

KLM AXIVA FINVEST LIMITED

PREVENTION OF SEXUAL HARASSMENT (POSH) POLICY

1. Objective

To create and maintain a safe work environment, free from sexual harassment and discrimination for all **KLM Axiva Finvest** employees. The Prevention of Sexual Harassment (POSH) Act in India, formally known as the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, provides a comprehensive framework to ensure the safety and dignity of women at the workplace.

2. Commitment

KLM AXIVE FINVEST is committed to providing a safe, healthy, and conducive work environment that enables employees to work without fear of prejudice, gender bias, and sexual harassment. This policy aims to prevent and redress sexual harassment at the workplace in compliance with the POSH Act, 2013.

KLM AXIVA FINVEST is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

KLM AXIVA FINVEST is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity.

KLM AXIVA FINVEST will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

3. Scope

This policy applies to all categories of employees of the KLM AXIVA FINVEST, including regular employees, trainees, interns and employees on contract. KLM AXIVA FINVEST will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates.

The workplace includes:

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

4. Definition of sexual harassment

Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature.

Sexual Harassment at the workplace includes:

- a. Unwelcome sexual advances (verbal, written or physical).
- b. Demand or request for sexual favours.
- c. Making sexually colored remarks.
- d. Showing pornography.
- e. Any other type of sexually-oriented conduct.
- f. Verbal abuse or 'joking' that is sex-oriented.
- g. Any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature.

5. Responsibilities regarding sexual harassment

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

6. Internal complaints committee (ICC)

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, with the following members:

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

1. **Presiding Officer: Ms. Minni Sajan, GM Administration.**
(Women working at senior level as employee; if not available then nominated from other office/units/ department/ workplace of the same employer.)
2. **Two Members (minimum):**
 - 1) **Mr. Sarath Chandran. K. B., Manager – Legal.**
 - 2) **Ms. Jersy Murukesh, Chief Manager – Accounts.**
(From amongst employees committed to the cause of women/having legal knowledge/experience in social work.)
3. **External Member: Ms. Archana. K. S., Advocate, High Court of Kerala.**
(From amongst NGO/associations committed to the cause of women or a person familiar with the issue of Sexual Harassment.)

The Presiding Officer and every Member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

The Complaints Committee is responsible for:

- a. Discouraging and preventing employment-related sexual harassment.
- b. Receiving formal written complaints of sexual harassment.
- c. Investigating complaints in a fair and timely manner.
- d. Recommending appropriate actions to the management.
- e. Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.

Internal Compliant Committee is vested with the following powers to enable them to conduct the process in a most effective way,

- 1) It is entitled to initiate an inquiry into the complaint of a sexual harassment incident at the Workplace.
- 2) ICC can summon any witness for enquiry as part of investigation. It can summon witnesses and parties before the committee to give a statement. Right to access any relevant information or documents from the employer or other employees that are necessary for conducting the inquiry.
- 3) The ICC can recommend interim measures to the employer during the inquiry process. This includes actions like transferring the aggrieved woman or the respondent, granting leave to the aggrieved woman, or taking other necessary steps to ensure her safety and well-being.

These rights empower the ICC to effectively address complaints of sexual harassment and ensure that appropriate actions are taken to maintain a safe and respectful work environment.

Where the Presiding Officer or any Member of the Internal Committee, —

- (a) Has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her; or
- (b) He/she has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her; or
- (c) Has so abused his/her position as to render his/her continuance in office prejudicial to the public interest,

Such Presiding Officer or Member, as the case may be, will be removed from the Committee and the vacancy so created shall be filled by fresh nomination.

7. Complaint Redressal Mechanism

a. Filing a Complaint:

- Any aggrieved woman may make, in writing, a complaint of sexual harassment to the ICC within three months from the date of the incident.
- The complaint can be submitted to any member of the ICC in person or via email.



b. Conciliation:

The Internal Committee, may, before initiating an inquiry and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation:

- Provided that no monetary settlement shall be made as a basis of conciliation.

