

**HEALTHCARE GLOBAL ENTERPRISES LIMITED
INTERNAL COMPLAINTS COMMITTEE FOR WOMEN**

Table of Contents

Sl No	Particulars	Page No
1	Introduction	3
2	Scope	3
3	Definition of Sexual Harassment	3
4	Principle	4
5	Quorum For Meeting	4
5.1	Responsibilities of ICW	5
5.2	Procedures For Resolution, Settlement or Prosecution of Acts of Sexual Harassment	5
5.3	Enquiry process	6
5.4	Appeal Process & False & Frivolous Complaints	6
5.5	Process Flow	8

INTRODUCTION/ PURPOSE:

HealthCare Global Enterprises Limited (including its subsidiary companies and units) ("HCG") respects the dignity of all categories of employees including permanent management and workmen, temporary, trainees, part time and full time consultants and employees on contract, apprentice or called by any other such name ("Employees"); provides safety environment; and guarantees equality irrespective of gender, hierarchy, caste, creed or social class of the Employees. HCG expects responsible conduct and behavior on part of all the Employees at all levels and harassment of any kind including sexual harassment is forbidden.

This policy is meant to protect the safety and dignity of women at workplace (employed or not); and to educate the Employees about what conduct constitutes sexual harassment; to prevent or deter the commission of acts of sexual harassment of women at workplace; and to provide the procedures for the resolution.

SCOPE:

This policy shall be applicable to all Employees of HCG, even where sexual harassment occurs to an Employee as a result of an act by a third party or outsider, while on official duty, HCG shall take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.

DEFINITION OF SEXUAL HARASSMENT:

Sexual harassment includes such unwelcome sexually determined behavior (whether direct or by implication) such as:

1. Physical contact and sexual advances;
2. Demand or request for sexual favours;
3. Sexually colored remarks;
4. Showing pornography; and
5. Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

The above "Unwelcome Sexually determined behavior" includes but not limited to:

- Subjecting another person to an unwelcome act of physical intimacy including grabbing, brushing, touching, sexual flirtations, advances or propositions.
- Making any unwelcome remark with sexual connotations like sexually explicit, remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks etc.
- Showing any sexually explicit visual material in the form of pictures / cartoons / pin-ups / calendars / screen - savers on computers / any offensive written or electronic material / including pornographic.
- Engaging in any other unwelcome conduct of a sexual nature, verbal or even nonverbal, staring to make the other person uncomfortable, making offensive gestures etc.
- Sending unwelcome communication of a sexual nature, through e-mail, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of a sexual nature.

- Making an unwelcome demand or request whether directly or by implication for sexual favors and/or making it a condition of employment / payment of wages / increments / promotion / preferential treatment / threat to detrimental treatment in employment / threat to current or future employment status or similar act.
- Where a request for sexual favours is made to a subordinate in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits or continued employment or threatens to terminate any such person for non co-operation.
- Where a boss or any other person intrudes into a private life of employees or persistently asks them out.
- Where any employee(s) make(s) sexual epithet, jokes, written or oral references to sexual conduct, and/or gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess in an attempt to humiliate or make another person uncomfortable.
- Behavior which creates an environment that is intimidating, hostile, offensive, humiliating for women employee.

PRINCIPLE:

The policy is made in accordance with the Supreme Court Guidelines on Sexual Harassment at workplace and the recent legislation of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. If this policy is contradictory to the Act mentioned herein, to that extent the said Act shall be applicable.

The exercise of this policy will be based on the following principles:

- Natural Justice
- Confidentiality
- Code of Civil Procedure, 1908

CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE:

HCG has instituted an Internal Complaints Committee ("ICW") for redressal of sexual harassment complaint made by woman employee and for ensuring time bound treatment of such complaints.

Initially, and till further notice, the ICW will comprise of the Five (5) members out of which Three (3) members shall be women .

The members of the committee shall hold office for such period, not exceeding three years, which can be extended for further term of three years and the committee shall meet once in three months or whenever a complaint is received, whichever is earlier. Each centre / unit shall have its own members as mentioned above.

QUORUM FOR MEETING:

Quorum of three fourth (3/4th) members of the ICW would be required to conduct the meeting / enquiry, in which majority shall be women. If within half an hour from the time fixed for the meeting, if the quorum is not present, such meeting shall be adjourned to next suitable date, which shall not be later than seven working days. If nominated presiding officer is not present during the meeting due to any reasons, the rest of the member should appoint an ad hoc presiding officer from one of the female members to conduct the meeting / enquiry.

