

📍 **Thermax Limited,**
Thermax House, 14, Mumbai – Pune Road,
Wakdewadi, Pune – 411003, India

📍 **Regd. Office:**
D-13, MIDC Industrial Area, R D Aga Road,
Chinchwad, Pune 411019, India

☎ +91 20 6605 1200, 6605 1202

🌐 www.thermaxglobal.com

📄 AA ACT3910D

📄 CIN L29299PN1980PLC022787

📄 27AA ACT3910D1ZS

✉ enquiry@thermaxglobal.com



Prevention of Sexual Harassment at the Workplace

Policy Main Section: Company Values and Guiding Principles

Philosophy:

We as a Group respect the dignity of all employees working for the Group irrespective of their gender or hierarchy and we expect responsible conduct and behaviour on the part of all our employees at all levels. Providing a safe and congenial work environment to all employees is an integral part of the Group's employment policy.

Objective / Purpose:

This policy has been framed with a view to:

- Promote a workplace based on equality and respect.
- Provide a safe and congenial work environment.
- Awareness and sensitisation about sexual harassment at the workplace.
- Prevent sexual harassment.
- Provide formal and informal mechanisms for redressal in case of complaints of sexual harassment at the workplace.
- Define the implications and outcomes of sexual harassment.
- Ensure protection against retaliation to complainants, witnesses, committee members and other employees involved in prevention and complaint resolution.

Scope:

This policy shall be applicable to all employees of Thermax Group and its subsidiaries including any associate engaged on a fixed-term contract, short-term engagement, temporary, apprentice, trainees, sandwich trainees, summer trainees, in-plant trainees, contract persons and visitors on our premises. It shall also include any unwelcome behaviour of sexual nature mentioned in the policy by any vendor/supplier/contractor including their agents, supervisors, managers and their employees to any of our employees on our premises.

Definitions:

Sexual Harassment:

Sexual harassment includes such unwelcome sexually determined behaviour (whether direct or by implication) such as:

- Physical contact and sexual advances
- Demand or request for sexual favours
- Sexually-coloured remarks
- Showing pornography
- Any other unwelcome physical, verbal or non-verbal, or written conduct of a sexual nature.

‘Unwelcome sexually determined behaviour’ includes but is not limited to:

- Subjecting another person to an unwelcome act of physical intimacy including grabbing, brushing, touching, sexual flirtations, advances or propositions.
- Making any unwelcome remark with sexual connotations like sexually explicit remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks.
- Showing any sexually explicit visual material in the form of pictures/cartoons/ pin-ups/calendars/screen-savers on computers/any offensive written or electronic material including pornographic material.
- Engaging in any other unwelcome conduct of a sexual nature, verbal or even non-verbal, staring to make the other person uncomfortable, making offensive gestures, etc.
- Sending unwelcome communication of a sexual nature, through email, letter, mobile technology or any other form of written or electronic communication or, exhibiting conduct of a sexual nature.
- Making an unwelcome demand or request whether directly or by implication for sexual favours and/or making it a condition of employment / payment of wages / increment / promotion / preferential treatment / threat to detrimental treatment in employment / threat to current or future employment status or similar act.

- Where a supervisor requests sexual favours from a junior (or any other person) in exchange for actual or promised job benefits such as favourable reviews, salary increases, promotions, increased benefits or continued employment or threatens to terminate any such person for non-cooperation.
- Where a boss or other senior person intrudes into the private life of employees or persistently asks them out.
- Where any employee(s) make(s) sexual epithet, jokes, written or oral references to sexual conduct, and/or gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess in an attempt to humiliate or make another person uncomfortable.
- Behaviour that creates an environment that is intimidating, hostile, offensive and humiliating for women employees.

Workplace:

Any place where a working relationship and/or employer-employee relationship between the company/group and the person exists. This includes our premises (including transit houses and guest houses), work from home arrangements and any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such a journey.

Aggrieved Woman:

In relation to the 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.

Respondent:

Against whom the aggrieved woman has made a complaint.

