

Mahindra Insurance Brokers Limited

Policy for Prevention of Sexual Harassment at Workplace

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CONTENTS

| | |
|---|----|
| 1. OBJECTIVE | 4 |
| 2. APPLICABILITY OF THIS POLICY | 4 |
| 3. SCOPE OF THIS POLICY | 4 |
| 4. DEFINITION OF SEXUAL HARASSMENT | 4 |
| 5. COMPANY APPROACH TO SEXUAL HARASSMENT ISSUES | 5 |
| 6. COMPLAINTS HANDLING PROCESS | 6 |
| 7. POLICY REVIEW | 12 |
| Annexure I — Composition of the Internal Complaints Committee | 13 |
| Annexure II — Contact details of reporting channels | 14 |

POLICY FOR PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1. OBJECTIVE

It is our endeavor to keep our workplace at Mahindra Insurance Brokers Ltd (“Company”) safe, transparent and friendly for people to work in. Understanding employees and giving them the confidence that their workplace is fair, transparent and safe has been our core philosophy. As per ‘Samvaad’, the forum for grievance redressal, the Company had adopted a policy on Prevention of Sexual Harassment till February 28, 2018 which was subsequently modified in line with the provisions of ‘The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013’.

2. APPLICABILITY OF THIS POLICY

This policy applies to:

- i. all personnel, who are employed with the Company including but not limited to permanent, contractual or temporary employees (“Employee”);
- ii. all personnel, who visit the Premises of the Company for any purpose, such as customers, visitors etc. (“Aggrieved Person”);

3. SCOPE OF THIS POLICY

This policy would extend to all the locations of the Company. The possible locations could be:

- i. any of the business locations of the Company; or
- ii. any external location visited by an Employee due to or during the course of employment with the Company, such as business locations of other organizations/entities, guest houses, hotels etc.; or
- iii. any mode of transport provided by the Company (or a representative of the Company) to an Employee for undertaking a journey to and from the locations mentioned above.

The definitions under this clause 3 (i) – (iii) are together referred to as “Premises”.

4. DEFINITION OF SEXUAL HARASSMENT

A broad definition of sexual harassment consists of any unwelcome physical, verbal or non-verbal conduct of unnecessary, improper or unwelcome sexual nature and may include one or more of the following acts or behavior (whether directly or by implication):

- i. Unwelcome sexual advances, demands or requests for sexual favors, display of sexual visuals, sexual audios, pornographic or obscene material and any other verbal or physical conduct of a sexual nature; or

- ii. Transmitting any message, by mail, telephone, electronic media including social networking websites etc. which is obscene, lewd, suggestive or blatantly sexual in nature; or
- iii. Any explicit or implicit communication wherein a sexual favour or demand, whether by words or actions, is made a condition for an individual's employment, career progress, promotion etc. thereby creating a hostile environment; or
- iv. Sexually charged jokes or remarks and behaviour which have sexually oriented overtones; or
- v. Consistent pattern of unnecessary physical contact and advances, staring or targeting unreasonable attention at an individual in day to day dealings; or
- vi. Any pervasive pattern of behaviour which makes women uncomfortable, insecure or feel humiliated or disadvantaged on the basis of gender differentiation; or
- vii. Stalking or making repeated unnecessary/unwelcome visits to the place of residence; or
- viii. Actual sexual assault.

This is only an indicative list of the possible acts and in no way is exhaustive in nature.

5. COMPANY APPROACH TO SEXUAL HARASSMENT ISSUES

The company views all incidents of sexual harassment seriously and follows a **zero tolerance** approach towards any act of sexual harassment. All acts capable of being construed as sexual harassment are prohibited. The principle followed is “**innocent until proven guilty**” and any complaint or report of sexual harassment will be investigated and if proved, appropriate action will be taken against the offending person. The nature and seriousness of the offence will be adjudged by the Committee (defined hereinafter) depending on several factors, including the presence of the following circumstances while the Employee and/or Aggrieved Person was being subjected to any acts of 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. interferes 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.

The circumstances enlisted above are not exhaustive. Every proven act of sexual harassment will be treated as misconduct under the service rules and appropriate action will be undertaken for such misconduct.

6. COMPLAINTS HANDLING PROCESS

The Company has established the following process to ensure that any incidence of sexual harassment is dealt with appropriately, sensitively and expeditiously, in a fair and transparent manner.

