

Policy on Prevention, Prohibition and Redressal of Sexual Harassment at Bajaj Allianz General Insurance Co. Ltd.

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(1) Applicability:

This Policy is applicable to (i) all employees of the Company, (ii) all persons who are on deputation in/from the Company, or (iii) who are on contract basis working in the Company, (iv) any person/entity associated with the company in the capacity of Vendors, contractors, consultants, agents, brokers, other intermediaries/service providers or other contractual relations or customer/s visiting the Company's office/dealing with employees of the Company when involved in Sexual Harassment.

(2) Objective:

To provide an environment at Bajaj Allianz General Insurance Co. Ltd. that is free from sexual harassment and to ensure that all employees are educated about the meaning and also prevention of sexual harassment. Also, to provide all employees with a healthy and safe environment at workplace that is free from behaviors and practices that may constitute sexual harassment.

(3) Definition of Sexual Harassment:

- (a) "Sexual harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:--
- (i) physical contact and advances; or
 - (ii) a demand or request for sexual favors; or
 - (iii) making sexually colored remarks; or
 - (iv) showing pornography; or
 - (v) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature:
- (b) Any of the following circumstances occurring in connection with any act or behavior which is sexual in nature will also constitute sexual harassment.
- i) Implied or explicit promise of preferential treatment in his/her employment; or

- ii) Implied or explicit threat of detrimental treatment in his/her employment: or
- iii) Implied or explicit threat about his/her present or future employment status; or
- iv) Interference with his/her work or creating an intimidating or offensive or hostile work environment for him/her; or
- v) Humiliating treatment likely to affect his/her health or safety.

(c) If any allegations of sexual harassment arising from 'out of office hours conduct' of the offending employee will also be tested on the touchstone of such harassment being a consequence of/out of/from the relationship of the concerned parties as co-workers and the alleged harassment having a substantial and adverse effect. Any act of Sexual harassment through/by use of mobile phone/e-mail/social media/other electronic communication modes will also be suitably dealt with depending upon the facts of such case.

(4) Company's Policy on Workplace Standards:

(a) The Company shall not tolerate any form of sexual harassment against its employees.

(b) All employees shall refrain from any acts of sexual harassment against other employees.

(c) Any employee, who believes that another employee is being sexually harassed has a responsibility to assist the aggrieved employee to report or complain about the situation as soon as possible.

(d) The Company prohibits any form of retaliation against any such employee, for bringing bona-fide complaint or providing information about any such incident. However, any complaint of sexual harassment by any person other than the affected employee shall not be entertained.

(e) The Company shall ensure the confidentiality of such complaints, and ensure that the privacy of the complainant is safeguarded.

(f) All the employees are advised to take steps in such a way that:

(i) any scope or situation is avoided and or is not created which may facilitate the Sexual Harassment at Workplace.

(ii) In this regard some advisory by BAGIC to avoid any possible Sexual Harassment allegations are:

(a) It is advisable that the two opposite sex employees avoid having meetings at lone places of residences of employees and or other locations.

(b) When in official meetings arranged at hotel, resort other places arranged on behalf of BAGIC, it is advised that the two opposite sex employees avoid having meetings one to one in any room/suit, If compulsory it is advised to have such one to one meeting at reception or other place with visitors/people.

(c) to the extent possible employees may avoid going to meet other employees, of opposite sex, in their residences, and if had to go so because situation warrants so, to wish/visit opposite sex employees for any ailment/bereavement/other good occasions, then to the extent possible try to go along with other employees [female employees, if available, while visiting the female employees and is ready to accompany]. If no other employees are accompanying as suggested, then the employee going to so vit may verify whether couple/family members are there with opposite sex employees and only when couple/family members are there, then only do such visits.

(d) the advisory in (f) (b) and (c) is mere advisory to avoid any possible Sexual Harassment complaints and hence non-compliance of same is not necessarily taken as Sexual Harassment.

