



# JINABAKUL FORGE PVT LTD

## Sexual Harassment Policy

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This policy is intended to the right of every employee and volunteer to be able to attend work and to perform their duties without being subjected to any form of sexual harassment.

It is the obligation and responsibility of every employee and volunteer to ensure that the workplace is free from sexual harassment.

JINABAKUL is fully committed to its obligation to eliminate sexual harassment in the workplace.

### Purpose

The purpose of this document is to outline Jinabakul's position on sexual harassment and to document the process which is to be followed if any grievances arise.

### Definitions

Sexual harassment means any unwelcome sexual advance, unwelcome request for sexual favors, or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Examples of sexual harassment include, but are not limited to,

- ⑤ Staring or leering
- ⑤ Unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- ⑤ Suggestive comments or jokes
- ⑤ Insults or taunts of a sexual nature
- ⑤ Statements about your private life
- ⑤ Sending sexually explicit emails or text messages
- ⑤ Accessing sexually explicit internet sites
- ⑤ Requests for sex or repeated unwanted requests to go out on dates

Behavior that is based on mutual attraction, friendship and respect is not sexual harassment.



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### Policy

Top Management of JINABAKUL will not tolerate sexual harassment under any circumstances. Responsibility lies with every Manager, Supervisor and employee to ensure that sexual harassment does not occur.

This policy applies to conduct that takes place in any work-related context, including conferences, work functions and social events.

No employee at any level should subject any other employee, volunteer, customer or visitor to any form of sexual harassment.

A breach of this policy will result in disciplinary action, up to and including termination of employment.

JINABAKUL strongly encourages any employee who feels they have been sexually harassed to take immediate action. If an employee or volunteer feels comfortable in doing so, it is preferable to raise the issue with the person directly with a view to resolving the issue by discussion. The employee or volunteer should identify the harassing behavior, explain that the behavior is unwelcome and offensive and ask that the behavior stops.

Alternatively, or in addition, they may report the behavior in accordance with the relevant procedure. Once a report is made the organization has the right to determine how the report should be dealt with in accordance with its obligations and this policy. Any reports of sexual harassment will be treated seriously and promptly with sensitivity. Such reports will be treated as completely confidential up to the point where a formal or informal complaint is lodged against a particular person, at which point that person must be notified under the rules of natural justice.



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Complainants have the right to determine how to have a complaint treated, to have support or representation throughout the process, and the option to discontinue a complaint at any stage of the process.

The alleged harasser also has the right to have support or representation during any investigation, as well as the right to respond fully to any formal allegations made. There will be no presumptions of guilt and no determination made until a full investigation has been completed.

No employee or volunteer will be treated unfairly as a result of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimizes or retaliates against a person who has complained of sexual harassment, or against any employee or volunteer who has been alleged to be a harasser.

### Complaint Process

Sexual harassment can occur at any level of the organisation, can be experienced by both men and women and may involve a co-worker, volunteer, supervisor, manager, service provider and visitor.

If the behavior continues, or if the employee or volunteer feels unable to speak to the person(s) directly, they should contact their Supervisor or Manager. Alternatively, an employee may contact the Human Resources Department or another Manager they feel comfortable with or the top management.

The Manager will provide support and ascertain the nature of the complaint and reports to the higher authority for further action.



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### Informal Intervention

The Manager will explain the employee or volunteer's rights and responsibilities under organization's policy, procedures.

Informal intervention may be undertaken through a process of mediation or conciliation. During informal intervention the alleged harasser will be made aware of the allegations being made against them and given the right to respond.

This procedure will be complete when the complainant and the respondent come to an agreement on the procedure to be followed. If this occurs, no record will be made of the proceedings, and any subsequent proceedings will begin. If this does not occur, the formal procedure should be followed.

### Formal Complaints Procedure

The Manager may be obliged to carry out a formal investigation in relation to a complaint of sexual harassment.

The formal procedure will be coordinated by the Manager, who will be guided by the Human Resources Manager.

Formal investigations may be conducted internally (by a manager or officer)

An investigation involves collecting information about the complaint and then making a finding based on the available information as to whether or not the alleged behavior occurred. Once a finding is made, the investigator will make recommendations about resolving the complaint to the internal complaint committee (ICC).

The investigator may need to interview the parties involved (which may include the complainant, the respondent, and any witnesses) to obtain information regarding the complaint. The investigator will comprehensively and accurately document all information obtained during the interviews including the parties involved, timing, location, and nature of conduct complained against.



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If the investigator considers it appropriate for the safe and efficient conduct of an investigation, workplace participants may be stood down from work or provided with alternative duties during an investigation in which case they will be paid their normal pay during any such period.

Throughout the investigation process, all parties involved in the investigation will be regularly kept informed about the investigation.

Records are to be kept and filed in a confidential and secure place. If no confidential area is available, these notes may be sealed and forwarded to the Human Resources Department, where they will be maintained, unopened, in a confidential filing system. These records should be kept for a period of seven years. Under no circumstances will records be placed on the complainant's personnel file.

The findings as to whether sexual harassment has occurred will be determined on the basis of the evidence, and on the balance of probabilities.

On the basis of the findings, possible outcomes of the investigation may include, but will not be limited to, any combination of the following:

- ⑤ Counselling;
- ⑤ Disciplinary action against the harasser (e.g. demotion, transfer, suspension, probation or dismissal);
- ⑤ Official warnings that are noted in the respondent's personnel file;
- ⑤ Disciplinary action against the person who complained if there is strong evidence that the complaint was intended to harass. Or to cause damage.
- ⑤ Formal apologies and undertaking that the behavior will come to an end.
- ⑤ Conciliation/mediation conducted by an impartial third party where the parties to the complaint agree to a mutually acceptable resolution;
- ⑤ Reimbursing any costs associated with the harassment;
- ⑤ Re-crediting any leave taken as a result of the harassment.

On completion of the investigation, all parties will be informed about the investigation findings and the outcome of the investigation.





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### Following is the internal complaint committee (ICC):

- ☞ Mr. B. D. Badan
- ☞ Mr. Kiran Jinagouda
- ☞ Smt. Aparna Hadimani

### Outcomes will depend upon factors such as:

- ☞ The severity of the harassment;
- ☞ The weight of the evidence;
- ☞ The wishes of the person who was harassed;
- ☞ Whether the harasser could have been expected to know that such behavior was a breach of policy;
- ☞ Whether there have been any prior incidents or warnings.

Sd/-

**Balachandra D Badan**  
Executive Director

Sd/-

**Kiran C Jinagouda**  
Executive Director

2nd May, 2018