LTIMindtree

Apex Layer

Policy on Prevention of Sexual Harassment (POSH)

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1.1	Aboli Deodhar	Sagar Sane	Manoj Shikarkhane	December 27, 2022	Change in IC
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1.3	Global HR Compliance	Global HR Compliance	CHRO	March 08, 2024	Modification in Clause 3 – Effective Date and Clause 5 – Authority and Approval
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Table of Contents

1 Introduction 4
2 Purpose 4
3 Effective Date 5
4 Scope 5
5 Authority and Approval 6
6 What amounts to Sexual Harassment? 6
7 Structure of Committee 7
8 Constitution of IC 7
9 Role, Duties and Responsibilities 9
A. Employer 9
B. Internal Committee (IC) 10
10 Procedure 12
A. Incident Reporting 12
B. Initiating Proceedings 14
C. Conciliation 14
D. Conducting an Inquiry: 15
E. Conducting virtual inquiry/ conciliation 18
F. Measures that may be taken during the Pendency of the Inquiry: 19
G. Completion: 19
11 Disciplinary Action for Sexual Harassment 20
12 Implementation of Disciplinary Action 21
13 Quarterly Review Meet 21
14 Protection Against False Accusations 21
15 Protection Against Victimization/Retaliation 22
16 Confidentiality 23
A. Confidentiality during virtual proceedings 23
B. Failure to meet confidentiality obligation 23
17 Prohibition of Publication - Complaint and Inquiry Proceedings 23
18 Cases of Criminal Nature 24
19 Implementation of the Policy 24
20 Appendix 1: Definitions 24
21 Appendix 2: Template for Reporting Sexual Harassment 28
22 Appendix 3: Procedure for dealing with Complaints of Sexual Harassment 30

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1 Introduction

LTIMindtree ('the Company') is an equal opportunity employer committed to create a healthy working environment that enables everyone in the Company to work with equality and without fear of discrimination, prejudice, gender bias or any form of harassment at Workplace.

The right to protection from sexual harassment and right to work with dignity are recognized as universal human rights by several international conventions and the Company is committed to inculcate the same. This policy aims to prohibit, prevent and provide redressal mechanism for sexual harassment incidents. The Company is also committed to promote equality at work and an environment that is conducive to the professional growth for all employees and encourages equal opportunity.

2 Purpose

Policy on Prevention of Sexual Harassment at the Workplace (‘POSH Policy' or 'the ‘Policy’) reinforces the Company’s commitment to foster and create a workplace which is safe and free from any acts of sexual harassment. The Policy also aims to drive conformance to the Company's healthy, non-vindictive culture in the form of clearly articulated practices, procedures, and processes in compliance with applicable laws. The Policy encompasses the following objectives:

- To lay down a policy/code ensuring prevention, prohibition and protection against sexual harassment.
- To lay down guidelines for reporting acts of Sexual Harassment at the Workplace.
- To provide procedures for resolution and redressal of complaints of Sexual Harassment.
- To educate employees on the subject.

Definitions (indicated by capitalized terms) are as in Appendix 1 of this Policy.

3 Effective Date

This Policy is already in effect, changes to this Policy are effective from July 30, 2024.

4 Scope

- This Policy is applicable to everyone working for the Company globally, regardless of whether they work part-time or full-time, consultants, contract staff, sub-contractors, clients, visitors, suppliers, customer's employees, vendor's employees and any other individual in relation to any work-related activity ("Individual").

- This Policy extends to all instances of sexual harassment at the Workplace, alleged by a person of any gender, within the Company's premises as well as all the Company-sponsored or work-related activities held outside the Company's premises. It further extends to instances where Employees are in transit, in any mode of transportation, and in any other setting (including any digital or virtual setting) that relates to work.

- The Company will ensure that suppliers, vendors, service providers, contractors and other components of its supply chain have in place policies and procedures in compliance with applicable law to address any complaints of sexual harassment promptly and effectively in line with this Policy.

- If a subsidiary in terms of the applicability of local laws has a separate policy on prevention of sexual harassment, then such policy of the subsidiary shall be adhered to.

- Where sexual harassment occurs because of an act of commission or omission by any third party at their workplace, the Company will take all steps necessary and reasonable to assist the Aggrieved Person.

- In case of any conflict between the Policy and the local country's law or the Company's locally established policies, the local country's law or the company's locally established policies shall supersede this Policy to the extent of such conflict.

5 Authority and Approval

Global HR Compliance Team is responsible for maintaining the policy and carrying out subsequent modifications time to time. The policy will be reviewed annually or as and when required by HR Compliance team along with the respective Geography HR. The Company reserves the right to amend the policy at any point of time to ensure consistency with applicable laws, if any. Any change or revision will be available with all relevant stakeholders, HR Teams and communicated appropriately to all employees.

6 What amounts to Sexual Harassment?

Given below is an indicative list of instances that may amount to sexual harassment, if any of the instance occurs or relates to any act or behaviour of sexual harassment at the Workplace:

- Any promise of preferential treatment in employment, whether implied or explicit,
- Any threat of detrimental treatment in employment, whether implied or explicit,
- Any implied or explicit threat about present or future employment status,
- Any unnecessary interference with work,
- Any usage of offensive language that demeans a colleague, cracking vulgar/ offensive jokes,
- Creating an intimidating, offensive or hostile work environment,
- Any humiliating treatment likely to affect the Aggrieved Person's physical/ mental health or safety,
- Any sexually suggestive comments or comments on physical attributes of the Aggrieved Person,
- Any requests for sexual favours, dates or repeated requests for any kind of social contact unrelated to work,

- Any offensive gestures that make the Aggrieved Person uncomfortable. This would also extend to whistling, staring and any other act with lascivious undertones,
- Any invasion of the Aggrieved Person's privacy, discussion about their personal life,
- Any physical advances, public display of affection, usage of any term of endearment,
- Any of the above conduct, whether it occurs within physical proximity of the parties or through any form of virtual or electronic communication such as text messages, chat messages, emails, phone calls, video calls etc.,
- During Remote Work, any sexually suggestive and/ or inappropriate content being displayed/ shared when screen-share functions are used or during videoconferences,

It is to be noted that this Policy does not apply when the Complainant/Aggrieved Person is performing work outside of Workplace, of their own accord and for personal reasons.

7 Structure of Committee

To address any complaints of sexual harassment and ensure implementation of this Policy across all the locations of the Company, the following committee shall be constituted by an order in writing:
Internal Committee, (hereinafter referred to as '**IC**') for each region/ location/place constituted by the Company. This Committee will govern and regulate the behaviour of Individuals relating to LTIMindtree mentioned the scope in all matters regarding sexual harassment for their locations. The required quorum for the location IC will be met by drawing resource support along with expertise from external sources. The IC has powers of a civil court in certain circumstances as explained in detail below. The constitution of the current IC members is available in a separate list along Policy on the Policy Portal.

8 Constitution of IC

- The IC shall at-least consist of the following members nominated by the Employer, namely:

(a) Presiding Officer who shall be a woman employed at a senior level at the Workplace from amongst the employees:

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace;

(b) Not less than two members from amongst employees of the Company;

(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 to be appointed as an External Member;

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

- 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.

- The Presiding Officer or any Member of the IC shall be removed from the IC on the following grounds:

  - If convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her; or

  - If found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her; or

  - Has abused his/her position as to render his/her continuance in office prejudicial to the public interest; or

  - Contravenes the provisions of Section namely 'Prohibition of Publication - Complaint and inquiry proceedings' of this Policy.

- The Member appointed from amongst the non-governmental organizations or associations shall be paid the requisite fees or allowances for holding the proceedings of the IC by the employer.

- As mentioned hereinabove, the IC shall consist of a minimum of four members. While conducting the inquiry, it is mandatory that a minimum of three Members of the IC (including the Presiding Officer or Chairperson and the External Member) shall be present.

9 Role, Duties and Responsibilities

A. Employer

- Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace and display at any conspicuous place in the workplace the penal consequences of sexual harassment.

- Spread/create awareness at regular intervals for sensitizing the employees with the procedure and provisions of the Policy and Act and orientation programs for the members of the Committee.

- Training for members of the Committee should address the procedures of investigations, skills necessary for enquiries and documenting the procedures.

- Provide necessary facilities to the Committee, as the case may be, for dealing with the complaint and conducting an inquiry.

- Assist in securing the attendance of Respondent and witnesses before the Committee.

- Make available such information to the Committee as it may require having regard to the complaint.

- Provide assistance to the Aggrieved Person if they choose to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.

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- In event the respondent is not an employee then provide necessary support and assistance to the Aggrieved Person to bring the complaint to the appropriate forum.

- Treat sexual harassment as a misconduct under Company policies and initiate appropriate action for such misconduct.

- Monitor the timely submission of reports by IC as per the applicable provisions of jurisdictional / local laws and the Act and Rules made thereunder.

- To disclose in the Annual Report of the Company published for every financial year, the number of cases filed, disposed of and pending on sexual harassment.

B. Internal Committee (IC)

- Ensure that the redressal procedure provided in the Policy is implemented in letter and spirit.

- Operate as an inquiry authority for complaints received from the Aggrieved Person/ Complainant.

- Take preventive action to stop development of systemic hostile or offensive work environment.

- Inquire into complaints of sexual harassment promptly and thoroughly within the timelines prescribed by applicable law and make adequate recommendations to correct the situation and effectively deal with the complaint.

- Take immediate and appropriate corrective action to end and prevent any further harassment, provide interim relief to the Aggrieved Person.

- Ensure neutrality and prevent any bias among members.

- If the Respondent is found guilty after the inquiry process, then recommend appropriate disciplinary action ranging from reprimand

to discharge, where necessary. As a rule, the corrective action / remedial measure must be commensurate with the severity and persistence of misconduct.

- Make follow-up inquiries to ensure the harassment has not resumed or the Aggrieved Person/ Complainant is not being victimized.

- Ensure complete confidentiality of the process. In case of any direct or indirect sharing of information with any person not directly related to the complaint without good reason, such acts can result in disciplinary action.

- Take an appropriate action in case of any retaliatory behaviour towards or victimization of Aggrieved Person/Complainant.

- In instances of sexual harassment towards associates deputed on client sites, or due to acts of commission or omission of third parties in dealing with the matter, take reasonable steps to assist the Aggrieved Person/Complainant.

- Maintain records at the organization level for minimum period as may be prescribed under Company policies, undertake appropriate analysis and appraise the management of the same on a periodic or need basis. IC shall include in its report the number of cases filed, if any and their disposal in the annual report of the company.

- Submit the organization level report for statutory compliance to relevant government agencies.

- The IC shall be sensitive to the covert, private and insidious nature of sexual harassment and shall take into account that often the Aggrieved Person may not be able to lead direct or corroborative evidence.

- The IC will not permit any evidence or examination based on the Aggrieved Person's character, personal life, and conduct, personal and sexual history.

- The IC will take note of the respective socio-economic positions of the Aggrieved Person/Complainant and Respondent, their hierarchy in the

organization, the workplace equations and other power differences while appreciating the evidence.

- The IC will permit the Aggrieved Person to give evidence in writing provided that the Aggrieved Person makes available for examination of the same, unless the Aggrieved Person opts to give the evidence orally.

- The IC may disallow any derogatory, irrelevant or slanderous questions put by the Respondent to the Aggrieved Person.

- The IC may inform the Aggrieved Person that the Aggrieved Person may give their answers to questions of a sensitive nature in writing in the inquiry proceedings during cross examination.

10 Procedure

A. Incident Reporting

Any Complainant/Aggrieved Person may make a Complaint of Sexual Harassment in writing via email at POSH@ltimindtree.com or on POSH application in Ultima or by submitting physical copy of the complaint to the IC (a list of IC members and their contact details is available on ULTIMA Works and also appended to the notice board in each office) as per Appendix 2 (Template for Reporting Sexual Harassment to IC) within a period of three months from the date of incident, and in case of series of incidents, within a period of three months from the date of last incident.

A situation may arise where the Aggrieved Person is unable to make a Complaint on account of some physical incapacity. In such cases, the Complaint may be filed by:

1. Aggrieved Person's relative or friend.
2. Aggrieved Person's co-worker.
3. An officer of the National Commission for Women or State Commission for Women.
4. Any person who has knowledge of the incident, with the written consent of the Aggrieved Person.

In a situation where the Aggrieved Person is unable to make a Complaint on account of any mental incapacity, the complaint may be filed by:

1. The Aggrieved Person's relative or friend.
2. The Aggrieved Person's special educator.
3. The Aggrieved Person's qualified psychiatrist or psychologist.
4. The guardian or authority under whose care the Aggrieved Person is receiving treatment or care.
5. Any person who has knowledge of the incident jointly with their relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care is the Aggrieved Person receiving treatment or care.

If the Aggrieved Person is unable to lodge a complaint for any other reason, the complaint can be filed by any person who has knowledge of the incident, with their written consent.

If the complaint cannot be made in writing, the Presiding Officer or any Member of the IC will render all reasonable assistance to the Aggrieved Person in order to make a written complaint.

In the event of demise of the Aggrieved Person, a complaint may be filed by any person who has knowledge of the incident, with the written consent of Aggrieved Person's legal heir.

