


## PHILIPS INDIA LIMITED

# PREVENTION, PROHIBITION AND REDRESSAL AGAINST SEXUAL HARASSMENT OF WOMEN EMPLOYEES AT WORKPLACE POLICY

VERSION	CHANGES	DATE
1.0	First Draft of the Policy released	6-May-2014
1.1	Change in the committee members	28-February-2018
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Head of Legal and Country Compliance Officer - India

Effective from : 6-May-2014



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## PREVENTION, PROHIBITION AND REDRESSAL AGAINST SEXUAL HARASSMENT OF WOMEN EMPLOYEES AT WORKPLACE POLICY

### 1. INTRODUCTION

At Philips India, our people make the difference between good and great results, whether it's in day-to-day operations or year-to-year performance. To keep our relationship with employees strong, we believe it is important to formalize our commitments and obligations with respect to making Philips not only a fair, safe and respectful environment but also an inspiring place to work and grow.

This policy is meant to educate the employees about what conduct constitutes sexual harassment, the ways and means which are adopted to prevent occurrence of any such event, and in the unlikely chance of such an occurrence, to enable a fair mechanism for dealing with such conducts.

This policy is made in accordance with:

- a. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 dated 23<sup>rd</sup> April 2013 and
- b. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 dated 9<sup>th</sup> December 2013.
- c. The Hon'ble Supreme Court' guideline in the case of Vishaka Vs. State of Rajasthan.
- d. Philips' General Business Principles.

### 2. OBJECTIVE

The objective of prevention, prohibition and redressal against sexual harassment of women employees at workplace policy is enumerated in detail below:

- a) To protect the rights of women to work with dignity and respect at workplace.
- b) Provide protection against sexual harassment of women at workplace.
- c) Prevention of sexual harassment at workplace.
- d) Redressal of sexual harassment complaints and for matters connected therewith or incident thereto.



### 3. DEFINITIONS

- (a) "Employer": Philips India Limited.
- (b) "Employee: All categories of women employees employed at workplace of Philips, including permanent, temporaries, workmen, employees on contract, trainee, probationer, apprentice, and volunteer either directly or through an agent including a contractor with or without the knowledge of Philips.
- (c) "Workplace" : All offices, factories or other premises where Philips' business is conducted, This includes Philips premises (including guest houses) and any place visited by the employee arising out of or during the course of employment including transportation provided by Philips for undertaking such a journey. Any social, business or other function where the conduct may have an adverse impact on the workplace or workplace relations.
- (d) "Sexual Harassment" : Includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:-
- (i) Physical contact and advances; or
  - (ii) A demand or request for sexual favors; or
  - (iii) Making sexually colored remarks; or
  - (iv) Showing pornography; or
  - (v) Any other unwelcome physical, verbal conduct of sexual nature:
- Further, the following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:
- 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 present or future employment status or
  - iv. Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
  - v. Humiliating treatment likely to affect health or safety.
- (e) "Aggrieved Woman": In relation to workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- (f) "Respondent": Against whom the aggrieved woman has made a complaint.



## 4. INTERNAL COMPLAINTS REDRESSAL COMMITTEE

In accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Philips India has instituted an appropriate complaint mechanism in the form of "Internal Complaints Committee" comprise with at least one half of woman members for redressal of sexual harassment complaint made by the victim and for ensuring the time bound treatment of such complaints.

Two types of Internal Complaints Redressal Committee will be formed at different level of Philips' business operations across India namely Core Complaints Redressal Committee and Site Complaint Redressal Committee.

### (a) CORE COMPLAINT REDRESSAL COMMITTEE:

The Core Complaints Redressal Committee shall be instituted at its corporate office at Gurgaon, which shall be responsible for corporate office, Northern region branch office and Noida Lighting Innovation Centre and also responsible for subsidiaries, associated companies and overseas offices. The Core Complaints Redressal Committee consists the members as follows:

- I. One Presiding Officer – shall be a woman employed at a senior level at workplace amongst the employees.
- II. Two Members – shall be amongst the employees preferably committed to the cause of woman or having legal knowledge.
- III. One member – shall be amongst the Non-Government Organization or association committed to the cause of woman who shall be entitled to get fees and reimbursement of actual expenses from Philips as prescribed in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.
- IV. One member – shall be amongst the Human Resource Department.

### (b) SITE COMPLAINTS REDRESSAL COMMITTEE:

Each factory and branch office will form a Site Complaints Redressal Committee consists the members as follows:

- I. One Presiding Officer – The Presiding Officer of Core Complaints Redressal Committee shall also be the Presiding Officer for each Site Complaints Redressal Committee.
- II. Two Members – shall be amongst the employees preferably committed to the cause of woman or having legal knowledge based at the factory or branch office.



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III. One member – The external member (from NGO) of the Core Complaints Redressal Committee shall also be the external member for each Site Complaints Redressal Committee.

The Site Complaints Redressal Committees will be formed at each factory and branch office level which shall be responsible for as given below:

SI No.	Site Complaints Committee	Responsible for
1	DMC R&D– Site Complaint Redressal Committee	DMC R&D Centre, Pimpri
2	DMC Factory- Site Complaint Redressal Committee	DMC Factory, Chakan
3	PIC – Site Complaint Redressal Committee	PIC, Bangalore
4	Western Region – Site Complaint Redressal Committee	Mumbai Office and Pune Office,
5	Southern Region – Site Complaint Redressal Committee	Chennai Office, Hyderabad Office, Kochin Office, Bangalore Office
6	Eastern Region – Site Complaint Redressal Committee	Kolkata Office, Bhubaneswar Office, Raipur Office

The names and contact detail of the Core Complaints Redressal Committee and each Site Complaints Redressal Committee are given in “Annexure” – 1.

## 5. TERM AND TERMINATION OF COMMITTEE MEMBERS

Each member of the Internal Complaints Redressal Committee (Core Complaints Redressal Committee and Site Complaints Redressal Committee) shall hold the position for three (3) years from the date of nomination.

Presiding Officer or member shall be removed from the Committee on the following grounds:

- Contravenes any of the provision of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- Has been convicted for an offence or an inquiry under any law.
- Has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her.
- Has so abused his/her position as to render his/her continuance in office.



## 6. COMPLAINT

- a) When an incident of sexual harassment occurs, the victim of such conduct can communicate her disapproval and objections immediately to the harasser and request the harasser to behave decently.

If the harassment does not stop or if the victim is not comfortable with addressing the harasser directly, she can bring her concern to the attention of the Internal Complaint Redressal Committee for redressal of her grievances.

- b) Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the internal Complaints Redressal Committee.
- c) Where the aggrieved woman is unable to make a complaint on account of her physical/mental incapacity, a complaint may be filed by her relative, friend, co-worker or any person who has knowledge of the incident with the consent from aggrieved woman and/or jointly with her relative or friend.

## 7. COMPLAINT REDRESSAL PROCEDURES

- a) The Aggrieved woman shall submit 6(six) copies of the Complaint to the Internal Complaint Redressal Committee along with supporting documents and the names and addresses of the witnesses in writing or can be in a letter format within a period of 3 months from the date of incident and in the case of a series of incidents within 3 months from the date of last incident. But, it is expected that any such matter must be reported as early as possible to the Internal Complaint Redressal Committee without any delay in the larger interest of justice.

Provided, the Internal Complaint Redressal Committee may for reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the employee from filing a complaint within the said period.

- b) The Internal Complaint Redressal Committee shall send 1(one) of the copy received from the aggrieved woman to the respondent (accused) within a period of 7 working days.
- c) The respondent (accused) shall file his reply to Internal Complaint Redressal Committee to the Complaint along with supporting documents and the names and addresses of the witnesses, within a period not exceeding 10 working days from the date of receipt of the documents.
- d) The Internal Complaint Redressal Committee have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Aggrieved (complainant) or Accused (respondent) fails, without sufficient cause, to present herself or himself for 3 consecutive hearings convened by the Presiding Officer, as the case may be, provided that



such termination or ex-parte order may not be passed without giving a notice in writing, 15 days in advance, to the party concerned.

- e) In conducting the inquiry, a minimum of 3 Members of the Internal Complaint Redressal Committee including the Presiding Officer, as the case may be, shall be present.
- f) The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Redressal Committee.

The flow chart of sexual harassment complaints redressal is given in “Annexure” – II

## 8. WHOM TO CONTACT IN CASE OF AN INCIDENT

An employee may send a written complaint either to any member of Internal Complaint Redressal Committee. The employee may also email the complaint to [gbp.helpdesk@philips.com](mailto:gbp.helpdesk@philips.com)

The employee may also contact her immediate Manager, HR manager or Sector Counsel. Upon being intimated, the manager must contact to the Internal Complaint Redressal Committee immediately and must be communicated to the victim the process and actions.

## 9. ROLES AND RESPONSIBILITIES

### ***Employer:***

- Employer shall nominate and formulate an Internal Complaint Redressal Committee at corporate, branch and factory level to address sexual harassment issues.
- Conduct regular audits to ensure that safety measures are followed properly and consistently.
- Organize workshops and awareness programs at regular intervals for sensitizing employees on the issues and implication of sexual harassment at workplace.
- Organize orientation program for member of the Internal Complaints Redressal Committee.
- Treat sexual harassment as misconduct under the service rules and initiate action for misconduct.

### ***Employee:***

- Become fully informed about Philips’ guidelines on prevention and mechanism of redressal of sexual harassment at workplace.
- Offer information and support to any person who is being harassed at workplace.
- Discourage the spreading of rumors with regard to any instance of sexual harassment at workplace.
- Maintain the confidentiality regarding any aspect of an investigation/inquiry.
- File a complaint before the Internal Complaint Redressal Committee.





- In case the aggrieved woman is unable to raise a concern for any reason (e.g. on account of physical/mental incapacity), a complaint may be filed by any person who has knowledge of the incident, with her consent.

### ***Internal Complaint Redressal Committee:***

- To appoint a nominee from a NGO or any other person who is familiar with the subject of sexual harassment as a third party member.
- To conduct a prompt, neutral investigation into the allegations in Philips' premises.
- For any sexual harassment complaint pertaining to branch officer or factory, the complaint committee will form a committee having three members from Core Complaint Redressal Committee and two members from Site Complaint Redressal Committee to investigate the allegations in accordance with the policy.
- To ensure that the presence of 2/3rd of the members of the Internal Complaint Redressal Committee in the quorum for the purpose of investigation/hearing/meeting.
- To meet once a quarter even if there is not live case and minutes of every meeting shall be recorded in the minutes register.
- To issue summon for appearance and to produce evidence.
- To recommend employer to change the workplace of victim/respondent.
- To recommend employer the penalties as per the service rules of Philips.
- To provide annual report to employer.

## **10. ENQUIRY REPORT**

The Internal Complaints Redressal Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Employer as soon as practically possible and in any case, not later than 10 days from the date of completion of inquiry. The Employer shall act upon the recommendation within 60 days of its receipt from Internal Complaint Redressal Committee

The Internal Complaint Redressal Committee shall complete all the enquiries and investigation process within 90 days and the report of the investigations shall be provided to aggrieved woman and respondent.

## **11. CONCILIATION**

- a) The Internal Complaint Redressal Committee, may before initiating an inquiry and at the request of the aggrieved woman take steps to settle the matter between aggrieved woman and respondent through conciliation.
- b) Where the settlement has been arrived, the Internal Complaint Redressal Committee shall provide the copies of the settlement to the aggrieved woman and respondent. The Internal Complaint Redressal Committee shall also provide the copy of the settlement to the employer with recommendation for no further inquiry required.



## 12. RELIEF TO THE AGGRIEVED WOMAN DURING PENDENCY OF INQUIRY

The Internal Complaint Redressal Committee at the written request of the aggrieved woman may recommend to the employer to –

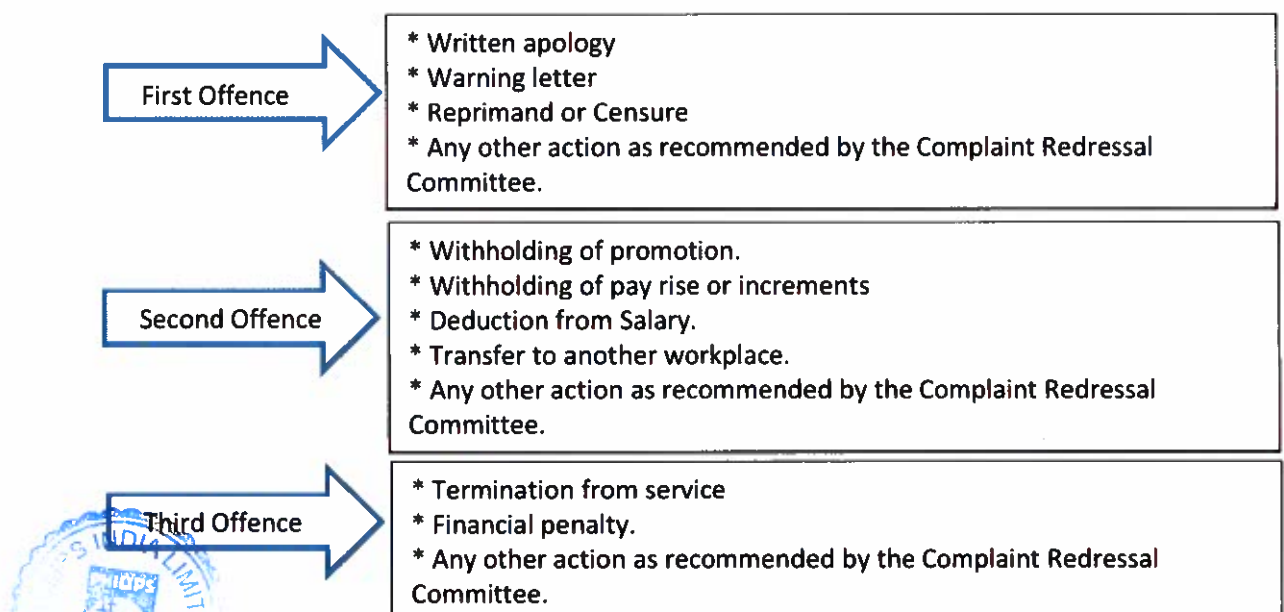
- a. Restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report and assign the same to another officer.
- b. Transfer the aggrieved woman or respondent to another workplace.
- c. Grant leave to the aggrieved woman upto a period of three months, in addition to the leave, she would be otherwise entitled.

## 13. MANNER FOR TAKING ACTION FOR SEXUAL HARASSMENT

- a) ***In case of allegation proved:*** Internal Complaint Redressal Committee, bases on its investigation and findings arrived at the conclusion that the allegation against the respondent has been proved. It shall recommend to the employer to take any action against the respondent as per the Philips' service rules including :

- Written apology
- Warning letter
- Reprimand or censure
- Withholding of promotion
- Withholding of pay rise or increments
- Deduction from salary
- Termination from service
- Financial Penalty (In accordance with the mental, physical trauma, loss of career opportunity, medical expenses) in lump sum or in instalments
- Undergoing a counselling session
- Transfer to another workplace

- b) ***In case of recurrence offence :***



If the complaint is of a serious nature, involving threats of reprisal or risk of recurrence or refusing the order/judgment of the employer, then a criminal case shall be filed against him/her before the police/court at the discretion of the Complaint Committee.

- c) ***In case of allegation not proved:*** Where the allegations against the respondent have not been proved, the Internal Complaint Redressal Committee shall provide a report to the employer with recommendation that no action is required, and also the copy of the report will be provided to respondent and aggrieved woman.

#### 14. **ACTION FOR MALICIOUS COMPLAINT OR FALSE EVIDENCE**

- a) Internal Complaint Redressal Committee, based on its investigation and findings arrived at the conclusion that the allegations against respondent is malicious or made the complaint knowing it to be false or has produced any forged or misleading document or witnesses, it shall recommend to the employer to take any action against the complainant as per the Philips' service rules.
- b) Failure to provide sufficient information or evidence shall not be considered as malicious complaint.
- c) The Internal Complaint Redressal Committee shall ensure that victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

#### 15. **THIRD PARTY HARASSMENT**

Any harassment brought to the notice of the Internal Complaint Redressal Committee arising out of an act or omission by any third party or an outsider, Philips shall take necessary and reasonable steps with the consent of the affected woman in assisting in terms of support and prevention action.

#### 16. **APPEAL**

If either party is not happy with the recommendation/decision of Internal Core Complaint Redressal Committee and desires to appeal the decision to higher authority, he/she may appeal in writing to the employer, who shall decide the appeal within one month.

#### 17. **CONFIDENTIALITY & PENALTY FOR VIOLATION**

- a) To protect the interests of the victim, the respondent and other who may relates in the incidents of sexual harassment, confidentiality shall be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.



- b) All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the employer except where disclosure is required under disciplinary or other remedial processes.
- c) No identity, address of any person involve in sexual harassment, report, recommendation or any other information relation to sexual harassment shall not be published, communicated or make know to the public, press and media in any manner.
- d) Violation of any of the provisions of confidentiality shall be punishable as per the Philips' service rules or shall recover a sum of five thousand rupees as penalty from such person.

## **18. MECHANISMS TO STRENGTHEN IMPLEMENTATION OF POLICY**

- a) Communication of policy and making it available to all employees.
- b) Display at any conspicuous place at the workplace – the constitution of Internal Complaints Committee and penal consequences.
- c) Making it a part of corporate induction program.
- d) Treat sexual harassment as misconduct under service rules.
- e) Organize workshop for Internal Complaint Committee and awareness program for employees.

## **19. ANNUAL REPORT**

The Internal Complaint Committee shall submit an annual report to employer in each calendar year having the following details:

- a) Number of complaints of Sexual harassment received in the year;
- b) Number of complaints disposed off during the year;
- c) Number of cases pending for more than ninety days;
- d) Number of workshops or awareness programme against sexual harassment carried out;
- e) Nature of action taken by the employer.



## ANNEXURE - I

### 1. CORE COMPLAINT REDRESSAL COMMITTEE

The members of the Core Complaint Redressal Committee are as follows:

Sl No.	Position	Name	Designation	Contact Details
1	Presiding Officer	Zenobia Madon	Director, Market Indian Subcontinent HR	Email : Zenobia.Madon@philips.com Phone No. +91 9560634848
2	Member	Sunali Ahluwalia,	HS Finance Business Partner, Finance Indian Subcontinent	Email : sunali.ahluwalia@philips.com Phone No. +91 9810734949
3	Member	Meeru G Gupta	General Manager – Legal	Email : meeru.gupta@philips.com Phone No. +91 9999085605
4	Member	Abhinav Kaul	Director Commercial Operations, Health Systems India	Email : abhinav.kaul@philips.com Phone No. +91 9900588400
5	Member	Tripathy, Dev Kumar	Director - Finance, PH, Finance Indian Subcontinent	Email : dev.tripathy@philips.com Phone no. +91 9971121884
6	External member	Antara Sen Gupta	Counsellor (NGO)	Email : antara@1to1help.net Phone No. +91 8527646456



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## 2. SITE COMPLAINT REDRESSAL COMMITTEE

The Presiding Officer and external member (Counsellor) of Core Complaint Redressal Committee will also be the Presiding Officer and external member of each Site Core Complaint Redressal Committee. The other members of the Site Core Complaint Redressal Committee are given below:

### (a) DMC Research and Development Centre, Pimpri

Sl No.	Position	Name	Designation	Contact Details
1	Member (Female)	Geeta Ramakant Maydeo	Project Manager - DMC	e-mail: Geeta.Maydeo@philips.com Mobile No. : +91 9890110474
2	Member (Male)	Sharad Lodhi	HR Business Partner - HIC	e-mail: sharad.lodhi@philips.com Mobile No. + +91 9765567022

### (b) DMC Factory, Chakan

Sl No.	Position	Name	Designation	Contact Details
1	Member (Female)	Varsha Prabhakar Raktate	Site Quality Head, HIC Q&R	e-mail: Varsha.Raktate@philips.com Mobile No. +91 9769141401
2	Member (Male)	Sharad Lodhi	HR Business Partner - HIC	e-mail: sharad.lodhi@philips.com Mobile No. ++91 9765567022

### (c) Philips Innovation Campus, Bangalore

Sl No.	Position	Name	Designation	Contact Details
1	Member (Female)	Rani Malli	Sr. Director	e-mail: rani.malli@philips.com Phone No. +91 80 4189 2507 Mobile No. +91 98453 18956
2	Member (Female)	Pragya Shrimali	General Manager HR	e-mail : Pragya.Shrimali@philips.com Mobile No. +91 9886599067
3	Member (Male)	Prabhakar Dutta	Finance Controller	Email - <a href="mailto:PRABHAKAR.DUTTA@philips.com">PRABHAKAR.DUTTA@philips.com</a> Mobile No - 9650050970



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**(d) Mumbai and Ahmedabad Branch Office**

Sl No.	Position	Name	Designation	Contact Details
1	Member (Female)	Shraddha Nikam	Key Account Manager PH, Modern Trade	E-mail : <a href="mailto:Shraddha.Nikam@philips.com">Shraddha.Nikam@philips.com</a> Mobile No. + 91 9757011100
2	Member (Male)	Brajagopal Sarkar	Director	E-mail : <a href="mailto:brajagopal.sarkar@philips.com">brajagopal.sarkar@philips.com</a> Phone No. +91 22 66912030 Mobile No. +91 9004558680

**(e) Chennai Branch Office, Chennai**

Sl No.	Position	Name	Designation	Contact Details
1	Member (Female)	Shanthi, G	Senior Team Lead - CCSC, HS I Customer Service	Email : <a href="mailto:G.Shanthi@philips.com">G.Shanthi@philips.com</a> Mobile No. 9841447251
2	Member (Male)	Suryanarayanan, S	Regional Manager, HSI Sales	Email : <a href="mailto:surya.narayan@philips.com">surya.narayan@philips.com</a> Mobile No. +91 98109 24890

**(f) Kolkata Branch Office, Kolkata**

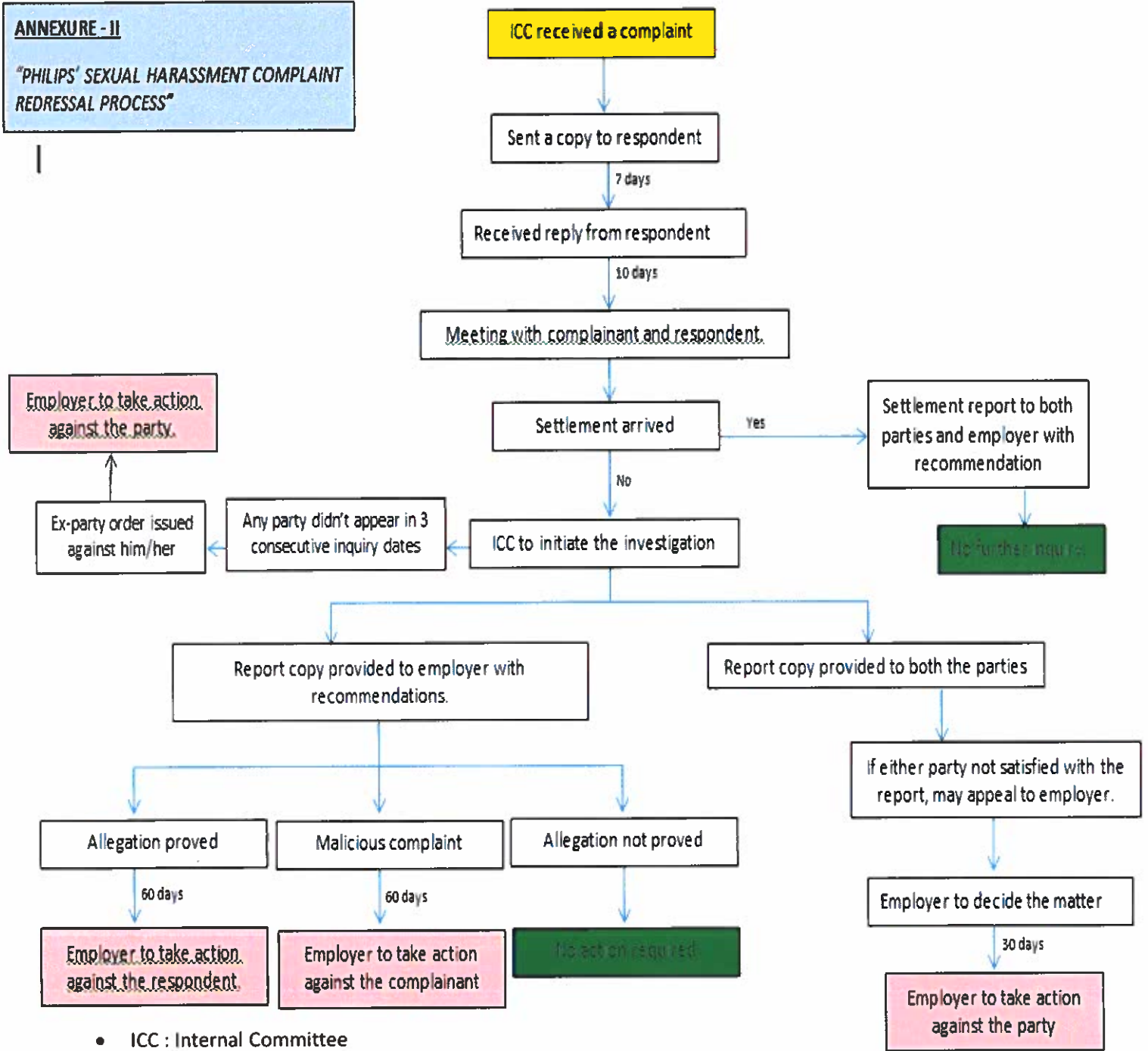
Sl No.	Position	Name	Designation	Contact Details
1	Member (Male)	Amit Singh	Regional Sales Manager	Email : <a href="mailto:AmitKumar.Singh@philips.com">AmitKumar.Singh@philips.com</a>
2	Member (Female)	Ruby Sen	Deputy Manager, PHI Sales Modern Trade	Email : <a href="mailto:ruby.sen@philips.com">ruby.sen@philips.com</a> Mobile No. +91 98309175047

**(f) Hyderabad Branch Office, Telengana**

Sl No.	Position	Name	Designation	Contact Details
1	Member (Male)	Ajay Kumar Attaluri	Regional Sales Manager	Email : <a href="mailto:ajaykumar.a@philips.com">ajaykumar.a@philips.com</a> Mobile No - 9866396567



**ANNEXURE - II**  
**"PHILIPS' SEXUAL HARASSMENT COMPLAINT REDRESSAL PROCESS"**



• ICC : Internal Committee

