

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



**LAKELAND GLOVES AND SAFETY
APPAREL PRIVATE LIMITED**

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POLICY FOR PREVENTION OF SEXUAL HARASSMENT (POSH)

1. OBJECTIVE:

LAKELAND GLOVES AND SAFETY APPAREL PRIVATE LIMITED (“COMPANY”) is committed to creating a safe work environment that is free from any form of sexual harassment and where all employees are treated with dignity and respect. Company is dedicated to maintaining an environment which is free from coercion and intimidation.

Company shall adopt certain procedures and guidelines to govern cases against sexual harassment. The procedure has been provided below in Company’s policy against sexual harassment (“Policy”).

All allegations of sexual harassment shall be taken seriously by the Company and shall be governed by this Policy.

This Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

2. DEFINITION

Sexual harassment may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between an employee and someone that employee deals with in the course of his/her work who is not employed by the Company.

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), but not limited to:

- I.** Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
 - a)** Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit

- b) Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation
- c) Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one's will
- d) Demand or request for sexual favors
- e) Sexually colored remarks or remarks of a sexual nature about a person's clothing or body
- f) Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas
- g) Showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.
- h) Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes
- i) Giving gifts or leaving objects that are sexually suggestive
- j) Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy; Persistent watching, following, contacting of a person; and
- k) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

II. The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment:

- a) Implied or explicit promise of preferential treatment in employment;
- b) Implied or explicit threat of detrimental treatment in employment;
- c) Implied or explicit threat about the present or future employment status;
- d) Interference with the person's work or creating an intimidating or offensive or hostile work environment; or

- e) Humiliating treatment likely to affect health or safety.

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy. Further, it is important to note that whether harassment has occurred or not does not depend on the intention of the people but on the experience of the aggrieved woman.

- **AGGRIEVED WOMAN:** In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- **COMPLAINANT:** Any aggrieved woman who makes a complaint alleging sexual harassment under this policy.
- **RESPONDENT:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman under this policy
- **EMPLOYEE:** A person employed at the 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 coworker, a contract worker, probationer, trainee, apprentice or called by any other such name.
- **SPECIAL EDUCATOR:** A Special Educator means a person trained in communication with people with special needs in a way that addresses their individual differences and needs.
- **WORKPLACE:**
 - Premises, locations, establishments, enterprises, institutions, offices, branches or units established which are controlled by the Company.
 - Places visited by the Employee arising out of or during the course of employment including official events, accommodation and transportation provided by the employer for undertaking a journey.
- **EMPLOYER:** A person responsible for management, supervision and control of the workplace.

3. APPLICABILITY

- All employees of the Company (including employees on contract, on 3rd (third) party rolls)
- All customers and suppliers of the Company

- All third parties associated with the Company at work or involved in work related activities.
- The complainant as well as the respondent may be a man or a woman
- The complainant needn't be of the opposite sex
- The respondent can be anyone including the complainant's supervisor/ an agent / contractor / customer / client / 3rd (third) party associated with the Company /or any other employee of the Company.
- The complainant does not have to be the person harassed but could be anyone affected by the offensive conduct.
- It may occur without economic injury to the complainant.
- It may occur at work place or any other place where the employee is engaged in work related activities.
- It may occur with the Company employees deputed to client sites.

4. ROLES AND RESPONSIBILITIES:

It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- a) Refusing to participate in any activity which constitutes harassment
- b) Supporting the person to reject unwelcome behavior
- c) Acting as a witness if the person being harassed decides to lodge a complaint

5. CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, Internal Complaints Committees (ICC) have been appointed-

- | | | |
|------|--------------------|---------------------|
| i) | MS. PRIYA JHA | - PRESIDING OFFICER |
| ii) | MR. RAJINDER KUMAR | - MEMBER |
| iii) | MS. PREETI | - MEMBER |
| iv) | MS. BUSHRA PRAVEEN | - EXTERNAL MEMBER |

6. GRIEVANCE MECHANISM:

- a) **PROCEDURE TO REGISTER COMPLAINTS:**

An aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of 3 months from the date of incident/ last incident. The Internal Committee can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint within the period.

The complaint shall be submitted by the complainant to the IC in writing or shall be submitted to the IC electronically at jpriya@lakeland.com. The complaint can also be physically submitted to any IC member.

b) RECEIVING A COMPLAINT (GUIDELINES)

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are to be kept in mind by the receiver of the complaint: -

- Complaints are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily.
- Situations are not to be pre-judged. Written notes are to be taken while listening to the person. When taking notes, complainants own words, where possible, are to be used accurately. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant.
- All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
- The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity
- Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent.

c) RESOLUTION PROCEDURE THROUGH CONCILIATION

Once the complaint is received, before initiating the inquiry, the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved woman.

