



# PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

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\*Placed before the Board of Directors at its meeting held on February 13, 2024, and reviewed/approved thereat.

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## **PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE: HINDALCO**

### **1. Introduction**

To reinforce our position as an equal opportunity employer, we are committed to provide a workplace that is free of sexual harassment.

In compliance with the Prevention of Sexual Harassment Act, 2013 and Rules made thereunder, we have formulated the following Policy for Prevention of Sexual Harassment at Workplace This policy is applicable to all Hindalco employees, all Contract employees, all trainees and any visitor to the Hindalco premises.

### **2. Objective**

- 2.1. To define sexual harassment
- 2.2. To provide an effective and efficient complaint redressal mechanism for complaints alleging sexual harassment.

### **3. Definition**

- 3.1. **Sexual Harassment:** The definition of Sexual Harassment shall include but not be restricted to the following:
  - Any unwelcome and inappropriate behavior (directly or by implication)
  - Physical contact and advances of a sexual nature
  - A demand or request for sexual favors
  - Implied or explicit promise of preferential treatment in their employment
  - Sexually colored remarks
  - Showing pornography, writing sexually explicit/implicit messages, emails, SMSs or any form of communication
  - And/or any other unwelcome physical, verbal or non-verbal conduct of sexual nature
- 3.2. **Complainant:** Any person can file a complaint under this policy. This policy is applicable to all Hindalco employees, all Contract employees, all trainees and any visitor to the Hindalco premises.
- 3.4. **Confidentiality:** All involved parties of the complaint and IC members shall not divulge in any information to a third person and the identities of the persons involved in the case should not be disclosed. Involved party shall include the complainant, respondent, all witnesses, management, co-workers, any person who has the knowledge about the complaint shall adhere to the confidentiality clause.

Including post the termination of the person found guilty, the matter shall not be discussed by anyone involved. The Management and IC

shall take necessary steps to maintain confidentiality while executing the action against the respondent.

Any breach of confidentiality will be taken seriously and the implications of which shall be disciplinary actions as per the rules of Hindalco.

Involved parties breaching the confidentiality provisions shall, in addition to the above be liable to criminal action as well as penalty of INR. 5,000/- (Rupees Five Thousand Only) and any action recommended as part of Code of Conduct violation that Hindalco deems fit for any breach of this clause.

- 3.5. **Employer:** A person responsible for management, supervision and control of the workplace.
- 3.6. **Internal Committee:** A Quasi-judicial body constituted to investigate and provide redressal against claims of Sexual Harassment. The Committee is headed by a Chairperson and other presiding officers to investigate sexual harassment complaints and provide reports to Management on its finding and mitigation.
- 3.7. **Management:** The Management refers to the person (s) vested with the powers to take appropriate disciplinary action. The management team shall be comprised of the Relevant Unit Head/Business Head/Business Director and the Corporate HR Head.
- 3.8. **Respondent:** A person against whom a complaint of sexual harassment has been made
- 3.9. **Retaliation:** Any direct or indirect action by the respondent shall include but not restricted to the following:
  - Deter the complainant from filing the complaint against the respondent
  - Interfering in the complainant's work and/ or create an intimidating/hostile/offensive work environment and/or affect the person's work performance.
  - Detrimental and/or discriminatory treatment at the workplace.
  - Implied or explicit threat about present or future employment status
  - Any verbal or non-verbal actions that shall impact the complainant's physical and mental well-being and/or disrupt the work

Any persons found guilty of trying to influence the investigation or trying to retaliate (by approaching the complainant directly or by asking other employees to approach the complainant) shall face the strict disciplinary actions including but not limited to termination.

3.10. **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the complainant or the respondent visits in connection with their work, during the course of and/or arising out of employment/ contract/ engagement with Hindalco Private Limited, including transportation provided for undertaking such a journey. The term “workplace” has a broad coverage to not only include the physical office where an employee renders professional services but also any place visited by such persons during the course of employment or even the place of residence of such employee whilst working from home. The township of various units and all Hindalco owned property shall fall under the ambit of Workplace. Any violation of the sexual harassment policy in the township shall be dealt with by the Internal Committee.

