Prevention, Prohibition and Redressal of Sexual Harassment at Workplace Policy

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Version Management

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2.0	Dec 2015	Revised Version	NA	Jitin Parekh	Saba Adil
3.0	Jan 2019	Processes Elaborated	NA	Jitin Parekh	Saba Adil
4.0	Jan 2020	Misc. Changes	NA	Jitin Parekh	Sunita Rath
5.0	May 2021	a. Changes made to align with WFA policy. b. To make this policy gender neutral, the term "Aggrieved Women" has been changed to "Aggrieved Person"	Tony Jose	Jitin Parekh	Sunita Rath
6.0	Apr 2023	Format Updated	Akbarali Manji	Jitin Parekh	Sunita Rath
7.0	May 10,2024	Company name changed from Aegon Life to Bandhan Life	Akbarali Manji	Jitin Parekh	Sunita Rath

Contents

PREAMBLE

Bandhan Life Insurance Ltd. is committed to creating and maintaining a secure and safe work environment for its staff working for the Company. The Human Resource department of the Company is always vigilant and ensures fairness in dealing with all employees. The following policy is notified in this regard. The objective of this policy is to provide protection against sexual harassment of employees at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

1. Short Title, Extent and Application:

1.1 This Policy is called Policy on Prevention, Prohibition and Redressal of Sexual Harassment at Workplace (herein after referred to as the Policy).

1.2 The Policy extends to all the offices/ branches of the Company situated throughout India.

1.3 The Policy comes into force with immediate effect.

2. Definitions:

In this Policy unless the content otherwise requires:

2.1 "Aggrieved Person" means in relation to workplace, a person of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent.

2.2 "Company" means "Bandhan Life Insurance Limited" (formerly Aegon Life Insurance Company Limited) having its Registered Office situated at A-201, 02nd Floor, Leela Business Park, Andheri-Kurla Road, Andheri (E), Mumbai - 400059.

2.3 "Committee" means the Internal Complaints Committee constituted by the Company under this policy to deal with the matters pertaining to the grievances of sexual harassment.

2.4 "Establishment" means Corporate Office, branch office or any other place hired or occupied by the Company to carry out its business or otherwise anywhere in India.

2.5 "Employer" for the purpose of this Policy, the Managing Director & Chief Executive officer shall be treated as Employer. In the absence of Managing Director & CEO, the Principal Officer shall be treated as Employer.

2.6 "Employee" means any person employed by the Company for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including contractor, with or without the knowledge of the principal employer whether for remuneration or not, or working on voluntary basis

or otherwise, whether the terms of employment are express or implied and includes a co-employee/co-worker, a contract employee, probationer, trainee, apprentice or by any other such name and includes:

i) Apprentices, Trainees whether paid stipend or not;

ii) Employed as advisor or consultant;

iii) Visitor who visits the Company or any of its establishments/ branches for any work connected with the Company or otherwise;

2.7 "Respondent" means a person against whom the Aggrieved Person has made a complaint of sexual harassment.

2.8 "Sexual harassment" means any unwelcome sexual determined behaviour (whether directly or by implication or during virtual meetings, or through email, SMS, MMS etc.), such as: -

i) Physical contact and advances; or

ii) A demand or request for sexual favour in any manner / mode; or

iii) Making sexual coloured remarks; or

iv) Showing pornography; or

v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or

vi) Unwelcome sexual advances, request for sexual favours, display of sexual visuals, sexual audios, pornographic or obscene material and any other verbal or physical conduct of sexual nature; or

vii) Transmitting any message, by SMS, MMS, telephone, e-mail, video etc. which is obscene, lewd, suggestive or blatantly sexual in nature; or

viii) 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, preferential treatment etc. thereby creating a hostile environment; or

ix) Sexually charged jokes or remarks and behaviour which have sexually oriented innuendoes; or

x) Consistent pattern of unnecessary physical contact, staring or targeting unreasonable attention at an individual in day to day dealings; or

xi) Any pervasive pattern of behaviour which makes employees uncomfortable, insecure or feel humiliated or disadvantaged on the basis of gender differentiation;

xii) Actual sexual assault;

xiii) Implied or explicit threat of detrimental treatment in their employment;

xiv) Implied or explicit threat about their present or future employment status.

xv) Insisting on personal / non-work related video calls and / or recording such calls.-

The above examples are only illustrative and not exhaustive. Any other acts or behaviour, which outrages the modesty of a female employee, will be considered as sexual harassment.

