

HR-IN-G-PSH-C5-POL

PREVENTION OF SEXUAL HARASSMENT POLICY

Process Owner : Head-Process, Reporting & Compliance

Reviewed by : Head- Business Fulfillment

Approved by : Global Head-HR

Released by : Head-BET

Version No. 2.1

Eff. Date: 1st Mar 2022

Revision History

Ver. No.	Date	Sec. No.	Amendments Made	Change Request by	Reviewed by	Released by
1.0	22-02 -2017	–	–	–	Head-Business Fulfillment	Head-CQG
1.1	1 st Dec 2021	–	Added: Malafide Complaint, Aggrieved person/Witnesses/Supporters not be penalized, Delay in Filing the Complaint, Consensual sexual relationships	–	Head-Business Fulfillment	Head-CQG
2.0	1 st July 2021	Annexure-B & C	Included Pune location	Engagement Lead	Head-HR	Head-CQG
2.1	1 st Mar 2022	Annexure-C	Updated Committee members	Engagement Lead	Head-HR	Head-BET

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1. Policy

- 1.1 It is the policy of Cyient to create a workplace free of sexual harassment irrespective of their gender, race, social class, caste, creed, religion, place of origin, sexual orientation, disability, or economic status and assist individuals who believe they have been subjected to sexual harassment seek support and remedial action.

2. Applicability

- 2.1 Applicable to all associates of Cyient Ltd and its subsidiaries in India and Visitors at any of Cyient locations, including, Off-Site Locations, covers anyone connected with Cyient business including trainees, consultants, contractors, vendors, visitors, or customers.

3. Scope

- 3.1 It covers harassment of women by men, of men by women or between the same genders. Harassment is unlawful irrespective of who is involved in the behaviour.
- 3.2 The policy is not restricted to Cyient premises only but would remain applicable to all persons described above wherever such persons have occasion to interact with each other while on work related to Cyient, including for example, in Cyient vehicles, third party premises, off site meetings and office parties at external venues.

4. Definition(s)

4.1 Associate

“Associate” means any person who is employed at the workplace on permanent, temporary, full time or part time basis.

4.2 Aggrieved Person

An associate who has filed a complaint of alleged sexual harassment.

4.3 Internal Committee (IC)

A committee convened by Cyient to redress complaints raised under sexual harassment at workplace.

5. Sexual Harassment

- 5.1 Sexual Harassment as defined under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 includes such unwelcome sexually determined behaviour (whether directly or by implication) as:
 - 5.2 Physical contact and advances
 - 5.3 A demand for request for sexual favour
 - 5.4 Sexually coloured remarks
 - 5.5 Showing pornography or
 - 5.6 Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.
 - 5.7 A more elaborate list of behaviours that constitute sexual harassment is enclosed in Annexure A.
 - 5.8 All such conduct becomes harassment when:
 - 5.8.1 The submission to the conduct is made a condition of employment.
 - 5.8.2 The submission to, or rejection of, the conduct is used as the basis for an employment decision or
 - 5.8.3 There is any explicit promise of preferential treatment, detrimental treatment, threat, or any humiliating treatment that may affect a person's sense of health or safety while at work.
 - 5.8.4 The conduct creates or could create or lead to an offensive, intimidating, or hostile working environment or could interfere with work performance.
 - 5.8.5 Additionally, Cyient holds the right to prohibit any conduct that may reasonably be interpreted as harassment whether or not such conduct is pervasive and severe enough to meet the technical legal requirements of harassment.

Note:

It is the impact or effect of the behaviour on the recipient and not the intent of the offender that is critical in an assessment of such issues/cases.

6. How to Report

- 6.1 Any associate who is the recipient of any unwelcome sexual behaviour as described by this policy or knows of the occurrence of such harassment to anyone else, is expected to report the same at the earliest.

- 6.2 Complaints must be made in writing so as to enable a formal investigation and enquiry into the matter. Complaints under this Policy may be lodged with any member of the Internal Complaints Committee (IC).
- 6.3 In case the associate reaches out to his/her Reporting Manager, HR Partner or any other associate, they will immediately forward the complaint to the IC.
- 6.4 Names of the members of the Internal Complaints Committee along with their contact details are provided in Annexure B. Please contact the HR Partner for the periodically updated list of names and contact details of the members.
- 6.5 The format for the complaint is provided in Annexure C.

