

Prevention of Sexual Harassment at Workplace (POSH) Policy

1. Preamble/ Introduction

In accordance with provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" , and Rules framed thereunder and the Foundation's core values, Axis Bank Foundation is committed to provide a work environment free from sexual harassment at the workplace as it violates an individual's personal dignity and right to work with freedom.

In order to deal with sexual harassment at workplace, the Foundation has set out a Policy for Prevention of Sexual Harassment at Workplace (hereinafter referred to as the 'POSH Policy') to prevent sexual harassment and to enforce strong disciplinary action in face of any such occurrence. The policy seeks to prohibit such conducts and create a healthy, safe and secure work environment that enables employees to work free from unwelcome, offensive and discriminatory behavior and protect dignity of women at their workplace

This policy explicitly prohibits sexual harassment at workplace on or off site and includes field visits, either during or in connection with activities related to work. It defines sexual harassment, determines the standards of behavior expected from all employees and sets out the mechanisms of redress.

The Foundation shall take action consistent with its Disciplinary and Sexual Harassment Complaint Mechanism against any employee found to have breached this policy. The Foundation shall also take steps to comply with any specific local laws relating to this issue.

2. Objectives of POSH Policy

- a. Provide a work environment free from fear, reprisal, coercion, discrimination and harassment.
- b. Express zero tolerance to sexual harassment at workplace through Prevention, Resolution and Deterrence of sexual harassment.
- c. Enable all those working, associated and visiting the Foundation to raise their concerns and make Complaints without any fear.
- d. Provide a clearly stated redressal mechanism for any sexual harassment occurring at workplace.
- e. Provide procedure for resolution, settlement or prosecution of Complaints of sexual harassment
- f. Conduct fair inquiry and reach reasonable decision in a timely manner.
- g. Compliance with applicable Law.

3. Applicability

The policy applies to female employees at all the work environments of the Foundation, whether at the Foundation facilities, facilities of their Project Partners such as NGOs and Community Groups or in Foundation-related settings, including social events. Policy is deemed to be incorporated in

the service conditions of all employees and comes into effect immediately on their joining the organization. The terms "employees" and "workplace" shall have the same meaning as defined in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

4. Communication of the Policy

The Policy shall be displayed on the Foundation's website. Further, this Policy shall also be communicated internally to all employees of Foundation via email, intranet, employee handbook and multilingual pamphlets which shall be pasted at prominent office spaces.

5. Details of the Policy

a. What construes Sexual Harassment?

According to The Supreme Court of India, the definition of sexual harassment is any unwelcome sexually determined behavior, such as:

- Physical contact and advances; or
- A demand or request for sexual favours; or
- Sexually colored remarks; or
- Showing pornography; and
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

b. The following circumstances, inter alia, if it occurs or is present in relation to or is connected with any act or behavior of sexual harassment, the same shall also be tantamount to Sexual Harassment:

- Implied or explicit promise of preferential treatment in her employment.
- Implied or explicit threat of detrimental treatment in her employment.
- Implied or explicit threat about her present or future employment status.
- Interferes with her work or creating an intimidating or offensive or work environment for her; or
- Humiliating treatment likely to affect her health and / or safety.

c. Please note

- The behavior may be either a single incident or continuous unwelcome behavior.
- Intention of the person and/or motive behind the behavior shall NOT be taken into account when it comes to classifying/naming behavior as sexual harassment.
- Impact of the behavior on the person is important and will decide whether the said behavior constitutes sexual harassment or not. What one employee may take into account as unobjectionable behavior may not be acceptable and comforting to another employee.

Core to this policy is how the person perceives/understands /interprets the behavior.

There shall be no justification and defense in this light for sexual harassment. If the person who is registering a Complaint was offended, humiliated or intimidated by the behavior of the person or even felt so, it shall fall within the scope of this policy.

- d. Conduct involving the proper exercise of responsibilities or authority related to the provision of advice, the assignment of work, counseling, performance evaluation, discipline, and other supervisory/leadership functions does not constitute harassment.

