

## Prevention of Sexual Harassment Policy

### Our policy on prevention, prohibition and redressal of sexual harassment at the workplace

This Policy (*as defined below*) is applicable to Yaap/Oplifi (“**Company**”) including all its agencies and unit. This Policy is intended to support us in making decisions and taking actions that are consistent with our aims outlined in Policy document and to help us comply with the local laws that apply to our business.

If there is a conflict, the following order of precedence would apply:

1. Applicable Indian Law;
2. The POSH Policy at YAAP/Oplifi

The Company seeks to provide equal opportunity to work to all employees, regardless of race, caste, religion, color, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability. The Company is therefore committed to creating a safe and conducive work environment that enables all to work without fear of prejudice, gender bias and sexual harassment, where employer and employees respect each other’s integrity and dignity, their privacy, their right to equality and right to equal opportunity in the workplace.

Additionally, it is committed to create an ethos of acceptance and inclusivity at the workplace such that individuals regardless of their sexual orientation, sexual preferences, individuals belonging to LGBTQIA community, individuals choosing to not be in any of the socially constructed communities and adopting a fluid / non-binary approach feel respected and accepted at the workplace.

The Company seeks to adopt a zero-tolerance policy against any such conduct, in violation of the Law and/or the Policy/guidelines laid down herein.

### Objective

In pursuit of this commitment, this policy is formed to prohibit, prevent or deter the commissions of acts of workplace harassment, including sexual harassment and provide a competent forum for redressal of any grievance arising thereof.

### Application of the policy and the effective date

In line with values of the Company stated above, this is a gender-fluid Policy and applies to all Employees (*as defined below*), clients and customers of the Company and its subsidiaries across India, regardless of the position Employees choose to take with respect to their gender identity (man, woman, third gender, non-binary, etc.) and is deemed to be incorporated in the employment agreement/ service conditions and comes into effect with immediately from the date hereof. The term “**Employee(s)**” means ‘person employed at a Workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly 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 co-worker, a contract worker, probationer, trainee, apprentice or called by any other such 'name' at its Workplace at all locations, in which the Company operates / functions.

## Policy Guidelines

### Definitions: -

- i. **"Complainant"** means any person, of any age, whether employed or not, who alleges in his/her complaint to the IC (*as defined below*) to have been subjected to any act of Sexual Harassment by the Respondent (*as defined below*).
- ii. **"Sexual Harassment"** means and includes conduct of any one or more of the following unwelcome acts or behavior at Workplace (whether directly or by implication):
  - a. Unwelcome physical contact and advances, requests or demand for sexual favors, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of an Employee towards any Company activity;
  - b. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct of sexual nature such as sexually colored remarks, jokes, letters, phone calls, SMS, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individual's sensibilities and affect their performance;
  - c. Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
  - d. Any of the following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:
    - A. Implied or explicit promise of preferential treatment in the employment;
    - B. Implied or explicit threat or detrimental treatment in the employment;
    - C. Implied or explicit threat about the present or future employment status;
    - D. Interference with the work or creating an intimidating or offensive or hostile work environment;
    - E. Humiliating treatment likely to affect health or safety; and/or
  - e. Any unwelcome gesture having sexual overtones.
- iii. **"Workplace"** includes:
  - a. All offices or other premises where the Company's business is conducted;
  - b. All the Company related activities performed at any other site away from the Company's premises;
  - c. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations;
  - d. Any Sexual Harassment on any social networking website during or outside of office hours;
  - e. Any place visited by the Employee arising out of or during the course of employment including transportation provided by the Company for undertaking such journey.

## 1. The Internal Complaints Committee (IC)

### i. Composition

The Company has, by a written order, constituted an Internal Complaints Committee for receiving and redressing complaints related to Sexual Harassment at Workplace from the Complainant (“IC”). At all times, the IC shall comprise of the following:

- a. At least one-half of the total members nominated to the IC shall be women. A senior level woman Employee shall be appointed as Presiding Officer of the IC (“**Presiding Officer**”). The Presiding Officer shall automatically vacate her office upon ceasing to be Employee of the Company. If the Company doesn’t have a senior woman Employee, an employee from another subsidiary or a group company could act as Presiding Officer for more than one committee and across subsidiaries or group companies of the parent company.
- b. Minimum 2 (two) members (two members of the IC will be appointed from amongst Employees who are preferably committed to the cause of women or who have had experience in social work or have legal knowledge in this field. The members shall automatically vacate office upon ceasing to be Employees of the Company.
- c. 1 (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. The members shall vacate office upon termination of contract with the Company.

