the workplace

Sexual harassment is an unwelcome conduct of a sexual nature which makes a person feels offended, humiliated and/or intimidated. It includes anyone or more of the following unwelcome acts or behavior (whether directly or by implication), namely:

1. Physical contact or advances;
 2. A demand or request for sexual favors’;
 3. Making sexually colored remarks;
 4. Showing pornography;
 5. Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.
- (Annexure A)

Sexual Harassment at workplace generally refers to two common forms of inappropriate behavior:

1. Quid Pro Quo (literally ‘this for that’)

- implied or explicit promise of preferential/detrimental treatment in employment
- implied or express threat about her present or future employment status.

2. Hostile Work Environment

- Creating a hostile, intimidating or an offensive work environment
- Humiliating treatment likely to affect her health or safety.

4.2 Definition of Workplace

Workplace refers to VITAE premises or outside, including at social events, business trips, training sessions or conferences sponsored by VITAE.

4.3 Definition of Employee

Employee refer to persons employed by VITAE for work on regular, temporary, adhoc or daily wage basis, either directly or through a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

4.4 Definition of Employer

Employer refers to VITAE International Accounting Services Pvt Ltd.

4.5 Definition of an Aggrieved Individual

An Aggrieved Individual refers to any woman whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

5. INTERNAL COMMITTEE (IC)

Complaints procedures

Any woman who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. VITAE 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 of the IC formed under the policy for redressal.

5.1 VITAE has constituted the IC for both its offices at Siddhapudur and Race Course comprising of the following members nominated by the Company.

- a. A Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees.
- b. Not less than two Members from amongst employees preferable 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 organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

5.2 The Presiding Officer and every Member of the IC shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

5.3 The list of the members of the IC is as per Annexure B of this policy and any change in such composition shall be effected in the policy.

5.4 Apart from the above, any or all of the following persons will be co-opted to join the IC as invitees:

- a. The Managing Director
- b. Senior Manager, Compliance
- c. Senior Representative of HR Department
- d. Manager, Administration & Infrastructure

6. REDRESSAL MECHANISM

6.1 An Aggrieved individual or complainant can make a complaint in writing within three months from the date of the incident and in case of series of incidents, within a period of three months from the date of the last alleged incident to the IC.

6.2 Where the Aggrieved individual is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed in the Act may make a complaint.

6.3 Upon receipt, the complaint will be reviewed for:

- a. In the context of workplace that the sexual harassment complaint is to be met with under the Act, such as Service Rules, Workplace Policy, Guidelines and related laws.
- b. Clarity in the complaint and
- c. Additional information, if any, needed from the complainant.

On satisfaction of the above, the IC will acknowledge receipt in writing to complainant.

6.4 The IC will inform the complainant about the ensuing process and the formal or informal options available for the redress.

However, before recommending informal options the Committee will assess the severity of the case and if necessary, advise and enable the complainant to opt for the formal route.

6.5 If the complainant chooses to adopt the informal process to resolve the complaint of workplace sexual harassment, the IC will explore enabling ways to address the complaint which includes counseling, educating, orienting or warning the respondent to promptly stop the unwelcome behavior or appointing a neutral person to act as a conciliator between the parties to resolve the complaint through conciliation:

- a. Provided that no monetary settlement shall be made as a basis of conciliation.
- b. Where a settlement has been arrived, the IC shall record the settlement so arrived and forward the same to the management of VITAE to take action as specified in the recommendation.
- c. The IC shall provide copies of the settlement as recorded in subsection 6.5.b to both the parties.
- d. Where a settlement is arrived, no further inquiry shall be conducted by the IC.

6.6 If the complainant opts for formal redress, or the nature of the complaint is serious which calls for formal redress, then the IC responds to the complaint. The IC members must be free of any conflict of interest with either the concerned parties or with the outcome.

- a. Where the respondent is an employee, proceed to make inquiry into the complaint in accordance with the provisions of the service rules of VITAE.
- b. Where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.
- c. For the purpose of making an inquiry under 6.6.b, the IC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:

1. Summoning and enforcing the attendance of any person and examining him on oath;

2. requiring the discovery and production of documents; and

3. Any other matter which may be prescribed.

d. The inquiry under this sub-section (6.6) shall be completed within a period of ninety days.

6.7 a. During the pendency of an inquiry, on a written request made by the aggrieved woman, the IC may recommend to VITAE to:

1. Transfer the aggrieved woman to any other workplace; or

2. Grant leave to the aggrieved woman up to a period of three months. This leave shall be in addition to the leave she is entitled in her service contract; or

b. VITAE shall implement the recommendation made under sub section 6.7.a and send the report of such implementation to the IC.

7. ACTION

7.1 On the completion of an inquiry, the IC shall provide a report of its findings within ten days from the date of completion of inquiry and such report shall be made available to the concerned parties.

7.2 If the IC has arrived at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the management of VITAE that no action is required to be taken in this matter.

7.3 If the IC has arrived at the conclusion that the allegation against the respondent has been proved, it shall recommend to the management of VITAE to

a. Take action for sexual harassment as a misconduct as per the rules mentioned in the service contract.

b. To deduct, notwithstanding anything applicable in the service contract, salary or wages such

sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heir, as it may determine.

