

Oak Systems Pvt. Ltd	Prevention of Sexual Harassment Guidelines	
Version: 1.0	1-Jan-2020	Doc. ID: OAK-HRT-GL-PoSH

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# PoSH (Prevention of Sexual Harassment)

**Version 1.0**

**1-Jan-2020**

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**Approved On: 1-Jan-2020**

**Distribution List:** All OAKSYS Associates

**Abstract:** The *objective* of this policy on Prevention of Sexual Harassment (*PoSH*) is to provide protection against sexual harassment at workplace.

## CHANGE HISTORY

<b>Version</b>	<b>Release Date</b>	<b>Authors</b>	<b>Review Team</b>	<b>Description</b>
<b>0.1</b>	26/12/18	Mahesh	Pradeep, Asmita, Pai	Initial Draft
<b>0.2</b>	04/01/19	Mahesh	Pradeep, Asmita, Pai	Draft release
<b>1.0</b>	01/01/20	Madhu D	Pradeep, Asmita, Raghu & Pai	With minor corrections, baselined; included in Oak-QMS

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## 1.0 GENERAL

### 1.1 Purpose

OAKSYS is an equal opportunity employer. At OAKSYS, Associates are assured a work place free of harassment irrespective of their gender, race, social class, caste, creed, religion, place of origin, sexual orientation, disability or economic status. OAKSYS associates have the right to work in an environment free from any form of discrimination and conduct which can be considered harassing, coercive, or disruptive particularly behaviors that tantamount to sexual harassment as defined in this policy.

This policy therefore has been formulated to assist in the creation of such an environment and to assist individuals who believe they have been subjected to sexual harassment to seek support and remedial action.

### 1.2 Scope & Applicability

The Policy will apply to all OAKSYS Associates. OAKSYS Associate includes Employees, Trainees, Consultant, Contractors, Vendors, Visitors and Customers.

- It covers harassment of women by men, of men by women or between the same sexes
- Harassment is unlawful irrespective of who is involved in the behaviour

The policy is not restricted to OAKSYS premises only but would remain applicable to all Associates described above wherever such persons have occasion to interact with each other while on work related to the company, including for example, in company vehicles, third party premises, off site meetings and office parties at external venues.

### 1.3 Target Audience

All OAKSYS Associates @ all locations.

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## 1.4 Glossary

OAKSYS –Oak Systems Pvt. Ltd.

HRC – Harassment Redressal Committee

PoSH- Prevention of Sexual Harassment

ASSOCIATE –Company Employee, Trainee, Consultant, Contractor, Vendor, Visitor, Customer

## 1.5 Reference

Sexual harassment of women act and rules 2013

## 1.6 Entry Criteria

Written complaint from an Associate

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## 2.0 OBJECTIVES

The objective of the Prevention of Sexual Harassment policy at OAKSYS is to bring in a ‘zero tolerance’ on sexual harassment and promote a work environment that encourages mutual respect, promotes respectful and congenial relationships between associates, and is free from all forms of sexual harassment to any associates of the Company.

- All associates of the Company, both management and non-management, are responsible for assuring that a workplace free of sexual harassment is maintained.
- Any associate may file a sexual harassment complaint regarding incidents experienced personally or incidents observed in the workplace.
- The Company strives to maintain a lawful, pleasant work environment where all associates are able to effectively perform their work without interference of any type and requests the assistance of all associates in this effort.

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### **3.0 DEFINITION OF SEXUAL HARASSMENT**

Sexual Harassment is a form of discrimination and includes unwelcome attention of sexual nature. It includes a range of behaviors from seemingly mild transgressions and annoyances, to actual sexual abuse or sexual assault. Anyone from either gender can be a victim of sexual harassment, and anybody from either gender can be a perpetrator.

Sexual Harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:

- Submission to such conduct is an explicit or implicit term or condition of employment;
- Employment decisions are based on an associate's submission to or rejection of such conduct; or,
- Such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

The term 'sexual harassment' includes conduct of associates, managers, vendors and/or customers who engage in verbally or physically harassing behavior, which has the potential for humiliating or embarrassing an associate of the Company.

#### **Examples of Conduct that creates a Hostile Environment**

- Talking about sex
- Telling obscene jokes
- Using endearments, crude or offensive language
- Unsolicited or unwanted touching of any part of clothing or body or commenting on someone's physical appearance
- Talking about /spreading rumors about someone's sexual orientation or sex life
- Showing sexually suggestive pictures, notes, magazines or cartoons
- Using sexually suggestive gestures
- Staring, cornering, following, blocking the pathway, or stalking
- Persistent requests for dates, outings, lunches, dinners etc.

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## 4.0 DEFINITION OF WORKPLACE

A workplace is any place where a working relationship exists. This relationship can take many forms such as colleagues/peers, superior-subordinate, employee-employer, vendor-customer, mentor-mentee, reporting manager – reportee, team lead – team member etc.

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## **5.0 PREVENTIVE STEPS TO AVOID SEXUAL HARASSMENT**

Associates are advised to take preventive steps to avoid any possible sexual harassment incidents.

