



Policy on Prevention of
Sexual Harassment at Workplace

ABRL -01

Issue No: 02

Revision No: 01

Date of release: 01/09/2016

PREVENTION OF SEXUAL HARRASSMENT AT WORK PLACE		
Issue No.:02	Prepared By: Head Corporate HR Ops	Revision No.: 01
First Released on:	Approved by: CHRO	Document No.: ABRL – 02

VERSION CONTROL SHEET

ate	Version	Prepared by	Reviewed by	Approved by	Reason for change
01/09/2016	2	Anku Kumar	Sunil Tripathi	Shashikant KS	Change of committee members and enactment of SHWW

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Taking a leap forward in its fight against sexual harassment, Indian Parliament passed the Act “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013”(Act). The object of the Act is to provide protection against sexual harassment of women at organized as well as unorganized workplace and provide a proper mechanism of redressal of complaints of sexual harassment. Aditya Birla & Retail Ltd. is committed to providing a work environment that is professional and mature, free from animosity and one that reinforces our value of integrity that includes respect for the individual.”

1. Preamble :

The Aditya Birla Group is committed to providing a work environment that is professional and mature, free from any kind of discrimination, and one that reinforces our value of integrity that includes respect and dignity for the individual.

2. Objective:

Sexual harassment is not only a serious misconduct but criminal offence also which can destroy human dignity and freedom. In an order to promote the well being of women employees the policy is framed with the following Objectives:

- To define Sexual Harassment
- Uniformity in action across company
- To provide for an effective complaint redressal mechanism if there is an occurrence of sexual harassment.

3. Scope and applicability :

This policy is known as Sexual Harassment of Women at workplace(Prevention, Prohibition and Redressal) Act,2013 (herein after referred as policy) and the policy is applicable to all employees, irrespective of their level, across all stores and offices (RO,DC,RPC,F&V, & CC) of Aditya Birla Retail Ltd including the Contract Labour and temporary workers in ABRL premises.

In addition to this the scope of sexual harassment will include ‘Third Party Harassment.’ too. Third Party Harassment is where sexual harassment occurs by a third party (not an employee of the organization) - for example a client, a vendor or any other person that the employee is interacting with for work purposes. In this case the employer and person in charge will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.’

This document provides guidelines for the operationalization of Group Policy ABMC 728, through a robust process of dealing with sexual harassment, and outlines steps for employees to report any incident of sexual harassment. Every employee will be given a fair trial according to the ‘principle of natural justice.’

The principle of natural justice includes three key features

1. The right to be heard by an unbiased tribunal
2. The right to have notice of charges of misconduct
3. The right to be heard in answer to that charge

These guidelines are in accordance with the provisions laid down under the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act,2013 & the Rules.

3. Definitions, acronyms & abbreviations:

3.1. “Employee” - For the purpose of this policy, the term “employee” means any person on the rolls of any of the Aditya Birla Group Companies within India; and this would also include persons who are temporary or part time or honorary employees, by whatever name called and would include persons engaged on a casual basis or for project based assignments and/or persons who are engaged through any third-party service providers. This broad definition of ‘Employee’ used for the purpose of this policy cannot be used to claim rights of an employee conferred by any other law in India and this definition is only for the purpose of the Group policy on Sexual Harassment. It is hereby clarified that the Policy shall govern the employees and other persons residing in India.

3.2. “Complainant Employee(CE)” - For the purpose of this policy, the term “complainant employee” means any person on the rolls of Aditya Birla Retail Ltd including offices and stores and who has lodged a complaint of sexual harassment at work place and has been subjected to any act of sexual harassment by another employee (herein after referred as respondent). The definition of employee will include employees who fall in the managerial or supervisory cadre including the Contract Labour and temporary workers in ABRL premises.

3.3 “Respondent employee” (RE) - refers to any employee against whom the complaint for sexual harassment has been lodged .

3.4. “Workplace” - Refers to all SM and HM stores, offices, DC, RPC, F&V, Bakery & CC located anywhere in India. It also includes any place visited by the employee arising out of or during the course of employment including transportation provided by the Management of the establishment for undertaking the journey.

3.5 “Aggrieved individual”: An individual of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by ABG employee or any third party associated with Aditya Birla Group Companies

3.6. “Sexual Harassment” – The definition of “Sexual Harassment” shall include but not be restricted to the following.

Sexual Harassment is such unwelcome sexually motivated behaviour (whether directly or by implication) as:

- Physical contact and advances
- A demand or request for sexual favors
- Sexually colored remarks
- Showing pornography, writing sexually loaded letters/emails/SMSs
- And/or any other unwelcome physical, verbal or non-verbal conduct of sexual nature

Further the following circumstances among other circumstances, if it occurs or is present in relation to or connected with any act of behaviour of sexual harassment:

- a) Implied or explicit promise of preferential treatment of her employment, or
- b) Implied or explicit threat of detrimental treatment of her employment, or
- c) Implied or explicit threat about her present and future employment status, or
- d) Interfering with her work and creating an intimidating or offensive or hostile work environment for her ,or
- e) Humiliating treatment likely to affect her health and safety.

- Where the victim has reasonable grounds to believe that her objection to such unwelcome behaviour would disadvantage her in connection with his/her work including recruitment/ employment or allotment of work, promotion or evaluation of her engagement in any Company activity.

- Where any such act(s) create an intimidating/hostile/offensive work environment and/or affect the person’s work performance.

- Where any other adverse or hostile consequences might occur if the victim does not consent to the conduct in question or raise any objection thereto.

3.7 “Complaints Committee” - A Committee formed under this policy at unit and business level to investigate complaints of sexual harassment referred to it and makes appropriate recommendations to the relevant management team.

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a) **“Unit Level Complaints Committee”**- (Hereinafter referred to as ULCC) this is a committee which has been constituted as per provisions of the SHWW act read with its rules.

In order to have speedy redressal of grievance three ULCCs have been formed .These committee will receive and investigate into complaints related to sexual harassment and submit its’ recommendations to the Management Team.

b) **“Business Level Complaints Committee”** - (Hereinafter referred to as BLCC): This committee will receive and investigate into the complaints related to sexual harassment and submit its’ recommendations to the Management Team formed at business level .

3.8 “Management Team” - A Management team at Unit and Business levels refers to the person/s vested with the powers to take appropriate disciplinary action

3.9 “Chairperson” - He/ She heads the team of complaints committee members and is responsible for ensuring investigation of a complaint is conducted in an unbiased/ fair manner & confidentiality is maintained.

3.10 “Secretary”- He/ She will be directing the complaints emails to the respective complaints committee who have to carry out the investigation of the case. He / She will also be responsible for adhering to timeline and drive responses within timelines specified and grant no exceptions, while executing this responsibility.

3.11 “Management Team”-(hereinafter referred to as MT) this is a team formed at Unit and business level and the members of the team is vested with the power of taking decision and initiating action on the reports / recommendation submitted by ULCCs and BLCC .

4. **“Internal complaints committees”** :

In line with the provisions of SHWW Act , ULCCs , BLCC & Management Teams shall be formed covering all ABRL establishments to investigate complaints of sexual harassment referred to it and carry out investigations for the relevant management team to take decision on such matters. A woman shall head the Complaints Committee and at least half of its members shall consist of women. Further, to prevent the possibility of any undue pressure or influence from any quarter, such Complaints Committee will also involve a third party, any external member who is well respected in the society / community and has knowledgeable on the subject of sexual harassment, guidelines related to principle of natural justice and laws governing the prevention and redressal of SH related grievances.



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- a. **“Unit Level Sexual Harassment committees”**: ULCCs is a committee formed under section 4 of the SHWW Act. These committees shall look after SH complaints for various defined geographies where ABRL has its establishments.
- b. **“Business Level Complaints committee at Corporate Office”** : The business level complaints committee will receive and investigate the complaints raised by employees in the Corporate Office and also any complaints that may be referred to it by the ULCC.