7. Redressal Process

- 7.1 On a written request from the aggrieved person, the IC may initiate resolution through conciliation/mediation. If conciliation is successful between both parties, the settlement must be noted in writing.
- 7.2 If settlement is not arrived through conciliation, the IC will proceed with an inquiry. The inquiry will be done promptly, thoroughly and with utmost confidentiality as practically possible. The inquiry findings & resolution will be documented in writing.
- 7.3 Those found guilty will be subjected to appropriate disciplinary action. Disciplinary actions for cases of sexual harassment may range from oral/written warnings to extension of probation, demotion, withholding of increment/promotion, monetary compensation as appropriate, counselling sessions, and termination from the services of Cyient.
- 7.4 Protection against retaliation
 - 7.4.1 Retaliation is a serious violation of this policy and any person found to have retaliated against an individual for reporting harassment will be subject to appropriate disciplinary action procedures.
 - 7.4.2 Cyient forbids any form of retaliation against anyone who has reported a suspected episode of harassment or has cooperated in any investigation involving a reported case.
 - 7.4.3 If anyone feels that he/she is experiencing retaliation of the nature of intimidation, pressure to withdraw the case or threats for reporting, testifying or otherwise participating in the proceedings, should report the matter to the IC.
 - 7.4.4 As with complaints of harassment, this too will be treated as misconduct and Cyient will take appropriate action to prevent/rectify the retaliation.
 - 7.4.5 Retaliation will be treated as seriously as an alleged case of harassment and will apply even if the original complaint is not proven.

8. Malafide Complaint

- 8.1 If after inquiry, it is found that the complaint was raised with malafide intent, Cyient can treat the person found guilty of such malafide complaint as a major misconduct and decide on appropriate disciplinary action including termination of services.
- 8.2 Lack of evidence to support complaint does not indicate a malafide intention.
- 8.3 Wrongful allegations and breaching confidentiality in this regard will be viewed seriously.

9. Aggrieved Person/Witnesses/Supporters Not Be Penalized

- 9.1 If a complaint of harassment is dismissed by the IC under this Policy, no action whatsoever (including the recovery of any costs involved in investigating/enquiring into the complaint) may be taken in regard to the same against the aggrieved person/witnesses/supporters.

10. Confidentiality

- 10.1 It shall be the duty of all associates to ensure that all complaints lodged under this Policy is kept confidential. All incidents/grievances reported will be treated seriously and sensitively with utmost confidentiality and privacy of all parties concerned as is practically possible.

11. Delay in Filing the Complaint

- 11.1 The complaint is expected to be lodged within 90 calendar days from the last date of the alleged offence. Delay, if any, will be evaluated and considered by the IC provided the aggrieved person submits sufficient cause for such delay.
- 11.2 If an aggrieved person is unable to complain due to any physical/mental incapacity, the following parties can complaint:
 - Relative/ friend
 - Co worker
 - An officer of National Commission for women/State women's commission
 - Special educator
 - Qualified psychiatrist/ psychologist
 - Guardian/ authority under
 - Any person who has knowledge of the incident (only with the written consent of the aggrieved women)

12. Consensual Sexual Relationships

- 12.1 Cyient discourages romantic or sexual relationships between a member of management or other supervisory associate and his or her staff (an associate who reports directly or indirectly to that person), because such relationships tend to create compromising conflicts of interest at work.
- 12.2 It is therefore in the best interest of all concerned, that if there is such a relationship, the involved parties notify management so the reporting chain can be changed to ensure no direct or indirect reporting relationship.

13. General

- 13.1 All associates at Cyient have a responsibility in contributing to a mature and respectful work environment. All associates are personally responsible for their actions and must ensure that their behaviour does not constitute sexual harassment whether it happens deliberately or inadvertently.
- 13.2 Cyient reserves the right to modify and amend the provisions of this Policy, so as to comply with applicable legal requirements, internal policies, or with a view to fine tune or alter the provisions of this Policy to the extent deemed necessary by Cyient from time to time.

14. Reference

- 14.1 Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

15. Linked Policies

- 15.1 Code of Conduct Policy
- 15.2 Disciplinary action Policy

16. Contacts for enquiries

- 16.1 [Global Helpdesk](#)

17. Exceptions to the guidelines

No exceptions to this policy.

Annexure-A

Behaviours that constitute sexual harassment:

- Harassment includes unwelcome words, acts, or displays.
- Any behaviour that falls in this list or has the same impact as any of these, on an associate, will invite appropriate disciplinary action including separation from the organisation.