6. Employee Responsibilities and Procedure

- a. To read and acquaint themselves with the policy, attend trainings on this subject matter and clear any doubts with HR.
- b. To ensure that their behavior is dignified at all times and their actions are not the cause of harassment to anybody else.
- c. To report sexual harassment immediately. However, the Complainant should attempt to indicate to the person indulging in the behavior both verbally and non-verbally that the behavior is unwelcome and specifically requesting the person to stop the behavior. Please refer to Schedule I for behaviors treated under the purview of Sexual Harassment.
- d. The Complainant should keep a written record of dates, times, details of the conduct and witnesses, if any.
- e. If two employees in a reporting relationship are also in a romantic consensual relationship, it is advised that they inform ET&CEO so that appropriate changes can be made in their work roles to prevent allegations of favoritism or abuse of power.
- f. Any employee who feels she is being sexually harassed directly or indirectly or any employee who is aware of such an act having been done can inform and approach any member of the Internal Committee (IC) or her supervisor through a verbal Complaint or a written Complaint as soon as possible.
- g. The Complaint should be made within three (3) months from the date of incident and in case of series of incidents, within a period of three months from the date of last incident. The time limit for this may also be extended by another 3 months if the IC is satisfied that the circumstances were such which prevented the aggrieved women from filing a Complaint within the stipulated period and reasons for delay to be recorded in writing. Please refer to Schedule II for the Complaint format. However, the Complainant can also send an e-mail to foundation@axis.bank.in
- h. The Complainant should be accompanied by all available material and relevant details concerning the incident(s)
- i. During the period of investigation, the aggrieved person may request the IC for temporary separation from the accused.
- j. The aggrieved person may request the IC to settle the matter through conciliation. However, no monetary settlement shall be made as a basis of conciliation. If a settlement is reached, further inquiry shall not be conducted by the IC.
- k. Anonymous Complaints are discouraged. However, the IC may make reasonable attempts to address anonymous Complaints received by it.
- l. The Complainant as well as the persons going through the process of an inquiry must maintain utmost confidentiality of the matter being resolved.

7. Management Responsibilities

Under the POSH Act and its subsequent Rules, employers are required to adhere to certain additional responsibilities. These duties and responsibilities involve such as:

- a. The management shall treat sexual harassment as a gross and an unacceptable misconduct under the disciplinary policy and service rules and act upon such misconduct by initiating appropriate action.
- b. provide a safe working environment at the workplace.
- c. The management shall undertake necessary awareness programs and preventive measures against sexual harassment of women at workplace.
- d. To display at any conspicuous place in the workplace a copy of this Policy and the penal consequences of sexual harassments.
- e. Organize periodical workshops and awareness programs at regular intervals for sensitizing the employees as required under the provisions of the Act and any other relevant awareness and training programs for women employees.
- f. Provide necessary assistance and facilities to the Internal Committee to deal with the Complaint and for conducting inquiry.
- g. assist in securing the attendance of Respondent and witnesses before the ICC or the local committee.
- h. Provide support to the Complainant if she so chooses to file a Complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.
- i. monitor the timely submission of reports by the ICC

8. Complaint Resolution

- a. The Complainant is required to disclose her name, department, division and location she is working, in writing, to enable the IC to contact her and take the matter forward and to avoid frivolous Complaints.
- b. On receipt of the Complaint, the IC shall immediately send an acknowledgment to the Complainant.
- c. If the Complaint does not fall within the definition of sexual harassment at workplace or within the IC's jurisdiction, the Complaint will be referred to the ET&CEO for appropriate investigation and action as per the organization's Code of Conduct & Ethics.
- d. The IC shall share the Complaint copy with the Respondent within 7 working days from date of receipt of Complaint. IC shall provide 10 working days' time to the Respondent to reply to the same.
- e. IC shall act as a fact-finding team (FFT) Complainant and start its inquiry immediately on receipt of the Respondent's reply. In case of non-receipt, not later than the 11th working day, an inquiry may be conducted in person or via video conferencing. Based on the findings, IC shall decide further action/proceedings pertaining to the case.
- f. In case of issuance of Show Cause notice (SCN) to the Respondent, the employee shall be given 14 working days to respond to the SCN from the date of receipt of SCN.
- g. Upon receipt of SCN reply, IC shall call the Respondent for a personal/online hearing before the IC and an opportunity shall be given to him / her to give an explanation. The

said hearing shall be recorded by the IC. If the SCN reply is not received within 14 days, IC shall provide three opportunities for personal/online appearance to the accused employee. In case of non-compliance to this, IC shall take ex-parte decision after giving Notice of 15 days to the Respondent.

- h. After the hearing, the IC may conclude the case by either closing it without punishment, if the allegations of Sexual Harassment are not proved, or specify punishment as appropriate and recommending the same to ET&CEO for implementation.
- i. The IC shall have the right to terminate the inquiry proceeding or give ex-parte decision on the Complaint, if the Complainant or the Respondent fails, without sufficient cause to represent (through a written reply or in person or online meeting) for three consecutive occasions as per the date and time conveyed to the Complainant/Respondent.
- j. No party shall be allowed to bring in any legal practitioner to represent them at any stage before the IC.
- k. If the Complainant/Respondent is especially abled then the IC at its sole discretion may appoint an interpreter/help/aid/carer/additional external expert for assisting during the proceedings. The members of IC shall also assist the Complainant in drafting her Complaint if she is unable to do so independently without compromising the fairness or timelines of the proceedings.
- l. Maintaining confidentiality is a requirement under the POSH Act, ensuring that the identity of the Complainant, Respondent, and witnesses remains protected throughout the Complaint handling and investigation process. Employers and the IC are obligated to safeguard all sensitive information, including the nature of the Complaint, evidence, and investigation outcomes, to spread trust and boost reporting of the incidents without fear of any retaliation. The employers shall try all safety measures such as restricted access to the case files and establishing guidelines for using and storing the information of each case.

9. Disciplinary Action

The Foundation shall take action consistent with its disciplinary and Sexual Harassment Complaint Mechanism against any employee found to have breached this policy. Once the investigation of a case is complete, the IC may recommend disciplinary actions ranging from a warning to outright dismissal if the person against whom the Complaint has been made is found guilty. The nature of punishment shall vary from one case to another and will largely be determined by the gravity of the offence.

In all situations, behavior of the person charged with sexual harassment shall be strictly monitored by the IC during the post inquiry phase.

Repeated incidents and/or serious incident(s) of sexual harassment may lead to summary dismissal.

10. Criminal Proceedings

- a. Where such conduct amounts to a specific offence under the IPC or under any other law, the Foundation may initiate appropriate action in accordance with law by making a Complaint with the appropriate authorities, based on the investigation carried out by the IC.
- b. The Foundation would ensure that the Complainant, witnesses or the person(s) against whom the Complaint is made, are not victimized or discriminated against while dealing with Complaints of sexual harassment and shall maintain strict confidentiality of all proceedings and disclosure shall be limited to IC members, necessary parties, and authorities as required by law.

11. Fair use of Policy

The Foundation is strongly opposed to misuse of this policy. Therefore, the Complainant must be prepared to go through a fair process of inquiry by the IC. In case the Complaint is found to be done with malicious intent, the IC may recommend counselling for the Complainant and also suitable action to prevent recurrence. The Complainant shall, if deemed fit, be also liable for appropriate disciplinary action by the Foundation.

12. Ensuring Well Being of the Complainant

The Foundation on the recommendation of the IC may seek appropriate expert advice and arrange for help and support for the Complainant in the form of counselling and / or medical attention.