The structure of the ULCCs and BLCCs are as under:

Units	Name	Role	Email
North, East & West	Alinda Mohanty	Chairman	Ushcc-Northeast-West@retail.adityabirla.com
	Tanushree Ajwani	Secretary	
	MK Suresh	Member	
	Sanjay Narsaria	Member	
	Appa Rao	Member	
	Nidhi Mittal	Member	
	Dr. Krishna Murthy	External Member	
TN & KE	Richa Pai	Chairman	ushcc.tn-ke@retail.adityabirla.com
	Aarti Rai	Secretary	
	Manika Mittal	Member	
	Kalpita Kanvinde	Member	
	Gurpreet Sandhu	Member	
	Anuradha R	Member	
	Dinesh K S	Member	
	Jahangir Mondal	Member	
	Dr. Shubdha Maitra	External Member	
KN	Shwetal Basu	Chairman	ushcc.kn@retail.adityabirla.com
	Ashish Soni	Secretary	
	Razia Sultana	Member	
	Deena Dechamma	Member	
	Jagannath PSK	Member	
	Purushottama H	Member	
	Dr. Krishna Murthy	External Member	
Tel & AP	Nivedita Soneji	Chairman	ushcc.tel-ap@retail.adityabirla.com
	Upender Mogili	Secretary	
	Jasanth Jyoti	Member	



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Anita Chandran	Member
Darshan Thakkar	Member
Lakshman Kandarpa	Member
Dr. Krishna Murthy	External Member

Business Level Complaints Committee

Business	Name	Role	Email
Retail ABRL	Sandhyadeep Puri	Chairman	bshcc.retail@retail.adityabirla.com
	Sunil Tripathi	Secretary	
	Sapna Makhijani	Member	
	Janet Arole	Member	
	Alinda Mohanty	Member	
	V Gopala Krishnan	Member	

Every member of the ULCC and BLCC shall hold the office for a period not exceeding three years from the date of their nomination and these committees would work strictly as per provisions of the SHWW Act .

5.Management teams :

A Management team will be constituted each at the Business Level & Unit level.

a. Business Level Management Team at Corporate Office

This team will decide on the disciplinary action to be taken in each case post recommendation by the Business Level Complaints Committee, within stipulated timelines.

The team constituted at business level is as below :

Business Level Management Team			
Business	Name	Role	Email
Retail ABRL	Mr. Vishak Kumar	CEO	vishak.kumar@retail.adityabirla.com
	Mr. Shashikant KS	Head HR	Shashikant.ks@retail.adityabirla.com
	Mr. Viswanathan S	CFO	vishwnathan.s@adityabirla.com

6.Key Actions and Responsibilities :

S No	Activity	Responsibility
1	Create awareness amongst employees about the policy	HR Operations
2	Ensuring every new joinee is made aware of the policy	HR Operations
3	Pasting the policy at visible areas in office and stores	HR Operations

7.Procedure for filing complaints :

- a. Any employee may lodge a complaint by writing an email about the incident of sexual harassment against any other employee. The complaint should be made to ULCC in writing and be sent wither by mail , post or given in person to the ULCC of the unit in which the employee is working or to any officer authorised by ULCC .
- b. In case an employee is uncomfortable writing to the Complaints Committee, he/she must know that it is possible to submit a written complaint directly to the head of the organization.
- c. In case an employee is uncomfortable putting the complaint in writing at all, he/she must know that an oral complaint can be filed. In this case, a written transcript of the complaint must be made and duly signed by the complainant.
- d. The complaint should be made by an aggrieved employee within three months from the date of occurrence of the incidence or in case of series of incidents , within three months from the date of last incident .
- e. The chairman and secretary of ULCC and BLCC shall have power to take the complaint after three months from the date of incident basis merit of the complaint and the reasons for the delay should be recorded by the Chairman or secretary.
- f. If the aggrieved employee is unable to make a complaint on account of her physical inability, in such cases complaint may be filed by her relative or friend, a special educator*; co- worker, by an officer of NCW / SCW or by a

person who has knowledge about the incident however with the written consent of the aggrieved woman. An employee can file the complain.