(e) When respective internal investigation team are internally questioning/discussing with employees towards misconduct/suspected misconduct, the internal investigation team may video and voice record the proceedings and safe keep the same. It is also advised that the internal investigation

team may ensure to have the employee of same gender [like that of the employee questioned] be also present through the internal investigation.

(5) WHAT IS NOT SEXUAL HARASSMENT:

Occasional compliments that are socially and culturally acceptable and appropriate are not considered sexual harassment. In a social gathering/musical/dancing/entertainment programmes for the employees in a get to gather and or official meetings, mere advisory/suggestion by one employee to other employee is not necessarily a Sexual Harassment and any employee not comfortable to take part in such social gathering/musical/dancing/entertainment programmes may refuse to join such programmes as per respective employees decision,

(6) Internal Complaints Committees:

(a) Internal Complaints Committees are/will be formed zone wise:-

Head Office, Bajaj Allianz House, Pune: will deal with all complaints, if any, under this policy from employees working in Head Office [Bajaj House & Bajaj Finserv] and other zones will include:-

- (i) West
- (ii) East
- (iii) North
- (iv) South

(b) Internal Complaints Committees will consist of following persons as nominated by the Company:

- i. Presiding Officer who shall be a woman, employed at a senior level of Company. In this regard, the Company will nominate 03 [Three] women employees at senior level who can act as Presiding Officer and subject to their availability, zone where the POSH complaint is made and entrustment of respective case by HR, BAGIC, any one of them can preside over any of the POSH case in any of the zones mentioned above,
- ii. One member representative from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- iii. Three members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge. In this regard, the Company will nominate employees as members in the above zones and subject to their availability, zone where the POSH complaint is made and entrustment of respective case by HR, BAGIC, any three nominated employees can be members of any of the POSH case in any of the zones mentioned above
- iv. In this regard HR, BAGIC will issue email to concerned members, presiding officer in the respective complaint under this Policy upon which such nominated members, presiding officer and non-governmental organizations shall be treated as Internal Committee for that complaint.
- v. At all times the total strength of Internal Committee [including presiding officer, members and non-governmental organizations] shall be odd numbers with at least one-half of the total strength of Internal Committee Members so nominated shall be women.
- vi. Company reserves right to nominate more employees as Presiding officers or Members as per clause 6(b) hereinabove, as may it deems fit, including to increase the strength in any, committee.

- a. The Presiding Officer and every member of the Internal Complaints Committee shall hold office for such period, not exceeding three years, from the date of their nomination by the Company, as may be specified by the Company.
- b. The Presiding Officer or any Member of the Internal Complaints Committee shall hold their office subject to disqualifications and other provisions of “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” or any amendments thereof, from time to time.
- c. The Internal Complaints Committee shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the Company and the District Officer appointed by Government.

(6) Who can complain?

Complaints can be made by any aggrieved employee working in the premises of the Company (including any employee on deputation or on contract) who is affected by any form of sexual harassment to them during the course of their working in the premises of the Company against any person/persons, who is/are alleged to have committed an act of sexual harassment. No third Party Complaints will be entertained. Any aggrieved person, including the customer/s who alleges sexual harassment while she is in the workplace of the company [whether employed/working or not working in the company] can also make a complaint.

(7) Reporting Procedure

- (a) Employees who believe they have experienced or have been subjected to sexual harassment should report their complaint immediately to by e-mail on BAGICInternalcommittee@bajajallianz.co.in. The complaint will then be forwarded to the Presiding Officer of the concerned Internal Complaints Committee for suitable steps as per this policy. Such complaints shall be made within a period of **three months** from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident. The concerned Internal Complaints Committee may, for the reasons to be recorded in writing, extend the time limit [not exceeding three months] if it is satisfied that the circumstances were such which prevented the employee from filing a complaint within the said period.
- (b) Where the aggrieved employee is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise, his/her legal heir or such other person as may be prescribed may make a complaint under this section.
- (c) All complaints shall be promptly handled on a confidential basis and suitable steps will be taken as per this policy.

