

PROFFER IT CONSULTANCY PVT LTD

CIN NO – U74140DL2015PTC289042
ADD – 509, 5th FLOOR, DLF PRIME TOWER OKHLA PHASE 1, NEW DELHI - 110020

Proffer IT Consultancy Pvt. Ltd.

HR Policy

Prevention-Sexual Harassment Policy

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1. Objective

Proffer It Consultancy Pvt. Ltd. has a zero-tolerance policy for any act of sexual harassment of any kind and any act of suppressing or distortion of such facts or evidence and retaliation. Proffer It Consultancy Pvt. Ltd. is committed to take all necessary steps in ensuring that its staff works in a safe and respectful environment that is conducive to their professional growth and promotes equality of opportunity.

2. Scope and Applicability

This is applicable to all employees in the organization including any gender, part time employees or on contract or service providers deployed on the premises. The policy covers such acts occurred within the premises of the organisation or deemed premises which are within the organisation's control.

This policy is owned by Proffer IT Consultancy Pvt. Ltd. and reachable 011-41523509 and hr@profferit.in

3. Policy/Process

4.1. Policy Statement

The Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 read along with its Rules of 2013, (the "Act") states that no employee shall be subject to Sexual Harassment at any Workplace.

4.2. Responsibilities & Procedure

Complaint Mechanism and Appeal: Any aggrieved employee himself/herself or alternately, as provided under the Act can:

- File a complaint with the Internal Complaints Committee (ICC) within a period of three months from the date of the incident through email, Hr@profferit.in written complaint and or verbal complaint.
- Request the ICC for settlement of the matter through conciliation; provided such request is made before the ICC initiates an inquiry under the Act.

Appeal: Any person aggrieved from the ICC report, may prefer an appeal to the Court as prescribed in the Act within a period of ninety days from the date of the ICC report.

4.4. Responsibilities of the ICC

The ICC shall:

- Investigate every formal written complaint of Sexual Harassment.
- Provide reasonable opportunity to the aggrieved employee and respondent for presenting and defending their respective case before the ICC.
- Initiate appropriate remedial measures to respond to any substantiated allegations of Sexual Harassment and ● Complete its inquiry within ninety days of acceptance of the complaint.

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4.5. The ICC Inquiry Process

The ICC will examine every complaint of Sexual Harassment as per the guidelines prescribed under the Act and ensure that a fair and just investigation is undertaken.

4.6. What Action Can the ICC Take

The ICC may, if it deems appropriate recommend the following actions (not exhaustive):

- Written apology;
- Warning, reprimand, censure;
- Termination from service;
- Compensation deduction from the salary or wages of the perpetrator;
- Withholding of promotion, withholding of pay rise or increments; ● Undergoing counseling session or carrying out community service; and/or ● Initiate appropriate statutory or legal action.

4.7. Making False or Malicious Complaints:

Where the ICC arrives at a conclusion that the complaint was made with a malicious intent, the ICC shall take strict disciplinary action against the complainant, which action may be similar to the action taken for committing an act of Sexual Harassment. The ICC shall also take strict disciplinary action on any witness who submits false evidence or produces any forged or misleading document relating to the complaint.

4.8. Definitions

4.8.1. What Constitutes Sexual Harassment

- Sexual Harassment is any unwelcome and sexually determined act or behaviour (whether directly or by implication) as:
 - physical contact and advances; or
 - a demand or request for sexual favours; or
 - making sexually coloured remarks; or
 - showing pornography; or
 - any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or
 - any of the following circumstances that occur or is present in relation to or connected with any act or behaviour of Sexual Harassment (under (i) to (v) herein above):
 - implied or explicit promise of preferential treatment in the employee's employment; or implied or explicit threat of detrimental treatment in the employee's employment; or implied or explicit threat about the employee's present or future employment status; or
 - interference with the employee's work or creating an intimidating or offensive or hostile work environment for the employee; or humiliating treatment likely to affect the employee's health or safety.

4.8.2. What Constitutes As A Workplace

A Workplace includes any Proffer It Consultancy Pvt. Ltd. office or premises, or any place visited by the Employee arising out of or during the course of employment, such as (including but not limited to): (i) transportation provided by or through Proffer It Consultancy Pvt. Ltd. for undertaking a journey arising out of or during the course of employment, or (ii) meetings, conferences, seminars, training sessions, workshops, etc. organized by or through Proffer It Consultancy Pvt. Ltd.

4.8.3. Who Is An Employee Under The Act

An Employee means a person employed at a 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

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or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

4.9. References

Reference any other policies, documents or legislation that support the interpretation of this policy.

Proffer It Consultancy Pvt. Ltd. has the maximum discretion permitted by law to interpret, administer, change, modify or delete this policy at any time, with or without notice. This policy does not form part of any employee's contract of employment unless explicitly stated otherwise in such contract of employment, and this policy has not been adopted to encourage any person to commence or continue employment with the Company. This policy is not intended to restrict communications or actions protected or required by local, state or federal law or a collective bargaining agreement.

4. Special Circumstance and Exception

Any Deviation to this policy has to be approved by HR. Any changes to the policy has to be approved by Legal and Compliance.

5. Non-compliance and Consequence

Any person (including the witness) known to the incident or who has any knowledge about the contents of the complaint shall ensure strict confidentiality. No such information shall be published or communicated in any manner whatsoever, including (but not limited to), publication in Proffer It Consultancy Pvt. Ltd. Intranet portal or any internal messaging service, through email or any other social media. Proffer It Consultancy Pvt. Ltd. shall take strict disciplinary action against any person who is found to have breached their duty of confidentiality including imposition of a penalty as prescribed under the Act.

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