#### **4. Roles & Responsibilities of Individuals**

- 4.1. It is the responsibility of all to respect the rights of others and to never encourage harassment.
- 4.2. Refuse to participate in any activity which constitutes harassment. Inform the harasser that the behaviour is unwelcome and demand that the harassment be stopped immediately. Immediately inform the IC of any such harassment
- 4.3. Do not pretend it did not happen. Do not feel compelled to accept unacceptable behaviour even if others do.
- 4.4. If you have witnessed any act of sexual harassment, act as a witness if the person being harassed decides to lodge a complaint.
- 4.5. In case any employee approaches you claiming they have been sexually harassed, direct them to file a complaint with any member of the IC or support them by writing a complaint on their behalf to the IC. However, maintain confidentiality as mentioned in the definition above and the email shall not be marked CC/BCC to any other person except IC members.
- 4.6. Always be supportive and sensitive towards the complainant. Do not judge the situation. You can guide the person to file the complaint via appropriate means.
- 4.7. All details have to be kept confidential.
- 4.8. Make sure all persons are treated equally and ensure a healthy workplace. The complainant, respondent/s, or witnesses will not be victimized in any way.

#### **5. Constitution of Internal Committee**

Every Unit shall by an order in writing, constitute a Committee known as Internal Committee. The Internal Committee shall consist of:

- a) a Presiding Officer who shall be a woman employed at a senior level;
- b) not less than two members from amongst employees committed to the cause of women/ having experience in social work/ legal knowledge;
- c) one member from non- government organizations committed to the cause of women or a person familiar with issues relating to sexual harassment.

At least half of the members so nominated shall be women.

## **6. Complaint Mechanism**

### **6.1. Lodging a Complaint**

Any persons may lodge a complaint of sexual harassment against any other employee to any member of the Internal Committee. The complaint must be lodged within 3 months from the date of incident/last incident. The 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.

If the complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall provide all reasonable assistance to the complainant for making the complaint in writing.

If the complainant is unable to lodge the complaint in account of their incapacity, the following may do so on their behalf, with their written consent.

- Co-worker
- Any person having the knowledge of the incident.

*If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of such person to report the same to the committee immediately. Any such person shall not disclose the matter to any other person except the members of the Internal Committee. **Any disclosure of any details of the Complaint shall result in Penal action as well as any action that Hindalco may deem fit.***

If the written complaint is being sent via email, the same shall be sent only to an IC member of the Unit or the Unit PoSH ID. The email shall not be shared with any other person and shall strictly remain confidential. We also have constituted an Ethics Helpline with the details mentioned in case the complainant does not wish to lodge the complaint at the Unit:

- **Toll free Hotline no.:** 1800-102-6969
- **Email id:** abg.ethicshelpline@integritymatters.in
- **Web portal:** abgethicshelpline.integritymatters.in

- **Postal address:** Aditya Birla Management Corp Pvt Ltd C/o Integrity Matters Unit 1211, CENTRUM, C-3, S.G. Barve Road, Wagle Estate, Thane West – 400604

## **6.2. 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. **Only the complainant can make a request for conciliation.** However, no monetary settlement shall be made as a basis of conciliation.

- Resolution through conciliation happens within 2 weeks of receipt of complaint.
- The IC shall record the settlement so arrived and forward the same to the Management to take action as specified. Copies of the settlement shall be provided to the complainant and respondent.
- Once the action is implemented, no further inquiry is conducted.

In case the any terms or condition of the settlement has not been complied with by the respondent, the IC shall proceed to make a formal inquiry into the complainant.