**Special educator is defined as the person who is entrusted with a responsibility to educate employees about making complaint in cases of sexual harassment. This includes, Chairperson and the Members of the Complaints Committee, the HR Heads at the Unit and the Business level.*

- g. In case, an employee is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of employee's legal heir.
- h. The email Ids assigned to ULCC/BLCC are meant for any employee to raise a complaint of sexual harassment at work place to the respective Complaints Committee. All complaints received will be taken up by the respective unit Complaints Committee or Business level Complaints Committee (as the case may be) for next course of action.
- i. All complaints will have to be sent in writing and the details of the complainant should be clearly mentioned in the complaint as per the annexure. An employee who experiences sexual harassment by another individual in the organization will compile information that supports the case. The employee will submit the complaint using the template given within three months of the alleged incident.
- j. The employee will send the complaint to the BSHCC/ USHCC depending on the employee's unit/work location.

8.Procedure to be followed by ULCCs and BLCC post receipt of the complaint :

- a. On the receipt of the complaint from an aggrieved employee the ULCC and BLCC , the respective committee will evaluate if there is a prima facie case of not and initiate adequate enquiry. The ULCC / BLCC shall also check whether the complainant has sent the complaint to the right committee if not then it will be sent across to the responsible ULCC .
- b. The complaint employee (CE) ,as far as possible , should not be subjected to more than one enquiry . However if the complaint complexity required that the CE should be called more than once , then adequate precaution would be taken to ensure that there is no loss of dignity to CE .
- c. The BLCC and ULCCs before initiating an enquiry and at the request of CE ,take steps to settle the matter between her and respondent employee

through conciliation, provided there should not be any monetary settlement as a basis of conciliation. Where a settlement has been arrived during conciliation, the ULCC / BLCC shall record the settlement and forward the same to Management Team to take action. Copies of settlement recorded should be forwarded to both the parties. However the settlement arrived during the process of conciliation have not been complied by RE , the ULCC / BLCC shall proceed to make an enquiry.

- d. Under no circumstances, the committee would reveal / disclose the identity of the ‘accused’ to anyone else (including the immediate manager) – other than all those who are required to know about the case.
- e. During investigation, if the committee concludes that the complaint is not a genuine one and the complainant has sent the complaint with malicious intent, the committee will recommend the responsible management committee to issue a warning letter to the complainant or any other suitable action as required.
- a. The committee will work towards ensuring that the investigation is completed by following the laws of the land and principles of natural justice within 3 months of the complaint being reported. If the investigation cannot be completed within 3 months, then the committee needs to have very valid and strong reasons for the same. The same needs to be communicated to the Chairperson of the committee at the next higher level. (The ULCC / BLCC should complete the enquiry on ASAP basis though 90 days is the maximum prescribed time limit) A closure report of each case will be sent by corresponding complaints committee after the punishment has been implemented by the respective management. The template for the closure report is given in **Annexure - 2**.
- f. Action could also be recommended against employees who abetted the misconduct knowingly. Written warning would also be issued to employees who were “in the know”, but did not highlight the same.
- g. The complaints committee at all levels will meet once every quarter to discuss complaints and issues received by it and the course of actions and status on each. The committee should also meet even if there are no formal complaints made and will discuss the overall scenario of women safety at workplace and precautions needs to be taken to further strengthening of system.

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- h. Unit Complaints Committee in certain specific cases as it deems fit, may forward complaints directly only of the following nature to the BLCC for further deliberation or investigation.
 - i) Complaints that are critical or severe in nature or involve a senior member in the Region
 - ii) Complaints where there are insufficient evidences to arrive at a closure.

This exception would be allowed only in the above said situations and not beyond.

- i) ULCC / BLCC shall submit an annual report to the management team by end of December every year.

10. Relief to employees during pendency of inquiry :

1. Any employee who is a part of the investigations shall not be victimized or subject to any unfavorable treatment.
2. The Internal Complaints Committee at the written request of the aggrieved individual may recommend to the employer to restrain the respondent from reporting on the work performance of the aggrieved individual or writing his/her confidential report, and assign the same to another officer. The complaints committee can also recommend to the Management transfer of the individual to other Unit; or grant leave up to a period of three months (This is in addition to the existing leave).
3. Nothing in these guidelines should be taken in any way as a limitation on the powers of the Management Team to decide what disciplinary action(s) is appropriate under given circumstances.

