

**CRITICAL CARE UNIFIED PVT LTD.
POLICY ON
PREVENTION, PROHIBITION, AND REDRESSAL OF SEXUAL HARASSMENT AT
THE WORKPLACE**

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1. Introduction

- 1.1. Critical Care Unified Pvt Ltd (hereinafter referred to as CCU or Company or Employer) believes in the right of every Women to work in an environment free from Sexual Harassment, directly or indirectly. The “CCU Policy on Prevention, Prohibition and Redressal at the Workplace” is in accordance with the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, and Rules 2013 to prohibit, prevent, deter, and provide redressal for Sexual Harassment at the Workplace.
- 1.2. The terms of this policy should be read in conjunction with the Act and Rules. In case of any inconsistency between this Policy and the Act/Rules, then the Act/Rules (as amended and modified from time to time) shall prevail.

2. Applicability

- 2.1 Scope: This Policy shall extend and be applicable to all CCU entities and their respective workplaces.
- 2.2 It shall cover within its ambit, all CCU employees, workers, interns, volunteers, probationers, vendors, agents, partners, and trainees including those on deputation, part-time, contract, working as consultants or otherwise (whether in the office premises or outside while on assignment). Employed directly, indirectly, or through an agent/contractor.
- 2.3 This policy shall be disseminated to each employee of the company as well as new recruits who will have to acknowledge that they have read and understood the policy and that they shall abide by the policy. The vendors and consultants will also share a signed declaration whenever on-boarded. The policy is part of the employment engagement terms.
- 2.4 The acknowledgment declaration is attached as Annexure A.

3. Definitions

- 3.1 **Aggrieved Women:** An Aggrieved Women, in relation to a workplace, is a woman, of any age who alleges to have been subjected to any act of Sexual Harassment at the workplace.
- 3.2 **Complainant:** A Complainant is any Aggrieved Women or someone who makes a complaint on behalf of the Aggrieved Woman alleging Sexual Harassment under this Policy with the written consent of the Aggrieved Woman.

- 3.3 **Respondent:** Respondent refers to the person against whom the Aggrieved Women/Complainant has made the Sexual Harassment complaint.
- 3.4 **Sexual Harassment:** For the purposes of this Policy, 'Sexual Harassment' means all unwelcome acts or behaviour directly, indirectly, or by implication like physical contact and advances including but not limited to:
- A demand or request for sexual favours
 - Making sexually coloured remarks
 - Showing pornography.
 - Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
 - Any action or gesture, whether directly or by implication, that aims at or has the tendency to outrage the modesty of any employee; or
 - Where an unwanted conduct related to the sex of a person occurs with the purpose or effect of violating the dignity of the person and creating an intimidating, hostile, degrading, humiliating or offensive environment.

The following circumstances (occurring in relation to or connected with any act or behaviour of Sexual Harassment), among other circumstances, may 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 present or future employment status
- Interferes with their work or creating an intimidating or offensive or hostile work environment for them; or
- Humiliating treatment likely to affect health or safety.

An illustrative list of examples of instances amounting to Sexual Harassment has been attached as Annexure B.

- 3.5 **Workplace:** Each of the CCU offices, the client/ patient sites/houses/compounds are covered under the scope of 'workplace' and it shall mean to include any place where the employee works or visits during the course of employment, where the employee is required to stay during the course of employment and transportation provided by the employer for undertaking the journey. The definition of Workplace would also include work from home/ remote working.

4. Internal Complaints Committee

CCU has constituted an Internal Complaints Committee/ Internal Committee ("Committee") as per this Policy and the POSH law (The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, and Rules 2013).

5. Responsibilities for Safe Workplaces

All employees of the company have a personal responsibility to ensure that their behaviour is not contrary to this policy. It is the responsibility of all to respect the rights of others and to never encourage Sexual Harassment. It can be done by:

- a) refusing to participate in any activity which constitutes sexual harassment.
- b) attending all PoSH trainings
- c) acting as a witness if the person being sexually harassed decides to lodge a Sexual Harassment complaint.

6. Procedure for lodging complaint

- 6.1 A Sexual Harassment complaint must be submitted in writing, in the prescribed manner as provided in Annexure C under the Incident Reporting Form. The additional evidence must be attached with the Incident Reporting Form. The Aggrieved Women or Complainant can make a Sexual Harassment complaint in writing, to the Committee or file a complaint online on icc_ccu@ccucare.com. within a period of three (3) months from the date of incident and in case of a series of incidents, within a period of three (3) months from the date of the last incident.
- 6.2 The Committee may, for reasons to be recorded in writing, extend the period of limitation by another three (3) months depending on the Internal Committee discretion.
- 6.3 The Committee can render reasonable assistance to any Aggrieved Women/ Complainant to write a complaint if they cannot/ are unable to write one.
- 6.4 A complaint can be filed on behalf of the Aggrieved Women with their written consent, if an Aggrieved Women is unable to make a complaint.

7. Informal Redressal - Conciliation

- 7.1 The Committee may, before initiating an inquiry and at the request of the Aggrieved Women/ Complainant, initiate conciliation between the Aggrieved Women/Complainant and the Respondent.
- 7.2 Monetary settlement is prohibited in conciliation.

- 7.3 The terms of the conciliation will be recorded in a conciliation agreement and the Committee shall provide the copies of the conciliation agreement to the Aggrieved Women/Complainant, Respondent and to the HR for records. These are confidential and the responsibility to maintain confidentiality lies on all parties.
- 7.4 In case the conciliation fails to arrive at a settlement or if the Aggrieved Women informs the IC that the terms and conciliation agreement have not been complied with by the Respondent, the Committee shall proceed to make an inquiry into the complaint filed before the Committee.