7.4 Such action shall be taken within sixty days of the receipt of the report.

8. FALSE ACCUSATION

8.1 The complaint of sexual harassment of women shall be taken up with utmost seriousness by VITAE and there shall be zero tolerance for any false accusations.

8.2 If the IC 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 her case, the IC may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, 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 IC concludes, that she has given false evidence or produced forged or misleading documents.

9. AWARENESS

9.1 VITAE will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff orientation and handbook. All new employees must be trained on the content of this policy as part of their induction into the company.

9.2 VITAE will publish the sexual harassment policy or a link to the policy on its website.

9.3 VITAE will endeavor that its supplies and contractors too are made aware of the importance it attaches to protection of women against sexual harassment at the work place.

9.4 VITAE shall display the notice prohibiting sexual harassment in its offices at conspicuous places.

9.5 Every year, VITAE will require all employees to attend a refresher training course on the content of this policy.

9.6 VITAE will conduct periodically efforts of sensitization of its employees to appropriate attitude and behavior with member of the opposite sex at the workplace and also to generally regard everybody with dignity and not as objects of sex.

9.7 It is also the responsibility of every manager/supervisor to ensure that all his/her staff are aware of the policy.

9.8 Members of VITAE's committee on prevention of sexual harassment will also individually strive to

- Create a culture of zero tolerance against sexual harassment at workplace.
- Identify such behavior and raise them as issues.
- Encourage employees to have doubts clarified or ask questions on the subject.
- Be proactive to contribute to safe, secure and conducive workplace.
- Keep a vigilant eye and suggest members to establish a harmonious work place.

10. MISCELLANEOUS

10.1 Notwithstanding anything contained the Right to Information Act, 2005, the contents of the complaint made under section 6 in this document, the identity and addresses of the aggrieved woman, respondent and witness, any information relating to conciliation and inquiry proceedings, recommendation of the IC and the action taken by the employer shall not be published, communicated or make known to the public, press and media in any manner: Provided that

information may be disseminated regarding the justice secured to any victim of sexual harassment under the Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved woman and witnesses.

10.2 The IC shall in each calendar year prepare an annual report and submit the same to VITAE.

10.3 VITAE may make any alteration or amendment or rescind any of the clauses of this Policy as and when it deems necessary to do so as long as it complies with the provisions of the Act. Any such alteration or amendment or rescinding will be intimated to the employee.

10.4 VITAE shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.

11. CONCLUSION

A safe workplace is every woman's right. Workplace sexual harassment can no longer be dismissed as some moral transgression. Under the Act, each incident of sexual harassment is recognized as a violation of the fundamental right to equality. Hence complaints relating to sexual harassment shall be handled and investigations will be conducted through a fair, informed, and user-friendly process of redressal, to ensure that the rights remain intact.

12. Annexure – A

Examples

Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Examples of conduct or behavior which constitute sexual harassment include, but are not limited to:

Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching.
- Physical violence, including sexual assault.
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favors'

Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering

13. Annexure B

Composition of Internal Complaints Committee (Siddhapudur Office)

As at 30 September 2017

Name		Designation	Title
1.	Mrs. Jacqueline H. Kumar	Supervisor	Presiding officer
2.	Mrs. Mohana priya	Senior Supervisor	Member
3.	Mr. Augustine Mohanraj	Manager-Infrastructure & Admin	Member
4.	Ms. Priya Joseph, Trustee, Ashirwad Special School, Coimbatore.	-	NGO Member

Composition of Internal Complaints Committee (Race Course Office)

As at 30 September 2017

Name		Designation	Title
1.	Mrs. Jacqueline H. Kumar	Supervisor	Presiding officer
2.	Ms. Rhoda Daniel	Administration Officer	Member
3.	Mrs. Subashini T.K	Supervisor	Member
4.	Mr. Augustine Mohanraj	Manager-Infrastructure & Admin	Member
5.	Ms. Priya Joseph, Trustee, Ashirwad Special School, Coimbatore.	-	NGO Member

14. OFFICE ROMANCE

14.1 VITAE expects all its staff to exhibit a professional and dignified behavior at all times and maintain clear boundaries between personal and business interactions during working time and in working areas.

14.2 During nonworking time, such as lunches, breaks and before and after shifts, employees engaging in personal exchanges in non-work area should observe an appropriate work place manner to avoid offending other workers or putting others in an uncomfortable position.

14.3 Using the office online communication facilities for personal texting, email or using the company property for any other purpose other than its intended use is strictly prohibited.

14.4 VITAE strongly discourage dating between supervisors/managers and subordinates. However, should such a relationship occur, the supervisor/manager must disclose the existence of such a relationship either to the immediate supervisor or to the director of human resources. This disclosure will enable VITAE to determine whether any conflict of interest exists because of the relative positions of the individuals involved.

14.5 With regard to section 14.3, when a conflict-of-interest, problem or potential risk is identified, VITAE will take steps to make sure the parties no longer work together on matters where one is able to influence the other or take action on the other. If necessary, VITAE will take measures to transfer the subordinate to other positions or teams.

14.6 Failure to cooperate with VITAE to resolve a conflict or problem caused by a romantic relationship between co-workers or among supervisors/managers or others in positions of authority over another employee in a mutually agreeable fashion may be deemed as insubordination and will be dealt with as provided in the service contract.