Permission for leave of absence may be given to the Complainant by the Foundation if necessary. If the leave entitlement is exhausted, additional leave may be granted to alleviate impact of sexual harassment. The Foundation shall take a final decision on this.

Post completion of the proceedings and depending on the gravity of the case, the IC may, if felt appropriate, award compensation to the aggrieved woman from the salary of the Respondent. The IC is empowered to recommend, at the request of the Complainant, interim measures such as:

- a. Transfer of the Complainant or the Respondent to any other workplace.
- b. Grant leave to the Complainant up to a period of 3 months in addition to her regular statutory / contractual leave entitlement.
- c. Remove the Respondent from the reporting structure of the Complainant.

13. Protection of User of this Policy

The Foundation shall not allow retaliation against any employee, who, in good faith, lawfully and truthfully, seeks advice, raises a concern or reports misconduct as contemplated under this policy.

Individuals engaging in retaliatory conduct shall be subject to disciplinary action, which may include termination.

An employee who has raised a concern or reported misconduct if suspects that he/she has been retaliated against for raising an issue, or any third person who suspect the same shall immediately contact the Ethics Representative or IC and bring the same to its attention.

14. Administrative

The Foundation believes that all employees, including other individuals who have dealings with the Foundation have the right to be treated with dignity. To ensure the same, the Foundation is committed to the implementation of the objectives of this policy such that sexual harassment incidents can be reported without fear of reprisal and appropriate action is taken against the guilty parties.

The sexual harassment policy is subject to change annually or as per change in the law of the land.

15. Action After Inquiry

On completion of the inquiry, the below shall be actioned:

- a. In the event the allegation is not proven: The IC shall not recommend any action to be undertaken by the Foundation.
- b. In the event the allegation stands proven: The IC shall recommend to take action against the Respondent for sexual harassment as a misconduct in accordance with the Code of Conduct and Ethics.
- c. Post the IC investigation, if the Complaint does not fall within the definition of sexual harassment or within the IC's jurisdiction, the Complaint shall be referred by the IC to ET&CEO for appropriate investigation and action as per the Company's Code of Conduct & Ethics.
- d. The IC may also undertake actions like transfer of the Respondent/change of roles, any other recommendation as deemed fit.

16. Appeal Against the Inquiry

Any person Aggrieved (Complainant or Respondent) by the decision of the IC related to the quantum or nature of penalties recommended by the IC, as per the POSH Act, may Appeal to the Appellate Authority under the Industrial Employment (Standing Orders) Act, 1961.

17. Governance Structure & Roles and responsibilities

Internal Committee (IC)

An Internal Committee (IC) is functional in the organization to redress Sexual Harassment at workplace. The IC shall consider and redress Complaints of Sexual Harassment at workplace. The IC shall be headed by a woman and not less than half of its members shall be women. As per law mandate, an External Member shall be empaneled who is familiar with the issue of sexual harassment at work place. The External Member shall be empaneled through an offer of engagement and shall be entitled to a retainerhip fee that may be mutually agreed upon. The period of holding office of the presiding officers and members of the IC shall be reviewed after three years, from the date of their nominations.

18. Conclusion

The Foundation believes that all employees, including other individuals who have dealings with the Foundation have the right to be treated with dignity. To ensure the same, the Foundation is committed to the implementation of the objectives of this policy such that sexual harassment incidents can be reported without fear or reprisal and appropriate action is taken against the guilty parties.

The sexual harassment policy is subject to change periodically as per changing times and needs of the Foundation or change in the law of the land.

19. Annual Reporting

The IC shall prepare an Annual Report with details including number of Complaints received, number of Complaints disposed off during a given calendar year, number of cases pending for more than 90 days, number of workshops or awareness programmes organized etc. The Annual Report shall be submitted to the District Officer appointed by the State Government in this regard.

20. Modification and Review of the Policy

The Foundation reserves right to modify the provisions of this Policy to comply with applicable legal requirements, internal policies or otherwise with a view to revise the provisions of this Policy to the extent deemed necessary by the Foundation from time to time. Any such modification or changes shall be notified by the Foundation to its employees within reasonable time.

This policy is subject to review every 3 years or as deemed necessary.

Schedule I

The current members of the IC are as given below –

Sr. no.	Members	Designation	Mobile no.	Email ID
1	Shilpi Gupta	Senior Manager	9769415379	Shilpi5.Gupta@axisbank.com
2	Harshvardhan Dhawan	Vice President	9916434198	Harshvardhan.Dhawan@axisbank.com

External Committee Member

Sr. No.	Member	Designation	Mobile No	E mail ID
1	To be confirmed	-	-	-

Any amendments to the IC shall be discussed and reviewed internally and approved by the ET & CEO.

Schedule II

The following types of behavior shall be treated under the purview of sexual harassment:
(but not limited to)

- Sexually colored remarks and verbal sexual innuendos, such as jokes, suggestions, or hints about sexual behavior, comments about physical appearance etc.,
- Physical contact such as pushing, grabbing, jostling, touching the body and / or making such advances.
- Non-verbal communication such as winking, leering, staring, gestures of a sexual nature, removal of clothing to display parts of the body (flashing).
- Display, giving or sending of pornography in the form of pictures, books, magazines, postcards, photos, sculpture, drawing, painting, animation, sound recording, film, video, and video games or offensive and / or abusive language.
- Demands and /or offers and / or requests, such as for sexual favors, sexual attention, or to spend time together.
- Following, stalking, persistent visiting, telephoning, sending of cell-phone messages or emails, chat messages, or other invasions of personal privacy including physical confinement against one's will.
- Act or conduct by a person such as spreading rumors about sexuality, gender and / or character of another person which creates an environment at workplace that is hostile or intimidating to the latter.
- Any other physical, verbal and non-verbal behavior which is sexual in nature done personally and/ or via documents, or by telephone, cell-phone messages, web site communication, or emails.
- The most serious incidents shall include actual or attempted sexual assault or rape, sexual threat or coercion, and offering benefit in exchange for sexual favors.
- Examples of behavior, which in return for employment, promotion, examination or evaluation of a person towards any Company activity or any other conduct of a sexual nature, which may constitute sexual harassment:
- Implied and overt promise of preferential treatment for that employee.
- An implied or overt threat of detrimental treatment in that employee's employment or an implied or overt threat about the present or future employment status of that employee and includes the creation of a hostile working environment.
- Any conduct that interferes with an employee's work or creates an intimidating, hostile or offensive work environment.
- Any conduct that can be humiliating and may constitute a health and safety problem.
- Such discriminatory conduct for instance when the person has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or work including recruiting or promotion or when it creates a hostile work environment.
- Adverse consequences that might be visited if the Complainant does not consent to the conduct in question or raises any objection thereto.

Schedule III

Format of the Complaint

Sr. No.	Query	Particulars
1	Name and Employee ID of Complainant	
2	Address and Contact Details of the Complainant	
3	Designation of the Complainant	
4	Immediate supervisor of the Complainant	
5	Location of the Complainant	
6	Name and Employee ID of Respondent	
7	Address and Contact Details of the Respondent, if available	
8	Designation of the Respondent, if known	
9	Immediate supervisor of the Respondent, if known	
10	Location of the Respondent, if known	
11	Details of the incident(s)	
12	Date and time of incident/s (If more than one, kindly mention all the dates and times)	
13	Place of incident/s (If more than one, kindly mention all the places)	
14	Witnesses to the incident/s, if any along with their Employee ID (If more than one, kindly mention all the witnesses with their Names, role, Location)	
15	Any oral or written evidence of the incident (attach copies of the documents, if any)	
16	Names and addresses of person(s) who the Complainant confided in about the incident, if applicable	
17	Any further relevant details	
I state that the information as stated above is true and accurate and may be shared with the Respondent/s as per the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.		
Date:		
Signature of Complainant:		