



FAZE THREE LIMITED

Policy on Prevention of Sexual Harassment (POSH) of women at the workplace

Introduction and Scope

Faze Three Limited ('the Company') is committed to providing a work environment that ensures that every woman is treated with dignity and respect and afforded equitable treatment. The Company is also committed to promoting a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity.

This policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter "the Act"). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

The 'Policy on Prevention of Sexual Harassment of women at workplace: intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

The policy applies to all categories of employees of the Company, including permanent management and workmen, temporaries, trainees, and associates on contract at its workplace or at client sites. The Company will not tolerate sexual harassment if engaged in by clients or by suppliers or any other business associate.

Definitions

1. **Sexual harassment** may occur not only where a person uses sexual behavior to control, influence, or affect the career, salary, or job of another person, but also between co-workers. It may also occur between a Faze Three Limited employee and someone that employee deals with in the course of his/her work who is not employed by the Company.

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

- a) Any unwelcome sexually determined behavior or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
 - i. Physical contact and advances;
 - ii. Demand or request for sexual favors;
 - iii. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
 - iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons, or other materials through email, SMS, MMS, etc.;
 - v. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;

- vi. Giving gifts or leaving objects that are sexually suggestive;
- vii. Eve teasing, innuendos, and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
- viii. Persistent watching, following, contacting of a person; and
- ix. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

b) The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment:

- Implied or explicit promise of preferential treatment in employment;
- Implied or explicit threat of detrimental treatment in employment;
- Implied or explicit threat about the present or future employment status;
- Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment is likely to affect her health or safety.

Reasonable personal standard is used to determine whether or not the conduct was offensive and what a person reasonably would have done. Further, it is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

2. **Aggrieved woman:** In relation to a workplace, a woman, of any age, whether employed or not, alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors.
3. **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman.
4. **Employee:** A person employed at the workplace, for any work on a 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 coworker, a contract worker, probationer, trainee, apprentice or by any other such name.
5. **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with Faze Three Limited, including transportation provided for undertaking such a journey.
6. **Employer:** A person responsible for management, supervision, and control of the workplace

Roles & Responsibilities

1. **Responsibilities of Individuals:** It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:
 - a. Refusing to participate in any activity which constitutes harassment
 - b. Supporting the person to reject unwelcome behavior
 - c. Acting as a witness if the person being harassed decides to lodge a complaint

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

2. **Responsibilities of Managers:** All managers at Faze Three Limited must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

Redressal Mechanism

In compliance with the Act, if the complainant warrants formal intervention, the complainant needs to lodge a written complaint, which shall be followed by a formal redressal mechanism as described in this Policy. In case of a verbal complaint, the complaint will be reduced in writing by the receiver of the complaint, and signatures of the complainant will be obtained.

Internal Complaints Committee

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "Internal **Complaints Committee** " ('the Committee') is constituted at each place of business of the Company. The detail of the committee is notified to all covered persons at the locations (workplace).

The committee at each location comprises of:

- **Presiding Officer:** A woman employed at a senior level in the organization or workplace
- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge
- One external member, familiar with the issues relating to sexual harassment
- At least one-half of the total members are women

The **committee** is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting an inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

Current nominated members of the committees are given in **Annexure A**.

Lodging a Complaint

The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace.

The complaint must be lodged within **3 months** from the date of the incident/ last incident. The Committee can extend the timeline by **another 3 months** for reasons recorded in writing if satisfied that these reasons prevented the lodging of the complaint.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the women for making the complaint in writing.

If the aggrieved woman is unable to lodge the complaint in the account of her incapacity, the following may do so on her behalf, **with her written consent**.

- Legal heir, relative, or friend
- Co-worker
- Any person having knowledge of the incident

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

Resolution procedure through conciliation

Once the complaint is received, before initiating the inquiry, **only at the request of the aggrieved woman**, the committee may take steps to conciliate the complaint between the complainant and the respondent.

It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of a complaint by the respondent. It is a practical mechanism for resolving misunderstandings.

In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation happens within **2 weeks** of receipt of the complaint.

The committee provides copies of the settlement to the complainant & respondent. Once the action is implemented, no further inquiry is conducted.

Resolution procedure through formal inquiry

Conducting Inquiry

The committee initiates inquiry in the following cases:

- No conciliation is requested by an aggrieved woman
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by the respondent.

The Committee proceeds to make an inquiry into the complaint within a period of **1 week** of its receipt of the original complaint/closure of conciliation/repeat complaint.

Manner of inquiry into complaint:

- Complainant should submit the complaint along with supporting documents and the names of the witnesses.
- Upon receipt of the complaint, the committee sends 1 copy of the complaint to the respondent within 7 working days.
- Respondent replies with all supporting documents within 10 working days of receiving the copy of the complaint.
- No legal practitioner can represent any party at any stage of the inquiry procedure.
- The Complaints Committee makes inquiries into the complaint in accordance with the principles of natural justice.
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer is present.

Interim relief

During the pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to -

- Transfer the complainant or the respondent to any other workplace.
- Grant leave to the aggrieved woman of a maximum of 3 months, in addition to the leave she would be otherwise entitled.
- Prevent the respondent from assessing the complainant's work performance.
- Grant such other relief as may be appropriate.

Once the recommendations of interim relief are implemented, the employer will inform the committee regarding the same.

Termination of Inquiry

The committee at Faze Three Limited may terminate the inquiry or give ex -parte decision, if the complainant or respondent respectively is absent for 3 consecutive hearings, without reason. 15 day written notice to be given to the party, before termination or ex -parte order.

Inquiry procedure

All proceedings of the inquiry is documented. The Committee interviews the respondent separately and impartially. Committee states exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc. Detailed notes of the meetings are prepared which may be shared with the respondent and complainant upon request. Any witnesses produced by the respondent are also interviewed & statements are taken.

If the complainant or respondent desires to cross-examine any witnesses, the Committee facilitates the same

and records the statements.

In case the complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the Inquiry Report, within **90 days** from the dates on which the inquiry is commenced. The inquiry procedure ensures absolute fairness to all parties.

Considerations while preparing inquiry report

While preparing the findings/recommendations, the following are considered:

- Whether the language used (written or spoken), visual material, or physical behavior was of sexual or derogatory nature.
- Whether the allegations or events follow logically and reasonably from the evidence.
- Credibility of complainant, respondent, witnesses, and evidence.
- Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent.
- Both parties have been given an opportunity of being heard.
- A copy of the proceedings was made available to both parties enabling them to make representation against the findings.

A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation of the findings to the committee.

Action to be taken after inquiry

Post the inquiry the committee submits its report containing the findings and recommendations to the employer, within **10 days** of completion of the inquiry.

The findings and recommendations are reached from the facts established and are recorded accurately.

If the situation so requires, or upon request of the complainant, respondent, or witness, Management at Faze Three Limited may decide to take interim measures such as transfer, changing of shift, grant of leave, etc. to protect against victimization or distress during or subsequent to the course of the inquiry, pending the final outcome.

Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter.

Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither will be disadvantaged within the company.

Complaint substantiated

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- i. Counseling
- ii. Censure or reprimand
- iii. Apology to be tendered by respondent
- iv. Written warning
- v. Withholding promotion and/or increments
- vi. Suspension
- vii. Termination
- viii. Or any other action that the Management may deem fit.

The employer at Faze Three Limited acts upon the recommendations within **60 days** and confirms to the committee. Post-implementation of the actions, follow up with the complainant occurs to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily, and if no victimization of either party is occurring. This follow-up is undertaken by the complainant's Line Manager supported by HR.

Malicious Allegations

Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action against the woman or the person making the complaint.

The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints.

While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

Confidentiality

The identity of the complainant, respondent, witnesses, statements, and other evidence obtained in the course of the inquiry process, recommendations of the committees, the action was taken by the employer is considered as confidential materials, and not published or made known to the public.

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

Appeal



Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made may appeal to the appellate authority in accordance with the Act and rules, within **90 days** of the recommendations being communicated.

Annexure A

Internal Complaints Committee at Head Office of Faze Three Limited.

Presiding Officer	- Mrs. Divya Pai
Member	- Mrs. Diana Dastoor
Member	- Mr. Akram Sati
External Member	- Mr. Ankit Parekh

** Each location/unit of Faze Three Limited has a duly constituted Internal Complaints Committee (ICC), details of which can be obtained by any person by writing to any of the above-mentioned ICC members.*

Interpretation

In any circumstance where the provisions of this Policy differ from any existing or newly enacted law, rule, regulation, or standard governing the Company, the relevant law, rule, regulation or standard will take precedence over this Policy until such time as this Policy is changed to conform to the said law, rule, regulation or standard. In case of any clarification required with respect to this Policy, kindly contact the Company Secretary of the Company.

Disclosure

The Policy shall be made available on the website of the Company - <https://www.fazethree.com/>

****Amended and adopted with effect from 02.02.2023.***