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**POLICY ON ANTI SEXUAL HARASSMENT, ADC India Communications Ltd**

**1.0 DEFINITIONS:**

For the purpose of this Policy

1.1 "Act" shall mean the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 along with all applicable rules.

1.2 "Company" shall mean **ADC India Communications Ltd** .

1.3 "Employee" shall mean any person employed by the Company for consideration including those on deputation, contract, temporary, part-time or consultants either directly or through an agent, including a contractor, whether for remuneration or not, working on a voluntary basis and whether such terms of employment are express or implied. This shall include but not be limited to co-workers, contract workers, probationer, trainees or apprentices.

1.4 Sexual harassment shall mean and include:

- a. unwelcome sexual or physical contact or advances,
- b. a request or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any Company activity;
- c. unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, 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 individuals sensibilities and/or affect her/his performance;
- d. eve teasing, innuendos, taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- e. conduct of such an act at work place or outside in relation to an Employee of the Company, or vice versa during the course of employment; and
- f. any unwelcome gesture by an Employee having sexual overtones;
- g. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The following circumstances amongst others, if it occurs or is present in relation to or connected with any sexual act or behaviour amounts to Sexual Harassment:

- a. An implied or explicit promise or threat of preferential or detrimental treatment in employment.
- b. An implied or explicit threat about present or future employment status.
- c. Interference with work or creating an intimidating, offensive or hostile work environment.
- d. Humiliating treatment likely to affect her health or safety.

## **2.0 POLICY**

- 2.1 The Company is committed to creating a safe and healthy working environment. The Company believes that all individuals have the right to be treated with dignity and shall strive to create a workplace which is free of gender bias and Sexual Harassment. Sexual Harassment at the work place or any other than place if involving Employees of the Company is a grave offence and is strictly prohibited and punishable by law.
- 2.2 The Company has a zero tolerance approach to any form of Sexual Harassment. The Company does not in any manner support or condone an Employee who sexually harasses any other person. The Company's Policy addresses Sexual Harassment against both male and female Employees.
- 2.3 Every Employee has the obligation to prevent Sexual harassment at the workplace or where relevant report the same to the appropriate authorities within the Company.

## **3.0 SCOPE AND EFFECTIVE DATE**

- 3.1 This Policy extends to all Employees of the Company, and includes any incident in the course of the employment and is deemed to be incorporated in the service conditions of all Employees and comes into effect immediately. This policy may be updated and amended, by the Company, at any time, in its sole discretion.

## **4.0 INTERNAL COMPLAINTS COMMITTEE**

- 4.1 An Internal Complaints Committee (hereinafter the "**Committee**") has been constituted by the Company to consider and redress complaints of Sexual Harassment. The details of the members of the Committee shall be communicated from time to time. The Committee shall function in accordance with the charter notified by the Company for the functioning of the Committee
- 4.2 A quorum of three (3) members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer, who shall be a woman and at least two other members, one of whom shall be female who is familiar with the issue of Sexual Harassment
- 4.3 In addition to the above members, the Committee shall invite experts who are well versed with the issues pertaining to Sexual Harassment and investigation into such offences if it deems necessary.

## **5.0 FILING A COMPLAINT**

- 5.1 An Employee can file a complaint within three(3) months of the incident or three(3) months from the date of the last incident, in case of a series of incidents. If an Employee is unable to make a complaint on account physical or mental incapacity or death the Employee's legal heir or any other person prescribed can submit a complaint on the Employee's behalf.