### ii. Appointment of IC members

The Company shall invite nominations from Employees to be on the IC. IC members shall be selected by the Company after conducting due diligence regarding experience, skills, interests and commitment of nominees towards handling of such matters.

### iii. Term of IC members

The Presiding Officer and every member of the IC shall hold office for such period, not exceeding 3 (three) years, from the date of their nomination as may be specified by the Company.

### iv. Removal of IC members

- a. An IC member shall be removed / replaced in the event that the IC member:
  - A. Breaches confidentiality as provided under Clause 12 of this Policy;
  - B. Has been convicted for an offence or an act of moral turpitude or an inquiry into an offence under any law for the time being in force is pending against them;
  - C. Has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against them;
  - D. Has abused their position as to render their continuance in office prejudicial to

the public interest.

- b. Any vacancy created in the IC due to cessation of employment, resignation, death, disability or removal, as applicable, shall be filled by a fresh nomination by the Company in accordance with the guidelines laid down by the Company, and in conjunction with provision of the Law. Details of IC are given in **Annexure 1**.

## 2. Filing of complaints:

- i. The Complainant can make a complaint of Sexual Harassment to the IC:
  - a. The complaint has to be in writing;
  - b. Complaint must be made within a period of 3 (three) months from the date of incident and in case of a series of incidents, within a period of 3 (three) months from the date of last incident;
  - c. The IC can extend the time limit for receiving a complaint to another period of 3 (three) months if it is satisfied that the circumstances were such which prevented the Complainant from filing a complaint within the first 3 (three) months;
  - d. IC will record the reasons for such extension of 3 (three) months in writing.
- ii. If the Complainant is unable to make a complaint on account of their physical incapacity, a complaint may be filed, with the written consent of the Complainant by:
  - a. their relative or friend; or
  - b. their co-worker; or
  - c. an officer of the National Commission for Women or State Women's Commission; or
  - d. any person who has knowledge of the incident
- iii. If the Complainant is unable to make a complaint on account of mental incapacity, a complaint may be filed by:
  - a. their relative or friend; or
  - b. a special educator; or
  - c. a qualified psychiatrist or psychologist; or
  - d. the guardian or authority under whose care they are receiving treatment or care; or
  - e. any person who has knowledge of the incident jointly with the Complainant's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care they are receiving treatment or care.
- iv. If the Complainant for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with their written consent. If the Complainant is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.
- v. If the Complainant needs assistance in writing the complaint, they can seek help from any IC member. The IC members would offer adequate assistance in filing a complaint.

- vi. The complaint can be submitted to the IC electronically or may be physically submitted to any IC member. If the Complainant submits complaint physically, 6 (six) copies of the complaint along with supporting documents (if any) and relevant details concerning the alleged incident(s), the name and details of the Employee against whom the complaint is being filed (“Respondent”) and names and addresses of the witnesses (if any) shall be submitted.

- vii. **Complaints against third parties**

If any Employee is sexually harassed by any external party either in the Company premises or in that external party’s premises, then IC can contact the Internal Committee of that external party and / or to the Police (as the case maybe), on the written complaint of such Employee to the Company’s IC and address the matter to satisfactory closure. Alternatively, Employee may choose to reach out directly to IC of that external party and / or Police (as the case may be) and the Company will offer adequate assistance, on written request by Employee.

### 3. Procedure for handling complaints:

- i. **Response from Respondent**

- a. On receipt of the complaint, the IC shall send one of the copies received from the Complainant to the Respondent within a period of 7 (seven) working days. If the complaint has been received on email, the IC member shall forward the same to the Respondent, with clear instructions that the same is not to be shared with any other Employee of the Company or third party.
- b. The Respondent shall submit their written reply to the complaint along with their list of documents, and names and addresses of witnesses (if any), within a period of 10 (ten) working days from date of receipt of the copy of complaint.