Type of Harassment	Conditions
Verbal harassment	<ul style="list-style-type: none"> • Any taunting snide remarks based on sex (including pregnancy, childbirth, or related medical condition), sexual orientation, gender identity, marital status, or personal appearance. • Using abusive and offensive language or comments that put down people because of their sex or sexual orientation. • Phone calls or messages on electronic mail or computer networks, which are threatening, abusive or offensive to associates. • Sexual messages, text, or images which may be perceived by the recipient as creating a hostile work environment. • Suggesting or insisting that someone wear revealing clothing. • Intrusive questions about sexual activity, Tales of sexual exploits, comments about people's (women/men) bodies or intruding on the privacy of an associate. • Repeated requests for sexual favours, sexual advances or repeated pressure for dates and social contact especially when person invited has refused/ignored similar invitations. • Sexually suggestive comments, sexually coloured propositions, insults, or threats. • Telling lewd jokes about sex or sexual orientation. • Offensive language that insults/demeans including using terms of endearment. • Singing or humming vulgar songs, ballads or words.
Non-verbal harassment	<ul style="list-style-type: none"> • Graphic descriptions of pornography including graffiti in the office premises.

	<ul style="list-style-type: none"> • Displaying of books, photographs, paintings, films, pamphlets, packages, etc. containing 'indecent representation of women/men'. • Material that is sexual in nature, sexist, sexually explicit is displayed in the workplace, circulated, or put in someone's workplace or belongings, or on a computer or fax machine or on the internet or any other public display system or public in the work premises. • Offensive gestures, staring, leering, or whistling with the intention to insult or discomfort another. • Even if not directly done to a particular individual, uttering a word, making a gesture, or exhibiting any object with the intention that such word, gesture, or object be heard or seen by an associate. • Tagging on suggestive posts on Social media networks. • Sounds, gestures or display of offensive books, pictures, cartoons, magazines, calendars; or derogatory written materials at one's desk or workplace. • Viewing, showing, or mailing pornographic posters, Internet sites, cartoons, drawings. • Suggestive letters, phone calls, electronic instant messaging, or e-mail messages.
Physical harassment	<ul style="list-style-type: none"> • Intentional touching of the body, e.g., unwelcome hugs, kisses, brushing, fondling, pinching, patting etc. • "Accidentally" brushing sexual parts of the body. • Any displays of affection, which can make others uncomfortable or are inappropriate at the workplace even if the recipient welcomes it. • Indecent exposure or coerced sexual intercourse. • Use of technology to induce different remote sensations on the body including, but not limited to pain and sexual stimulation, Sexual assault or using criminal force to any woman, intending to outrage, or knowing it to be likely that he will thereby outrage her modesty.

Annexure-B

POSH Committee Location wise Mail ID's:

Location	Mail ID
Hyderabad	HYD.POSHCommittee@cyient.com
Bangalore	BGL.POSHCommittee@cyient.com
Noida	NOIDA.POSHCommittee@cyient.com
Kakinada	KND.POSHCommittee@cyient.com
Vizag	VIZ.POSHCommittee@cyient.com
Pune	Pune.Poshcommittee@cyient.com

Annexure-C

Names and Contact Information of the Internal Complaints (IC) Committee

Location	Committee	E-mail ID
Hyderabad	Sonia Srikanth	Sonia.srikanth@cyient.com
	Deepthi Talluri	Deepthi.Talluri@cyient.com
	Rajendra Patro	Rajendra.Patro@cyient.com
	Praveena Mathur	Praveena.Mathur@cyient.com
	Amit Srivastava	Amit.Shrivastava2@cyient.com
	Jayanthi Talluri	jayanthi.satyam@gmail.com
Bangalore	Jagan Kumar	Jagankumar.GJ@cyient.com
	Krishnamurthy.K	Krishnamurthy.Kodebettu@cyient.com
	Sonia Srikanth	Sonia.srikanth@cyient.com
	Jayanthi Talluri	jayanthi.satyam@gmail.com
Noida	Praveena Mathur	Praveena.Mathur@cyient.com
	Aditi Arora	Aditi.Arora@cyient.com
	Rajandrav Dayal	Rajandrav.Dayal@cyient.com
	Sonia Srikanth	Sonia.srikanth@cyient.com
	Jayanthi Talluri	jayanthi.satyam@gmail.com
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	Bani Johari	Bani.Johari@cyient.com
	Jayanthi Talluri	jayanthi.satyam@gmail.com

Annexure-D

Form of Complaint

Date: _____

Name, designation & address of/victim(s)/aggrieved:

Name, designation & address of respondent(s):

Complaint: _____

Signature:

Date: