

### Revision history

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1.0	09-10-2024	Riya R. Garje	Priyanka R. Nikarge	Gaurav Dubey	07-11-2024	NA
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## Policy on Prevention of Sexual Harassment at Workplace

### 1. Policy and Objective

Livlong365 is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The company believes that every employee has a right to be treated with dignity.

This policy takes complete cognizance of the legislation by the Government of India "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" (hereinafter referred to as 'the Act') and shall be revised to adhere with any modifications to the Act, that may be introduced from time to time. This Act is to provide protection against sexual harassment at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected herewith or incidental thereto. Sexual harassment results in violation of the fundamental right of a woman to equality, under Articles 14 and 15 of the Constitution of India; her right to live with dignity under Article 21 of the Constitution; and her right to practice any profession or to carry on any occupation, trade or business in a safe environment that is free from sexual harassment.

### 2. Scope

This policy is applicable to all Livlong365 employees,

- i. on the rolls of the establishment or
- ii. engaged through the Contractor(s) having service agreement with the establishment or
- iii. anyone involved in the business premises.

### 3. Definitions

#### 3.1 Sexual Harassment

Sexual Harassment includes any one or more of the following but not limited to unwelcome acts or behaviour (whether directly or by implication) namely: -

- i. Physical contact and advances; or
- ii. A demand or request for sexual favours; or
- iii. Making sexually coloured remarks; or
- iv. Showing pornography; or
- v. Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment namely: -

- i. Implied or explicit promise of preferential treatment in employment; or
- ii. Implied or explicit threat of detrimental treatment in employment; or
- iii. Implied or explicit threat about the present or future employment status; or
- iv. Interference with his/her work or creating an intimidating or offensive or hostile work environment; or
- v. Humiliating treatment likely to affect his/her safety or health.

### 3.2 Aggrieved Individual:

In relation to a workplace, is a person of any age, whether an employee or not, who alleges to have been subjected to any act of Sexual Harassment.

### 3.3 Complainant

Refers to any aggrieved individual who has lodged a complaint of Sexual Harassment at workplace and has been subjected to any act of sexual harassment by another employee (hereinafter referred to as 'Respondent'). Where the individual is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise, his/her legal heir or such other persons may be prescribed (refer to section 5.1.ii) may make a complaint.

### 3.4 Respondent

Refers to any employee against whom the complaint for Sexual Harassment has been lodged.

### 3.5 Workplace

Includes all offices / branches / workshops located anywhere in India. It also includes any place visited by the employees arising out of or during the course of employment including transportation provided by the company for undertaking the journey.

### 3.6 Executive Leadership

Includes company's CEO / COO

## 4. Internal Complaints Committee

4.1 Internal Complaints Committee (hereinafter referred to as 'the Committee') shall comprise the following:

- i. A senior level woman Employee shall be appointed as the '**Presiding Officer**' or the '**Chairperson**'. The Chairperson shall automatically vacate her office upon ceasing to be Employee of the company.
- ii. At Least 50% of the Committee representatives shall be women.
- iii. One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to Sexual Harassment.

4.2 The Chairperson and every member of the Committee shall hold office for a period not exceeding three years, from the date of their nomination.

4.3 A minimum quorum of 3 members is required to be present for the proceedings to take place and a majority of them shall be ladies. The Committee shall have a Chairperson for the proceedings.

Members of LPWSL: -

- i. Ms. Priyanka Nikarge (Presiding Officer / **Chairperson**)
- ii. Ms. Yogini Nitin Patil
- iii. Ms. Sonal Mhatre
- iv. Dr. Kunalsen Sawant

- v. Chirag Desai
- vi. Ms. Vijayalakshmi Harikrishna (External Member- ICC)

Members of LIBL: -

- i. Ms. Pranali Pradhan (**Presiding Officer** / Chairperson)
- ii. Ms. Netra Veladandi
- iii. Mr. Bipin Puthur
- iv. Mr. Dibyendu Nandi
- v. Ms. Alka Tejas Samdolikar
- vi. Ms. Sneha Kadam
- vii. Ms. Vijayalakshmi Harikrishna (External Member- ICC)

Contact details:

- a. [posh@livlong.com](mailto:posh@livlong.com)
- b. [livlong\\_365\\_poshcommittee@livlong.com](mailto:livlong_365_poshcommittee@livlong.com)
- c. [livlong\\_insurance\\_poshcommittee@livlong.com](mailto:livlong_insurance_poshcommittee@livlong.com)
- d. [hr@livlong.com](mailto:hr@livlong.com)

## 5. Inquiry and Redressal Process

### 5.1 Filing a complaint

- i. The complaint should be made by an aggrieved employee by sending an email to [posh@livlong.com](mailto:posh@livlong.com), [livlong\\_365\\_poshcommittee@livlong.com](mailto:livlong_365_poshcommittee@livlong.com), [livlong\\_insurance\\_poshcommittee@livlong.com](mailto:livlong_insurance_poshcommittee@livlong.com) & [hr@livlong.com](mailto:hr@livlong.com) within a period of three months from the date of last occurrence of incident. The committee may, for the reasons to be recorded in writing, extend the timeline not exceeding three months, if it is satisfied that the circumstances were such which prevented the Complainant from filing a complaint within the said period.
- ii. If the Aggrieved Individual is unable to make a complaint on account of his/her physical or mental incapacity, or any other reason, a complaint may be filed by:
  - his/her relative or friend; or
  - his/her co-worker; or
  - an officer of the National Commission for Women or State Women's Commission; or
  - any person who has knowledge of the incident jointly with the Aggrieved Individual's relative or friend or qualified psychiatrist or psychologist, or guardian or authority under whose care he/she is receiving treatment or care; or
  - any person who has knowledge of the incident, with written consent of the aggrieved individual or his/her legal heir, in case of death of the aggrieved individual

- iii. The Complainant shall submit six copies of the complaint along with supporting documents and relevant details concerning the alleged incident(s), the name and details of the Respondent and names and addresses of the witnesses to any Committee member.
- iv. The Committee may, depending on the facts of the case, also accept oral complaints under this Policy which may be reduced in writing by a member of the Committee and signature of the Complainant shall be obtained thereon.

## 5.2 Conciliation

Prior to initiating an inquiry, the Committee may, at the request of the Complainant take steps to settle the matter between the Complainant and the Respondent through conciliation, provided that no monetary settlement is made as a basis of conciliation. In case a settlement as stated aforesaid has been arrived at, the Committee shall record the settlement so arrived and forward the same to the Executive Leadership to take action as specified in the recommendation of the Committee.

The Committee will provide copies of the settlement as recorded to the Complainant and the Respondent. Upon conciliation being reached, the Committee would not be required to conduct any further enquiry.

## 5.3 Inquiry

- i. Subject to the provisions of Clause 5.2 of this Policy and in the event of any term or condition of the settlement not been complied with by the Respondent, the Committee shall conduct an enquiry regarding the complaint.
- ii. On receipt of the complaint, the Committee shall send one of the copies received from the Complainant to the Respondent within a period of seven working days.
- iii. The Respondent shall file a reply to the complaint along with his list of documents and names of the witnesses, within a period not exceeding ten working days from the date of receipt of the documents.
- iv. The Committee shall make an enquiry into the complaint in accordance with the principles of natural justice. The Committee must notify in writing, the time and dates of its meetings to the Executive Leadership, the Complainant and the Respondent not less than 3 days in advance of such meeting.
- v. The Committee shall have the powers to summon and enforce the attendance of any person and conduct an examination, request the discovery and production of documents and/or any other matter which may be prescribed and deemed necessary for the inquiry process.

- vi. The Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Complainant or Respondent fails, without sufficient cause, to present themselves, for three consecutive hearings convened by the Chairperson or Presiding Officer. Provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.
- vii. All colleagues and witnesses including the Complainant and the Respondent who are part of the Committee proceedings shall keep all details thereof strictly confidential.
- viii. During the course of inquiry, the Complainant and the Respondent shall be given an opportunity of being heard and a copy of the findings shall be made available to both the parties, enabling them to make representation against the findings before the Committee.
- ix. The inquiry shall be completed within a period of ninety days from the date of receipt of the complaint, unless the time is extended by the Committee depending upon the facts of the case.

#### 5.4 Action during Pendency of Inquiry

- i. During the pendency of an inquiry, on a written request made by the Complainant, the Committee may recommend the following to the Company:
  - transfer the Aggrieved Individual or the Respondent to any other workplace; or
  - grant leave to the Aggrieved Individual up to a period of three months; or
  - grant such other relief to the Aggrieved Individual as may be prescribed under applicable law; or
  - restrain the Respondent from reporting on the work performance of the Aggrieved Individual or writing his/her confidential report and assign the same to another officer
- ii. The leave granted to the Aggrieved Individual shall be in addition to the leave he/she is otherwise entitled to.
- iii. On receiving a recommendation from the Committee, the company shall implement the recommendations and send a report of such implementations to the Committee.

#### 5.5 Inquiry Report and Actions

- i. On the completion of an inquiry, the Committee shall provide a written report of its findings to the Executive Leadership, within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

- ii. In the event that the Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Executive Leadership, that no action is required to be taken in this matter.
- iii. Where the Committee arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend in writing to the Executive Leadership, to take action against the Respondent, in accordance with the policy on Misconduct, which may also include:
  - a written apology from the Respondent
  - a letter of warning may be placed in the personal file of the Respondent
  - reprimand or censure
  - immediate transfer or suspension without pay
  - termination from service
  - withholding of promotion and/or pay rise or increments
  - register an FIR against the Respondent in case the act alleged, prima facie constitutes an offense under the Indian Penal Code
  - deduction from the salary or wages of the Respondent such sum as it may consider appropriate to be paid to the Aggrieved Individual or to his/ her legal heirs in regards to the mental trauma, pain caused to the aggrieved individual or loss in career opportunity, or medical expenses incurred by the victim or death due to the incident of sexual harassment.
- iv. such other action as the Committee may deem appropriate in the circumstances of the case. In case the company is unable to make deductions from the salary / termination benefits / other amount payable by the company to the Respondent due to he being absent from duty or cessation of employment, it may direct the Respondent to pay such sum to the Complainant. In case the Respondent fails to pay the sum referred above, the Committee may forward the order of recovery of the sum as an arrear of land revenue to the concerned district officer.
- v. The Executive Leadership shall act upon the recommendation given by the Committee within sixty days of receipt of the recommendation.

## 5.6 Malicious Complaint

In case the Committee arrives at a conclusion that the allegation against the Respondent is malicious or the Complainant has made the complaint knowing it to be false or has produced any forged, fabricated or misleading document, it may recommend to the Executive Leadership to take suitable action against the Complainant who has made the complaint, in accordance with the provisions of the applicable service rules or as prescribed under applicable law. Mere inability to substantiate the complaint or provide adequate proof need not attract action against the Complainant. Further, the malicious intent on part of the Complainant needs to be established after the inquiry process as

stated herein under clause 5 of this policy, before any action against such Complainant is recommended by the Committee to the Executive Leadership.

## 5.7 Appeal

In the event that any person is aggrieved from the recommendations made by the Committee or non-implementation of such recommendations, he/she may appeal to the Executive Leadership as set out hereinabove. This shall be without prejudice to the right of any person aggrieved by the recommendations made by the Committee or non-implementation of such recommendations to appeal to the appropriate authority, as specified by the law, within a period of ninety days of the recommendations.

## 6. Guidelines

### 6.1 Employees

- i. As a custodian of Livlong Values, Code of Conduct, employees have to act responsibly at all times.
- ii. Read, understand, appreciate, and adhere to the terms of this policy.
- iii. If an employee elects not to participate in the procedure constituted by Company, and does not wish to proceed with the complaint, it will need to be formally withdrawn.
- iv. Handle information related to known or suspected violations of this policy in a discreet and confidential manner.
- v. Not attempt to investigate the information or suspected violations of this policy on their own i.e., without involving the Committee.

### 6.2 Managers

Apart from the same responsibilities as an employee,

- i. Need to be prompt in encouraging the Complainant to give it in writing to the Internal Committee, should he/she receive any complaint from the Complainant.
- ii. Immediately forward any report or complaint of an alleged violation of this policy and all relevant or requested information to the People Success team.
- iii. Fully cooperate in the investigation and carry out all the corrective measures and remediation established in the final decision.

### 6.3 Human Capital

Apart from the same responsibilities as an employee,

- i. Should make information, policies and procedures available to Employees via intranet/SharePoint and periodic mailers.



- ii. Take cognizance of the written complaint and bring the complaint immediately to the Committee and provide all kinds of support for the further investigations as a part of inquiry process.
- iii. Ensure that Employees and stakeholders are communicated properly about Policy on Sexual Harassment.
- iv. Carry out all corrective measures and remediation established in the final decision.

#### **6.4 Internal Complaints Committee**

- i. To be fair, treat the Complainant / Respondent / witnesses and related persons to the inquiry with dignity and respect
- ii. Submit to the Executive Leadership an annual report comprising details of all cases actions taken
- iii. If an employee faces sexual harassment outside of the company work and premises, assist them in filing a complaint in the police station as appropriate.

In case the Committee finds the degree of the offence in the company coverable under the Indian Penal Code, then this fact shall be mentioned in the report and appropriate action shall be initiated by the company, for making a police complaint as may be appropriate.

#### **6.5 Executive Leadership**

- i. To treat Sexual Harassment as Misconduct under the service rules and take appropriate action.
- ii. To provide assistance to the complainant if he/she chooses to file complaint in relation to the offense under Indian Penal Code or any other law for the time being in force.
- iii. At its sole discretion, may provide additional facilities to the aggrieved individual including:
  - an option for a transfer of the Aggrieved individual or the Respondent who is proved to be guilty, to any other workplace.
  - an option to change role/department, if feasible.

## FORMAT FOR REPORTING SEXUAL HARASSMENT AT WORKPLACE COMPLAINTS

To,  
Ms. Priyanka Nikarge  
Internal Complaints Committee

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Sexual Harassment details:

[You may attach additional sheets if necessary to provide the details]

A) Person/people involved in Sexual Harassment at Workplace:

[Please provide the full name(s), designation, location(s), SBU of the Respondent and the relationship with you (e.g. supervisor, colleague, etc.)]

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B) Incidents and factual data:

[Please describe the incident/s]

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Your response to the incident/s

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f) Other material and relevant details:

[Please provide date/s, place/s of the incident/s, name and addresses of the witnesses, details of text messages, emails, if any, etc.]

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Person making the Complaint is [please tick]:

- a) Aggrieved Woman
- b) A relative of the Aggrieved Woman
- c) A friend of the Aggrieved Woman
- d) A co-worker with the Aggrieved Woman
- e) An officer of the National Commission of Women
- f) An officer of the State Women's Commission
- g) A special educator
- h) A qualified psychiatrist or psychologist

- i) The guardian or authority under whose care the Aggrieved Woman is receiving treatment or care.
- ii) A person who has knowledge of the incident with the written consent of the Aggrieved Woman.
- iii) A person who has knowledge of the incident with the written consent of the legal heir of the Aggrieved Woman.
- iv) A person who has knowledge of the incident jointly with a relative or a friend of the Aggrieved Person or a special educator or a qualified psychiatrist or psychologist, or the guardian or authority under whose care the Aggrieved Woman is receiving treatment or care.

Date: \_\_\_\_\_

Place: \_\_\_\_\_

Name of the person(s) reporting: \_\_\_\_\_  
Designation: \_\_\_\_\_  
Department: \_\_\_\_\_  
Location: \_\_\_\_\_  
Office No: \_\_\_\_\_  
Official email Id: \_\_\_\_\_  
Complete office address with Pin Code: \_\_\_\_\_  
Mobile No: \_\_\_\_\_  
Personal email Id: \_\_\_\_\_  
Complete residence address with Pin Code: \_\_\_\_\_  
Residence Phone No: \_\_\_\_\_  
Signature: \_\_\_\_\_