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- 5.2 Any complaint filed can be filed by an employee either in electronic form or physically written to the concerned human resources point of contact or to such other email address or hotline notified by the Company. All complaints shall be accompanied by all supporting documents and a list of witnesses. If the complaint is filed in physical form, the complainant shall furnish six (6) copies of the complaint and accompanying documents. Within seven (7) working days, a copy of the complaint shall be provided to the respondent who shall provide their response (either in electronic form or physically written) and all supporting documents and a list of witnesses within a period of ten (10) working days of receipt of the complaint by them.
- 5.3 If the Committee upon inquiry discovers that the complaint including any evidence or witnesses are malicious or known to be false or misleading. The Committee may recommend that action be taken against such a party. A mere inability to substantiate a claim, shall not be considered as a malicious complaint by a Committee.
- 5.4 The Company encourages Employees to complain if they are sexually harassed or are aware of another Employee being sexually harassed. There shall be no retaliation against any Employee who brings an accusation of or who assists with the investigation or ensures resolution of a Sexual Harassment complaint, provided that no Employee shall file or instigate a malicious complaint. Any such conduct shall be punishable in accordance with this policy.
- 5.5 Where any offence attracts any provisions of the Indian Penal Code, 1860, then at the request of the complainant the Company shall assist the Employee in the filing of a police complaint.

## **6.0 INQUIRY**

- 6.1 Once the Committee receives an Employee's complaint, an Inquiry will be initiated within seven (7) days. The proceedings shall be conducted in accordance with the Charter of the Committee to streamline the process and ensure uniformity and speedy redressal of complaints.
- 6.2 During the pendency of the Inquiry, the complainant may request and the Committee may grant, either party a transfer from the current workplace or a leave of absence to the complainant.
- 6.3 The Committee shall ensure that the confidentiality and privacy of the parties are maintained at all times, unless otherwise required. The parties will be permitted to present their case, along with any relevant evidence and/or material witnesses. The entire Inquiry process shall be completed within ninety (90) days. The Committee shall make recommendations based on the Inquiry, and copies of the final findings shall be provided to all parties.
- 6.4 The recommendations of the Committee shall be acted upon by the Company within sixty (60) days of receipt of the same.
- 6.5 An Employee aggrieved by the recommendation of the Committee, may within ninety (90) days of receipt of the same, prefer an appeal with the Management Committee constituted by the Company by way of an email to [ashcomm@te.com](mailto:ashcomm@te.com). Nothing herein shall derogate from rights available to Employees under existing laws.

6.6 Neither party shall have the right to be represented by a legal practitioner or any third party in proceedings before the Committee. Provided that, a party may, with the permission of the Committee, be represented by any other employee of the Company (not being a legal practitioner or in-house counsel), where the Committee believes that such representation is required in accordance with the principles of natural justice.

6.7 The Committee may terminate any inquiry or give an ex-parte decision where either party fails, without sufficient cause, to present themselves before the Committee for three (3) consecutive hearing convened by the Committee.

## **7.0 PENALTIES**

7.1 If the respondent is found to be innocent no action will be recommended by the Committee.

7.2 If the respondent is found to be guilty of sexual harassment, the Committee may at its discretion recommend, that the Company:

- a. Initiate disciplinary action against the Employee up to and including termination;
- b. Fine the Employee for misconduct or order compensation to be paid to the complainant.

7.3 If the complainant is found to be guilty of submitting a malicious complaint or either party produces witnesses or evidence that is false or misleading, the Committee may at its discretion recommend, that the Company:

- a. Initiate disciplinary action against the Employee up to and including termination;
- b. Fine the Employee for misconduct or order compensation to be paid to the respondent.

7.4 The recommendations of the Committee shall be acted upon within sixty (60) days by the Company.

### **Committee Composition:**

#### Composition of Internal Complaints Committee as per the Act:

	<b>Name</b>	<b>Designation</b>	<b>email</b>	<b>phone</b>
1	Rashmi Kocher	Chairperson	rashmi.kocher@te.com	+919972303496
2	Dakshayani B.C	Member	Dakshayani.bc@te.com	+919686190685
3	Patil, RA	Member	patilra@te.com	+918028412433
4	Aparna GV	Member	aparnagv@gmail.com	+918050266143
5	Krishnamurthy Ramprasad	Member	prasad.kr@te.com	+918028412433

Management Committee:

President & CEO, TE India

Sr.Director/Director HR India