Internal Complaints Committee:

The "Internal Complaints Committee" shall consist of a Chairperson, Secretary and three other members. Out of these five Committee members, three shall be women. One of the

three women shall be the Chairperson. One of the Committee members shall be a woman from a reputed NGO/legal body/any other social work body familiar with the issues of sexual harassment. The tenure of the committee shall be two years and the names of the committee members shall be announced by the CHRO. For each office location and each city, there will be a women representative appointed as the presiding officer. The CHRO shall be the authority for disciplinary actions on issues relating to sexual harassment in the workplace.

Grievance Redressal Machinery:

Given that this policy highlights a preventive focus, there is a need to distinguish between **informal and formal processes**.

- **Procedure for Informal Grievance Redressal:**

Informal processes normally involve an intermediary means for resolving a problem. In the case of sexual harassment, at first instance, the authority (i.e., HOD, SBU Head / HR / woman representative of the location) may be the point of first contact for anyone seeking informal support/intervention to stop unwelcome behaviour.

The benefits of an informal process are:

- It is consistent with the preventive approach.
- It helps to diffuse a minor incident without diluting or escalating the problem.
- Often, people want unwelcome behaviour to stop without drawing undue attention - an informal process makes this option more possible.
- It involves employees sharing the responsibility for eliminating unwelcome behaviour at the workplace.

A sense of restraint and responsibility on the part of all concerned is critical for the effective functioning of these guidelines. The preventive/informal process that can be adopted is:

- Convey to the person, who is the cause of distress, about what that person's actions, words, and behaviour is doing/resulting in and convey in no uncertain terms that such behaviour is not appreciated. What is important is the "way" a particular behaviour, action or word is perceived; "intent" is of no consequence.
- The second step would be to approach someone within the company – preferably your superior or HR representative. The superior or HR representative would then try and counsel/talk it over with a view to closing the matter in an amicable manner.
- In any case, all such incidents along with the resolution, need to be reported to the CHRO who will then provide a short report to the Internal Complaints Committee and the matter will be closed.
- However, in the event of it not being resolved, then it would need to be escalated to the Internal Complaints Committee

B) Procedure for Formal Grievance Redressal:

In the event of the complaint not being resolved through the informal mechanism, then it would need to be escalated to the Internal Complaints Committee for redressal.

- The aggrieved woman may make, in writing, a complaint of sexual harassment at the workplace to the Internal Committee, within a period of three months from the date of the incident and in case of a series of incidents, **within a period of three months** from the date of the last incident. The complaint can also be routed through the women representatives at respective locations. The Internal Complaints Committee will render reasonable assistance to women for making the complaints in writing. This time limit may **further be extended for three months** if the complaints committee is satisfied that there were circumstances that prevented the woman from filing a complaint within the specified timeline.
- A member of the Internal Complaints Committee would then hold an investigation and **submit a report to the Internal Complaints Committee.**
- The Committee, before initiating the inquiry at the request of the aggrieved woman, will take steps to settle the matter between her and the respondent through a mutual settlement. Wherever such settlement has been arrived at, the internal committee shall record it and send the same to the CHRO to take action as per

the recommendation. Once such settlement has been arrived at, no further inquiry shall be conducted by the Internal Complaints Committee, however, a woman can further refer the same to Internal Complaints Committee for redressal if the terms of the settlement have not been complied with.

