

<b>Version Number</b>	2.5
<b>Current Policy Effective Date</b>	01-July-2020
<b>Process Owner</b>	Head, Legal
<b>Applicability</b>	<p>The Policy is applicable to Mphasis Limited and its subsidiary, affiliate and or group companies (“Mphasis”).</p> <p>The Policy applies to all officers, directors, employees, visitors, suppliers, contract labor, agents and representatives of Mphasis, and or any third party with whom an employee may have to interact with or in connection with employment in Mphasis.</p>

## Objective:

Mphasis is committed to ensuring a workplace free from sexual harassment and to provide a mechanism for redressal of complaints of sexual harassment without fear or threat of reprisals in any form or manner to all its employees irrespective of their gender and sexuality. Accordingly, the Company has framed the Policy for the Prevention of Sexual Harassment (“the Policy”) which is outlined in accordance to the Sexual harassment of women at workplace ( Prevention, Prohibition and Redressal) ACT,2013

## Philosophy:

Mphasis has Zero Tolerance for sexual harassment. The Company is aware that sexual harassment can occur and when reported, the Company is committed to redress all such cases. The Internal Committee have been constituted to investigate every complaint thoroughly and ensure adequate reparative action is taken.

In Mphasis the POSH (Prevention of Sexual Harassment) policy is reformatory and not only Penal in nature

## Scope:

The Policy is applicable to Mphasis Limited and its subsidiary, affiliate and or group companies (“Mphasis”). The Policy applies to all officers, directors, employees, visitors, suppliers, contract labor, agents and representatives of Mphasis, and or any third party with whom an employee may have to interact with or in connection with employment in Mphasis.

**Effective Date: <July 2008>**

## **Policy Description: Definitions**

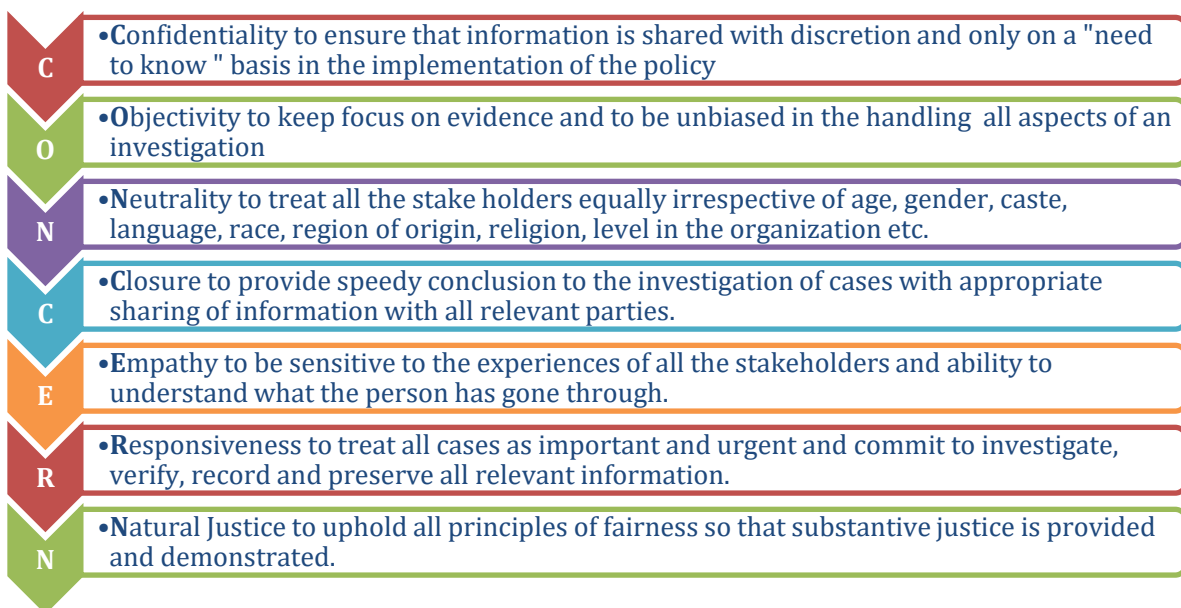
1. **Sexual harassment** is deemed to be misconduct and includes such unwelcome sexually determined behavior (whether directly or by implication) namely:
  - physical contact and advances; or
  - a demand or request for sexual favors; or
  - making sexually colored remarks; or
  - showing pornography; or
  - any unwelcome physical, verbal or non-verbal conduct of sexual nature;
  - any other behavior which is objectionable in any manner and an impediment to providing a workplace free from all forms of sexual harassment
2. **Quid Pro Quo** – when submission to or rejection of “unwelcome” sexual advances or conduct of sexual nature is used as the basis for employment decisions, it is termed as “Quid Pro Quo”
3. **Hostile Work Environment** - occurs when the conduct unreasonably interferes with an individual’s work performance or creates an intimidating or offensive working environment.
4. **Aggrieved** – In relation to a workplace, a Work person who alleges Sexual Harassment
5. **Respondent** – Person against whom the aggrieved person has made the complaint
6. **Workplace** - The workplace, in the context of sexual harassment, is not restricted to the office premises such as cubicles, conference rooms, lobbies etc. It includes the extended workplacesuch as food courts, cafeterias and other recreational facilities provided by the Company, Company provided transport and work-related travel, Company sponsored Training programs, parties and other events. Additionally, the workplace includes employee remote workspace and any Company provided virtual platforms like Skype, Microsoft teams, Yammer, Webex, Zoom, etc.
7. **The Core - Committee (CC)** is the central committee in Bangalore who is deemed to be the Inquiring Authority along with the location’s Internal Committee to inquire into all complaints of sexual harassment and to make decision for imposition of penalties based on the findings of the said inquiries
8. **The Internal Committee (IC)** is the committee in all locations formed and deemed to be the Inquiring Authority to inquire into all complaints of sexual harassment and to make decision for imposition of penalties based on the findings of the said inquiries
9. **The Employer** is the representative of the Management responsible for the implementation of the decision made by The Internal Committee

## Guidelines

Mphasis does not tolerate or condone sexual harassment, in or in connection with employment in Mphasis whether committed by its officers, directors, employees, visitors, suppliers, contract labor, agents and representatives of Mphasis, and or any third party with whom an employee may have to interact with or in connection with employment in Mphasis

## Core Values of POSH initiative

The Core Values are the guiding principles to be followed by all stakeholders in the implementation of the POSH policy. The acronym (for easy recall) of the values of this initiative is CONCERN. This has been detailed below:



Anonymous complaints will not be normally entertained.

Malicious, malafide and / or false complaints of sexual harassment amount to misconduct for which disciplinary action would be taken.

The contents of the complaint made, the identity and addresses of the aggrieved, respondent and witnesses, any information relating to conciliation and inquiry proceedings, decision of The Internal Committee and action taken by the employer under the provision of the Sexual harassment of women at workplace (Prevention, Prohibition and Redressal) Act, 2013 shall not be published, communicated or made known to the public, press and media in any manner. The ACT overrides the provisions contained in the Right to Information Act, 2005.

If any person contravenes the above, the employer shall levy financial penalty as well take disciplinary action.

**The Core - Committee (CC)**, which will be based out of Bangalore and shall consist of:

A Presiding officer who shall be a senior level woman employee.

Two members (minimum) who are work persons and are preferably committed to the cause of women or have had experience in social work or have legal knowledge

Two members from amongst non-governmental organization or association committed to the cause of women or a person familiar with the issues relating to sexual harassment

## The Internal Committee

The Internal Committee will be at each of the locations (States) from where the Company operates and shall consist of:

- A Presiding officer who shall be a senior level woman employee.
- Two members (minimum) who are work persons and preferably committed to the cause of women or have had experience in social work or have legal knowledge.
- One member (minimum) from amongst non-governmental organization or association committed to the cause of women or a person familiar with the issues relating to sexual harassment

One half of the total members shall be women.

The quorum for all meetings of the Committee shall be four members.

The Committee shall meet at least once a month.

If there are cases from the location, The Internal Committee with The Core Committee will jointly arrive at the outcome.

The Internal Committee shall submit the report as applicable in respect of each complaint, containing the evidence and findings of the inquiry and decision to the Employer for implementation.

## Employee Initiative

Any employee who feels or believes that he or she has been subjected to or witnessed sexual harassment in the Company, has an obligation and duty to report the same to [posh@mphasis.com](mailto:posh@mphasis.com)

If complaints of sexual harassment are submitted to or received by colleagues, leaders, managers or the concerned HRBPs, the said colleagues, leaders, managers or HRBPs have to forward the same immediately to [posh@mphasis.com](mailto:posh@mphasis.com).

Further, colleagues, leaders, managers or the concerned HRBPs have an obligation and duty to ensure complete confidentiality of all complaints

It is important to emphasize that regardless of the avenue used to report complaints, employees will not be retaliated against in any way for making a good faith complaint of sexual harassment.

## Third Party Harassment

Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the employer and person in charge will take necessary steps to assist the affected person to report to the concerned authorities.

## Process / Procedure in case of a Complaint of Sexual Harassment

1. An employee who is aggrieved by any conduct / behavior or is witness to or privy to information that amounts to sexual harassment is entitled/required to submit a complaint in writing to [posh@mphasis.com](mailto:posh@mphasis.com)

The said complaint should contain all available details/information that the complainant has or is aware of.

2. Complaints will need to be submitted 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.

3. The Internal Committee before initiating an inquiry, if a request is made by the aggrieved shall take steps to settle the matter between the aggrieved and the respondent through conciliation, provided no monetary settlement is made basis of conciliation. The IC shall record the settlement so arrived and forward the same to the employer. The copies of the settlement as recorded shall be shared with the aggrieved and the respondent only if either parties decide to go for an appeal externally.

4. Provided that, where the aggrieved informs the IC that any term or condition of the settlement arrived at has not been complied with by the respondent, the IC shall proceed to make inquiry into the complaint or as the case may be, forward the complaint to the police.

5. The inquiry will be conducted by The Internal Committee in compliance with the principles of natural justice and the IC shall have the same powers as vested in civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:

- Summoning and enforcing the attendance of any person and examining him on oath
- Requiring the discovery and production of documents; and
- Any other matter which may be prescribed

6. The inquiry shall be completed within a period of sixty days.

7. The IC shall submit the decision to the employer within a period of ten days from the date of completion of the inquiry for implementation.

8. The employer shall implement the decision of the IC within 30 days of receiving and send the report of implementation to the Core Committee.

9. Where the IC arrives at the conclusion that the allegation against the respondent has been proved, it shall ask the employer to implement disciplinary actions like: –

- Tendering apology
- Issuance of warning letter
- Undergoing counselling session
- Carrying out community service
- Financial penalties like delay in increments, stoppage of incentives etc.
- Transfer to other locations
- Withholding of promotion / salary hikes etc.
- Compensation to the aggrieved
- Termination of services from the Company

10.1 During the investigation if any complainant / aggrieved / respondent / witness refuses to co-operate the IC can instruct the employer to take disciplinary action.

10.2 During an investigation if any complainant / aggrieved / respondent / witness gives false evidence or produced any forged or misleading document, the IC can instruct the employer to take disciplinary action.

10.3 Where the IC arrives at a conclusion that the allegation made by the aggrieved is malicious it may instruct the employer to take disciplinary action.

11. The Internal Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on a complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by The Internal Committee/ the POSH Office. Such termination or ex-parte order may not be passed without giving a notice or sending three reminder emails to the party concerned.

12. During the pendency of an inquiry, on a written request made by the aggrieved, the Internal Committee may recommend to the employer to take interim steps (transfer to other location, grant leaves, change of shift etc.).

## Annexure to the Policy - Posh FAQ

### Policy Revision History

Serial No.	Version No.	Date of Change	LT2 Approver	Sections Affected	Changes in Brief
1	1.0	Jul-2008	Sivaram Nair	Initial Draft	
2	1.1	15-Jun-10	Sivaram Nair	Policy Description	Provision in respect of having an appellate authority included
3	1.2	6-Jun-12	Sivaram Nair	Policy Description	CFO removed from the Executive Committee for POSH and replaced with one other person from the Executive Committee The Quorum for all meetings of the Complaints Committee changed to four members instead of three members
4	1.3	13-Jul-12	Sivaram Nair	Policy Description (Appellate Authority )	Any serving employee aggrieved by the findings and decision in a complaint under the Policy may submit an appeal before the Appellate Authority within 7 working days from the date of communication of the decision The appellate authority can be reached through <a href="mailto:appellate.POSH@mphasis.com">appellate.POSH@mphasis.com</a>
5	1.4	15-Nov-13	Sivaram Nair	Policy revised	Policy revised in alignment with the Sexual Harassment of Women at workplace ( Prevention , Prohibition and Redressal )Act'2013
6	1.5	15-Jan-14	Sivaram Nair	Policy revised	Policy revised in alignment with the Rules pertaining Sexual Harassment of Women at workplace ( Prevention , Prohibition and Redressal )Act'2013
7	1.6	10-Feb-14	Sivaram Nair	Policy revised	Policy revised in alignment with the Rules pertaining Sexual Harassment of Women at workplace ( Prevention , Prohibition and Redressal )Act'2013
8	1.7	25-Jul-14	Sivaram Nair	Policy Description	Any serving employee aggrieved by the decision of a complaint under the

				(Appellate Authority)	Policy may submit an appeal before the Appellate Authority not later than 15 calendar days from the date of communication of the decision. The appellate authority can be reached through <a href="mailto:appellate.POSH@mphasis.com">appellate.POSH@mphasis.com</a> . The order of the Appellate Authority in all appeals shall be final.
9	1.8	26-Jul-16	Sivaram Nair	Policy	Policy revised in alignment with the rules pertaining to Sexual Harassment of Women at workplace ( Prevention , Prohibition and Redressal ) Act'2013
10	1.9	22-Nov-16	Sivaram Nair	Policy	Inclusion of ex-parte decision based on the Sexual Harassment of Women at workplace ( Prevention , Prohibition and Redressal ) Act'2013
11	2.0	17-Apr-17	Sivaram Nair	Policy revision	Included clauses of interim steps, disciplinary action against witness for providing false statement, revision of disciplinary action and change of Internal Complaints Committee (ICC) to The Complaints Committee(CC)
12	2.1	7-Sept-17	Sivaram Nair	Policy revision	The nomenclature has been changed from Complaints Committee (CC) to Internal Committee (IC) and Core Complaints Committee (CCC) to Core Committee (CC)
13	2.2	26-Mar-18	Sivaram Nair	Policy revision	Inclusion of disciplinary action for non-cooperation in an investigation under Process/ Process in case of a complaint of sexual harassment.
14	2.3	10-May-18	Eric Winston	Policy revision	Deletion of the Appellate authority from the process
15	2.4	13-Feb-20	Eric Winston	Policy revision	Under Objective : Redressal extended to employees irrespective of their gender and "sexuality". Inclusion of "sexuality"
16	2.5	1-Jul-20	Eric Winston	Policy revision	Inclusion of company provided virtual platforms in the examples of extended workplace