- Where settlement has been arrived, the Internal Committee shall record the settlement that arrived and forward the same to the employer to take action as specified in the recommendation.
- The Internal Committee shall provide the copies of the settlement recorded to the aggrieved woman and the respondent.
- Where a settlement is arrived, no further inquiry shall be conducted by the Internal Committee.

c. Process of Enquiry:

- Upon receiving the complaint, the ICC will initiate an inquiry within 7 working days.
- Both parties will be given an opportunity to be heard.
- The inquiry should be completed within 90 days from the receipt of the complaint.

d. Action and Decision:

- Based on the findings of the inquiry, the ICC will recommend actions to be taken within 10 days of completing the inquiry.
- Possible actions include written apology, warning, reprimand or censure, withholding of promotion/pay raise/increments, termination, or other actions as deemed fit.

8. Procedures for resolution, settlement or prosecution 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 her concern to the attention of the Complaints Committee for redressal of her grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. Complaints:

- a. 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 Internal Complaints Committee constituted by the Management. The complaint shall have to be in writing and can be in form of a letter, preferably within 15 days from the date of occurrence of the alleged incident, sent in a sealed envelope. 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 concerned Officer to contact them and take the matter forward.

- b. 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 5 days from receipt of the complaint.
- c. 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.
- d. If the Presiding Officer of the Complaints Committee determines that the allegations constitute an act of sexual harassment, he/ she will proceed to investigate the allegation with the assistance of the Complaints Committee.
- e. 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.
- f. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the CEO as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint. The CEO will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant Informed of the same.

Within 2 working days from receipt of decisions of Internal Committee, if the complainant or the respondent is dissatisfied with the decision of the Internal Committee, she or he may appeal specifying the reasons in writing to the CEO. If the complainant or respondent is dissatisfied with the decision of the CEO, she or he may appeal specifying the reasons in writing to the Whole Time Director. Within 15 working days from the receipt, the appeal shall be finally disposed of by written communication to the said party. The decision of the Whole Time Director shall be final and cannot be further appealed.

Corrective action may include any of the following:

- 1) Formal apology
 - 2) Counseling
 - 3) Written warning to the perpetrator and a copy of it maintained in the employee's file.
 - 4) Change of work assignment transfer for either the perpetrator or the victim.
 - 5) Suspension or termination of services of the employee found guilty of the offence.
- g. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

9. 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. The identity of the complainant, respondent, and witnesses, as well as the content of complaints and inquiries, will be kept confidential.

Breach of confidentiality will be subject to disciplinary action as per policy.

In case of external member, if found guilty, she/he may be removed from the position immediately.

10. Retaliation

Retaliation against the complainant or any witnesses is strictly prohibited and will result in disciplinary action.

11. 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.

12. 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. 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.

13. Awareness and training:

Regular workshops and training programs should be conducted to sensitize employees about sexual harassment and the provisions of the POSH Act.

Information about the policy and ICC members need to be disseminated widely within the organization.

14. Meetings, review and monitoring

The Internal Complaints Committee (ICC) is required to meet regularly to ensure the effective implementation of the Act and to address any complaints of sexual harassment. The ICC should conduct meetings at least once every three months, and more frequently if there are complaints or issues that need immediate attention.

- Reviewing ongoing cases and complaints.
- Discussing preventive measures and awareness programs.
- Ensuring compliance with the POSH Act.

The ICC will prepare an annual report on the number of cases filed and their resolution status, which will be submitted to the management and the District Officer as required by the POSH Act.

15. Payment to external member

Training – Rs.5,000/- (Per session).

Quarterly meeting – Rs.2,000/- (Per sitting).

Special Sitting – Rs. 2,500/-.

Conducting enquiry and submission of report – Rs.2,500/- (Per case).

An External Member of ICC is entitled to receive a prescribed fee or allowance in lieu of carrying out his/her functions. This remuneration is to be paid by the employer. Apart from this they also qualify for the reimbursement of travel cost incurred in travelling by train in three-tier air-conditioned or air-conditioned bus and auto-rickshaw or taxi, or the actual amount spent by him/her on travel, whichever is less.

16. 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. This policy is a step towards fostering a respectful and inclusive work environment. HR Department shall be the custodian of this Policy, which shall be reviewed at least once in twelve months.