(8) Grievance Redressal Procedure

1. Employee reports the complaint within 3 months of the incident
2. The complaint to be forwarded to the Presiding Officer of the concerned Internal Complaints

Committee

3. The committee to send separate communication to the complainant & the accused informing time & venue for hearing by committee.
4. Internal Complaint Committee to initiate preliminary inquiry into the allegations and take steps at the request of the aggrieved employee if feasible. To settle the matter between him/her and the respondent through conciliation provided that no monetary settlement shall be made as a basis of conciliation.
5. In case of no settlement, inquiry is conducted by the Internal Complaints Committee. Both the sides can get witnesses or evidence
6. Both the sides are asked to present their case & the same is recorded by the committee members
7. Questions are put up by the panel to both accused & complainant
8. Accused & complainant put questions to each other
9. If inquiry is for more than one day, day's proceeding & statements are given to the employees by the panel
10. The Internal Complaints Committee prepares a report along with its findings on the complaint and within 10 days of completion of inquiry forwards the report along with its findings to the Company and also to complainant and accused.
11. The Company examines the report of Internal Complaints Committee and suitable further steps will be taken by the Company duly considering the report of Internal Complaints Committee.
12. Action taken by the Company to be communicated to complainant as well to the accused, along with a copy of the report of Internal Complaints Committee.

(9) Disciplinary Action

(d) On the completion of an inquiry under this Act, the Internal Complaints Committee shall provide a report of its findings to the Company within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

(e) Where the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the Company that no action is required to be taken in the matter.

(f) Where the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Company:--

- (i) to take action for sexual harassment as a misconduct in accordance with the provisions of the service rules of the Company or where no such service rules have been made, in such manner as may be prescribed;
- (ii) to deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved employee or to his/her legal heirs, as compensation, as it may determine.

Provided that in case the employer is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment it may direct to the respondent to pay such sum to the aggrieved employee:

Provided further that in case the respondent fails to pay the sum referred to in clause (ii)

hereinabove, the Internal Complaints Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

(iii) For the purpose of determining the sums to be paid to the aggrieved employee under clause (ii) hereinabove, the Internal Complaints Committee, shall have regard to (1) the mental trauma, pain, suffering and emotional distress caused to the aggrieved employee; (2) the loss in the career opportunity due to the incident of sexual harassment; (3) medical expenses incurred by the victim for physical or psychiatric treatment; (4) the income and financial status of the respondent; and (5) feasibility of such payment in lump sum or in installments.

(g) The Company shall act upon the recommendation of Internal Complaints Committee within sixty days of its receipt by it

(h) The Company shall act as per its applicable policies and guidelines read with Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. So also Internal Complaints Committee shall always act as per provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, while dealing with such Complaints.

(i) Where the Internal Complaints Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved employee or any other person making the complaint has made the complaint knowing it to be false or the aggrieved employee or any other person making the complaint has produced any forged or misleading document, it may recommend to the Company, to take action against the employee or the person who has made the complaint in accordance with the provisions of the policies or service rules applicable to her or him or where no such service rules exist, in such manner as may be prescribed:

Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant as hereinabove:

Provided further that the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

(j) Where the Internal Complaints Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Company of the witness, to take action in accordance with the provisions of the policies or service rules of the Company as applicable to the said witness or where no such service rules exist, in such manner as may be prescribed.

(k) During the pendency of an inquiry, on a written request made by the aggrieved employee, the Internal Complaints Committee, may recommend to the employer to--

- (i) transfer the aggrieved employee or the respondent to any other workplace; or
- (ii) grant leave to the aggrieved employee up to a period of three months: or
- (iii) grant such other relief to the aggrieved employee as may be prescribed.
- (iv) the leave granted to the aggrieved employee under this sub-clause 8(h) shall be in addition to the leave she would be otherwise entitled as per Company's policies.
- (v) on the recommendation of the Internal Complaints Committee as under this sub-clause 8(h), the employer shall implement the recommendations made under this sub-clause 8(h) and send the report of such implementation to the Internal Complaints Committee.