## **6.3. Resolution procedure through formal inquiry**

- 6.3.1. The Chairperson of the IC shall within 7 days of receipt of such a complaint, personally meet or designate a member of the IC to meet the complainant and record the statements as made during such meetings.
- 6.3.2. The complainant is expected to present any corroborative material/evidence to substantiate the complaint. A copy of the complaint shall be made available to the accused (while redacting the details of the complainant) within 5 days of recording the complaint. The respondent shall provide his response with the list of documents and details of witnesses within a period of 10 days.
- 6.3.3. After meeting the complainant, the Chairperson shall call for a committee meeting within the next 7 days. The respondent shall be subsequently provided an opportunity to be heard before the IC to give their response.
- 6.3.4. If the complainant wishes to remain anonymous, upon the receipt of the complaint, the IC shall proceed *suo motu*.
- 6.3.5. All details of the complaint shall be kept in strict confidence by the members of the IC as well as all persons involved or in the knowledge of the complaint.
- 6.3.6. Both parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made

available to both the parties enabling them to make representation against the findings before the Committee.

After providing a hearing to both parties, the IC shall thoroughly investigate the matter (which shall include meeting any witnesses, consult with experts, enquire into the evidence provided by either party, call for any documentation that may be necessary for the investigation etc.)

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, without sufficient cause, to present themselves for three consecutive hearings. However, before the termination of inquiry or passing an ex-parte order, the IC shall give a notice, 15 days in advance, to the concerned party.

The IC shall complete their investigation within a period of 90 days from the date of the complaint and subsequently provide a report of their findings and action to be taken to the Management. The Management shall take the action submitted by the IC.

#### **7. Interim relief**

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the management for implementation -

- I. Transfer the complainant or the respondent to any other workplace
- II. Grant leave to the complainant of maximum 3 months, in addition to the leave they would be otherwise entitled
- III. Prevent the respondent from assessing complainant's work performance
- IV. Grant such other relief as may be appropriate

#### **8. Action taken by the Management**

Once the recommendations of interim relief are implemented, the Management will provide the committee with an action-taken report within 7 days of implementation.

In case the complaint of sexual harassment is proved, the accused shall be subject to one or multiple disciplinary actions which shall include the following:

- a. To deduct from the salary such amount that the IC may consider appropriate to be paid to the complainant.
- b. Written Apology
- c. Warning, reprimand or censure
- d. Withholding promotion
- e. Withholding of pay rise or increment



- f. Immediate Termination
- g. Undergoing counselling session
- h. Carrying out community service
- i. Any other action that the Committee may deem fit.

Any persons who is a part of the investigation shall not be victimised or subject to any unfavourable treatment.

Nothing in this policy shall be taken in any way as a limitation on the power of the Management to decide what disciplinary action(s) may be taken over and above the recommendations of the IC.

If the conduct of the accused amounts to a specific offence under the Indian Penal Code or any other law in time being in force, we shall support the complainant in initiating appropriate action in accordance with the law.

### **9. False Complaint/ False Evidence**

- 9.1. In cases where the IC arrives at a conclusion that the allegations against the respondent is malicious or the person making the complaint has made the complaint knowing it to be false or the complainant has produced any forged or misleading document, the IC may recommend to the management strict disciplinary action including but not limited to the following:
  - a. To deduct from the salary such amount that the IC may consider appropriate to be paid to the complainant.
  - b. Written Apology
  - c. Warning, reprimand or censure
  - d. Withholding promotion
  - e. Withholding of pay rise or increment
  - f. Immediate Termination
  - g. Undergoing counselling session
  - h. Carrying out community service
  - i. Any other action that the Committee may deem fit.
- 9.2. However, the mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.
- 9.3. The IC shall investigate and establish malicious intent on the part of the complainant before recommending any action to the management.
- 9.4. If the IC arrives at a conclusion during the inquiry that any witness has given false evidence or produced any forged or misleading document, the IC may recommend action mentioned in 9.1.

### **10. Appeal Procedure**

If the complainant is unsatisfied with the outcome of their complaint and/or action taken by Unit IC or the Business IC as the case may be, they can file an appeal before the appropriate court of law or tribunal as prescribed by the government at the time being in force.

***11. Implementation***

This Policy shall be implemented across Hindalco with immediate effect.

## **MY COMMITMENT**

I, \_\_\_\_\_ (Employee Code: \_\_\_\_\_) have read and understood the Company's Policy to address Sexual Harassment at Workplace. I hereby Commit to abide by this Policy in letter and in Spirit, a copy of which has been made available to me.

Name & Signature

Date

Place: