



LE MERITE EXPORTS LIMITED

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POLICY ON PREVENTION OF SEXUAL HARASSMENT **AT WORKPLACE**

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Introduction

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed thereunder (hereinafter “the Act”). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

Further, as stated in the “Le Merite’s Principles” - Our success is based on our people. We treat each other with respect and dignity and expect everyone to promote a sense of personal responsibility. We recruit competent and motivated people who respect our values, provide equal opportunities for their development and advancement; protect their privacy and **do not tolerate any form of harassment or discrimination**.

The ‘Policy on Prevention of Sexual Harassment of women at workplace Guidelines for “LE MERITE EXPORTS LIMITED” intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

Definitions

- **Sexual harassment** may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between a Le Merite Exports Limited employee and someone that employee deals within the course of his/her work who is not employed by the Company. Sexual Harassment shall include but not limit to:
 - Physical Contact & Sexual advances
 - Demand or request for sexual favors;
 - Sexually- coloured remarks;
 - Showing pornography;
 - Any other unwelcome physical, verbal or non-verbal or written conduct of asexual nature.
- **Aggrieved woman:** In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors.
- **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman.
- **Employee:** A person employed at the 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 or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or by any other such name.

- **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with LE MERITE EXPORTS LIMITED, including transportation provided for undertaking such a journey.
- **Employer:** A person responsible for management, supervision and control of the workplace.

Roles & Responsibilities

Responsibilities of Individual:

It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- a) Refusing to participate in any activity which constitutes harassment
- b) Supporting the person to reject unwelcome behaviour
- c) Acting as a witness if the person being harassed decides to lodge a complaint.

All are encouraged to advise others of behaviour that is unwelcome. Often, some behaviours are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behaviour.

Responsibilities of Managers:

All managers at LE MERITE EXPORTS LIMITED must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; those complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way

Redressal Mechanism – Formal Intervention

In compliance with the Act, if the complainant's warrants formal intervention, the complainant needs to lodge a written complaint, which shall be followed by a formal redressal mechanism as described in this Policy. In case of a verbal complaint, the complaint will be reduced in writing by the receiver of the complaint and signatures of the complainant will be obtained.

Lodging a Complaint

The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace.

A complaint shall be lodged in writing compliance@lemeriteexports.com or to any member of Board of Directors within 3 months from the date of incident/ last incident. The Committee can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint.

Provided that where such a complaint cannot be made in writing, board member shall render all reasonable assistance to the women for making the complaint in writing.

If the aggrieved woman is unable to lodge the complaint in account of her incapacity, the following may do so on her behalf, with her written consent.

- Legal heir, relative or friend
- Co-worker
- Any person having the knowledge of the incident

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately. Wherever possible Le Merite ensures that all the complaints of harassment are dealt with speedily, discreetly and as close as possible to the point of origin.

Resolution procedure through conciliation

Once the complaint is received, before initiating the inquiry the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved woman.

It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.

In case a settlement is arrived at, same shall be reported to the employer for taking appropriate action. Resolution through conciliation happens within 2 weeks of receipt of complaint.

The copies of the settlement shall be provided to complainant & respondent. Once the action is implemented, no further inquiry is conducted.

Resolution procedure through formal inquiry

- a) Each complaint of Sexual Harassment shall be dealt with utmost confidentiality and urgency by forming an Internal committee consisting of:
 - I. Presiding Officer: Female Member at senior level
 - II. 1 Member - Head of Department
 - III. 1 Lady Member (Manager)
 - IV. 1 Member from the Non-governmental organization or association

- b) Within 3 working days, the Internal committee shall commence Official Internal Enquiry by:
 - I. By informing the said complaint to the respondent.
 - II. By instructing to stop the alleged act of Sexual Harassment immediately
 - III. By informing not to reach out to the complainant directly or indirectly
 - IV. BY asking an immediate explanation from him/her to the same
- c) Within 5 working days from the receipt of original complaint, the designated person shall respond in writing to the complainant informing him/her about the initial steps taken by Le Merite in order to stop the alleged act(s).
- d) Within 15 days from receipt of the original complaint, the Internal committee shall record and accordingly communicate in writing to the complainant and the Respondent, its prima facie findings, upon giving the concerned parties a fair and due opportunity to represent themselves and upon conducting fact finding, truth verification and counselling sessions with persons involved in alleged act(s).
- e) A complaint will be closed no later than one month from receipt of original complaint by recording the decisions of the internal committee, accordingly, informing to the complainant and the Respondent of the same.
- f) Employees are duty bound to assist in investigative steps, employees' wholehearted participation shall be mandatory in this regard. Whistle Blowers shall be protected from exposure, retaliation or hostility.
- g) Within 2 working days from receipt of prima facie findings or the charges, if the complainant or the Respondent is dissatisfied with the decision of internal committee, she or he may appeal specifying the reasons in writing to Managing Director. Within 5 working days from the receipt, the appeal shall be finally disposed of by written communication to the said party. The decision of Managing Director shall be final and cannot be appealed.

Redressal:

1. An amicable resolution of the complaint is possible only with the written consent of the complainant.
2. Within 24 hours of closing the case file, the internal committee shall present the same to and inform its decision to the Managing Director.
3. In case of decision establishing the offence of Sexual Harassment of the complainant, within 3 working days, the internal committee shall recommend Disciplinary action against the offender considering the nature and extent of injury caused to the complainant, prior complaints or repetition of offence etc and the impact of the offence on the company profile as a whole.
4. The position of the offender and the criticality of the position occupied by the offender shall not be any hindrance to the disciplinary action taken against the offender.

5. The disciplinary action that shall be commensurate with the nature of the gravity of the offence, shall include but not limited to,
- Warning
 - Written apology from offender,
 - Bond of good behaviour
 - Transfer - Debarring from supervisory duties
 - Denial of employee benefits like increments/promotion/salary correction etc.
 - Cancellation of specific work Assignment
 - Suspension
 - Dismissal

Annual report summarizing complaints and Redressal of Sexual harassment shall be prepared by designated person. The said report as well as all documents regarding Sexual Harassment complaints shall be in the custody of designated person and will be termed as 'Strictly Confidential'.
