

SEXUAL HARASSMENT POLICY

Sungold Capital limited

✓ **Introduction**

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, 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: Guidelines for Sungold Capital Limited 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.

✓ **Scope**

This policy applies to all employees (full-time, part-time, trainees and those on contractual assignments) of the Company including all subsidiaries and affiliated companies (if any) at their workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or any other business associates.

The workplace includes:

1. All offices or other premises where the Company’s business is conducted.
2. All company-related activities performed at any other place away from the Company’s premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

✓ **Definitions**

Sexual harassment means any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Examples of sexual harassment include, but are not limited to,

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about your private life
- displaying posters, magazines or screen savers of a sexual nature
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

✓ **Roles & Responsibilities**

1. **Responsibilities of Individual:** 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 Management:** Management of Sungold Capital 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.

✓ **Policy**

The Company will not tolerate sexual harassment under any circumstances. Responsibility lies with every Manager, Supervisor and employee/volunteer to ensure that sexual harassment does not occur.

Equal Employment Opportunity legislation provide that sexual harassment is unlawful and establish minimum standards of behaviour for all employees.

This policy applies to conduct that takes place in any work-related context, including conferences, work functions, social events and business trips.

A breach of this policy will result in disciplinary action, up to and including termination of employment. The Company strongly encourages any employee who feels that they have been sexually harassed to take immediate action. If an employee or volunteer feels comfortable in doing so, it is preferable to raise the issue with the person directly with a view to resolving the issue by discussion. The employee or volunteer should identify the harassing behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stops.

Alternatively, or in addition, they may report the behaviour in accordance with the relevant procedure. Once a report is made the organisation has the right to determine how the report should be dealt with in accordance with its obligations and this policy.

Any reports of sexual harassment will be treated seriously and promptly with sensitivity. Such reports will be treated as completely confidential up to the point where a formal or informal complaint is lodged against a particular person, at which point that person must be notified under the rules of natural justice. Complainants have the right to determine how to have a complaint treated, to have support or representation throughout the process, and the option to discontinue a complaint at any stage of the process.

The alleged harasser also has the right to have support or representation during any investigation, as well as the right to respond fully to any formal allegations made. There will be no presumptions of guilt and no determination made until a full investigation has been completed.

No employee or volunteer will be treated unfairly as a result of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment or against any employee or volunteer who has been alleged to be a harasser. All employees and volunteers have the right to seek the assistance of the relevant tribunal or legislative body to assist them in the resolution of any concerns.

Managers or Supervisors who fail to take appropriate corrective action when aware of harassment of a person will be subject to disciplinary action.

✓ **Complaint Resolution Procedures**

Individuals should report complaints of conduct believed to violate Company's sexual harassment policy according to the policy's complaint procedures. To initiate a formal investigation into an alleged violation of this policy, employees may be asked to provide a written statement about the alleged misconduct to the Managing Director. Complaints should be submitted as soon as possible after an incident has occurred. The Managing Director may assist the complainant in completing the statement. To ensure the prompt and thorough investigation of a sexual harassment complaint, the complainant should provide as much of the following information as is possible:

1. The name, department and position of the person or persons allegedly causing the harassment.
2. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
3. The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his or her employment.
4. The names of other individuals who might have been subject to the same or similar harassment.
5. What, if any, steps the complainant has taken to try to stop the harassment.
6. Any other information the complainant believes to be relevant to the harassment complaint.

✓ **Discipline**

Employees who violate this policy are subject to appropriate discipline. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. The discipline for very serious or repeat violations is termination of employment. Persons who violate this policy may also be subject to civil damages or criminal penalties.

✓ **Confidentiality**

All inquiries, complaints and investigations are treated confidentially. Information is revealed strictly on a need-to-know basis. Information contained in a formal complaint is kept as confidential as possible. However, the identity of the complainant is usually revealed to the respondent and witnesses. The Managing Director takes adequate steps to ensure that the complainant is protected from retaliation during the period of the investigation. All information pertaining to a sexual harassment complaint or investigation is maintained by the Managing Director in secure files. The Managing Director can answer any questions relating to the

procedures for handling information related to sexual harassment complaints and investigations to complainants and respondents.

✓ **Protection to Complainant / Victim**

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

✓ **Conclusion**

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

For Sungold Capital Limited

**Mr. Rajiv Kotia
(Managing Director)**