

Prevention of Sexual Harassment Policy

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Scope: All employees of Firstsource Solutions Limited, India (please refer to the Definitions section for coverage)

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Prevention of Sexual Harassment Policy

Objective

In Firstsource's endeavour to ensure a safe, secure and congenial work environment where employees will deliver their best without any inhibition, threat or fear, it is important to evolve a Prevention of Sexual Harassment Policy ("**Policy**").

Firstsource has zero tolerance to any form of harassment, including sexual harassment. As per the Global Ethics Policy Firstsource's approach is to spread awareness, thereby putting astop to sexual harassment ("**SH**") at the workplace and in the event of occurrence of any such incident, enforce strict action against the perpetrator.

It is the duty of Firstsource to deter acts of sexual harassment and provide a procedure for resolution, settlement or prosecution of acts of sexual harassment;

- Where the action or omission of the employee amounts to misconduct under the policies and guidelines of Firstsource, Firstsource shall initiate a reformatory action against him/her;
- Where the aggrieved employee is not satisfied with the reformatory actions taken by Firstsource and desires to institute the offence under the local regulatory regime or any other law, the Prevention of Sexual Harassment ("**POSH**") Committee ("**POSH Committee**") of Firstsource can aid the aggrieved employee in initiating action with relevant authorities.

Definitions

SH by any employee in the work place, which may lead to preferential treatment, detrimental treatment, intimidating or offensive work environment or humiliating conduct, has been defined as including "**unwelcome**" sexually determined behaviour (whether directly or by implication) such as:

- physical contact and advances;
- a demand or request for sexual favours;
- making sexually coloured remarks;
- showing pornography;
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature;
- Digital harassment, including sending communications using online platforms such as sexually coloured remarks, remarks on personal appearances, gender preference, etc.; and
- Cyber-stalking through virtual communication platforms.

The following circumstances, amongst other circumstances if present in relation to or connected with any act or behaviour of sexual harassment may amount to SH:

- Implied or explicit promise of preferential treatment in employment
- Implied or explicit threat of detrimental treatment in employment
- Implied or explicit threat about present or future employment status
- Interference with work or creating an intimidating or offensive or hostile work environment
- Humiliating treatment likely to affect health or safety

Please note, this is not a comprehensive list and is only indicative of what could be termed as SeSH. Also refer to Chapter I, Section 3, subsection 2 of **The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013** (hereinafter referred to as “the Act”).

Note that the Act has already defined “sexual harassment” by focusing on the impact of an act on an aggrieved person, rather than the intent of the aggressor. Hence, unwelcome acts can happen through any medium, online or in person, and continues to be relevant as employees work from home.

In this Policy:

‘Aggrieved employee’ in relation to the workplace means the person, of any age, who alleges to have been subjected to any act of SH by another employee.

‘Complainant’ means an Aggrieved employee who submits a written complaint of SH at workplace to the POSH Committee.

‘Respondent’ means a person against whom the Complainant has made her/his complaint (who may or may not be an employee of Firstsource).

‘Employee’ means a person employed at or affiliated with Firstsource or its affiliates, for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, intern, apprentice or called by any other such name.

‘Workplace’ means Firstsource and its affiliates and any place visited by the Employee arising out of or during the course of employment including transportation provided by Firstsource for official or statutory purposes, and also applies to the virtual/online workplace when Employees are working from home.