8. Formal Redressal - Inquiry

- 8.1 The Committee on receiving a copy of the complaint may administer a declaration form, to verify that the contents of the complaint are true and genuine before it proceeds further with the complaint.
- 8.2 The Committee on receiving a copy of the complaint shall reach out to the Respondent within seven (7) working days and share a copy of the complaint with the Respondent.
- 8.3 The Respondent shall have to file his reply along with supporting documents and list of witnesses within ten (10) working days.
- 8.4 The Internal Committee shall complete the inquiry/investigation in ninety (90) days and shall submit a written report in ten (10) days containing the findings and recommendations to the HR team.
- 8.5 The HR team will ensure corrective action on the recommendations of Internal Committee and keep the Aggrieved Women informed of the same.
- 8.6 In every proceeding, the minimum composition of the Committee shall be three (3) members, including the Presiding Officer/Chairperson.

9. Interim Reliefs and Recommendation:

- 9.1 During the pendency of an inquiry, the Committee has the discretion to recommend interim reliefs and recommendations it deems appropriate on a case-to-case basis such as:
 - a) Transfer the Aggrieved Women or the Respondent to any other workplace;
 - b) Grant leave (with full pay & benefits) to the Aggrieved Women up to a period of three months, in addition to the leave that they would be otherwise entitled;
 - c) Restrain the Respondent from making any comments on the work of the Aggrieved Women/Complainant or their performance or restrain the Respondent from conducting any performance appraisal or target setting discussions;
 - d) Grant such other relief to the Aggrieved Women as may be prescribed by law or as may be required under the circumstances.;
- 9.2 Where the Committee upon conducting due investigation arrives at the conclusion that the allegation against the Respondent has been proven, it shall make recommendations to the HR, which shall implement the recommendations within a period of 60 days.

10. Punishment for False or Malicious Complaint and False Evidence

- 10.1 A complaint of Sexual Harassment made by any employee will be taken up with the utmost seriousness by the company. However, there shall be zero tolerance for any false accusations or false evidence.
- 10.2 Where the Committee arrives at the conclusion that the allegation against the Respondent is malicious or the Aggrieved Women or any other person making the complaint has made the complaint knowing it to be false or the Aggrieved Women 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.
- 10.3 We recognise that the mere inability of the Aggrieved Women/Complainant to provide adequate proof shall not be treated as a false complaint. We recognise the difference between a complaint with insufficient evidence and a false complaint.
- 10.4 There is zero tolerance for any witness giving false testimony. If a situation arises, where the Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document with intent to mislead the investigation, the Committee may recommend taking action against such witness.

11. Protection against retaliation

CCU has a zero-tolerance policy for retaliation. The Committee shall ensure that the Aggrieved Women/Complainant or the witnesses are not victimized or discriminated against in any manner in their professional capacity at the workplace.

12. Confidentiality

- 12.1 The Company treats confidentiality with respect to Sexual Harassment Complaints very strictly. The identity of the Complainant, Respondent, witnesses, statements, and other evidence obtained in the course of the inquiry process, recommendations of the IC, action taken by the employer is considered as confidential.
- 12.2 All Individual who are a part of the Internal Committee proceedings may be required to sign a Non-Disclosure Agreement.
- 12.3 Any person breaching confidentiality will face disciplinary action.

13. Access to reports and documents

13.1 All records of complaints, including contents of meetings, conciliation/ inquiry report drafts and other relevant materials will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes or under any other law.

14. Invitees

14.1 If the Committee considers it is necessary for achieving the objectives of the Act, the Committee may call upon persons:

- a) to appear as witnesses during the inquiry proceedings to provide factual information/details regarding the Aggrieved Women, the Respondent or any other similar matter;
- b) to provide general guidance and training to the members of the Committee; and
- c) to assist and advise the Committee members in conducting the investigations to the complaint, without being a part of the inquiry proceedings.

15. Amendment

The Company reserves the right to amend the Policy from time to time.

Annexure B

Understanding Sexual Harassment at the Workplace

Sexual Harassment means all unwelcome sexually determined behaviour directly, indirectly or through implication, like comments, physical contact and advances including but not limited to:

- a) Subjecting another person to an unwelcome act of physical intimacy
- b) Making any unwelcome remark with sexual connotations like gossip regarding one's sex life, comments on an Women's body, comments about an Women's sexual activity;
- c) Showing any sexually explicit visual material in the form of pictures, cartoons, pin-ups, calendars, screen-savers on computers, any offensive written or electronic material, including pornographic;
- d) Sending unwelcome communication of a sexual nature, through e-mail, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of a sexual nature;
- e) Physical confinement against one's will and likely to intrude upon one's privacy;
- f) Any unwelcome behaviour of a sexual nature that creates an intimidating, hostile or humiliating working environment;
- g) Unwelcome verbal sexual advances (e.g. suggestions that sex with an Women from the opposite sex will make you 'straight');
- h) Unwelcome comments of a sexual nature about your sexual orientation;
- i) Unwelcome comments of a sexual nature about your gender identity;
- j) Hearing colleagues make unwelcome comments of a sexual nature about a straight colleague in front of you;
- k) A patient/ caretaker touching you without your consent.
- l) Unwelcome comments by any client or vendor.
- m) Colleague or supervisor making persistent, unwelcome advances, such as explicit comments, requests for sexual favors, or unwanted touching, it constitutes sexual harassment. For instance, repeatedly asking a coworker out on a date despite their clear disinterest is considered harassment.
- n) Repeatedly invading someone's personal space, making them uncomfortable through close physical proximity, or touching them without consent are all forms of sexual harassment. This could include unwelcome advances from a client or their family members.