11. Guidelines for ULCCs and BLCCs while recommending action :

- a. In case ULCC / BLCC arrives at a conclusion that during the enquiry any witness has given false evidence and produced false or misleading documents , they may recommend management team to take appropriate action . The ULCC / BLCC after completion of the enquiry in accordance with the provisions of the principle of natural justice submit its recommendation to the respective management team .If the accused is found guilty and the investigation is completed, the committee will recommend the quantum of punishment to be given. While deciding on this, the committee will consider the following:
 - Severity of the misconduct
 - Past record of the employee
 - Past precedence of treating similar violations

- b. In case ULCC / BLCC arrives at a conclusion that the allegation against the RE is malicious or the RE has made false complaint or the CE has made / produced false documents / witness , ULCC / BLCC may recommend to the management team to take action against the CE as per section 14 of SHWW Act.

12.Guideline for management Team / management :

- a. The committee will forward the report to the respective Management i.e. Unit Management / Business Management team. The Unit Management / Business Management team would then decide on the punishment and implement the same within 15 days of receiving the committees' recommendation. While implementing the order, the management will ensure that the name of the employee/s is kept confidential at all times.
- b. MC shall reconstitute ULCC / BLCC members in case of complaint is filed against any of its members.
- c. To advise the CE to lodge police complaint or seek other legal remedies in relation to an offence under IPC or any other law.
- d. To direct HR department to display guidelines given under section 19(b) of SHWW act and to make the policy document available to all employees.
- e. To direct and monitor HR department to create awareness amongst employee on SH in the following manner :
 - i) Training cum awareness session for employees (M & W)
 - ii) Training cum awareness session for ULCC and BLCC members and senior management.
- f. To direct RE to appear before CE before ULCC / BLCC for timely completion of enquiry.
- g. Monitoring timely submission of Enquiry report by ULCC and BLCC and review the working of committees on quarterly basis.

13. Appeal by aggrieved person :

- a. The employee has the option to appeal to the next higher level committee. If he / she appeals, the decision of this committee will be final and binding.
- b. If the employee chooses to appeal against the order, he / she has to submit a request in writing to the next higher level of committee within 7 days of receiving the order. If the request is not received within 7 days, the next higher level committee has the option to reject the appeal.
- c. Based on the request for appeal, the committee will decide whether to reinvestigate/ re-look at the quantum of punishment. However, the next



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higher level committee will close the case within 21 days of receiving the appeal.

- d. The victim employee has the option of seeking his/her own transfer if the case is found to be valid and serious.
- e. If the victim of sexual harassment feels unsatisfied with the outcome of his/her complaint to the ULCC or BLCC as the case may be, he/she may appeal to the Group Complaints Committee. This committee after hearing the appeal shall review the case and present their recommendations to the appropriate Management Team. The decision of the Group Level Management Team will be final and binding on all parties concerned.

14. Criminal Proceedings :

Where such conduct amounts to a specific offence under the Indian Penal Code or under any other prevailing law, concerned Aditya Birla Group Company shall support the victim in initiating appropriate action in accordance with law.

15. Employee Education :

All employees shall be made aware of this policy by circulating this policy and ensuring that they have read the same by getting their signoff.

A copy of this policy will be given to all new employees on joining.

This policy will also be posted on Adityadisha.com for ready reference of all employees.

16. MIS Reporting & Matrices :

- a. List of employees against whom complaints have been raised more than once to be shared with respective Business Manager or Function Head and respective Head HR on half yearly basis.
- b. No of issues not resolved within stipulated timelines at each Complaints Committee to be shared with the Business Level Management team.
- c. No of complaints received & reported within timelines in a month by each complaints committee to the respective Management Team.
- d. No of queries not resolved in stipulated timelines by each management team.
- e. Annual report by ULCC / BLCC to the respective management team

17. Assumptions and Exceptions :

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Any exception to these policy guidelines will be considered on a case-to-case basis and the same has to be approved by the CPO. The interpretation of this policy rests exclusively with the Company and the decision of the Company shall be final and binding on all employees.

Nothing in these guidelines should be taken in any way as a limitation on the powers of the Regional Management Team to decide what disciplinary action(s) is appropriate under given circumstances.

Flow Chart:

The steps involved in handling a complaint on Sexual Harassment is given below:

