



POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE



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POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1. PREVENTION OF SEXUAL HARASSMENT:

SWIFT India Domestic Services Pvt. Ltd. ('SWIFT India' or the 'Company') is committed to providing a safe and secure work environment free from sexual harassment. SWIFT India prohibits any kind of harassment in the workplace, whether committed by or against managers, co-workers, customers, vendors, or visitors. SWIFT India is committed to provide and develop an environment that is respectful and productive.

All Employees of the company have the right to be treated with dignity and every employee has the right to be protected against harassment. The Company holds the responsibility to identify and prevent sexual harassment and to develop a culture of dignity and respect in the day-to-day conduct of its business. SWIFT India will respond promptly to reports of sexual harassment and will take appropriate steps to discipline behaviour that violates this and, if necessary, facilitate legal action.

2. MEANING OF SEXUAL HARASSMENT:

Sexual harassment as defined in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):

- a. Physical contact and advances;
- b. A demand or request for sexual favors;
- c. Making sexually colored remarks;
- d. Showing pornography; and / or
- e. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The above definition also includes any form of offensive behavior including gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters;
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes;



- Verbal sexual advances or propositions;
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words, or suggestive or obscene letters or invitations; and / or
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

3. SCOPE:

This policy applies to all employees (full-time, part-time, trainees) and those on contractual assignments of the Company including all subsidiaries, if any and affiliated companies at their workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates.

The workplace includes:

1. All offices or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site away from the Company's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

4. COMPLAINT COMMITTEE:

All employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this Policy.

All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

An appropriate complaint mechanism in the form of "Complaints Committee" has been created in the Company for time-bound redressal of the complaint made by the victim.

The Company has instituted a Complaints Committee for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

Initially, and till further notice, the Complaints Committee will comprise of the following four members:

1. Presiding Officer – Women working at senior level as employee
2. 2 members - From amongst employees committed to the cause of women/ having legal knowledge/experience in social work
3. 1 member - From amongst NGO/associations committed to the cause of women or a person familiar with the issue of Sexual Harassment

The Presiding Officer reserves the right to nominate more members of appropriate seniority and rank in the committee to conduct such enquiries to ensure equal representation of the gender as that of the complainant or for any other valid reason.



In the event of any vacancy in the Complaints Committee, the Presiding Officer shall in consultation with the other members of the Complaints Committee, appoint a new member in place of an outgoing member. For filling in the vacancy of Presiding Officer, members will evaluate and either select a new Presiding Officer from the existing members (excluding external member) or appoint a new Presiding Officer. All vacancies shall be filled within 30 days from the date on which such vacancy arises.

In the interim while any vacancy if getting filled, Head of Finance will occupy any seat falling vacant in the Complaints Committee.¹

5. ROLES AND RESPONSIBILITIES OF COMPLAINT COMMITTEE:

- The Committee shall decide whether the facts contained in the complaint make out a case of "sexual harassment" in light of the definition contained in the Policy.
- The Committee shall look into the truth of the allegations contained in the complaint.
- The Committee shall recommend the penalties / action to be taken against any person found guilty of having sexually harassed the complainant, up to and including termination, to the Human Resource Department.
- The Committee shall recommend the penalties / action to be taken against any person found guilty of having made false claims of having been sexually harassed, up to and including termination, to the Human Resource Department.
- The Committee shall monitor the follow-up action to be taken by the Human Resources Department on receipt of the Report of the Committee.
- The Committee shall have the power to summon witnesses and call for documents or any information from any employee.

6. PROCEDURES FOR RESOLUTION AND SETTLEMENT OF ACTS OF SEXUAL HARASSMENT:

The Company is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

A. Informal Resolution Options

When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently.

If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the Complaints Committee for Redressal of their grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. Complaints to the Complaints Committee

1. An employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Presiding Officer of the Complaints

¹ Provisions for filling up vacancy (seen in para 7 & 8) inserted in line with Board approval dated September 10, 2020



Committee. The complaint shall have to be in writing and can be in form of a letter, submitted within 3 months from the date of the incident and in case of a series of incidents, within a period of 3 months from the date of the last incident. The Complaints Committee can extend the timeline for filing the complaint, for reasons to be recorded in writing, by a period of 3 months. Alternately, the employee can send complaint through an email. The employee is required to disclose their name, department, division and location they are working in, to enable the Presiding Officer to contact them and take the matter forward.

Employees may also write directly to the Presiding Officer appointed by the Company at (Anagha.dsouza@swift.com).

Complaint against any member of the Complaints Committee should be sent directly to the CEO of the Company.

2. The Presiding Officer of the Complaints Committee will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from receipt of the complaint.

In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the Presiding Officer will record this finding with reasons, and communicate the same to the complainant.

3. If the Presiding Officer of the Complaints Committee determines that the allegations constitute an act of sexual harassment, she will proceed to investigate the allegation with the assistance of the Complaints Committee.

4. Where such conduct, on the part of the accused, amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

5. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations on action to be taken to the "Facilitator Officer" appointed by the Company, as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint. The Facilitator Officer and the CEO of the Company will jointly take decision on the corrective action based on the recommendations of the Complaints Committee and keep the complainant informed of the same. These may include-

- a. Formal apology
- b. Counselling
- c. Written warning to the perpetrator and a copy of it maintained in the employee's file.
- d. Change of work assignment / transfer for either the perpetrator or the victim.
- e. Suspension or termination of services of the employee found guilty of the offence.

6. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.



7. FALSE COMPLAINTS:

If the committee finds that the allegations leveled by the complainant are malicious in nature or it is proved that the complainant has produced false, forged, or misleading documents during the inquiry it may recommend the Management to take strict action against the complainant including but not limited to termination of employment and filing a civil suit thereof in an appropriate court of law.

8. CONFIDENTIALITY:

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

9. ACCESS TO REPORTS AND DOCUMENTS:

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

10. PROTECTION TO COMPLAINANT / VICTIM:

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal, retaliation or career consequence. Any reprisal will be subject to disciplinary action.

The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

11. CONCLUSION:

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

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