

Version Number	1.7
Current Policy Effective Date	18th February 2020
Process Owner	Head, Legal
Applicability	<p>The Policy is applicable to Mphasis Limited and its subsidiary, affiliate and or group companies (“Mphasis”) based out of the United States of America.</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. Accordingly, the Company has framed the Policy for the Prevention of Sexual Harassment (“the Policy”) which is outlined in accordance to the **Federal laws prohibiting Discrimination and Harassment and also outlines certain California specific state laws. Other state laws or regulations may also apply.**

- **Federal laws prohibit harassment (and discrimination) based on**

- race
- color
- religion
- gender/sex
- national origin
- age (if over 40 years old)
- disability
- genetics/dna* (*genetics discrimination prohibited in 2008)

- **The Equal Pay Act of 1963 (EPA)**

Prohibits wage discrimination based on gender.

- **Title VII of the Civil Rights Act 1964**

Prohibits discrimination based on race, color, religion, sex, national origin.

The Fair Employment and Housing Act created the Department of Fair Employment and Housing, or DFEH is a California specific law and applies only to those Mphasis employees employed in California. The DFEH prohibits discrimination based on race, color, religion, sex, national origin, actual or perceived sexual orientation, ancestry, physical or mental disability or medical condition, gender, gender identity, gender expression, marital status, age, pregnancy and denial of family care leave or pregnancy disability leave. Harassment **because of sex includes sexual harassment, gender harassment, and harassment based on pregnancy, childbirth, or related medical conditions.**

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 defined as discrimination on the basis of an individual’s sex and sexual harassment in the workplace is unlawful. Sexual harassment can include but is not limited to **unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature or because of a person’s sex.** This definition includes many forms of offensive behavior and includes gender and sexuality based harassment --. The following is a partial list of violations:
 - Unwanted sexual advances.
 - Sexual favors, such as unwanted sexual advances which condition an employment benefit upon an exchange of sexual favors.
 - Making or threatening reprisals after a negative response to sexual advances.
 - Visual conduct: leering, making sexual gestures, displaying of suggestive objects or pictures, cartoon or posters.
 - Verbal conduct: making or using derogatory comments, epithets, slurs, and explicit jokes.
 - Physical harassment, such as assault, impeding or blocking movement, or any physical interference with normal work or movement.

- Visual harassment, such as derogatory posters, cartoons, or drawings.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations.
- Physical conduct: touching, assault, impeding or blocking movements.

2. **The Internal committee** is the committee who is deemed to be the Inquiring Authority for complaints of sexual harassment and to make recommendations for imposition of penalties based on the findings of the said inquiries. The Committee shall consist of a minimum 4 members

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

The Internal Committee shall meet at least once a month.

3. Investigators will be trained fact finders who will be appointed to investigate the complaints and to make recommendation along with the Internal committee

4. **The Employer** is the representative from the HR team for the implementation of the recommendations 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 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.
- The principles that govern the Policy and its implementation are **confidentiality, objectivity, neutrality, closure, empathy, responsiveness & natural justice.**
- Every two years at least two hours of effective training will be provided to all supervisory employees on the prevention of sexual harassment, discrimination and retaliation.
- Malicious, malafide and / or false complaints of sexual harassment amount to misconduct for which disciplinary action could be taken.
- The contents of the complaint made, the identity and addresses of the complainant, harasser and witnesses, any information relating to the inquiry proceedings, recommendation of the Internal committee and action taken by the employer shall not be published, communicated or made known to the public, press and media in any manner unless otherwise required by law.
- If any person contravenes the above, the employer shall levy financial penalty as well take disciplinary action.

The Internal Committee shall submit the recommendation as applicable in respect of each complaint, containing the evidence and findings of the inquiry 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

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** so that the company also has official knowledge of the complaint and can act accordingly. Failure to report a complaint via posh@mphasis.com will inhibit Mphasis' ability to investigate the complaint. Further, colleagues, leaders, managers or the concerned HRBPs have an obligation and duty to ensure complete confidentiality of all complaints to the extent it is possible and permissible pursuant to the law.

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. Retaliation for filing a complaint for sexual harassment or for cooperating in an investigation of sexual harassment is unlawful.

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**. The said complaint should contain all available details/information that the complainant has or is aware of.
2. All complaints must be submitted immediately to ensure Mphasis is able to take necessary and appropriate action with respect to the complaints.
3. The inquiry shall be completed within a period of sixty days.
4. If Mphasis determines a violation of its Policies has occurred, there will be prompt and effective remedial action.
 - First, appropriate action in accordance with the provision of Company's Code Of Business Conduct will be taken against the harasser and communicated to the complainant.
 - Second, steps will be taken to prevent further harassment.

5. Depending upon the urgency of the recommendation related to the circumstances of the complaint, the employer shall implement the recommendation no later than 30 days of receiving the recommendation and send the report of implementation to the Internal Committee.

6. Where the Internal Committee arrives at a conclusion that the allegation against the harasser is malicious or the complainant or any other person making the complaint has produced any forged or misleading document it may recommend the employer to take action.

Annexure to the Policy

Annexure A : POSH FAQ

Annexure B : Refer to the “Stop Sexual Harassment Act Factsheet”

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 appellate.POSH@mphasis.com
5	1.4	4-Feb-15	Sivaram Nair	Policy revised	Policy revised in alignment with Laws of the United States.
6	1.5	24-Feb-18	Eric Winston	Policy revised	Deletion of the Appellate authority from the process. Changes to the Internal committee

7	1.6	3-Sept-18	Eric Winston	Policy Revised	Revised in accordance with US legislative laws and inclusion of the "Stop Sexual Harassment Act Factsheet"
8	1.7	17-Feb-20	Eric Winston	Policy revised	Harassment basis 'sexuality' included in the definition of sexual harassment