Handwritten initials

ICW IS RESPONSIBLE FOR THE FOLLOWING:

- Promote and facilitate measures taken for prevention of sexual harassment in the company.
- To advise the management for ensuring safety of women employees.
- Sensitize employees regarding sexual harassment.
- Investigating every formal written complaint on sexual harassment.
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- Discouraging and preventing employment-related sexual harassment.

PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

HCG is committed at providing a supportive environment to resolve concerns of sexual harassment. When an incident of sexual harassment occurs, aggrieved woman to give a written complaint, within three (3) months of the occurrence of the incident, (unless ICW is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period) to

- Any of the ICW members; or
- to the HR or
- If the complainant would like to bring out the incident to the notice of the corporate office, email can be sent to icw@hcgoncology.com

If aggrieved woman is not in a condition to give written complaint for any reason what so ever, the complaint to be accepted by recording the same and later on to convert the recording to written complaint & obtain signature / left thumb impression on the complaint.

After receiving the complaint, the committee shall meet within 24 hours. In case, the complaint arrives on a weekly holiday or public holiday, the committee shall meet on the next working day. If complaint is very serious, the committee shall meet on same day and necessary steps to be taken. After ascertaining the facts ICW shall inform HR Department / Centre Head to provide necessary medical & psychological support to the aggrieved woman and to initiate the legal action against alleged staff.

Before initiating legal action, ICW can recommend for amicable settlement of the complaint, if ICW feels that there is scope for amicable settlement; or on request of the aggrieved woman shall take steps to settle the matter between her and the respondent through conciliation. If the aggrieved woman is not comfortable with addressing the respondent, ICW will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

Any employee with a harassment concern, who is not comfortable with the informal resolution options (settlement) or has exhausted such options, ICW shall proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of sexual harassment. 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, same findings shall be recorded with reasons and communicate the same to the complainant.

Enquiry process:

If the majority members of the ICW determine that the allegations constitute an act of sexual harassment, the matter shall be investigated. At the first meeting, the ICW members shall hear the complainant and record her allegations. The aggrieved woman can also submit any corroborative material with documentary proof, oral or written material etc., to substantiate her complaint.

- Thereafter, the person against whom complaint is made shall be given a copy of the complaint and shall be called for a deposition before ICW, and an opportunity will be given to submit his written explanation, where after, an "Enquiry" shall be conducted and concluded.
- The complainant shall be provided with a copy of the written explanation submitted by the respondent.
- 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 ICW the names of witness/es whom they propose to call.
- If the complainant desires to tender any documents by way of evidence before the ICW, she 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 ICW, he shall supply original copies of such documents.
- The ICW shall call upon all witnesses mentioned by both the parties. Further, ICW also shall have right to call upon any person to give witness and any documents for recording.
- The ICW shall provide every reasonable opportunity to the complainant and to the respondent, for putting forward and defending their respective case.
- The ICW shall complete the "Enquiry" within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the management. In case of delay to complete the enquiry, ICW shall record the reasons for the delay.
- The report of the committee shall be treated as an enquiry report and same shall be submitted to the management, which shall be treated as basis of which an erring employee can be awarded appropriate punishment straightaway.
- The management will direct appropriate action in accordance with the recommendation proposed by the ICW within sixty (60) days of receipt of the report.

Appeal:

The person aggrieved from the action taken by the management can file an appeal to the Vice President - HR - Corporate Office, Bangalore within 90 (ninety) days from the date of receipt of the order. The Vice President - HR will examine the procedure & documents pertaining to the case. Thereafter he / she will announce the decision & copy of the same will be handed over to the employee by hand or through registered post with acknowledgement due. The VP- HR's decision will be final & binding on the both parties. Further, decision of the VP- HR shall be communicated to ICW members.

False & Frivolous Complaints:

In case the complaint is found to be false or frivolous, the complainant shall, if deemed fit, be liable for appropriate disciplinary action, as per the employee service rules of HC

Flow Chart:

- Aggravated Woman shall lodge complaint to ICW:**
1. File written complaint to committee.
 2. Informing the member through Phone.
 3. File complaint through HR department or departmental head.
 4. E-mail: icw@hcgoncology.com.

ICW – will meet & ascertain the Condition

If condition is very serious

Extending
Medical
services

Providing
Counseling

Lodging
Police
Complaint

Conduct Investigation

Allegations established
– Make a report

ICW submits investigation
report to HR

Allegations not established –
complaint to be closed &
submit same to the
management


Initiate disciplinary action against delinquent staff

Disciplinary Measure


Close case

Internal Complaints Committee for women.

Reviewed by:

Name	Designation	Signature & Date
Jagannath K	Assistant General Manager HR	 14/2017

Approved by:

Name	Designation	Signature & Date
Jayaprakash M C	Vice President HR	 14/2017

Version: 1.3

Issue: 0.1

Date: 1st April 2017

2