A. INTERNAL COMPLAINTS COMMITTEE FOR PREVENTION AND REDRESSAL OF SEXUAL HARASSMENT RELATED ISSUES:

The “Internal Complaints Committee” (“Committee” or “ICC”) will be constituted for the Company. The Head of People Development along with the Strategic Management Council will be responsible for the formation of the Committee and ensuring that all the complaints are addressed by the Committee. The constitution of the Committee will be as per the provisions of the Act. The Company will announce the names and contact details of the members of this Committee for all the employees and display the same in places easily accessible to employees and visitors, alike. These are also brought out in Annexure I to this policy. Annexure I would be amended as and when the constitution of the Committee is amended.

The Committee will be constituted as per the following guidelines at all the locations of the Company:

| Category of the member | No. of members | Remarks |
|---|----------------|--|
| Presiding Officer | 1 | A senior level woman employee to be appointed as Presiding Officer of the Committee. |
| Employee | 2 or more | Employees of the Company or of the Mahindra Group committed to the cause of prevention of sexual harassment or having experience in social work or legal knowledge to be nominated as a part of the Committee. |
| NGO or Associations committed to the cause of prevention of sexual harassment | 1 | A member from an NGO or associations committed to the cause of prevention of sexual harassment or a person familiar with the issues relating to sexual harassment to be nominated as a part of the Committee. |

It may be noted that:

- In case a senior level employee woman employee is not available, the Presiding Officer can be nominated from other Mahindra Group Company.
- It is mandatory that at least one-half of the total members of the Internal Complaints Committee so appointed be women members.

The Committee will be responsible for dealing with all complaints of sexual harassment pertaining to any Premise as per procedure prescribed under the Act. In case necessitated by circumstances like conflict of interest, unavailability of members, or sudden spike in number of complaints, the Presiding Officer of the Committee may request the appropriate authority, to reconstitute/reassign members to ensure that the investigation is carried in a fair and just manner.

Quorum:

The quorum for conducting inquiry in each complaint shall be two-third the strength of the Committee. The presence of the Presiding Officer and external member is mandatorily required for purposes of the Quorum.

Term of Office:

Each ordinary member will hold office for three years only in a Committee from the date of appointment. They will be eligible for reappointment at the discretion of the issuing authority. The Presiding Officer will hold office permanently and shall be changed only at the discretion of the issuing authority.

Recusal

If upon receipt of a complaint or at any stage of the inquiry it comes to light that either the complainant or respondent is related to any of the Committee member or is working in the same chain of command or has any conflict of interest in any other manner, the Presiding Officer shall select the quorum without the member having conflict of interest. In case it is not possible to do so by reason of the person in conflict being the Presiding Officer herself or the external member or the number of members in conflict being such that quorum cannot be formed, the Presiding Officer shall inform the appropriate authority, who shall then appoint suitable members for inquiring into the complaint.

Code of Conduct for ICC Members

To effectively address workplace sexual harassment complaints in a completely unbiased manner, the ICC is expected to:

- i. Have complete knowledge of the 'Prevention of Sexual Harassment' Act and Organizational Policy on Sexual Harassment
- ii. The ICC members are expected to uphold the policy not only for execution, but also in their day to day demeanour at workplace and beyond.
- iii. Investigate the main issues in the complaint based on the information gathered
- iv. Treat the complainant and the accused with full respect.
- v. Do not pre-judge. No person is right or wrong till the inquiry is complete and a decision is taken. It should reflect in the language and words used by ICC members during and outside of the inquiry.