Some of the suggested steps are -

- Dealing with the harasser upfront
- Do not pretend it did not happen
- Immediately inform the alleged harasser that the behavior is unwelcome
- Demand that the harassment be stopped
- Reinforce your statements with a firm tone and professional body language
- Trust your own instincts about possible danger
- Discuss it with a close friend or confidant
- Report sexual harassment to the company's Harassment Redressal Committee (HRC)
- Be professional at all times
- Do not feel compelled to accept behavior that makes you uncomfortable, even if others are willing to tolerate it
- Be supportive of people who wish to talk about their being sexually harassed & direct them to the appropriate persons/authorities

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## **6.0 COMPLAINING ABOUT BEING HARASSED**

Any associate who feels that they have been or are being harassed, is encouraged to immediately inform the alleged harasser, either verbally or in writing, that the behavior is unwelcome. It is advisable to do this step at the first instance before referring to the authorities concerned. In most instances, the person is unaware that their conduct is offensive and when so advised can easily and willingly correct the conduct so that it does not recur.

If the verbal / written efforts with the alleged harasser are unsuccessful in remedying the problem, or if such an approach is not possible, the associate should immediately report to one of the members of the HRC or email to HRC email-id.

The Company will promptly investigate any allegations of sexual harassment in as confidential a manner as possible, and take appropriate corrective action.

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## 7.0 REPORTING SEXUAL HARASSMENT

Any associate who is the recipient of any unwelcome sexual behavior as described by this policy or knows of the occurrence of such harassment to anyone else, is expected to report the same at the earliest. Complaints shall be made in writing so as to enable a formal investigation and enquiry into the matter. Prescribed format shall be used for this purpose (OAK-HRT-FR-HCS). Associates are strongly advised to keep all records in sequence (events with date, time etc.) along with nature of the incident and description of those involved.

The complainant can seek assistance/guidance of any HRC member for writing the complaint, if needed.

Complaints can be lodged with any member of the HRC or at published common email address. In case the Associate reaches out to his/her Team Manager, HR Manager or any other associate, they shall immediately forward the complaint to the HRC using the prescribed format.

Anonymous complaints may not be considered for a formal investigation as certain details of the aggrieved person and respondent are essential to the process.

Any Associate shall not publicize an alleged harassment without following the reporting procedures. Any breach of confidentiality will be treated as a separate misconduct complaint. Any questions/clarifications you may have in this regard can be raised with your Manager/HR Manager.

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## 8.0 COMPLAINT RESOLUTION PROCESS

On the basis of a written complaint, the HRC may initiate resolution through conciliation/mediation. If conciliation is successful between both parties, the settlement must be noted in writing into the same Harassment Complaint Sheet (OAK-HRT-FR-HCS).

If settlement is not arrived at through conciliation, the HRC will proceed with an inquiry. The inquiry will be done promptly, thoroughly and with utmost confidentiality as practically as possible. The inquiry process and end result shall be documented into the same Harassment Complaint Sheet (OAK-HRT-FR-HCS).

If it is determined that harassment has occurred; prompt, remedial action shall be taken. This may include some or all of the following steps:

- Restore any lost terms, conditions or benefits of employment to the complaining associate
- Discipline the harasser. This discipline can include oral/written warnings to extension of probation, demotion, withholding of increment/promotion, monetary compensation as appropriate, counseling sessions, termination from the services of the company.

## 9.0 HARASSMENT REDRESSAL COMMITTEE

The harassment redressal committee (HRC) shall be constituted by the company from time-to-time.

### 9.1 Constitution of the HRC

- The minimum requirement for committee is 4 people, of which at least 50% should be women. The committee shall be presided by a woman member who is part of the OAKSYS management and at least one member shall be from outside OAKSYS (a third party, who is not attached to the company in any way and is committed to the cause of women or familiar with the issues pertaining to sexual harassment)
- Other members can be company employees, who the company considers fit for the committee. It is recommended that a representative from HR and a representative from Delivery teams is part of the committee
- The maximum tenure of a committee shall be 3 years within which, a new committee shall be formed.

The HRC shall be published by the company in the following format -

Effective Date: \_\_\_\_\_

Common email-id: [hrc@oaksys.net](mailto:hrc@oaksys.net)

SI No	Role	Name	Contact number	E-mail ID
1	Presiding Officer			
2	Member (Internal)			
3	Member (Internal)			
4	Member (External)			

For Oak Systems Pvt Ltd

Sd/-  
Authorised Signatory

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## 9.2 Working of HRC

1. HRC shall take every complaint seriously and sincerely.
2. HRC shall conduct inquiry of all incidents. A minimum of 3 Members of the HRC including the Presiding Officer are to be present for conducting the inquiry.
3. HRC shall maintain a log for complaints and each incident shall be recorded. Format of Issue tracking sheet (OAK-PM-FR-IST) can be used for this purpose.
4. HRC shall conduct a Quarterly Meeting. Presiding officer shall initiate the meeting and any one of the HRC members shall minute the meeting proceedings. Minutes of the meeting template (OAK-PMR-FR-MOM) shall be used for this purpose.
5. The HRC shall prepare an Annual Report. Report shall include the following information-
  - a. Number of cases received and resolved during the year
  - b. Number of cases pending for more than 90 days
  - c. Actions taken by the company
  - d. Number of workshops or awareness programmes undertaken during the year

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## 10.0 EXIT CRITERIA

Closure of an incident.

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# 11.0 ANNEXURE A

## 11.1 Harassment Complaint Sheet - OAK-HRT-FR-HCS