

AIMCO PESTICIDES LIMITED
CIN: L24210MH1987PLC044362

POLICY ON SEXUAL HARASSMENT AT WORKPLACE
(PREVENTION, PROHIBITION AND REDRESSAL)

(With effect from 12.02.2015)

PREAMBLE

1. The Aimco Pesticides Limited. ('APL') is committed towards creating a safe and healthy work environment that enables its employees to work without fear of prejudice, gender bias and sexual harassment.
2. The policy is made as per the statutory requirement in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
3. The commission of the offence of Sexual Harassment as per Indian Penal Code 1860 is a penal offence under which the punishment can range from simple to rigorous imprisonment or fine or both.

OBJECTIVE

1. The policy has been formulated to create and maintain a safe working environment where all employees treat each other with courtesy, dignity and respect irrespective of their gender, race, caste, creed, religion, place of origin, sexual orientation, disability, economic status or position in the hierarchy. Employees at APL are entitled to work in an environment free from any form of discrimination or conduct which can be considered harassing, coercive, or disruptive.
2. To articulate the guidelines on sexual harassment and to provide a mechanism for the prevention and redressal of complaints of sexual harassment.
3. To assist individuals who believe that they have been subjected to such behaviour with appropriate support and remedial action.

SCOPE AND APPLICABILITY

1. This policy is applicable to all Employees of Aimco Pesticides Limited regardless of the position, including those on contract with the Company.
2. The policy will also cover trainees, consultants, contractors and outsourced staff associated with Aimco Pesticides Limited.

3. The policy will remain applicable wherever such persons have occasion to interact with each other including for example, in vehicles, third party premises, off site meetings and public venues.
4. It covers sexual harassment of women by men or of men by women or between the same sexes. Harassment is unlawful irrespective of who is involved in the behaviour.

DEFINITIONS

Act: means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 which extend to the whole of India.

Aggrieved woman: means in relation to workplace, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

Respondent: means a person against whom the aggrieved woman has made complaint under section 9 of the Act.

Workplace: "Workplace" includes – Head Office, Manufacturing Units, branch offices of Aimco Pesticides Limited. It also includes any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

Employer: Employer refers to The Aimco Pesticides Limited (APL)

WHAT CONSTITUTE SEXUAL HARASSMENT

1. Sexual Harassment includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) viz.:
 - a) Physical contact and advances; or
 - b) A demand for request for sexual favours; or
 - c) Making sexually coloured remarks; or
 - d) Showing pornography; or
 - e) Any other unwelcome physical, verbal or non verbal conduct of sexual nature.
2. All such conducts becomes sexual harassment whether textual, graphic or electronic or by any other actions which may contain:
 - a) Implied or explicit promise of preferential treatment in aggrieved woman's employment; or
 - b) An implied or explicit threat of detrimental treatment in that aggrieved woman's employment; or
 - c) An implied or explicit threat about her present or future employment status of aggrieved woman;or

d) The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment; or

e) Humiliating treatment that is likely to affect health and safety.

3. The term Sexual Harassment also includes such unwelcome sexually determined conduct (whether directly or by implication) as:

a) Physical Harassment, which includes:

– Physical contact and advances

– Intentional touching, pinching, grabbing, fondling, patting brushing against another's body – Sexual assault

– Any physical conduct which is unwelcome

b) Verbal Harassment, which includes:

– A demand or request for sexual favors over promises related to employment such as work conditions, promotion, and increments. This is known as "quid pro quo" sexual harassment.

– Gesture-based harassment - sexually colored remarks

– Making direct or indirect sexually suggestive comments, threats, slurs, sexual propositions – Sexual jokes or teasing, misogynist humor, sexually colored gender specific jokes

C) Written or Graphic Harassment, which includes:

– Showing pornography, and

– The display of pornographic material

– Written material that is sexual in nature such a letter or notes containing a sexual Comment

– Leering or staring at another's body and/ or sexually suggested gesturing

– Displaying sexually visual material such as pinups, cartoons, graffiti, computer programmes, catalogues of a sexual nature

– Sexual messages or images sent via text / e-mails which may be perceived by the recipient as creating a hostile work environment

D) Any Other Unwelcome Physical, Verbal or Non Verbal Conduct of sexual nature apart from those listed above will constitute as sexual harassment if by reasonable perception and common discretion qualifies as sexually offensive.

COMPLAINT REDRESSAL COMMITTEE

A Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Chairman and Members of the Committee are as follows:

Committee

1. Mrs. Priya Surati- Member - Chairperson
2. Ms. Smita Pawar- Member
3. Mrs. Sheeba Manoj- Member
4. Concerned Ethics Officers at locations- Member

A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a lady.

REDRESSAL PROCESS

1. Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with his/her signature within 10 days of occurrence of incident.
2. The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
3. The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint, but no later than a week in any case.
4. At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employees involved and a male officer for male employees, involved shall meet and record the statement.
5. Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him / her to give an explanation, where after, an "Enquiry" shall be conducted and concluded.
6. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
7. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

CONSENSUAL SEXUAL RELATIONSHIPS AT WORKPLACE

APL discourages any kind of romantic or sexual relationships amongst its employees as such relationships could lead to conflicts of interest at work. However, in the best interest of all concerned, if any of such relationship, particularly between a member of Management or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person); the involved parties should notify Management of the Company so that the reporting chain can be altered to ensure that no direct or indirect reporting relationship continues.

ENQUIRY PROCESS

1. The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.
2. The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if she / he so desires within 7 days of receipt of the same.
3. The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
4. If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es whom they propose to call.
5. If the Complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.
6. The Committee shall call upon all witnesses mentioned by both the parties.
7. The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.
8. The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.