- The Committee, while investigating the complaint referred to it, **will call upon both the parties separately, listen, look at proof (if any), verify documents produced by the parties, allow the parties to produce witnesses and put forth their say.** Both parties during the course of inquiry are given an opportunity of being heard.
- At the end of the investigation, the secretary of the Committee shall prepare a report of findings on the complaint and submit it to the Chairperson of the Committee. The findings of the report should be made available to the respondent and aggrieved woman within 10 working days from the date of completion of the inquiry.
- The Chairperson of the Committee shall ensure that the complaint is **within 30 working days.**
- During the pendency of an inquiry, on a written request made by the aggrieved woman, the committee may recommend to HR, to:
 1. Transfer the aggrieved woman or person accused to any other location of work.
 2. Grant leave to the aggrieved woman up to a period of three months (over and above the entitled leave).
 3. Grant such other relief to the aggrieved woman as may be prescribed
- The Chairperson after studying the report and discussing it with the Committee members shall submit her recommendation to the CHRO **within 10 days of completing the inquiry.**
- The implementation of the recommendation of the Internal Complaints Committee should be done by the CHRO **within 30 days of receipt of such recommendation.**
- Pursuant to a finding of sexual harassment by the Committee against any person accused of the same, the Committee may initiate any one/more of the following actions:

- Actions in accordance with misconduct mentioned in service rules/appointment letter
- Issue a verbal warning
- Issue a warning in writing
- Issue a suspension
- Deprived of increment or promotion
- To deduct, notwithstanding anything in the service rules applicable, from the salary or wages of the accused person such sum as it may consider appropriate to be paid to the aggrieved woman
- Order dismissal depending upon the severity & sensitivity of the incident
- Financial penalty (in accordance with the mental, and physical trauma, loss of career opportunity, and medical expenses) in a lump sum or in instalments.

In case the Internal Complaints Committee on conclusion of the inquiry finds that the allegation was malicious or has made the complaints knowing it to be false, or has produced any forged/misleading document, it will recommend action to be taken by the CHRO against the woman who has made the complaint. In all such cases, the malicious intent on the part of the woman must be established before any action is recommended.

The Internal Complaints Committee will protect the identity of all individuals involved during the process, including the aggrieved woman and respondent and the contents of complaints and inquiry proceedings.

Guidelines for members of Grievance Redressal Machinery:

- Believe in the reality of the complaint lodged.
- Empathise with the complainant. Do not function like a criminal court.
- Remember that it may be difficult for an employee to talk about anything 'sexual'. Hence there can be a long time interval between the harassment and the actual complaint.
- Handle complaints in a confidential manner and within 30 working days.
- Submit an annual report on sexual harassment cases, if any, and actions taken to address the same, to the CHRO and MD & CEO.
- Maintain all the data related to sexual harassment cases in the company.
- Provide safety for the complainant and his/her supporters, if such a need be felt and that the committee can recommend action against persons indulging in intimidation of the complainant or witness to a complaint.

- Discard predetermined notions of how an accused should look or behave or dress. Be aware of stereotypes.
- Do not insist on a detailed description of harassment. This could increase the complainant's trauma.
- Most sexual crimes are committed in private; hence there may not be any eyewitnesses.
- Since this is a human rights issue, the balance of probabilities is a sufficient measure of proof.
- Help the complainant regain his/her self-respect.
- Make 'discreet' inquiries as to whether other employees have experienced similar problems.
- Document the results of any sexual harassment complaint or investigation. Not only the results but also document any corrective action that the employee or supervisor was asked to take.
- Inform all employees that it is their obligation to report sexual harassment that they either experience or witness.
- The inability to substantiate a complaint or provide adequate proof need not attract action against the woman.

Mechanisms to strengthen implementation of the Policy:

- Communicate the policy by making it available on HRMS for employees to refer to.
- Display the constitution of the Internal Complaints Committee.
- Make the policy a part of the corporate induction.
- Inclusion of the number of cases reported and resolution in the annual report.
- Appropriate government can call upon companies/to inspect records related to the policy on sexual harassment and its implementation.
- Appropriate action will be taken by the ICC against false allegations by the complainant.

Details of women representatives and members of the Internal Complaints Committee are displayed location-wise on the notice boards.

As part of the Internal Complaints Committee, the following would be the External Committee Member across Thermax Group:

Dr. Neha Sathe

Email: nehavikramsathe@gmail.com

Contact: 9881136670

Please Note: The ICC will not entertain any anonymous complaints.

Policy No: HR-A-10_V3

Revision Date: 08th May 2023

Issue Date: 02nd Dec 2013