



GALAXY ENTERTAINMENT CORPORATION LIMITED

**Policy on Prevention of Sexual Harassment of
Employees at Workplaces**



Introduction:

Galaxy Entertainment Corporation Limited (GECL/Company) as an employer is committed to creating a healthy and safe work environment that enables employees to work free from unwelcome, offensive and discriminatory behavior. The aim is to enable them to deliver their best at work without fear of prejudice, gender bias and sexual harassment. The Company recognizes consequences of sexual harassment and that sexual harassment can subject individuals to fear, stress and anxiety. It acknowledges the strains that such harassment places on work and family life of an individual.

The Government of India has made effective on April 23, 2013 a law called 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 on prevention of sexual harassment against female employees at the workplace. Any person making unwelcome physical contact and explicit sexual overtures, demanding or requesting sexual favours, making sexually coloured remarks or showing pornography against the will of a woman shall be guilty of the offence of Sexual Harassment and Section 354A of the Indian Penal Code 1860 prescribes punishment for this offence, ranging from simple to rigorous imprisonment, for term one year to three years, or with fine, or with both.

Every woman shall have a right to be free from sexual harassment and the right to work in an environment that is free from any form of sexual harassment. The right of women to protection from sexual harassment and the right to work with dignity are recognized as universal human rights by international conventions such as 'Convention on the Elimination of all Forms of Discrimination against Women' (CEDAW), which has been ratified by Government of India.

Sexual harassment at the workplace is a form of discrimination. Protection against sexual harassment and right to work with dignity are universally recognized human rights by international conventions and instruments. Therefore in order to deal with sexual harassment at workplace the Company has set out **Policy on Prevention of Sexual Harassment of Employees at Workplaces.**

This Policy has also been formulated to create and maintain a safe working environment where all employees treat each other with courtesy, dignity and respect irrespective of their gender, race, caste, creed, religion, place of origin, sexual orientation, disability, economic status or position in the hierarchy. Employees in the Company are entitled to work in an environment free from any form of discrimination or conduct which can be considered harassing, coercive, or disruptive.

Any form of sexual harassment whether overt or covert is therefore unacceptable and regarded as misconduct as per this Policy. It explicitly prohibits sexual harassment at work place or off site, either during or in connection with activities related to work.



The Company will take action consistent with its disciplinary and grievance procedures against any employee found to have breached this Policy. The Company will also take steps to comply with any specific domestic laws relating to this issue.

The Company is committed to ensure that sexual harassment instances and incidents can be reported without fear of reprisal or retaliation. The Company will investigate instances / and or complaints of sexual harassment promptly and discreetly. This policy draws from the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013.

This Policy is prepared under the overall ambit of the GECL - Code of Conduct and Business Ethics and as per the statutory requirement.

It is the responsibility of all those connected with the Company to comply with this Policy.

1. Objectives:

- (a) To fulfill the directive of the Supreme Court of India enjoining all employers to develop and implement a Policy against sexual harassment of women at the work place or in the course of official duties. The policy will remain applicable wherever employees have occasion to interact with each other including for example, in vehicles, third party premises, off site meetings and public venues.
- (b) Provide work environment free from fear, reprisal, coercion, discrimination and harassment of sexual nature.
- (c) Express zero tolerance to any sexual harassment at workplace through Prevention, Resolution and Deterrence of acts of sexual harassment.
- (d) Enable all those working, associated and visiting the Company to raise their concerns and make complaints without any fear.
- (e) Define sexual harassment and provide a clearly stated codified redress for any sexual harassment occurring at workplace.
- (f) Provide procedure for resolution, settlement or prosecution complaints of sexual harassment
- (g) Conduct fair investigation and reach reasonable decision in a timely manner.
- (h) To promote an environment that will raise awareness about and deter acts of sexual harassment of employees of the Company.
- (i) To uphold the commitment of the Company to provide an environment that is free from discrimination and violence against women.



2. Scope:

The Policy applies to all those employed and associated with the Company. They can be regular, temporary, ad hoc or daily wage basis employees. They include contract workers, consultants, retainers, probationers, trainees, and apprentices or called by any other such name engaged by the Company. They could be appointed either directly or through an agent including a contractor. It could be with or without knowledge of the Company. The terms of employment could be expressed or implied. This Policy also applies to all vendors, contractors, customers, agents and suppliers who do business with the Company and/ or visit the employees of Company.

Policy will be incorporated in the service conditions of all employees explicitly or by inferences and will come into effect immediately. All parties connected with the Company are mandated to follow this Policy and to work collaboratively to prevent sexual harassment.

This Policy comes into force with immediate effect.

3. Definition:

- (a) "Aggrieved person" means a person of any age in relation to work place whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- (b) "Company" means Galaxy Entertainment Corporation Limited.
- (c) "employee" means a person employed at a workplace for any work on regular, temporary, *ad hoc* or daily wages 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, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;
- (d) "employer" means in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf. Any person responsible for the management, supervision and control of the workplace.



- (e) "Internal Complaints Committee" means a committee constituted by Company as per this Policy.
- (f) "Respondent" means a person against whom the aggrieved person has made a complaint.
- (g) "Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
 - i. Any unwelcome sexually determined behavior such as physical contact or advances, requests or demand for sexual favours, either explicitly or by implication, in return for employment, promotion, examination or evaluation of a person towards any company activity;
 - ii. Any unwelcome sexual determined behavior involving verbal, non-verbal or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, SMS or email communication, gestures, showing of pornography, lewd stares, physical contact or molestation, stalking, sounds, display or pictures, signs, verbal or non-verbal communication which offend the individual's sensibilities and affects his or her performance at the workplace;
 - iii. eve-teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon the individual's privacy;
 - iv. Any act of showing pornography or any other unwelcome physical verbal or non-verbal conduct of sexual nature; and
 - v. Any act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other gender, such as presence or occurrence of circumstances of implied or explicit promise of preferential treatment in employment; threat of detrimental treatment in employment; threat about present or future employment; interference with work or offensive work environment; or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation or humiliating treatment likely to affect the person's health or safety.
- (h) "workplace" includes-
 - i. any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or



indirectly by the appropriate Government or the local authority or a Government company or a corporation or a co-operative society;

- ii. any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service;
- iii. hospitals or nursing homes;
- iv. any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;
- v. any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;

4. Internal complaints committee:

Every complaint received shall be forwarded to internal complaint committee formed under the policy for redressal. The investigation shall be carried out by Internal Complaints Committee constituted for this purpose.

Internal Complaints Committee has been constituted of the following members as nominated by the Company:

- (a) A woman employee employed at a senior level amongst the employees shall act as Presiding officer of the committee.
- (b) Not less than 2 members from amongst employees preferably committed to the cause of women OR who have had experience in social work OR have legal knowledge.
- (c) One member shall be from amongst Non-governmental organizations OR associations committed to the cause of women OR a person familiar with the issues relating to sexual harassment.

Atleast half the total members of the Committee have to be women. The Presiding Officer and every member shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

The Name of the Members of Internal Complaints Committee is as follows:



SI No.	Name	Membership
1.	Ms. Vishakha Jadhav	Chairperson
2.	Mr. Kuldeep Jalindra	Member
3.	Mr. Vikas Kedia	Member

- i. A Quorum of three members is required to be present for the proceedings to be conducted in the Committee. The Quorum shall include the Chairperson, at least two members, out of which one Member shall be a woman.
- ii. If in the Committee the member representing the category of the defendant is junior in the hierarchy of the Company to the defendant, then, for that particular enquiry that member shall be substituted on the Committee by another person, senior in rank to the defendant.
- iii. No person who is a complainant, witness or defendant in the complaint of sexual harassment shall be a member of a Committee.
- iv. Any Committee member charged with sexual harassment in a written complaint must step down as a member during the enquiry into that complaint.
- v. The Committee shall also have one person who is a nominee from a Non-Governmental Organization or any such person who is familiar with the subject of Sexual Harassment, as a third party Member.

5. REPORTING AND REDRESSAL PROCESS

- a) The mechanism for registering complaints should be safe, accessible and sensitive. All complaints must preferably be brought by the complainant in person. All precaution will be taken to protect the privacy of the individuals involved. Any aggrieved employee who is of the view that he/she is being sexually harassed directly or indirectly, may submit a complaint of the alleged incident to any or all the members of the Committee in writing with his/her signature within three months from the date of occurrence of incident. It is also encouraged that both parties maintain records of all incidents, (such as, physical copies of emails, details of dates, places, witnesses and their feelings at the time of the alleged harassment. Photographs, video/audio recordings submitted should be tamper proof. These are useful should a formal process come up).

Provided however that where such complaint cannot be made in writing, the Chairperson or any Member of the Internal Complaints Committee, as the case may be, shall render all reasonable assistance to the individual concerned for reducing the complaint in writing.



- b) A written complaint with the following details must be submitted:
- i. State the name of the alleged offender including designation and contact numbers;
 - ii. State the date(s) and location(s) of the alleged incident(s) of harassment;
 - iii. A detailed description of the incident(s) in question as well as other relevant circumstances; The written complaint/email must provide the details of the incident together with the name/s of, the alleged harasser/s and the victim/s, as available.
 - iv. Names of witnesses and physical and/or documentary proof if any that supports the allegation; including other potential complainants, if any;
 - v. Shall be signed and dated; no anonymous complaints shall be accepted by the Committee.
 - vi. Complaint should include with contact details of the complainant / victim such as name, address, contact number, department etc;
- c) The filing of a complaint shall not ordinarily adversely affect the Complainant's status/job/salary/promotion, grades, etc. During the pendency of an enquiry and till the final determination of a complaint of sexual harassment under this Policy, the Company shall not alter the conditions of service of the Complainant/Witness/Supporter concerned to their prejudice, as a consequence to the filing, participation or holding of an enquiry under this Policy.
- d) The Company encourages prompt reporting of Sexual Harassment incidents so that timely and appropriate action may be taken. Nevertheless, considering the sensitivity of the issue and the emotional aspects that may arise, a delay may be considered favourably by the Committee provided the Complainant submits sufficient cause for such delay. In case the employee has experienced Sexual Harassment during his/her tenure of employment, but has since left the services of GECL, then, the Committee shall accept a Complaint so long as it is received in writing within three months from the date of cessation of employment.
- e) If an employee believes that he/she is experiencing retaliation of the nature of intimidation, pressure to withdraw the case or threats for reporting, testifying or otherwise participating in the proceedings before the Committee, then, such employee should immediately report the matter to the Committee. Such incidents shall be treated as seriously as an alleged case of Sexual Harassment and will apply even if the original complaint is not given. Similarly, any undue influence whether direct or indirect, to the



proceedings by any party shall be construed as 'Misconduct' and shall attract disciplinary action.

- f) The Committee shall maintain a register to endorse the complaint received by it and keep the contents strictly confidential, if it is so desired, except to use the same for discreet investigation.
- g) The Committee shall hold a meeting with the Complainant within ten working days of the receipt of the complaint, but no later than fifteen working days in any case. In exceptional cases, emergency meeting may be convened by the Chairperson as per the requirement.
- h) At the first meeting, the Committee shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written, etc. to substantiate the complaint. If the Complainant does not wish to depose in person due to embarrassment of narration of events, a lady officer for lady employee(s) and a male officer for male employee(s) desirous of lodging such complaint shall meet and record the statement.
- i) Thereafter, the Committee shall summon the person against whom the Complaint is made for the purposes of a deposition before the Committee and an opportunity shall be given to such person to give an explanation to the allegations, where after, an 'Inquiry' shall be conducted and concluded.
- j) In case of the complaint being found and determined to be of malafide intent or blatantly false or that the incident was publicized without going through the recommended process, such behavior will be construed as a misconduct and the Complainant shall, if deemed fit be liable for appropriate disciplinary action including but not limited to termination of services by the Management of the Company.
- k) If the Committee decides not to conduct an enquiry into a complaint, it shall record the reasons for the same in the minutes of the Committee meeting. The Committee shall make the same available to the Complainant in writing.
- l) During the pendency of an Inquiry, the Committee may recommend for transfer of the aggrieved employee or the person against whom the complaint is made; or grant leave to the aggrieved employee up to a period not exceeding three months (which shall be in addition to the leave otherwise entitled) or grant such other relief to the individual as may be prescribed by the Company from time to time.



6. INQUIRY PROCESS

- a) The Committee shall immediately proceed with the Inquiry and communicate the same to the Complainant and person against whom complaint is made. The venue of the Inquiry shall take into consideration the convenience and security of the complainant.
- b) The identities of the Complainant and all witnesses shall throughout be protected and kept confidential by the Committee.
- c) The Committee shall prepare and handover the Statement of Allegation to the person against whom complaint is made and give him/her an opportunity to submit a written explanation if she/he so desires within seven working days of receipt of the same.
- d) The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- e) If the Complainant or the person against whom complaint is made desires any witness (es) to be called, they shall communicate in writing to the Committee, the names of witness (es) that they propose to call. The responsibility of communicating with the witnesses lies with the complainant/defendant regarding the date, time and venue of the meeting.
- f) If the Complainant desires to tender any documents by way of evidence before the Committee, she/he shall supply original copies of such documents. Similarly, if the person against whom the complaint is made desires to tender any documents in evidence before the Committee, he/she shall supply original / true copies of such documents. Both shall affix his/her signature on the respective documents to certify these to be true copies of the original. The Committee shall have the power to summon any official papers or documents pertaining to the complaint under enquiry.
- g) The Committee shall call upon all witnesses mentioned by both the complainant and the person against whom the complaint has been lodged. The Committee may at its sole discretion, summon necessary and relevant document / witness, if it is of the opinion that it shall be in the interest of justice.
- h) The Committee shall provide every reasonable opportunity to the Complainant and the defendant for putting forward and defending their respective case. The Committee shall retain the right to disallow any questions that it has reason to believe to be irrelevant, mischievous, slanderous, derogatory or gender insensitive. Any behavior, verbal or otherwise, on the part of the defendant or his nominee, that is designed to



intimidate or subject the complainant or her witness to mental and physical trauma, shall entitle the Committee to recommend disciplinary action against the defendant.

- i) The Complainant and the defendant shall have the right of cross-examination of all witnesses.

7. CONFIDENTIALITY:

The Company understands that it is difficult for complainant to come forward with a complaint of matters related to sexual harassment so company will have all these matters confidential. All records of complaints, including contents of Meeting, results of investigations and other relevant material will be kept confidential by company.

8. MISCELLANEOUS:

The Internal Complaint Committee shall prepare an annual report with the following details and shall submit the same to the employer:

- (a) Number of complaints of sexual harassment received during the year;
- (b) Number of complaints disposed off during the year;
- (c) Number of cases pending for more than 90 days;
- (d) Number of workshops or awareness program against sexual harassment carried out;
- (e) Nature of action taken by the employer.