Complaints Procedure (as per Chapter IV of the Act)

If an Employee experiences or witnesses SH in the workplace, he/she can complain in writing to:

- Any member of the local POSH Committee or central POSH Committee. For a list and contact details of the members, please refer to <https://firstworld.firstsource.com/intranet/posh> or
 - Any member of the local Human Resources (“HR”) team.
 - Send an email to the confidential ID - confidant@firstsource.com
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- An Aggrieved employee can make a complaint to the local POSH Committee in writing within a period of three (3) months from the date of an incident and in case of a series of incidents, within a period of three (3) months from the date of the last incident. Complaints can be sent via email, with a secure password to any of the above listed emails.
 - In case the Aggrieved employee cannot lodge the complaint in writing, the Presiding Officer or any member of the POSH Committee will render all reasonable assistance to the Aggrieved employee for making the complaint in writing. In case the Aggrieved employee is unable to make

the complaint on his/ her own for any reason, the complaint can be made on his/ her behalf by their legal heir or any such person as may be prescribed in case of mental or physical incapacity or death of the Aggrieved employee.

- The local POSH Committee may, before initiating an inquiry and at the request of the Complainant, take steps to settle the matter between the Complainant and the Respondent through conciliation.
- If conciliation is not a chosen option by the parties, then on receiving a complaint, the local POSH Committee has to immediately inform the convener of the central POSH Committee about the details of the complaint received. An inquiry quorum needs to be formed before starting a formal inquiry.

Redressal Committees

Firstsource has a two tier structure for resolving SH complaints:

1. Central Body: The central POSH Committee is responsible for keeping a track of all the cases reported and ensuring proper functioning of the local POSH Committees at the respective Firstsource centers. The central POSH Committee gets directly involved during the inquiry into the complaints against Associate Director and above.
2. Local Body: The local POSH Committee is responsible for inquiring into all SH complaints that are received in the centers, sharing the final report of the findings and recommend reformative action to the central POSH convener.

Committee Constitution (as per Chapter II of the Act)

- At least 50% of the POSH Committee members have to be women;
- The Presiding Officer of each POSH Committee has to be a senior woman employee on the rolls of Firstsource;
- A minimum of three (3) members, including the Presiding Officer or the Chairperson are required to form the quorum for any inquiry;
- One (1) of the members of the inquiry quorum should be from NGOs or associations committed to the cause of women or a person familiar with issues relating to sexual harassment;
- Not less than two (2) members from amongst Employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- The POSH Committee members can hold office for a maximum term of 3 years from the date of their nominations;

- In case the complaint is against an Associate Director grade employee or above, the inquiry quorum must have the involvement of a member of the central POSH Committee.

Conciliation (*as per Chapter IV of the Act*)

The local POSH Committee may, before initiating an inquiry, and at the request of the Complainant, take steps to settle the matter between the Complainant and the Respondent through conciliation. Where a settlement is arrived at, no further inquiry shall be conducted by local POSH Committee. In the absence of conciliation or non-compliance of the process by the Respondent or the parties involved, the local POSH Committee, whether through the Complainant or at its own discretion, in consultation with Central POSH Committee, shall constitute an inquiry quorum to inquire into the complaint and prepare a report at the end of the inquiry.

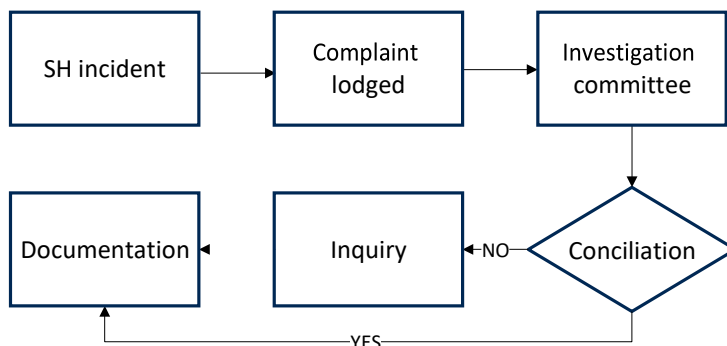
Where a settlement has been arrived at, the local POSH Committee shall record the settlement so arrived and forward the same to Firstsource to take action as specified in the recommendation.