Provided further that, the IC may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such, which prevented the Aggrieved Person/Complainant from filing a Complaint within the said period.

For cases where the Aggrieved Person is a visitor or an employee of a vendor, sub-contractor, business partner or other, the Aggrieved Person may obtain the contact details of the IC through the notices published on all Company premises. If so required, the complaint may be addressed in coordination with the Employer of the Aggrieved Person.

For example, if an employee from organization 'A' is being harassed by an employee of the Company the investigation and resolution may be done by the Company in coordination with the IC of Organization 'A'.

B. Initiating Proceedings

- IC shall within 7 days of the receipt of the complaint, provide an acknowledgement to the Aggrieved Person/Complainant and also send a copy of Complaint to the Respondent.

- IC shall examine the complaint and decide whether to pursue it or not.

- If any Member of IC is Respondent or party to sexual harassment complaint, such Member shall not be involved in the proceedings of the IC or inquiry / investigation or decision-making process for such complaint.

- If after preliminary examination of the complaint, IC concludes that the complaint is not tenable, it shall inform the same to the Aggrieved Person/Complainant and, if required, the Respondent, giving reasons in writing for not pursuing the complaint.

- If after preliminary examination of the complaint, IC concludes that the Complaint is tenable, it shall prepare a Statement of Allegations against the Respondent and issue the same to the Respondent seeking explanation for the allegations. All documents presented to the IC will be taken on record by it and given exhibit numbers.

- The Respondent shall file a written reply on the complaint along with the list of documents, name and address of witnesses, if any, within a period not exceeding 10 days from the date of receipt of the letter from IC. In case where any Senior Member of the Board or Management is named as Respondent or party to a sexual harassment complaint, IC shall immediately report such matter to the Board for further directions.

C. Conciliation

- IC shall inform the Aggrieved Person/Complainant, the policy and procedure for both the Conciliation and Inquiry processes for pursuing the complaint.

The Aggrieved Person/Complainant shall be under no duress to accept any of the two options.

IC may before initiating an inquiry and at the request of the Aggrieved Person take steps to settle the matter between both parties through conciliation. Any settlement brought about by such conciliation must be mutually acceptable to both the Aggrieved Person and Respondent. Monetary settlement cannot be the basis for such conciliation.

If conciliation is reached the same shall be recorded and shared with both parties.

- The agreed terms and conditions of the resolution of the Complaint shall be formalized in a report and signed by both parties. Also, the same will be sent to the Employer for taking actions as recommended by the IC. Thereafter, no further inquiry will be initiated into the complaint.

  In case of failure of conciliation or if the Aggrieved Person/Complainant so chooses, an inquiry shall be initiated.

  Where no conciliation process has been requested by the Aggrieved Person, OR Where any term or condition of the settlement / conciliation arrived has not been complied with by the Respondent, IC shall within a period of two weeks of receipt of the complaint or the conclusion of the conciliation process, proceed to make an inquiry into the complaint or advise the Aggrieved Person/Complainant to make a complaint to the police, depending on the gravity of the complaint.

D. Conducting an Inquiry:

a) At the commencement of the inquiry, the Committee shall explain to both the Aggrieved Person/Complainant and Respondent, the procedure which will be followed in the inquiry. The Committee will share a copy of the complaint with the Respondent within seven working days of its receipt.

b) The Respondent must submit a statement of defense within ten working days. This must be accompanied by the Respondent's own list of documents, evidence and names and addresses of witnesses.

C) The IC shall document the following:
- A statement of the accusations of misconduct or misbehavior in support of each article of charge.
- A statement of all relevant facts including any admission or confession made by the Respondent.

- IC shall summon witnesses and ask for production of documents by Aggrieved Person/Complainant and Respondent, examine witnesses and take statements on oath.

- The Parties can also furnish password protected evidence, if submitted online. Such password should be communicated by the concerned party to the IC in confidence.

- IC, in India, shall be deemed to be an inquiry authority and will have same powers as vested in a Civil Court under the Code of Civil Procedure, 1908 as stated under the Act. IC shall make inquiry into the Complaint in accordance with the principles of natural justice.

- The Aggrieved Person/Complainant and Respondent may give in writing to the IC the questions the Aggrieved Person wishes to pose to the person / witness/ Aggrieved Person/Complainant/ Respondent. Sufficient opportunities shall be given to examine all witnesses notified by both parties.

- All parties involved in the process are at liberty to place on record any objections or observations and the IC will ensure that reasonable opportunity is extended to the Aggrieved Person/Complainant and Respondent for putting forward and defending their case.