(10) Confidentially:

It is understood that sexual harassment is an issue which is highly sensitive in nature & therefore the management of the Company & the Internal Complaints Committee under all circumstances shall maintain strict confidentiality. The Internal Complaints Committee shall also maintain privacy of records and documents of all the grievances, procedures & disciplinary action undertaken.

(11) Duties and obligations of the Company:

- (a) provide a safe working environment at the workplace which shall include safety from all persons coming in contact with employees at workplace
- (b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments: and the order constituting, the Internal Complaints Committee;
- (c) organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and orientation programs for the members of the Internal Complaints Committee in the manner as may be prescribed;
- (d) provide necessary facilities to the Internal Complaints Committee, for dealing with the complaint and conducting an inquiry;
- (e) assist in securing the attendance of respondent and witnesses before the Internal Complaints Committee;
- (f) make available such information to the Internal Complaints Committee, as it may require having regard to the complaint made as to Sexual Harassment at workplace;
- (g) provide assistance to the employee if he/she so chooses to file a complaint in relation to the offence under the Indian Penal Code(45 of 1860) or any other law for the time being in force;
- (h) cause to initiate action, under the Indian Penal Code(45 of 1860) or any other law for the time being in force, against the perpetrator, or if the aggrieved employee so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took

place;

(i) treat sexual harassment as a misconduct under the service rules and initiate suitable action for such misconduct;

(j) monitor the timely submission of reports by the Internal Complaints Committee.

(k) The Company shall include in its report the number of cases filed, if any and their disposal under this Act in the annual report of his organization or where no such report is required to be prepared, intimate such number of cases, if any, to the District Officer.

(12) Miscellaneous:

(a) The costs of such travel and accommodation, of the complainant/s as well as the respondent and witnesses for attending the enquiry will be borne / reimbursed by the Company.

(b) The Internal Complaints Committee shall have power to regulate and state its own procedure, but always subject to following principles of natural justice and also following various provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, read with rules or guidelines thereunder.

(c) Notwithstanding anything contained in the Right to Information Act, 2005 (22 of 2005), the contents of the complaint made to Internal Complaints Committee, the identity and addresses of the aggrieved employee, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Complaints Committee, and the action taken by the Company under the provisions of this Act shall not be published, communicated or made known to the public, press and media in any manner:

Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under this Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved employee and witnesses.

Provided further where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken under the provisions of this Act, contravenes the provisions of clause 12(c), he/she shall be liable for penalty in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist, in such manner as may be prescribed.

(d) Any person aggrieved from the recommendations made by Internal Complaints Committee under its report for action, or no action, or disciplinary action, compensation directed, decision as to having given false evidence or produced any forged or misleading document, penalty for publishing or

making known the contents of complaint, inquiry or report or action thereon etc., or non-implementation of such recommendations or any action taken as per recommendations of Internal Complaints Committee [under this policy] may prefer an appeal to the court or tribunal in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal in such manner as may be prescribed.

Provided that the appeal referred to hereinabove shall be preferred within a period of ninety days of the recommendations.

(e) The provisions of "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" shall be in addition to and not in derogation of the provisions of any other law for the time being in force. Therefore the aggrieved employee may take the available recourse as per her wish, but if complaint is made to Internal Complaints Committee the details of other recourses already taken and status thereof has to be mentioned in the complaint to Internal Complaints Committee.

(13) The Internal Committee is a quasi-judicial body with all powers of civil courts with a right to summon and enforce presence of any person/s [whether employee or not or third parties] whose evidence and or statements are relevant to the given case/complaint. Accordingly the committee will have the right to ask any of the employees, Vendors, contractors, consultants, agents, brokers, other intermediaries/service providers to appear before it.

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