- ii. **Procedure for Conciliation**

- a. Prior to initiating an inquiry, the IC may, at the written request of the Complainant take steps to settle the matter between the Complainant and the Respondent through conciliation.
- b. Monetary settlement cannot be made the basis of such conciliation.
- c. In case a settlement has been arrived at, the IC shall record the same and forward it to the Company to take action.
- d. The IC will also provide copies of the settlement as recorded to the Complainant and Respondent.
- e. If settlement has been reached, the IC will not be required to conduct any further inquiry.

- iii. **Procedure for Inquiry**

- a. In case conciliation has not been opted for by the Complainant, terms of settlement have not been agreed upon or term of settlement have not been complied with, the IC shall, upon a written request from the Complainant to do so, conduct an inquiry into

the complaint.

- b. The IC shall make an inquiry into the complaint in accordance with the principles of natural justice and shall notify in writing, the time and dates of its meetings to the Complainant and the Respondent.
- c. The IC shall have the powers to summon and enforce the attendance of any person, request the discovery and production of documents and conduct an examination on oath as may be necessary for the inquiry process. Any refusal by any Employee of the Company to attend any hearing before the IC when summoned or to provide to the IC, any documents and / or information within their power or possession shall as amount to a willful misconduct, rendering such Employee for adverse action by the Company, at the discretion of the Company.
- d. The IC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Complainant or Respondent fails to present themselves, for 3 (three) consecutive hearings, without sufficient cause. Such termination or ex-parte order shall not be passed without giving a notice in writing, 15 (fifteen) days in advance, to the Complainant or Respondent as the case maybe.
- e. During the course of inquiry, Complainant and Respondent shall be given an equal and fair opportunity of being heard and a copy of the findings shall be made available to the Complainant and Respondent enabling them to make representation against the findings before the IC.
- f. In conducting the inquiry, at any point of time, the complaint shall be heard by a minimum of 3 (three) members of IC including the Presiding Officer and one external member and shall be completed within a period of 90 (ninety) days from the date of receipt of complaint.
- g. The Complainant and Respondent shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the IC.
- h. The inquiry under this Clause shall be completed within a period of 90 (ninety) days.

#### 4. Procedure for action during pendency of inquiry

- i. During the pendency of an inquiry, on a written request made by the Complainant, the IC may recommend the following to the Company:
  - a. Transfer the Complainant or Respondent to any other Workplace;
  - b. Grant leave to the Complainant up to a period of 3 (three) months (the leave granted shall be in addition to the leave the Complainant is otherwise entitled to);
  - c. Grant any other relief to the Complainant, which IC thinks is appropriate and at the discretion of the Company;
  - d. Restrain the Respondent from reporting on the work performance of the Complainant or writing their confidential report and assign the same to another head / officer;
  - e. In case the complaint has been filed by an intern or an apprentice working under the Respondent, restrain the Respondent from supervising any official / academic activity of the Complainant and assign the same to another officer.
- ii. On receiving a recommendation from the IC, the Company shall implement the

recommendations and send a report of such implementation to the IC.

## 5. Procedure for preparing inquiry report and suggesting actions

- i. On completion of inquiry, the IC shall provide a written report of its findings and recommendations to the Company within 10 (ten) days from date of completion of the inquiry. Such report shall also be made available to Complainant and Respondent.
- ii. The inquiry report shall specify details of the allegations against the Respondent, the statements made, and evidence presented by the Complainant, Respondent and / or witnesses, IC's findings along with statement giving reasons for the findings arrived at by the IC and IC's recommendations.
- iii. In the event that the IC arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Company that no action is required to be taken in the matter.
- iv. Where the IC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend in writing to the Company to take action against the Respondent, which may include:
  - a. A written apology from the Respondent;
  - b. A letter of warning may be issued to the Respondent;
  - c. Reprimand or censure the Respondent;
  - d. Withholding the promotion;
  - e. Withholding of pay rise or increments;
  - f. Immediate transfer or suspension without pay;
  - g. Termination from service;
  - h. Undergoing a counselling session;
  - i. Carrying out community service;
  - j. Deduction from salary or wages of the Respondent a sum that may be considered appropriate to be paid to the Complainant or to their legal heirs. In case, the Company is unable to make deductions from salary of the Respondent due to them being absent from duty or cessation of employment, it may direct the Respondent to pay such sum to the Complainant as it may determine in accordance with Clause 9 of this Policy. In case the Respondent fails to pay the sum, the IC may forward the order for recovery of the sum as an arrear of land revenue to the concerned district officer.
- v. The Company shall act upon the recommendation given by IC within 60 (sixty) days of receipt of the recommendation.