- Both, the Respondent and the Aggrieved Person/Complainant will be furnished with a copy of the findings of the inquiry proceedings at the end of each proceeding.

- The Aggrieved Person/Complainant and the Respondent are not permitted to be represented by a legal practitioner.

- The IC may consider requests from the Aggrieved Person/Complainant or Respondent on the language for conduct of inquiry (such as English, Hindi or other local language) as per its preference.

- The venue of the inquiry should, as far as practicable, be as per the convenience of the Aggrieved Person/Complainant. The IC will make the final decision regarding the venue.

- In conducting the inquiry, at least three members of the Committee, including the Presiding Officer and the External Member, shall be present.

- IC may, based on the gravity of the Complaint, appoint an ad-hoc committee and may seek its report within 30 days. Further, where a Member of the Board or senior management is named as Respondent or party to the Sexual Harassment Complaint, the Board may appoint an ad-hoc committee or external investigation officer to assist the IC in conducting the investigation.

- Keeping in mind the criticality of the responsibility that has been bestowed upon IC, it is necessary for them to operate within realistic and reasonable time frames for resolution of the complaints, depending upon the magnitude of seriousness. In any case, IC should initiate action expeditiously on receipt of the complaint and complete the inquiry process within a period of 90 days from the date of receipt of Complaint.

- In the event that either the Aggrieved Person/Complainant or Respondent fails to appear without sufficient cause for three consecutive hearings convened by the IC, the Committee will then have the right to terminate the proceedings or to give an ex-parte decision on the Complaint after giving the absentee party fifteen days' notice before passing such order.

- Simultaneously, a copy of the report shall be provided to the Aggrieved Person/Complainant and the Respondent, respectively.

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- If the Aggrieved Person/Complainant or the Respondent are aggrieved by the recommendations made by the IC, or by non-implementation of such recommendations, they shall have the right to appeal to the Tribunal/Court of appropriate jurisdiction as prescribed under the local law within ninety days of the recommendations of the IC if they are not satisfied with the decision of the IC.

Procedure for dealing with Complaints of Sexual Harassment is provided as Appendix 3 to this Policy.

E. Conducting virtual inquiry/ conciliation

While the inquiry/ conciliation proceedings shall ordinarily be conducted face-to-face with the parties and witnesses physically appearing for meetings at the office premises or any other location specified by the IC, in certain circumstances, the IC may allow the parties or witnesses to appear before it through videoconference or telephonic means. In such situations, the following guidelines shall also be observed:

a) Videoconference or telephonic proceedings will be conducted only with the consent of the parties involved.

b) Parties/ witnesses who are required to depose before the IC will be given at least two (2) days' notice prior to the online meeting to ensure that all infrastructure and facilities needed to attend the same can be arranged in advance.

c) Parties/ witnesses will be sent a copy of the minutes of meetings or other relevant documentation (such as inquiry/ findings reports, evidence etc.) via email. Any and/or all communication between the parties/ witnesses and the IC (including but not limited to consent, confirmations, questions, comments, responses, statements) shall be made through email and/ or digital signatures. Wet ink signatures would be taken from the parties in person later.

d) If the parties are unwilling to or cannot attend the proceedings online, the IC may postpone the proceedings until in-person meetings are possible. Similarly, if video-conferenced proceedings are not feasible, the IC may postpone the same until physical meetings can be held.

e) All guidelines and rules applicable to in-person inquiries and conciliations (such as those relating to maintaining a quorum, following principles of natural justice, and issuing findings/ inquiry reports) shall apply to virtual inquiry/ conciliation as well.

F. Measures that may be taken during the Pendency of the Inquiry:

a) If the Aggrieved Person/Complainant makes a request, in writing, the IC may recommend to management of the Company any of the following measures:

- Transferring the Aggrieved person or the Respondent to any other workplace.
- Granting leave to the Aggrieved Person, subject to a maximum of three months, in addition to leave to which the Aggrieved Person is otherwise entitled); or
- Restraining the Respondent from reporting on the work performance of the Aggrieved Person or writing his/her confidential report and assigning the same to another manager.
- such other specified relief.

b) Management of the Company will act upon the recommendation and will send a report of implementation to the IC.