- vi. Ensure both the parties are aware of the process of investigation and redressal as well as their rights and responsibilities within it.
- vii. Ensure that interim findings before conclusion are prepared and shared with parties to enable them to make their representation.
- viii. Prepare a comprehensive report with findings, testimonies and recommendations.
- ix. Refrain from getting aggressive, interrupting or insisting on a graphical description of the event.
- x. Show empathy, respect, fairness, receptivity and complete attention towards the parties both in conduct and spirit.
- xi. Do all such things as are necessary to ensure that all steps are taken necessary for parties, to ensure that they are given a reasonable opportunity to present their case and defend themselves so that no prejudice is caused to either of the parties.
- xii. Accept that each member could have independent views based on the evidence. Try to come to a common convergence based on facts highlighted during the inquiry – do not influence or coerce each other to agree to a viewpoint. Any of ICC members can finally have and record a “Dissenting View” as well in the final report.
- xiii. Copies of proceeding are given to parties and acknowledgment obtained on a day to day basis.
- xiv. Abstain from discussing regarding the complaint amongst the fellow ICC Members in the presence of the Complainant or the Respondent.
- xv. Refrain from coaching, guiding or influencing the Witnesses, the Complainant or the Respondent during or outside of the inquiry.
- xvi. Ensure that the details of the complaint are not shared with anyone in the organization or outside apart from relevant people in the hierarchy who have a direct role to play in the process.
- xvii. During a redressal process, the Complaints Committee is required to ensure confidentiality of the case, nonretaliation / intimidation by the other party and recommend interim measures as needed to conduct a fair inquiry.
- xviii. For External Member: Cannot solicit or do any business with any part of the organization (including trainings).

B. PROCESS FOR DEALING WITH INCIDENTS OF SEXUAL HARASSMENT

Any Employee or Aggrieved Person who experiences sexual harassment at the Premises must file a complaint in writing to the relevant Committee within 3 months from the date of the incident. However, this time limit may be extended by the Committee if there are substantial reasons, justifications or circumstances which have prevented the Employee or Aggrieved Person from filing this complaint. In the event of the physical or mental incapacity or death of the affected Employee or Aggrieved

Person, then a complaint filed by other people as prescribed under Section 9 of the Act will be entertained. If the Committee arrives at a conclusion that the complaint is barred by time, it shall not proceed further with the complaint and shall forward the same to Mahindra Group Corporate HR for necessary inquest under the Code of Conduct.

i. Settlement

After filing such a complaint, if the Employee or Aggrieved Person so requests, prior to initiating an inquiry, the Committee can try to settle the matter through conciliation, provided that no monetary settlement shall be made as a basis of such conciliation. If such a settlement is reached, the Committee will record the settlement and action will be taken by the Company as specified in the recommendation. Copies of the settlement will also be provided to the Employee or Aggrieved Person and the respondent. However, it is to be noted that where a settlement is arrived at, no further inquiry will be made by the Committee, unless the terms of settlement have not been complied with.

ii. Inquiry

- If the Employee or Aggrieved Person does not request for a settlement then, on receipt of such a complaint, the Committee will immediately arrange to fully investigate all relevant details of the matter.
- The Committee shall make the inquiry into the complaint in accordance with the principles of natural justice.
- Both parties will be given reasonable opportunity to be heard by the Committee. A copy of the findings shall also be given to both parties to enable them to make representations against the findings before the Committee.
- The Presiding Officer will ensure that day to day proceeding are handed over to the parties and due acknowledgement obtained thereon
- This inquiry will be completed within 90 days. Further, within 10 days of completion of the inquiry, the Committee will formally record the result of the inquiry and forward its recommendations for appropriate action to the concerned officers of the Company who will act upon such recommendations of the Committee within 60 days.
- A copy of the final report will be made available to both parties.

iii. Interim Relief

During the pendency of an inquiry, the complainant may submit a written request to the Committee for any of the following as an interim measure of relief:

- transfer of either of the parties to any other workplace; or

- grant of leave to the complainant upto a period of 3 months, in addition to his / her normal leave entitlement or
- restraining the respondent from reporting on or assessing the work performance of the complainant or
- granting such other relief as may be appropriate

The Committee will consider the same in the facts and circumstances of the case and decide as to the necessity of such relief. If the Committee recommends to the Company any of the above actions, Company shall carry out the same and inform the Committee.

iv. Power of the Committee for conducting an Inquiry

For the purpose of conducting an inquiry into any complaint received by it from an Employee or an Aggrieved Person, the Committee may:

- summon and enforce the attendance of any person and examine him / her on oath;
- require the discovery and production of documents; and
- perform or require performance of any other such act which may be prescribed under the Act.

v. Action against the Offender

- Committee may recommend such action necessary to meet the ends of justice as it deems fit, including but not limited to such disciplinary action as may be specified in the terms of employment of the offender(s), based on the circumstances and seriousness of the offence.
- If the Committee so deems fit and appropriate, then it may direct the respondent to pay compensation to the complainant (either through deduction from salary or in case respondent has left Mahindra Insurance Brokers Ltd. or is on leave, then direct payment).
- If such compensation is not paid, then recovery of this amount will be done as an arrear of land revenue as per law.