2.9 "Workplace" includes Corporate Office at Mumbai, any place of work from where the employee is generally working as part of the Work from Anywhere policy as amended from time to time and any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such visits.

2.10 Where the context so requires the masculine gender includes feminine gender and words denoting single number includes the plural number and vice versa.

3. Prohibition Of Sexual Harassment:

Any Employee found to have committed any of the acts of Sexual Harassment will be liable for appropriate action as described in this Policy and/or Code of Conduct of the Company as may be applicable.

4. Internal Complaints Committee:

The Employer has constituted an Internal Complaints Committee (ICC) to investigate into the complaints of Sexual Harassment. The Composition of the Committee is as under :

4.1 A woman employee employed at a senior level amongst the Employees to act as Presiding officer of the ICC.

4.2 Not less than 2 members from amongst Employees preferably committed to the cause of women OR who have had experience in social work OR have legal knowledge.

4.3 One member shall be from amongst non-governmental organizations OR associations committed to the cause of women OR a person familiar with the issues relating to sexual harassment.

The Name of the Members of the Internal Complaints Committee and any change in such composition shall be affected by the Employer through and internal office memo. At least half the total members of the Committee will be women.

The Presiding Officer and every member of ICC shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the Employer. The Member is eligible for re-appointment at the end of three year.

The details about the ICC Members will be displayed on the notice board/s of the Establishment and also on the Intranet of the Company.

5. Complaint Of Sexual Harassment:

The Aggrieved Person shall file a complaint in the following manner:

5.1 The Aggrieved Person shall make a complaint of sexual harassment at Workplace by e-mail at ic@bandhanlife.com or in writing (six copies) with supporting documents and the names, addresses and contact details of the witnesses, to the Internal Complaints Committee giving details of the harassment meted out to them 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, which may be extended by the Presiding Officer for a further period of 3 months, if circumstances warrant such extension in the opinion of the Internal Complaints Committee, for reasons to be recorded in writing. The Presiding Officer or any member of the ICC can render reasonable assistance to the Aggrieved Person for making the complaint in writing, in case the person is unable to do so.

6. Conciliation:

6.1 The ICC before initiating an inquiry, if requested by the Aggrieved Person, take steps to settle the matter between him/her and the Respondent through conciliation.

6.2 Where a settlement has been arrived at under clause 6.1, the Committee shall record the settlement so arrived and obtain the signature of the Complainant and the Respondent and subscribe the signature of all committee members present at the time of agreement and forward the same to the Employer to take action as specified in the settlement.

6.3 The Committee shall provide the copies of the settlement as recorded under clause 6.2 to the Aggrieved Person and the Respondent.

6.4 Where a settlement is arrived at under clause 6.2, no further inquiry shall be conducted by the Committee.

7. Manner Of Inquiry into Complaint and Powers of The Committee:

7.1 In case the conciliation is not requested by the Aggrieved Person, the Committee shall proceed to make an inquiry into the Complaint in accordance with the provisions of the Employee Handbook/ Code of Conduct and/or as defined in this policy.

7.2 The Committee may require the Aggrieved Person to give additional details, if needed.

7.3 The Committee shall provide a copy of complaint, along with the documents attached or annexed thereto, to the Respondent within 7 working days.

7.4 The Respondent shall file reply within 10 working days of receipt of the complaint along with the documents with the list of names and addresses of the witnesses, if any.

7.5 The Committee shall have right to call the person against whom the complaint is made or any witnesses as and when necessary and an impartial investigation will be made by the Committee. The Complainant & the Respondent will be given full opportunity to put forward and effectively defend the complaint before the Committee. The committee will investigate the complaint based on the principles of nature justice. The Committee can also investigate, directly or indirectly, about the fairness/ genuineness of the complaint.

7.6 The Committee shall have the right to terminate the enquiry or give ex-parte decision on the complaint if the Respondent or the Complainant remain absent for three consecutive hearings without sufficient cause. Such termination or ex-parte order will not be passed without giving a notice in writing 15 days in advance to the concerned parties.

7.7 The Complainant or the Respondent will not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Committee.

7.8 The Committee will complete its investigation within a period of 90 days or within the time, including extension of time provided in law. If the enquiry exceeds the said period of 90 days, the committee shall record the reasons for the same in their report.

