

# Policy For Prevention Of **Sexual Harassment** (POSH)



# **MAGEMARKETER'S POLICY FOR PREVENTION OF SEXUAL HARASSMENT (POSH)**

## **1.PURPOSE:**

To create and maintain a safe work environment, free from sexual harassment and discrimination for all employees. This policy is in accordance with "The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013."

## **2.SCOPE:**

Magemarketer adopts a zero-tolerance attitude towards any kind of sexual harassment or discrimination caused by any employee towards any other person, including employees, clients, vendors, and contractors, whether in company premises or elsewhere in India or abroad.

## **3.APPLICABILITY:**

This policy applies to all employees of Magemarketer at all locations.

## **4. DEFINITIONS:**

### **1.Sexual Harassment**

Sexual harassment includes any unwelcome act or behavior (whether directly or by implication) such as:

- Physical contact and advances
- Demand or request for sexual favors
- Sexually colored remarks
- Showing pornography
- Repeatedly asking to socialize during off-duty hours
- Giving sexually suggestive gifts
- Eve teasing, innuendos, and taunts
- Persistent watching, following, or contacting a person
- Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature

It also includes the following circumstances:

- Implied or explicit promise of preferential treatment in employment
- Implied or explicit threat of detrimental treatment in employment
- Interference with the person's work or creating an intimidating or hostile work environment
- Humiliating treatment likely to affect health or safety

## **2. Aggrieved Woman:**

In relation to a workplace, any woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, or visiting individuals.

## **3. Respondent:**

A person against whom a complaint of sexual harassment has been made by the aggrieved woman.

## **4. Employee:**

A person employed at the workplace, for any work on a regular, temporary, ad-hoc, or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise. This includes co-workers, contract workers, probationers, trainees, apprentices, or any other such individuals.

## **5. Workplace:**

In addition to the place of work (Head office / Branch offices, Factories), it includes any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/contract/engagement with MageMarketer, including transportation provided for undertaking such a journey.

## **6. Employer:**

A person responsible for management, supervision, and control of the workplace.

## **5. ROLES & RESPONSIBILITIES:**

- Individuals: Respect others' rights, refuse to participate in harassment, support those being harassed, and act as witnesses if needed.
- Managers: Ensure understanding and compliance with the policy, take complaints seriously, and protect complainants and witnesses from victimization.

## **6. GRIEVANCE MECHANISM:**

### **Procedure to Register Complaints:**

A complaint shall be submitted in writing to [hr@magemarketer.com](mailto:hr@magemarketer.com) or to any member of the Internal Committee mentioned herein within 3 months of the occurrence of an act of sexual harassment. If the respondent is the direct supervisor of the complainant or a person influencing the career growth of the complainant, the reporting structure will be changed until the inquiry is completed.

## **7. INTERNAL COMMITTEE:**

a. Each complaint of sexual harassment shall be dealt with the utmost confidentiality and urgency by an Internal Committee consisting of:

- Presiding Officer: VP-HR
- 1 Member: Head Of Department
- 1 Lady Member (Manager)
- 1 Lady Member
- 1 Lady Member (From NGO or Psychologist or Lawyer)

b. Within 3 working days, the Internal Committee shall commence an Official Internal Enquiry by:

- Informing the respondent of the complaint;
- Instructing the respondent to stop the alleged act of sexual harassment immediately;
- Informing the respondent not to reach out to the complainant directly or indirectly;
- Asking the respondent for an immediate explanation.

- c. Within 5 working days from receipt of the original complaint, the designated person shall respond in writing to the complainant, informing them about the initial steps taken by Magemarketer to stop the alleged act(s).
- d. Within 15 days from receipt of the original complaint, the Internal Committee shall record and communicate in writing to the complainant and the respondent its prima facie findings, upon giving the concerned parties a fair and due opportunity to represent themselves and upon conducting fact-finding, truth verification, and counseling sessions with persons involved in the alleged act(s).
- e. A complaint will be closed no later than one month from receipt of the original complaint by recording the decisions of the Internal Committee and accordingly informing the complainant and the respondent of the same.
- f. Employees are duty-bound to assist in investigative steps. Employees' wholehearted participation shall be mandatory in this regard. Whistleblowers shall be protected from exposure, retaliation, or hostility.
- g. Within 2 working days from receipt of prima facie findings or the charges, if the complainant or the respondent is dissatisfied with the decision of the Internal Committee, they may appeal specifying the reasons in writing to the Managing Director. Within 5 working days from receipt, the appeal shall be finally disposed of by written communication to the said party. The decision of the Managing Director shall be final and cannot be appealed.

## **8. REDRESSAL:**

- 1. An amicable resolution of the complaint is possible only with the written consent of the complainant.
- 2. Within 24 hours of closing the case file, the Internal Committee shall present the same to and inform its decision to the Managing Director.
- 3. In case of a decision establishing the offence of sexual harassment of the complainant, within 3 working days, the Internal Committee shall recommend disciplinary action against the offender, considering the nature and extent of injury caused to the complainant, prior complaints or repetition of the offence, and the impact of the offence on the company profile as a whole.
- 4. The position of the offender and the criticality of the position occupied by the offender shall not be a hindrance to the disciplinary action taken against the offender.

5. The disciplinary action, commensurate with the nature and gravity of the offence, shall include but not be limited to:

- 
- Warning
- Written apology from the offender
- Bond of good behavior
- Transfer
- Debarring from supervisory duties
- Denial of employee benefits like increments/promotion/salary correction, etc.
- Cancellation of specific work assignments
- Suspension
- Dismissal

An annual report summarizing complaints and redressal of sexual harassment shall be prepared by the designated person. The said report, as well as all documents regarding sexual harassment complaints, shall be in the custody of the designated person and will be termed as "Strictly Confidential."

## **ANNEXURE**

### **EMPLOYEE ACKNOWLEDGEMENT FORM**

I, \_\_\_\_\_, have received and read the Policy for Prevention of Sexual Harassment (POSH) at Magemarketer. I understand my responsibilities and the procedures for filing complaints.

Signature: \_\_\_\_\_

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

### **INTERNAL COMMITTEE MEMBERS**

1. Presiding Officer: VP-HR - Shreya Bhavsar

Contact: 8390093217

2. Member: Head of Department - Minshu Singh

Contact: 7388647206

3. Lady Member (Manager): - Mohini Rathod

Contact: 8149200165

4. Lady Member (from NGO/Psychologist/Lawyer): Shweta Mudgal

Contact: 9423528517