vi. Invocation of Indian Penal Code

If the aggrieved person chooses to file a complaint in relation to the offence under the Indian Penal Code or any other applicable law, the Company will provide such assistance to him / her as he / she may require. Furthermore, the Company may also cause to initiate action, under the Indian Penal Code or any other applicable law, against the offender. In the event that the offender is an employee of a different entity/organization/company, then if the aggrieved Employee so desires, the

Company will cause to initiate action in the workplace at which the incident of sexual harassment took place.

vii. False, Frivolous or Malicious Complaints

Where the Committee arrives at a conclusion that the allegation against the offender is malicious or the complainant has made the complaint knowing it to be false or has produced any forged or misleading document, then the same will be viewed very seriously by the Company and appropriate action will be taken against such complainant.

viii. Confidentiality of the Complainant and of the alleged offender

- Any complaints or incidents reported under this policy shall be treated with all possible care, sensitivity and discretion and any information pertaining to the contents of the complaint, the identity and addresses of the Aggrieved Person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee and the action taken by the employer will not be published, communicated or made known in any manner to the public, press or media.
- For creating awareness, the Company may disseminate information through internal communication after ensuring that the particulars have been so changed that identification of the Aggrieved Person and witnesses is not possible.

ix. Preparation of Annual report and compliance with appropriate statutes:

The Committee will prepare the annual report in accordance with Section 21 of the Act which shall contain the following details:

- a) Number of complaints of sexual harassment received in the year
- b) Number of complaints disposed off during the year
- c) Number of cases pending for more than 90 days
- d) Number of workshops or awareness programs against sexual harassment carried out
- e) Nature of action taken by the concerned officers of the Company.

The annual report will be submitted to the CGC (Corporate Governance committee).

It will be the duty and responsibility of the HR representative in the Committee to file annual report with the District Officer notified under Section 5 of the Act by the appropriate Government.

7. POLICY REVIEW

The Company shall have a Secretariat for ensuring the fulfilment of the Company's responsibilities under the Act and shall act as interface between the Committees and the Company. This Secretariat will be called POSH Secretariat and shall comprise Head-People Development and Presiding Officer of the ICC. The POSH Secretariat of the Company may seek assistance, as required, from the Legal Department or from the Mahindra Group HR Diversity & Inclusion team. The responsibilities of the POSH Secretariat will be to ensure the following:

- a. Review of this policy from time to time to ensure that the same is in line with the law of the land.
- b. Conduct awareness programs and create forums for dialogue to sensitize all employees about the provisions of the Act and this Policy. This could be done under the aegis of Mahindra Leadership University.
- c. Conduct seminars and workshops for the Committee members. This could be done under the aegis of Mahindra Leadership University
- d. Receive from Committee, upon conclusion of inquiry, all documents and evidence pertaining to each complaint and preserve the same in a secure manner to ensure strict confidentiality.
- e. Provide assistance for filing Annual Reports with respective District Officers.

Annexure I — Composition of the Internal Complaints Committee

The Internal Complaints Committee comprises the following members:

| Sr. | Name | Role | Designation |
|-----|--------------------|-------------------|---|
| 1 | Swati Khadye | Presiding Officer | Head – Information Technology and Digital |
| 2 | Richard Clement | Member | Principal Officer |
| 3 | Ashwini Parulekar | Member | Manager – Customer Retention |
| 4 | Nitin Firke | Member | Chief of Reinsurance |
| 5 | Savita Sholapurkar | External Member | |

Annexure II — Contact details of reporting channels

An Employee or Aggrieved Person can lodge a complaint through the Whistle-blower reporting channels as per the table below or by contacting the Presiding Officer directly:

| Sr. | Reporting channel | Contact details | Availability |
|-----|-------------------|---|--------------|
| 1 | Phone | 000 800 100 4175 | 24/7 |
| 2 | Web Portal | https://ethics.mahindra.com | 24/7 |

The Presiding Officer of the Committee can be reached by sending an email to KHADYE.SWATI@mahindra.com or by sending a letter to the below address:

Presiding Officer of the Committee for Prevention of Sexual Harassment
Mahindra Insurance Brokers Ltd.
Mahindra Towers,
Dr. G.M. Bhosale Marg
P.K. Kurne Chowk
Worli, Mumbai 400018