G. Completion:

a) The IC will prepare an 'Inquiry Report' which will be submitted within 10 days of closure of the investigation. The IC shall furnish password protected Inquiry Report, if submitted online.

b) If the IC arrives at the conclusion that the allegation against the Respondent has not been proved, it will recommend that no action needs to be taken.

c) Where the Committee arrives at the conclusion that the allegation against the Respondent has been proved, it may make any of the following recommendations after taking into consideration the severity, frequency and pervasiveness of the act:
- To demand a written apology, give oral or written warning, reprimand or censure from the Respondent

- To demand that the Respondent undergoes counselling sessions or takes part in any community service.

- To make appropriate deductions from the salary or wages of the Respondent, to be paid to the Aggrieved Person. If this is not possible due to his being absent from duty or cessation of employment, the Respondent will be made to pay such sum to the Aggrieved Person. If the Respondent still fails to pay this sum, the Committee will then forward the order to the concerned District Officer for recovery of the sum as an arrear of land revenue.

- To withhold promotion, pay raise, increments of the Respondent.

- To suspend from services

- To transfer to another Company location.

- To terminate the services of the Respondent.

d) The management of the Company will act upon the recommendation within sixty days of receipt of the order.

11 Disciplinary Action for Sexual Harassment

IC shall recommend disciplinary action against the Respondent, if found guilty, post completion of the investigation proceedings. The nature and severity of the disciplinary action will be commensurate with the severity and persistence of misconduct.

The disciplinary action includes but is not restricted to one or more of the below:

- Mandatory Written Apology accepting such action not to repeated in future towards any person.

- Mandatory training or counselling session.

- Letter of Warning that shall be marked in the employee's employment record with the Company.

- Immediate transfer to a different department, location or both.
- Withholding of promotion, increment or both.
- Demotion from the Respondent's present grade.
- Dismissal from service of the Company.
- Any other action that the Committee deems reasonable.

12 Implementation of Disciplinary Action

- The disciplinary action recommended by the IC must be disclosed to the Respondent and the Aggrieved Person/Complainant, separately.
- The disciplinary action to be taken shall be informed to the parties in writing by the Chief Human Resource Officer / Regional HR Head or the nominated disciplinary SPOC, as the case may be, within a reasonable time.
- Failure or refusal of any person to co-operate with the Committee, disturb the proceedings of the Committee, mis-guide the Committee by giving false testimony or suppression of fact during the investigation shall attract disciplinary action as deemed appropriate.
- All inquiries for complaint of Sexual Harassment must be completed within 90 days of commencement of inquiry or as per existing legal provision of the country under question, whichever is less.

13 Quarterly Review Meet

All the committee members to meet once in a quarter:

a) To discuss on awareness and case resolving capacity building of the IC members, investigation methodologies and any other to improve the process.
b) To review cases registered, and the actions and outcomes.

14 Protection Against False Accusations

This Policy is a powerful tool that must never, under any circumstances, be misused. To this end, if the IC opines that:

- the Aggrieved Person/Complainant has lodged a malicious complaint; or
- has made the complaint knowing it to be false; or
- that any document has been forged/ was misleading or that any witness has given false evidence;
- any witness has given false evidence or has produced a forged or misleading document during the inquiry;

IC can direct management of the Company to take suitable action against Aggrieved Person/Complainant or witness as the case may be. This can only be done following an inquiry into such allegation of malicious intent. Once established, the action that could be taken against the party making a malicious Complaint would be the same as under the clause namely 'Disciplinary Action for Sexual Harassment' of this Policy.

- A mere inability to substantiate a complaint or provide an adequate proof need not attract action against the Aggrieved Person/Complainant.
- The malicious intent on the part of the Aggrieved Person/Complainant shall be established after an inquiry in accordance with the procedure prescribed by the committee before any action is recommended.

15 Protection Against Victimization/Retaliation

The Company shall not accept, support or tolerate victimization or retaliation measures of any kind against any person, who acting in good faith, reports acts of sexual harassment. Any person who engages in such retaliation / victimization, directly or indirectly or encourages others to do so, may be subject to appropriate disciplinary action.

At LTIMindtree:

- Victimization or retaliation will be treated as a misconduct, even in instances where the original complaint of sexual harassment is dismissed.
- Anyone suspecting or experiencing victimization or retaliation should report to the appropriate authorities.

- Anyone feeling that a complaint of victimization or retaliation did not get a prompt response can raise a grievance with the IC or the Company's management.

16 Confidentiality

The contents of the complaint, the identity and address of the Aggrieved Person/Complainant, Respondent and witnesses, any information relating to the inquiry, recommendations by the Committee and action taken by the Employer, information relating to the conciliation and inquiry proceedings, action taken by the Employer, information contained in appeal is considered as confidential and hence will not be disclosed, published through media, press etc. Any person entrusted with the duty to handle or deal with the complaint, inquiry will be accountable to ensure confidentiality.

A. Confidentiality during virtual proceedings

In the event of virtual inquiries or conciliations conducted, all obligations relating to confidentiality will continue to apply to the parties, witnesses and the IC members. Parties, witnesses and IC members are prohibited from:

- recording the proceedings without the permission obtained from all the attendees; and circulating the same post recording and/ or
- revealing/ discussing the contents of the discussions with any external person, including but not limited to other colleagues, superiors, family members, and spouses.

B. Failure to meet confidentiality obligation

Failure to comply with above confidentiality obligations may make any person entrusted with such obligation liable for penalty. If any person who deals with the complaint/ inquiry etc. contravenes this provision of law such person will be charged a sum of Rs. 5,000 (or the value equivalent in respective country's currency) by the IC.

17 Prohibition of Publication - Complaint and Inquiry Proceedings

The contents of the complaint made under the Policy, the identity and addresses of the Aggrieved Person, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the IC, as the case may be, and the action taken by the Employer shall not be published, communicated or made 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 without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the Aggrieved Person, Respondent and witnesses.
Information of Aggrieved Person, Respondent and witnesses shall also be kept confidential and protected as per the applicable Data Protections laws of that jurisdiction.

18 Cases of Criminal Nature

In case of Complaints, which the Committee deems as being outside its jurisdiction. For instance, offences of criminal nature, the law of the land shall apply. The Committee should provide any assistance required by the Complainant/Aggrieved Person.

Note: In India, in case of complaint of criminal nature, which is an offence under the Indian Penal Code or under any other law, it is duty of the Company / Employer to assist the Complainant/Aggrieved Person in initiating appropriate action, in accordance with the law.

19 Implementation of the Policy

Every person referred in this Policy shall ensure compliance with the provisions of the Policy, the Act, Rules and any other laws on prevention of sexual harassment as may be applicable to their jurisdiction, as the case may be.

20 Appendix 1: Definitions

a. **"Act"** means The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Sexual Harassment of

Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 ('the Rules') and any other relevant laws;

b. **"Aggrieved Person" or "Complainant"** means in relation to a Workplace, any individual, of any age whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent (as hereinafter defined) or such other person as may be authorized by the Aggrieved Person (as permitted by law) to make such complaint.

c. **"Board"** means the Board of Directors of the Company.

d. "**District Officer**" means an officer notified under Section 5 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, India;

e. **"Internal Committee" or "IC"** means the committee(s) formed by the Company for redressal of complaints of Sexual Harassment in the Workplace in accordance with the procedure laid down in this Policy. The IC is the sole inquiring authority into all complaints of sexual harassment at the workplace and a recommendatory body for disciplinary actions thereof based on the findings of the inquiries.

f. **"Employee"** means a person employed by Company for any work on regular, temporary, ad-hoc or daily wage basis, either directly or by or through an agent, including 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 domestic worker, a co-worker, a contract worker, probationer, trainee, apprentice or by any other name called.

Explanation: The aforesaid definition of 'Employee' shall be used only for the purposes of the Policy and cannot be used to claim rights of an employee conferred by any law for the time being in force.

g. **"Employer"** means the head of the department, organization, undertaking, establishment, enterprise, institution, office, branch, any person (whether contractual or not) responsible for the management, supervision and control of a designated workplace

h. "**External Member**" means a member of the Internal Committee (IC) who has at least 5 years prior experience or sufficient knowledge in the field of

human rights, social action or women's causes. The member could be one of the following: social worker, activist from an NGO, counsellor, lawyer, doctor, psychiatrist, trade unionist, representative of peasant and agricultural organization or journalist familiar with labour, service, civil or criminal law;

i. **"Respondent"** means an Employee of Company against whom the Aggrieved Person/Complainant has made a complaint of Sexual Harassment.

j. **"Sexual Harassment"** means any intimidation, bullying or coercion of a sexual nature. It also includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:
   (i) physical contact and advances; or
   (ii) a demand or request for sexual favours; or
   (iii) making sexually coloured remarks; or
   (iv) showing pornography; or
   (v) sending through electronic means (email, text, SMS, MMS etc.) any obscene or derogatory message; or
   (vi) any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.

   Sexual Harassment is an unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual Harassment can involve one or more incidents and actions whether physical, verbal and non-verbal.

