

	Document #: CTC-HR&OPS-ESR-7.2&3-001	Revision Date: November 2021
	Title: Employee Service Rules (ESR)	Revision # 01

**PREVENTION OF SEXUAL EXPLOITATION, ABUSE AND
HARASSMENT (PSEAH) POLICY**
CHIP Training & Consulting Pvt. Ltd

Review & Change History

Version	Date Effective	Created by	Reviewed by	Approved by MD
1	Nov 30, 2021	HR CTC		

1. Policy Brief and Purpose

Chip Training and Consulting (CTC) PSEAH policy aims to safeguard employees of all sexes and gender identities from unwanted sexual advances (sexual exploitation & abuse and harassment) and provide them a safe and conducive working environment. It provides guidance to report actual or suspected incidents of any type of unwanted sexual advances and also explains how CTC address and handle complaints and take actions against offenders.

CTC has zero tolerance for any type of Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) at workplace. Additionally, CTC will not tolerate Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) of any nature from outside the company either from its stakeholders or vendors. CTC employees have an obligation to uphold high standards of personal and professional conduct and must not misuse their position and authority to exploit others.

2. Scope

This policy applies to all employees of CTC or anyone working for and under any form of contract with company including interns, customers, contractors and consultants. The policy is applicable regardless of the location of the individual.

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3. Policy Statement

3.1 Sexual Exploitation and Abuse (SEA) and Harassment definitions

- 3.1.1 **SE:** Sexual Exploitation is defined as an attempted or actual misuse of authority over a vulnerable position having power differentials or trust, for sexual purposes, including, but not limited to, proposing monetary benefits, social or political incentives in the form of the sexual exploitation of another.
- 3.1.2 **SA:** Sexual Abuse is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- 3.1.3 **SH:** Sexual Harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. Sexual harassment may occur in the workplace or in connection with work. While typically involving a pattern of conduct, sexual harassment may take the form of a single incident or series of incidents. Sexual harassment may be deliberate, unsolicited and coercive. Both male and female colleagues can either be the victims or offenders. Sexual harassment may also occur outside the workplace and/or within working hours or even after working hours.
- 3.1.4 "Sexual Harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
- submission to such conduct is made either explicitly or implicitly
 - submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the target individual
 - such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The attempts of SEA and SH include but are not limited to: -

- Physical approaches or physical contact of sexual nature.
- Generalized gender-based remarks and comments targeted at eliciting any kind of response from any particular person (s) from amongst the target audience.
- Unwanted physical contact such as intentional touching, grabbing, pinching, brushing against another's body or impeding or blocking movement.
- Verbal or written sexually suggestive or obscene comments, jokes or propositions including letters, notes, e-mail, invitations, or inappropriate comments about a person's clothing, manners, gestures, gait, smile or laughter.

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- e) Visual contact, such as ogling, leering or staring at another's body, gesturing, displaying sexually suggestive objects, cartoons, posters, magazines or pictures of scantily clad individuals.
- f) Explicit or implicit suggestions of sex by a supervisor or manager in return for a favorable employment action such as hiring, compensation, promotion, or retention.
- g) Invitation for meeting to inappropriate locations.
- h) Suggesting or implying that failure to accept a request for a date or sex would result in an adverse employment consequence with respect to any employment practice such as performance evaluations or promotional opportunity.
- i) Continue to engage in certain behaviors of a sexual nature after an objection has been raised by the target of such inappropriate behavior.

4. Core Principals Relating to Sexual Exploitation and Abuse and Sexual Harassment at Workplace

- 4.1 CTC will not tolerate acts of its employees and or anyone working for and under any form of contract with company that results in the sexual exploitation or abuse of child or adult, helps facilitate SEA or where allegations of SEA are ignored.
- 4.2 Sexual exploitation and abuse by CTC employees constitute acts of gross misconduct and are therefore grounds for disciplinary actions including termination of employment contract.
- 4.3 Sexual activity with children (persons under age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of child is not a defense.
- 4.4 Exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited.
- 4.5 Any sexual relationship between CTC employees and anyone working in connection to CTC i.e. third party staff, contractors, vendors, consultants, that involves improper use of position and conduct is prohibited. Such relationships undermine the credibility and integrity of CTC employees.
- 4.6 If a CTC employee develops concerns or suspicions regarding sexual abuse or exploitation or harassment by a fellow employee, whether in the CTC or other organization, he or she shall report it as per prescribed reporting mechanism.
- 4.7 CTC employees are obliged to create and maintain an environment which prevents sexual exploitation, abuse and harassment and promotes the implementation of its code of conduct. Senior management and managers at all levels have collective responsibilities to support and develop systems which maintain this environment.
- 4.8 All staff members are expected to act with empathy, tolerance, sensitivity and mutual respect for diversity. They have the obligation to ensure that they do not

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engage in, condone, or tolerate behavior, which would constitute discrimination, harassment, sexual harassment, or abuse of authority.

4.9 CTC shall prevent SEA and harassment incidents through implementation of this policy to safeguard its staff and stakeholders.