## 6. Procedure for action to be taken in case of malicious complaints

- i. If on investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing their image in the Company and to settle personal / professional scores, strict action will be taken against the Complainant.
- ii. In case IC arrives at a conclusion that allegations against the Respondent is malicious or Complainant has made the complaint knowing it to be false or has produced a forged or misleading document, IC may recommend to the Company to take same action against the

- Complainant as it would have been applicable to Respondent if the complaint was genuine. In this regard, IC may recommend any of the actions specified from Clause 8(iv) (a) to (i) above.
- iii. A mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant. Further, the malicious intent on part of the Complainant will have to be established through the inquiry process before an action against such Complainant is recommended.
  - iv. In case IC arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Company to take any of the actions specified from Clause 8(iv) (a) to (i) above.

## 7. Procedure for filing an appeal

In the event that Complainant and / or Respondent is aggrieved from the recommendations made by the IC under Clauses 8, 10 and 12 of this Policy or non-implementation of such recommendations, they may appeal to the appropriate authority as specified by Law within a period of 90 (ninety) days of the recommendations.

## 8. Confidentiality

- i. All discussions / decisions pertaining to an incident of Sexual Harassment must be kept confidential. Therefore, contents of the complaint made, the identity and addresses of the Complainant, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, inquiry report including recommendations of the IC and action taken on the Respondent shall not be published, communicated or made known to the public, press and media in any manner. However, 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 Complainant and witnesses.
- ii. Appropriate information will be shared by the Company with Government authorities as per the Act. If any person (including witnesses) breaches confidentiality, appropriate action will be taken.

## 9. Annual Report

- i. The IC shall, in each calendar year, prepare an annual report and submit the same to the Company within such time as prescribed under the Act. Such annual report shall have the following details:
  - a. Number of complaints of Sexual Harassment received in the year;
  - b. Number of complaints disposed off during the year;
  - c. Number of cases pending for more than 90 (ninety) days;
  - d. Number of workshops or awareness programme against Sexual Harassment carried out;
  - e. Nature of action taken by the Company.
- ii. The Company shall include in its annual report the number of cases filed, if any and their disposal or where no such report is required to be prepared, intimate such number of cases,



if any, to the concerned district officer.

## 10. Responsibilities of the employees

- i. All Employees in the Company have shared responsibility of creating and sustaining a healthy work environment.
- ii. They should support during any inquiry of a complaint, including testifying as witness, giving full and truthful disclosure of all factual information when asked by the IC, while ensuring that complete confidentiality is maintained, throughout, about any case of Sexual Harassment within the Company.
- iii. They should set an example of dignified workplace behavior and ethical standards in line with the Company's values and Code of Business Conduct.
- iv. They should be aware that the Company will take allegations seriously and will ask their cooperation in an investigation if they bring a complaint forward.
- v. They should handle information related to known or suspected violations of this Policy in a discreet and confidential manner and not attempt to investigate / inquire into the information or suspected violations of this Policy on their own i.e. without involving the IC.
- vi. They should report any inappropriate behavior by colleagues / clients / vendors to IC immediately.

## 11. Responsibilities of the IC

- i. The primary responsibilities of IC are:
  - a. Receive and address complaints of Sexual Harassment only;
  - b. Hold meeting once in every 3 (three) months;
  - c. Follow the principles of natural justice and treat the Complainant, Respondent, witnesses and related persons to the inquiry with dignity and respect and give both the Complainant and the Respondent a fair opportunity to make their submissions. All members of the IC shall be acting without any prejudice or bias while conducting inquiries or dealing with complaints of Sexual Harassment in any other manner;
  - d. Ensure quorum of minimum three (3) members is met during all Inquiry meetings, with mandatory presence of the Presiding officer and external member at all inquiry meetings;
  - e. Assist Complainant in filing the complaint, in case the Complainant is unable to do so;
  - f. Inquiry shall be a priority for an IC member. However, in case of critical work deadlines, the IC member can submit a written request to the management requesting for support for the required deliverable till the inquiry is completed;
  - g. Make efforts to ensure that the Complainant and the witnesses are not further victimized or discriminated against while the complaint is pending;
  - h. They shall recuse themselves from their assigned job for the purpose of conducting an inquiry if there is conflict of interest or a bias coming in the way of conducting a fair inquiry;
  - i. The IC members shall refrain from talking about a potential, pending or completed case of Sexual Harassment to any member directly or indirectly connected to any form of

- media, including print, television, online media etc.;
  - j. Review the status of all complaints received by IC;
  - k. Take action against anyone who threatens or intimidates the Complainant or members of the IC;
  - l. Conduct interactive awareness trainings / programs for Employees, special meetings if required.
- ii. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the IC shall discontinue inquiry into such complaint after recording the reasons thereof and forwarded to the concerned person / committee.

## 12. Responsibilities of the Company

- i. The Company shall provide a safe working environment at the Workplace which shall include safety from the persons coming into contact at the Workplace;
- ii. The Company shall display at any conspicuous place in the Workplace, the penal consequences of Sexual Harassment and the order constituting the IC;
- iii. The Company will not tolerate any act of Sexual Harassment. It shall treat Sexual Harassment as 'misconduct' and take prompt, appropriate action for the same;
- iv. It will organize gender-sensitization workshops and awareness programs at regular intervals for all Employees covering all locations;
- v. Shall raise awareness about the prevention of Sexual Harassment through posters, calendars, mugs and other mediums;
- vi. It will monitor the timely submission of reports by the IC;
- vii. It will ensure that necessary facilities and information are provided to the IC for dealing with the complaint and conducting an inquiry;
- viii. Assist in securing the attendance of Respondent and witnesses before the IC and make available such information to the IC as it may require with regards to the complaint;
- ix. Provide assistance to the Complainant if the Complainant chooses to file a complaint in relation to the offence under the Indian Penal Code, 1860 ("IPC") or any other law for the time being in force;
- x. Cause to initiate action, under the IPC or any other law for the time being in force , against the Respondent, or if the Complainant so desires, where the Respondent is not an Employee, in the Workplace at which the incident of Sexual Harassment took place;
- xi. It will offer counselling sessions to Complainant, Respondent or anyone impacted by incident of Sexual Harassment;
- xii. Conduct capacity building and skill building programmes for the members of the IC;
- xiii. Declare the names and contact details of all the members of the IC;
- xiv. Use modules developed by the State Governments to conduct workshops and awareness programmes for sensitizing the Employees with the provisions of the Law.

### 13. Amendments

The Company reserves the right to amend the Policy from time to time in order to comply with any laws / rules / regulations that come into effect from time to time, related to sexual harassment at workplace.

#### Internal Compliance Committee for Anti Sexual and Workplace Harassment

S. No.	Committee Designation	Name of Committee Member	Designation	Mobile No.	Email Id
1	Presiding Officer	Avantika Bahl	AVP-Client Servicing	9560194170	avantika.bahl@yaap.in
2	Member	Khushboo Sharma	AVP-HR	9899543690	khushboo.sharma@yaap.in
3	Member	Aditi Bandhu Sharma	Group Head-Client Servicing	7838962528	aditi.bandhu@yaap.in
4	Member	Manan Kapur	Senior Partner	9899956397	manan.kapur@yaap.in
5	Member	Suraj Nedungadi	Strategic Planning Director	9535740489	suraj.nedungadi@yaap.in
6	External Associate	Mini Worlikar	External	9820378415	minijworlikar@gmail.com