   The following circumstances/actions, among other circumstances, if it occurs or is present in relation to or is connected with any act or behaviour of Sexual Harassment may amount to sexual harassment:

   i. Implied or explicit promise of preferential treatment in the employment; or

   ii. Implied or explicit threat of detrimental treatment in the employment; or

iii. Implied or explicit threat about the present or future employment status; or

iv. Interference with the work or creating an intimidating or offensive or hostile work environment for the person; or

v. Humiliating treatment likely to affect health or safety of the person.

k. **"Hostile Work Environment"** means and includes work environment which is 'hostile', when any unwelcome behaviour through virtual or non-virtual mode, verbal, non-verbal or physical behaviour, focusing on sexuality, is severe and pervasive enough to interfere with the victim's work performance or is intimidating or offensive to a reasonable person, thereby undermining the integrity of the work environment. For the purpose of this Policy, such hostility need not be directed towards the Aggrieved Person in particular.

l. "**Member/s**" means a Member/s of the Internal Committee (IC);

m. "**Presiding officer**" means the Presiding officer of the Internal Committee (IC)

n. "**Third Party**" includes any person not on the rolls of the Company but interacts with the employees such as consultants, retainers, customers, vendors, suppliers, contract workers, trainees or any outside visitor within or outside the Company.

o. **"Workplace**" means and includes the offices of the Company, premises of other third parties, Remote Work, vendors and associates of the Company where the Employees of Company are required to perform work or that are visited by the Employees of Company arising out of or during the course of employment and includes transportation provided by the Company for undertaking any journey, in connection with the business of Company.

p. **"Remote Work"** means and includes as any situation where Employees are required or request to work from any remote location, which is not Company's premises, client/ vendor premises, or any other location where Company employees are ordinarily required to perform their work as detailed above. Actions which take place in personal capacity will not be considered as workplace concerns unless there is connection with the

workplace by way of creation of a hostile work environment for the Aggrieved Person.

q. **"Retaliation/ Victimization"** includes an adverse employment action against a person because the person has lodged a sexual harassment complaint or participated in the Company's inquiry on the complaint of Sexual Harassment.

21 Appendix 2: Template for Reporting Sexual Harassment

Sexual Harassment Details:

Who is/are the person/s involved in this sexual harassment case?

Please provide the name, designation, location, Business Unit and relationship with you (e.g.
supervisor, colleague etc.)

Critical Incidents and Factual Data:

a. Please describe the incident/s preferably in a chronological order with dates.

b. List of supporting information/data that the Committee can seek from you while investigating the Complaint. as below:

To: Internal Complaint Committee against Sexual Harassment

1. Aggrieved Person/Complainant's Details:

- Name of the Aggrieved Person/Complainant: _____
- Designation: _____
- Employee No.: _____
- Contact Information: _____ (office email id/mobile number)

(If Aggrieved Person/Complainant is not an employee of Company, please specify the name your employer/ the nature of your relationship with Company such as consultant, vendor, visitor)

2. Respondent's Details:
   - Name(s) of the Respondent: _____
   - Designation: _____
   - Employee No.: _____
   - Working Relationship: _____
   - Other Details (Optional): _____

3. Details of the Incident:
   - Date of Incident: _____
   - Time of Incident: _____
   - Place of Incident: _____
   - Witness if any: _____
   - Evidence(s): _____
   - Exact Nature of Incident/ Occurrence: ____ (Please enclose a separate sheet, if required)

Date: ___<DD-MMM-YYYY>_____
Location/State/Country: _____
Signature of the Aggrieved Person/Complainant: _____

22 Appendix 3: Procedure for dealing with Complaints of Sexual Harassment

Step	Activity	Timeline
1	Submission of Complaint	Within 3 months of last incident
2	Conciliation (if requested by the Aggrieved Person/Complainant).	7 Days from the date of Complaint
3	If no conciliation is requested, Committee to send a copy of Complaint to the Respondent.	7 working days from the date of receipt of Complaint.
4	Where no conciliation, proceed to inquiry	2 weeks from the date of complaint
5	Respondent to file reply.	10 working days from Step #2 or #3.
6	IC to conduct inquiry and make recommendations to the Company management.	Completion of inquiry within 90 days of complaint.
7	Submit Inquiry Report by IC.	Within 10 days from completion of inquiry.
8	Company to follow IC's recommendations.	60 days from date of receipt.
9	Appeal	Within 90 days of recommendations
10	Quarterly Review of the cases and proceedings by the Audit Committee.	Once every quarter.
11	Company to submit data in the Annual Report.	Once every financial year.

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