

## **POLICY FOR PREVENTION OF SEXUAL HARASSMENT (POSH)**

### **1. PURPOSE**

To create and maintain a safe work environment, free from sexual harassment & discrimination for all its employees. Establish guidelines as per the guidelines of “The Sexual Harassment of Women at Workplace (prevention, prohibition & redressal) Act, 2013”.

### **2. SCOPE**

MND Technologies Private Limited aims to adopt a zero-tolerance attitude against any kind of Sexual Harassment or discrimination caused by any employee during their tenure in MND Technologies Private Limited towards any other person being an employee of MND Technologies Private Limited, Client, Vendor and Contractor in Company premises or elsewhere in India or abroad.

### **3. APPLICABILITY**

All employees of MND Technologies Private Limited.

### **4. DEFINITION**

- a. **Employee of MND Technologies Private Limited** - Includes person carrying out any work on behalf of MND Technologies Private Limited and may have been hired as Permanent, Temporary, Contracted or on a Retainer Ship Basis, Revenue Sharing, part-time basis etc., either directly or indirectly or through vendor organization.
- b. **Sexual Harassment** - Harassment of a Female/Male employee consisting of any unwelcome sexually determined behaviour, whether directly, indirectly, by any male/female in charge of the management or a male/female co-employee either individually or in association with other persons to exploit the sexuality of co-employee to harass him/her in a manner which prevents or impairs his/her full utilization of full benefits, facilities or opportunities or any other behaviour which is generally considered to be derogatory.
- c. **Aggrieved Person** - In relation to the 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.
- d. **Respondent** - Employees against whom the complaint has been filed.

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## 5. POLICY GUIDELINES

Sexual Harassment shall include but not be limited to:-

- Physical Contact & Sexual advances
- Demand or request for sexual favours;
- Sexually- coloured remarks;
- Showing pornography;
- Any other unwelcome physical, verbal, non-verbal or written conduct of a sexual nature.

## 6. GRIEVANCE MECHANISM: PROCEDURE TO REGISTER COMPLAINTS

A complaint shall be submitted through email to [ops@mynextdeveloper.com](mailto:ops@mynextdeveloper.com) and can be discussed during the meeting with any member of the Internal Committee mentioned herein within 3 months of the occurrence of an act of Sexual Harassment. If the respondent is the direct supervisor of the complainant, or the person influencing the career growth of the complainant, the reporting structure will be changed till the time the enquiry is completed.

## 7. INTERNAL COMMITTEE

- a. Each complaint of Sexual Harassment shall be dealt with utmost confidentiality and urgency by an Internal committee consisting of:-
  - i. Presiding Officer - 1 member
  - ii. Internal Member - 3 members
  - iii. External Member - 1 member (NGO / Legal expert)
- b. Within 3 working days, the internal committee shall commence Official Internal Enquiry by:-
  - i. informing the said complaint to the respondent.
  - ii. instructing to stop the alleged act of Sexual Harassment immediately
  - iii. informing not to reach out to the complainant directly or indirectly
  - iv. asking for an immediate explanation from him/her to the same
- c. Within 5 working days from the receipt of the original complaint, the designated person shall respond in writing to the complainant informing him/her about the initial steps taken by MND Technologies Private Limited in order to stop the alleged act(s)
- d. Within 15 days from receipt of the complaint, the Internal committee shall record and accordingly communicate in writing to the complainant and the Respondent, its prima facie findings, upon giving the concerned parties a fair and due opportunity to represent themselves and upon conducting fact-finding, truth verification and counselling sessions with persons involved in alleged act(s)

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- e. A complaint will be closed no later than one month from receipt of the complaint by recording the decisions of the internal committee, accordingly informing the complainant and the Respondent of the same.
  - f. Employees are duty-bound to assist in investigative steps, employees' wholehearted participation shall be mandatory in this regard. Whistleblowers shall be protected from exposure, retaliation or hostility.
  - g. Within 2 working days from receipt of prima facie findings or the charges, if the complainant or the Respondent is dissatisfied with the decision of the internal committee, she or he may appeal specifying the reasons in writing to the Managing Director. Within 5 working days from the receipt, the appeal shall be finally disposed of by written communication to the said party. The decision of the Managing Director shall be final and cannot be appealed.

## 8. REDRESSAL

- a. An amicable resolution of the complaint is possible only with the written consent of the complainant.
- b. Within 24 hours of closing the case file, the internal committee shall present the same to and inform its decision to the Managing Director.
- c. In case of a decision establishing the offence of Sexual Harassment of the complainant, within 3 working days, the internal committee shall recommend Disciplinary action against the offender considering the nature and extent of injury caused to the complainant, prior complaints or repetition of offence etc and the impact of the offence on the company profile as a whole.
- d. The position of the offender and the criticality of the position occupied by the offender shall not be any hindrance to the disciplinary action taken against the offender.
- e. The disciplinary action that shall be commensurate with the nature of the gravity of the offence shall include but not be limited to,
  - i. Warning
  - ii. A written apology from the offender,
  - iii. Bond of good behaviour
  - iv. Transfer
  - v. Debarring from supervisory duties
  - vi. Denial of employee benefits like increments/promotion/salary correction etc.
  - vii. Cancellation of specific work Assignment
  - viii. Suspension

ix. Dismissal

An annual report summarizing complaints and Redressal of Sexual harassment shall be prepared by the designated person. The said report as well as all documents regarding Sexual Harassment complaints shall be in the custody of the designated person and will be termed as “Strictly Confidential”.

**9. MONITORING AND REVIEW**

This Policy and Procedure will be reviewed whenever required from the date of implementation. Reviews will be initiated by the HR Department. Where changes in employment legislation occur that directly affect this Policy, these will be reflected with immediate effect and communicated through HR.