



Kingfa Science & Technology (India) Limited

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

▪ **Commitment**

Kingfa India is committed to providing a work environment free from all forms of discrimination, including sexual harassment. Every Employee of this Company is responsible for challenging all forms of sexual harassment and bringing up complaints without fear of any reprisal.

Kingfa India supports each individual Employee's right to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual and other forms of harassment. As a Company, it advocates the responsible and dignified conduct and behavior of our employees at all levels and has a zero-tolerance policy to sexual harassment.

▪ **Purpose**

This Policy on Prevention of Sexual Harassment (POSH) ("Policy") is framed in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("Act") and the Rules framed thereunder which is aimed at providing every woman at the workplace a safe, secure and dignified work environment.

▪ **Scope**

This Policy applies to all people engaged at Kingfa, for any work on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent and includes employee, co-worker, a contract worker, probationer, trainee, apprentice, intern and visitor at our premises.

▪ **Definitions**

➤ **Employee:**

Employee means a person employed at the workplace for any work on regular, temporary, ad-hoc or daily wages including co-worker, contract worker, probationer, trainee, apprentices either directly or through an agent, including a contractor, whether for remuneration or not, working on a voluntary basis or otherwise, whether the terms of employment are express or implied.

➤ **Sexual Harassment:**

"Sexual Harassment" includes any one or more of the following unwelcome acts or behaviours (whether directly or by implication) namely:

- a. physical contact and advances; or
- b. demand or request for sexual favours; or
- c. making sexually coloured remarks; or
- d. showing pornography; or
- e. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Generally, workplace sexual harassment refers to two common forms of inappropriate behaviour. (i) Quid Pro Quo (this for that) and (ii) Hostile Work Environment.

It is to be noted that the Sexual Harassment at Workplace is a behaviour that is unwelcome and is sexual in nature. It is a subjective experience and often occurs in matrix of power. It is the impact on the Complainant (person who has complained) that matters and not the intention of the Respondent (person against whom the complaint is made).

➤ **Workplace:**

Place of work 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 journey.

➤ **Employer:**

Employer means person responsible for the management, supervision and control of the work place.

➤ **Aggrieved Woman:**

Aggrieved woman in a workplace is 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:**

A person against whom the Aggrieved Woman has made a complaint.

▪ **Governance mechanism**

In accordance with the Act, Kingfa has constituted Internal Complaints Committees (ICC) to prevent instances of Sexual Harassment against women and to effectively deal with complaints involving Sexual Harassment.

▪ **Complaints Mechanism**

A complaint shall be submitted by email to members of the Internal Complaints Committee (ICC) or any other appropriate channel of communication. If the respondent is direct supervisor of the complainant, or person influencing the career growth of the complainant, the reporting structure will be changed till the time the enquiry is completed.

Complaint of Sexual Harassment

Where the 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 (or)
- c. An officer of the National commission for women or state women's commission (or)

Any person who has knowledge of the incident, with the written consent of the Aggrieved Woman.

Where the Aggrieved Woman is unable to make a complaint on account of her mental incapacity, a complaint may be filled by

- a. Her relative or friend (or)
- b. A special educator (or)
- c. A qualified psychiatrist or psychologist (or)
- d. The guardian or authority under whose care she is receiving treatment or care (or)
- e. Any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist or guardian or authority under whose care she is receiving treatment or care

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

Where the Aggrieved Woman is dead, a complaint may be filed by any person who has knowledge of the incident with the written consent of her legal heir.

- **Conciliation**

On receipt of the written complaint, Company before initiating an inquiry at the request of the Aggrieved Woman may take steps to settle the matter between her and Respondent through conciliation. The settlement so arrived shall be recorded and sent to the Company to take action as specified in the recommendation, provided no monetary settlement shall be made as a basis of conciliation.

Once a settlement is arrived no further inquiry shall be conducted by the Company.

Company shall provide the copies of the settlement to the Employer for further action and to the Aggrieved Woman and the Respondent.

- **Disciplinary Action**

Disciplinary action shall include, but is not limited to the following:

1. Written apology
2. Warning, reprimand or censure of the Respondent – verbal or written record
3. Counseling session or carrying our community service
4. Withholding of a promotion, pay rise or increments
5. Reassignment or Temporary suspension without pay
6. Damages to the Aggrieved Woman
7. Termination

Further committing acts of sexual harassment is a criminal offence under the Indian Penal Code and such acts will be immediately reported to the appropriate authorities. Where such conduct amounts to a specific offence under the Indian Penal Code, 1860 or under any other law, the Company will initiate appropriate action in accordance with law by forwarding the complaint with the appropriate authority.

Other Key Aspects

- **Protection Against Retaliation:**

The Company will not in any way retaliate against an individual who makes a report of harassment, nor will it permit any officer or Employee or consultant to do so. Retaliation will be considered a violation of this Policy and should be reported immediately to the Company. Any individual found to have retaliated against another individual for reporting an act of harassment will be subject to disciplinary action.

- **Confidentiality**

The inquiry is confidential, and all associates involved in it will be expected to respect this confidentiality by not discussing their part in it or any matters relating to it with anyone (apart from the investigator), including colleagues or relatives. The copy of the complaint or any of the information regarding the complaint / inquiry procedure / conciliation proceedings or the action taken by the Employer shall not be published, communicated or made known to the public, press or other media in any manner and shall only be communicated to persons on a 'need to know' basis.

Any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken, contravenes the provisions laid down in the policy shall be liable to be penalized. If any person publishes or makes known the contents of a complaint and inquiry proceedings, the Company shall recover a sum of Rupees Five Thousand from such person by way of penalty.