7.9 Upon completion of investigation/ inquiry, the Committee will submit its report and findings along with the recommendation within a period of 10 days from the date of completion of the inquiry, to the employer to take appropriate action in the matter and make such report available to the Complainant and the Respondent. The Committee may also forward the complaint to the police and/ or to any government authority authorised to deal with the case of sexual harassment, if it so thinks it is fit and necessary to do so.

7.10 Interest of the Aggrieved Person will be protected. Necessary assistance shall also be provided to the complainant, if she chooses to file a police complaint.

8. Hearing Venue and Quorum:

The Committee will decide the place and time for hearing/s. The Committee shall intimate the date, time and place of hearing to employee and Respondent. For conducting the enquiry, the quorum of the Internal Complaints Committee shall be as specified by the law.

With the consent of the Aggrieved Person and the Chairman of the ICC, the hearing can also be held virtually through video call or any other virtual facility that may be available.

9. Action During Pendency of Inquiry:

During the pendency of the inquiry, on a written request made by the Aggrieved Person, the Committee may recommend to the Employer to:

9.1 Transfer the Aggrieved Person or the Respondent to any other workplace;

9.2 Grant special leave with full pay to the Aggrieved Person up to the period of three months in addition to the leave the Aggrieved Person would otherwise be entitled to;

9.3 Restrain the Respondent from reporting on the work performance of the Aggrieved Person or writing her confidential report and assign the same to any other officer.

10. Punishment:

Where the Committee arrives at a conclusion that the allegation against the Respondent has been proved, it shall recommend to the Employer:

10.1 To take action for sexual harassment as a misconduct in accordance with the provisions of the Employee Handbook/ Code of Conduct. The Committee shall recommend to the Employer to take any action, including a written apology, warning, reprimand, or censure, withholding of promotion or pay rise or increments, terminating the Respondent from service or undergoing a counselling session or carrying out community service.

10.2 To deduct from the salary of the Respondent such sum as it may consider appropriate to be paid to the Aggrieved Person as it may determine under the provisions of Clause 12 given below.

10.3 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 the Respondent to pay such sum to the Aggrieved Person and in case the Respondent fails to pay the sum as directed, the Committee may forward the order for recovery of the sum as arrear of land revenue to the concerned District Officer.

10.4 In cases where the Committee comes to the conclusion that the allegations against the Respondent have not been proved in the enquiry, the Committee shall not recommend any disciplinary action against the Respondent.

11. Punishment For False or Malicious Complaint and False Evidence:

Where the Committee arrives at the definite conclusion that the Aggrieved Person or any other person making the complaint on her behalf has made the complaint against the Respondent knowing it to be false and/or malicious or forged or misleading document has been submitted the Aggrieved Person or any other person making the complaint on her behalf, had produced forged or misleading document with the intention to harass or take revenge against the Respondent for any other reason not connected with the sexual harassment, it may recommend to the Employer to take action against Aggrieved Person for making such false or malicious complaint or producing the forged or misleading documents in accordance with the Employee Handbook/ Code of Conduct. The Committee may also recommend the Employer to take action as per the provisions of clause 10.1.

12. Determination Of Compensation:

Where the Committee arrives at a conclusion that the allegations against the Respondent are proved and for determining the compensation under clause 10.2, it shall recommend to the employer the compensation to be paid to the Aggrieved Person by deducting from the salary of the Respondent employee such sum as it may consider appropriate by giving due regard to the mental trauma, pain, suffering, and emotional distress caused to the Aggrieved Person, loss in the career opportunity due to the incident of sexual harassment, medical expenses incurred by the victim for physical or psychiatric treatment, income and financial status of the Respondent and feasibility of such payment in lump sum or in instalments.

13. Awareness:

13.1 All the Employees shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed to the Presiding Officer.

13.2 A brief shall be given to all Employees regarding the features of this Policy immediately on formulation of the Policy and to new Employees during their initial Induction.

13.3 The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all Employees are provided with the safe working environment at the Workplace.

13.4 Company shall display the notice showing the names of the Internal Complaints Committee members at its every establishment at a conspicuous place.

14. Conclusion:

14.1 Complaints relating to Sexual Harassment shall be handled and investigations will be conducted in accordance with the principles of natural justice, in an impartial and confidential manner, so as to protect the identity of all, viz. the person bringing the charge or making the allegation, potential witnesses, and the Respondent.

14.2 As far as feasible, the identity and address of the Aggrieved Person, Respondent and witnesses must not be published or disclosed to the public or media.

14.3 All the changes will be approved by the Audit Committee of the Company.

14.4 The decision of Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the Respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.