Inquiry into the complaint by the Inquiry Quorum

- At the time of filing the complaint, the Complainant will submit to the POSH Committee, six (6) copies of the complaint along with supporting documents and the names and address of witnesses, if any. Copies are not required when sending the complaint through email. For complaints received via email, the POSH Committee and HR may call the Complainant to verify that the complaint was sent by them, and to seek any further details regarding the complaint.
- On receipt of the complaint, the POSH Committee will send one of the copies received from the Complainant, to the Respondent within seven (7) working days. In case of complaints received online/email, the same will be forwarded by email to the Respondent within seven (7) working days.
- The Respondent will file/email the reply to the complaint along with his/ her list of documents, names and addresses of witnesses, if any, within ten (10) working days from the date of receipt of complaint.
- The POSH Committee will proceed to make the inquiry as per the Firstsource policies applicable to the Employees.
- The POSH Committee, for the purpose of its inquiry, is empowered to require the discovery and production of all forms of evidence, including access to written communication and documents, summoning and enforcing the attendance of witnesses.
- In accordance with the rules of natural justice and equity, during the course of inquiry, both parties will be given a fair opportunity of being heard.
- The POSH Committee shall not allow either party to bring in any legal practitioner to represent them in their case at any stage of the inquiry proceedings before the POSH Committee.

- During the inquiry, at the written request of the Complainant, the POSH Committee may recommend interim relief by transferring the Complainant or the Respondent to another location/ department or granting the Complainant leave up to three (3) months. Such leave, if granted, should be over and above the existing leave balance.
- The POSH Committee shall have the right to close the inquiry proceedings or to give an ex-parte decision on the complaint, if the Complainant or Respondent fails (without sufficient cause) to present herself or himself for three (3) consecutive hearings convened by the Presiding Officer. However, such a decision will not be taken unless the concerned party is given fifteen (15) days' written notice before the case is closed.
- After hearing all parties involved in the incident, the inquiry quorum will prepare a case report, in writing, outlining the case, the inquiry and suggest the reformatory action to be initiated. This report needs to be submitted to the central POSH convener within ten (10) days from the date of completion of the inquiry. Further, the report needs to be made available to the concerned parties
- The inquiry report and case closure recommendation has to be signed off by the following people – the Presiding Officer of the local POSH Committee and the convener of the central POSH Committee. In case the complaint is against an Associate Director or above, the inquiry report needs to be signed off by the convener of the central POSH Committee.
- Withdrawal of the complaint at any stage of the proceedings does not preclude the POSH Committee from proceeding with the inquiry where there is obvious truth or merit to the allegations in the complaint or where there is documentary or direct evidence that can prove the guilt of the Respondent.
- All cases need to be closed within a period of ninety (90) days from the date of the formal receipt of the complaint.
- To the extent possible, the identity of the Complainant, witnesses and the Respondent will be protected against unnecessary disclosure. All efforts shall be made to ensure that all proceedings remain confidential. Firstsource may initiate disciplinary action against anyone and/ or impose a monetary penalty if found guilty of contravening the provisions pertaining to confidentiality as detailed out in section 16 of the Act.
- In a situation where work from home is applicable or it is not possible to conduct in-person inquiry, the POSH Committee will conduct all its proceedings virtually, using secure online tools. Firstsource will make all reasonable efforts to maintain data security and confidentiality of all information shared during the inquiry, provided however, disclosures will be made on a need to know basis and for regulatory reasons.
- All Employees (Complainants, Respondents, witnesses, or any others) are expected to cooperate fully in the inquiries conducted through online means, including ensuring privacy during the interview, maintaining the security of the platform (not sharing the username/password/meeting ID, screenshots, etc.). Subject to their consent, Employees may be called upon to share messages/ data received on their personal devices, which will be requested to be submitted to aid the inquiry in question.

The process flow of the investigation process is captured below –



Reformative Action

Depending on the severity of the complaint, the following reformative/disciplinary actions(s), as applicable, can be recommended in compliance with Firstsource policies and procedures:

- If found guilty, the Respondent may be separated from Firstsource;
- If the Complainant wants to be transferred to another centre or process as a result of the incident, Firstsource shall assist in the transfer. The Respondent may also be transferred, if Firstsource deems fit to do so;
- If the Complainant has lodged a false/ malicious complaint, then action will be taken against him/ her for such an act. This may include a warning notice or, suspension; it may also amount to termination of employment and will be treated on a case to case basis;
- Apart from the action(s) listed above, any other action(s) as deemed appropriate depending on the severity of the complaint might be recommended in accordance with the Act and Firstsource policies;
- As per Chapter VI, Section 19 of the Act, in case the Complainant is not satisfied with the reformatory actions taken by Firstsource and desires to approach the local regulatory regime or any other authority, the local POSH Committee or central POSH Committee will aid the Complainant in initiating action with relevant authorities.

The reformative action will be taken within sixty (60) days of receipt of the recommendation from the POSH Committee.

Appeal Committee

In case the aggrieved woman or the respondent is desirous of appealing against the recommendations of the POSH Committee, he/ she can do so in accordance with the Act.

Training & Awareness

- As mandated in Chapter VI, Section 19 of the Act, Firstsource shall conduct regular awareness programmes for all Employees. Diverse mediums of training and awareness creation like workshops, sessions, computer-based trainings will be used to clearly demarcate unacceptable behaviour in Firstsource. For online training sessions completed at home/offsite, Employees shall complete the trainings in all honesty and with integrity.
- Firstsource shall organise orientation programs, capacity and skill building programs for the members of the POSH Committees.
- The names and contact details of the local and central POSH Committee members should be updated on the Firstsource intranet and is also accessible at <https://firstworld.firstsource.com/intranet/posh>. Posters with names and contact details of the local POSH Committee members should be displayed in all the centres.
- The list of POSH Committee members needs to be reviewed and updated on a quarterly basis. In case a local POSH Committee member moves out of Firstsource, the same has to be immediately reported to the central POSH convener by the Presiding Officer of the local POSH Committee and replacement members identified.

Non-Disclosure

The obligation of confidentiality extends to the Complainant, the Respondent and witnesses which entails that the below mentioned should not be disclosed:

- (a) the details or identity of the parties involved in the inquiry;
- (b) the procedures of the inquiry underway or concluded;
- (c) the documents, data and reports shared by the POSH Committee or Firstsource in relation to the inquiry;
- (d) the content of the interviews, discussions and sessions of the inquiry; and
- (e) the outcome of the inquiry concluded.

The POSH Committee members and Firstsource are also bound by obligations of confidentiality, which entails that the below mentioned should not be disclosed:

- (a) the identity of the Complainant, Respondent and witnesses;
- (b) details of the inquiry interviews and procedure of inquiry;
- (c) documents, data and reports pertaining to the inquiry; and
- (d) the outcome of the inquiry

Provided that the POSH Committee members and Firstsource may disclose such details on a need to know basis, while conducting the inquiries or as required under law or a regulatory inquiry/lawful request for disclosure.

Recommendations of the POSH Committee

The POSH Committee will submit its report, along with its recommendation to Firstsource once the inquiry is concluded. Firstsource shall consider the recommendation of the POSH Committee in all its fairness and implement the same.

Review

- All cases will be reviewed by the central POSH Committee on a quarterly basis and a quarterly report of cases will be presented to the Board of Directors
- As mandated by Chapter VIII, Section 21 of the Act, the central POSH Committee will also maintain an annual report of all cases and POSH related activities carried out during the year
- The Policy will be reviewed annually. On receiving any directions, suggestions or comments from Employees, or as may be derived by central POSH Committee during review of the cases reported, the Policy may be amended by the central POSH Committee as and when needed.

Queries and Escalations

Please contact Roshan Damodaran (Convener – POSH) for queries and escalations regarding this Policy.

Policy Review

This Policy shall be reviewed at least annually or when significant changes are proposed to occur.