No monetary settlement can be made as a basis of conciliation.

In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation is to happen within 2 weeks of receipt of complaint.

The committee shall provide copies of the settlement to complainant & respondent. Where a settlement is arrived at, no further inquiry is to be conducted by the committee.

d) RESOLUTION PROCEDURE THROUGH FORMAL INQUIRY

The committee will initiate inquiry in the following cases:

- No conciliation is requested by aggrieved woman
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent

e. MANNER AND PROCEDURE OF INQUIRY INTO COMPLAINT:

- Complainant should submit the complaint along with supporting documents and the names of the witnesses, if any.
- The Committee will hold a meeting with the Complainant within **Seven Days** of receipt of the complaint, but no later than a week in any case.
- At the first meeting, the Committee members shall hear the Complainant and record her allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate her complaint.
- The Committee shall proceed with the enquiry and communicate the same to the Complainant and Respondent.
- Upon receipt of the complaint, the committee will send 1 copy of the complaint to Respondent within 7 working days of receiving the complaint.
- Respondent shall reply with all supporting documents within 10 working days of receiving the copy of the complaint.

- Thereafter, the Respondent may be called for a deposition before the Committee and an opportunity will be given to him to give an explanation, where after, an inquiry shall be conducted and concluded.
- The Complainant shall be provided with a copy of the written explanation submitted by the Respondent.
- If the Complainant or the respondent desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.
- The Committee shall call upon all witnesses mentioned by both the parties.
- The Committee shall provide every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective case.
- If either party desires to tender any documents by way of evidence before the Committee, the same is to be supplied as original copies of such documents. Signatures should be affixed on the respective documents to certify these to be original copies.
- No legal practitioner can represent any party at any stage of the inquiry procedure
- The Complaints Committee is to make inquiry into the complaint in accordance with the principles of natural justice
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer are to be present.
- The employer shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- 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 same would be dropped after recording the reasons thereof.

If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements. In case complainant or respondent seeks to ask

questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the Inquiry Report, **within 90 days** from the date on which the inquiry is commenced. The inquiry procedure should ensure absolute fairness to all parties.

f. TERMINATION OF INQUIRY

Committee may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without sufficient reason. 15 day written notice is to be given to the party, before termination of enquiry or ex-parte order.

g. ACTION TO BE TAKEN AFTER INQUIRY

Post the inquiry, the committee submits its report containing the findings and recommendations to the employer, within 10 days of completion of the inquiry.

h. COMPLAINT UNSUBSTANTIATED

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter. Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded, and neither will be disadvantaged within the Company.

i. COMPLAINT SUBSTANTIATED

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- Counseling
- Censure or reprimand
- Apology to be tendered by respondent
- Written warning
- Withholding promotion and/or increments
- Suspension
- Termination
- Or any other action that the employer may deem fit.

The Company is required to act upon the recommendations within 60 days and confirm to the committee. Post implementation of the actions, follow up with the complainant should also occur to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring.

j. PENAL CONSEQUENCES OF SEXUAL HARASSMENT

In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the employer, for making a Police Complaint. Under the Indian Penal Code, (IPC), the newly introduced Section (S 354A) which deals with Sexual Harassment has made this a ‘cognizable offense’ i.e. a person charged with Sexual Harassment may be arrested without a warrant.

k. CONFIDENTIALITY

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials and not published or made known to public or media.

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

l. REPORTING AND COMPLIANCE UNDER THE ACT

The Company and the Internal Complaints Committee (ICC) shall comply with the reporting requirements under the POSH Act, 2013, which include:

- Submission of an Annual Report by the ICC to the employer and District Officer, stating:
 - Number of complaints received, resolved, and pending;
 - Action taken and awareness programs conducted.
- Disclosure in the Company’s Annual Report, where applicable, confirming:
 - Compliance with POSH provisions;
 - Complaint statistics for the financial year.
- Display of ICC details and complaint procedure at prominent places at the workplace.

m. AWARENESS AND TRAINING

The Company may conduct awareness programs, training sessions, and workshops to educate employees and promote a safe work environment.

n. REVIEW AND AMENDMENTS

This policy will be reviewed and amended as required to ensure compliance and effectiveness.