5. Reporting process

5.1 CTC Employees

Any employee who believes that s/he has been subjected to any form of prohibited discrimination/harassment, including sexual harassment, abuse or who witnesses others being subjected to such harassment or discrimination is encouraged to promptly report the incident(s) to either their supervisor or manager, head of HR department or directly to the managing Director. All employees are expected to cooperate in the investigations and failure to comply shall result in disciplinary action, up to and including termination of the employment contract.

While the matter shall be handled confidentially and secrecy shall be maintained, CTC shall be taking certain measures such as counselling, sensitization, training and orientation sessions etc. to ensure conducive work environment. In the event of any non-compliance by any employee, stern disciplinary action shall be taken up to and including termination of employment contract.

If any employee knowingly makes a false accusation of unlawful discrimination/harassment or knowingly provides false information in the course of an investigation of a complaint, s/he shall be dealt with breach of conduct and can be grounded for strict disciplinary action. However, complaints made in good faith, even if found to be unsubstantiated, should not be considered a false accusation.

All employees have a right to seek redressal of their grievance relating to any exploitation.

- Stage 1

In the first instance the employee should request a meeting with Supervisor or Manager and try to resolve the matter if the harassment is of minor nature. The employee may be accompanied by a person of similar status to help present the case. Where the harassment is of serious nature, it shall be investigated as per due process and policy and action shall be taken accordingly.

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- **Stage 2**

If the matter is not resolved at stage 1 (minor harassment incident¹), the employee should register the complaint in writing within one week of the meeting outlined in stage 1 with the Director HR / Focal Person of HR at Head office.

The complainant must give information in his/her complaint both minor and serious incidents regarding the following:

- Name of the alleged offender;
- Date(s) and location(s) of the alleged incident(s) of discrimination, harassment, sexual harassment, or abuse of authority;
- Nature and details of discrimination, harassment, sexual harassment, or abuse of authority;
- Names of witnesses and any physical and/or documentary proof in support of the allegation (e.g., e-mails, message recordings, photos, letters, medical exams); and any other relevant information that may substantiate his/her assertions.

CTC HR or nominated senior official will investigate the complaint and recommend disciplinary actions in the light findings of the investigation. SEA and harassment investigation will be carried out in timely, fair, transparent and confidential manner.

- **Stage 3**

If any employee feels that his/her grievance is not redressed, s/he may write to managing director explaining reasons for his/her dissatisfaction. If the managing director if deemed necessary may initiate review of the case and shall undertake its own inquiry. The decision of the MD taken in consultation with the managers or Board members shall be final.

Copies of all relevant materials under stage 1, 2 and 3 shall go to the personal files of the employee.

5.2 External Victims/Harassers

- a) If any person outside CTC is believed to be the victim of sexual abuse and exploitation or harassment, the victim will be guided and referred to the concerned department for dealing with the matter.
- b) If any person outside CTC is believed to be the harasser, CTC will take up the case and will report it to the concerned department/organization.

¹ Please see annex-1

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6. Breach of policy:

Sexual exploitation and abuse constitute acts of gross misconduct and are therefore grounds for termination of employment or assignment as the case may be.

Employees who are found guilty of minor harassment or reported for the first time may face the following consequences:

1. Counseling and sensitization
2. Demotion
3. Warning letter
4. Negative performance review
5. Denied promotions and salary increases for 1 year.

The employees who shall repeat the minor harassment shall face disciplinary actions in the form of termination of employment contract.

7. Review Process

This policy will be reviewed every year by the HR Team in consultation with the Managing Director and the directors of the concerned departments, unless an earlier need is identified by Management, or HR.

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Annex 1

Degrees of Harassment	
Serious	Minor
Sexually suggestive written comments including verbal, message sent through SMS Unwelcome sexual advances of any sort; Serious discrimination in allocating work based on gender, caste, religion. Nepotism and undue influence.	An argument between two involving yelling / shouting. Use of derogatory, racial, discriminatory remarks of less intensity Insulting by making personal remarks
Physical Abuse (pushing or any other means of inflicting physical harm) Blackmailing and Exploitation. Repeatedly instigating someone to react by indulging them in baseless arguments Use of abusive language Slandering, Bullying Abuse of authority (asking for non-sexual favors) Collecting fines from subordinate staff under duress.	Deliberate lack of Supervision Or poor supervisor's attitude
Promising recruitment, promotion, increments for sexual or non-sexual favours. Abuse of authority (sexual favours) i.e., Threatening loss of job/ wrongly reporting where staff fails to accept request for date / sex or any other favours. Retaliation. Intentional and unwanted physical contact that makes the staff uncomfortable such as touching, grabbing etc. Repeated bullying Victimized for lodging a formal complaint.	Intentionally providing misinformation to the senior supervisor. Misuse of power for granting excessive or unnecessary leaves (3 or less days) or anything in which his/her approval is required

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Annex-2

CTC PSEAH Acknowledgement Form

Name of employee/consultant/ Vendor: M. Harris

Position: _____

Department: _____

I have received, read and I fully understand the CTC PSEAH policy included in the CTC ESR manual.

I understand its contents and agree to comply with the guidelines set out in the subject policy and understand that failure to comply may result in disciplinary or legal action(s).

Date: 1-6-2023 Signature: [Signature]

Please sign and return to HR Team. This document will be filed in the employee's personal file.