

**POLICY ON SEXUAL HARASSMENT OF WOMEN AT  
THE WORKPLACE**

### 1. Objective:

To create a work environment where safety and dignity of women Employees is ensured and they are protected from Sexual Harassment as envisaged by Supreme Court of India Guidelines on Sexual Harassment, August 1997, "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013"

### 2. Scope:

The Policy intends to ensure that no woman Employee is subjected to sexual harassment and it is applicable to all Employees of **RFBL FLEXIPACK Limited ("NEL")** and its fraternity. "Employee" as referred to in this Policy covers all employees of NEL, whether permanent or temporary, probationary or part-time or working as a consultant or on a voluntary basis or engaged through a contractor or agent, including employees at NEL's Regional Offices/Factory/Branches.

Where Sexual Harassment occurs against any female Employee as a result of an act by a third party or outsider while on official duty, NEL will take all necessary and reasonable steps as per the applicable rules and regulations, to initiate action at the workplace of the third party or outsider. This Policy shall be applicable to any allegation of Sexual Harassment at NEL premises including any place visited by an Employee arising out of or during the course of employment and/or transportation provided by NEL ("**Workplace**").

### 3. Definitions:

- a) A "Act" means "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and any amendment thereto.
- b) "Aggrieved Woman" means any female Employee of NEL or any woman who alleges to have been subjected to any act of Sexual Harassment at the Workplace.

- c) "Internal Complaints Committee" means a committee by that name, constituted by the Board of NEL as per the provisions of the Act.
- d) "Respondent" means the person against whom the allegation of Sexual Harassment has been made by the Aggrieved Woman.
- e) "Sexual harassment" means and includes:-
- a. "such an unwelcome behavior of a male employee towards a female employee (whether directly or by implication) as:
    - i. Physical contact and advances;
    - ii. a demand or request for sexual favors;
    - iii. sexually colored remarks;
    - iv. showing pornography;
    - v. any other unwelcome physical, verbal or non-verbal conduct of sexual nature."
  - b. Implied or explicit promise of preferential treatment to a woman employee in her employment; or
  - c. Implied or explicit threat of detrimental treatment to a woman employee in her employment; or
  - d. Implied or explicit threat to a woman employee about her present or future employment status; or
  - e. Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
  - f. Humiliating treatment likely to affect her health or safety

#### 4. Internal Complaints Committee:

The Internal Complaints Committee shall comprise of:

- a) A Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the Employees;
- b) Not less than 2 (two) members from amongst Employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge; and

c) One member from amongst non-governmental organization or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

The Internal Complaints Committee will operate on the following guidelines:-

a) the person against whom the allegation of Sexual Harassment has been made by the Aggrieved Woman Complaints Committee shall meet as and when any instance of violation of the policy is referred to the committee and in any case at least once in a year.

b) Internal Complaints Committee shall prepare the annual report and submit the report pertaining to number of cases filed and their disposal under the act to the Board.

c) The Presiding Officer and the members of the Internal Complaints Committee will hold the position up to three years from the date of their nomination.

#### 5. Functioning of Committee:

##### A. Lodging a Complaint:

a) The Aggrieved Woman makes a complaint directly to the Presiding Officer of the Internal Complaints Committee. The Presiding Officer should be able to try & solve the grievance informally before escalating the matter to the formal Committee within a period of three months from the date of incident.

b) Where an Aggrieved Woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by

(a) her relative or friend, or

(b) her co-worker,

(c) an officer of the National or State Commission for Women, or

(d) any person who has knowledge of the incident, with the written consent of the Aggrieved Woman.

c) Where an Aggrieved Woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by

(a) her relative or friend, or

(b) a special educator, or

(c) a qualified psychiatrist or psychologist,

(d) the guardian, or

(e) any person who has knowledge of the incident jointly with any of the persons mentioned in (i) to (iv) of this paragraph.

d) Where an Aggrieved Women, for any other reason, is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with the written consent of the Aggrieved Women.

e) The Internal Complaints Committee may, for the reasons to be recorded in writing, extend the time limit, if it is satisfied that there were unavoidable circumstances which prevented the Aggrieved Woman from filing a complaint within the said period. Such complaint shall contain all the material and relevant details concerning the alleged Sexual Harassment including the name of the contravener. The information disclosed by such complainant should be treated as confidential information by the members of the Internal Committee.

f) If the Aggrieved Woman would like to initiate action under the Indian Penal Code, 1860 ("IPC"), she may inform the NEL management of the same, and the management will provide necessary assistance to the Aggrieved Woman to file the complaint in relation to the offence under the IPC.

B. Conciliation: The Internal Complaints Committee may, before initiating an inquiry, at the request of the complainant take steps to settle the matter between her and the Respondent through conciliation. However, no monetary settlement shall be made the basis of the conciliation. Where a settlement has been arrived at as mentioned above, the Internal Complaints Committee shall record the settlement so arrived at and forward the same to the management of NEL to take action as specified in the recommendation and shall provide copies of the settlement to the complainant and the Respondent.

C. Inquiry into Complaint: The Internal Complaints Committee shall proceed to make inquiry into the complaint in accordance with the provisions of the

service rules applicable. Such an inquiry (with due conciliation as appropriate) shall be completed within a period of three months. Confidentiality of the complaint procedure will be maintained.

The Internal Complaints Committee shall proceed to make an inquiry into the complaint in accordance with the principles of natural justice and further during the course of inquiry provide an opportunity of being heard to the complainant and the Respondent and the relevant witnesses provided by the complainant and the Respondent.

D. Inquiry Report: On the completion of such inquiry, the internal committee shall provide the report of its findings to the Managing Director & CEO within a period of 10 days from the date of completion of enquiry and such report be made available to the concerned parties. The Managing Director & CEO shall act upon the recommendation within 60 days of its receipt.

In the event that the Internal Complaints Committee arrives at the conclusion that there is no case for Sexual Harassment, then the complaint may be dropped by the Internal Complaints Committee, and it shall notify the management of NEL of the same.

#### 6. Penalties to Respondent:

If the sexual harassment complaint is proved prima-facie right to the Internal Complaints Committee based on the material and/or witness verified by them, then the Committee will recommend to the Managing Director & CEO punishment to the Respondent in terms of:

- Warning in writing
- Immediate suspension from the services
- Immediate termination
- May immediately refer the case based on the gravity and merit of the case to the local police/judiciary

## 7. Punishment for false complaints:

Where the Internal Complaints Committee arrives at a conclusion during or after the inquiry that the allegation against the Respondent is either malicious or false, appropriate punitive action may be taken by the Managing Director & CEO as per service rules applicable on recommendations of the committee.

## 8. Confidentiality:

Notwithstanding anything contained in the Right to Information Act, 2005, contents of the complaint, the identity and addresses of the Aggrieved Woman, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Complaints Committee and the action taken by NEL shall not be published, communicated or made known to the public, press and proceedings media in any manner.

## 9. The Management Assurance:

- a) Express prohibition of sexual harassment will be notified and circulated.
- b) Prohibition of sexual harassment is included in the Service and Conduct rules of the company.
- c) As far as possible, care is taken to see that lady colleagues if sitting very late i.e. beyond 9.30 p.m. for official work, are escorted home or some arrangements are made for them to reach home safely.
- d) Complainants or witnesses will not be victimized or discriminated against while dealing with complaints.

The Management reserves the right to modify/change/withdraw any part or whole of the Policy contents without assigning any reason with or without notice at any time at their sole discretion.