



## PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE

### I. INTRODUCTION:

At D&B, we believe that our employees, visitors, customers, vendors, partners and all other stake holders should be free from all forms of harassments, exploitations, intimidations, at Workplace, whether it be verbal, physical, visual or sexual. Accordingly, in line with its Code of Ethics, D&B has implemented this Policy on the Prevention of Sexual Harassment at the Workplace (“**Policy**”).

### II. OBJECTIVE:

The objective of this Policy is to prevent, prohibit and redress any form of sexual harassment against any employee, contract staff or visitor at D&B's Workplace.

All concerned should take cognizance of the fact that D&B strongly opposes sexual harassment, and that such behavior as prohibited by the law, as set down in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder being the Sexual Harassment of Women at Workplace (hereinafter collectively referred to as “**Act**”), as well as the terms of employment. Commission of any act of sexual harassment as defined in this Policy shall result in strict disciplinary action.

At D&B, we have zero-tolerance for sexual harassment. D&B values each and every employee working with it and wish to protect their dignity and self-respect. In doing so, D&B is determined to promote a working environment in which persons of both genders complement each other as equals in an environment that encourages maximum productivity and to keep the personal dignity.

We at D&B are committed towards giving every Employee a just and fair hearing on issues encountered by them at the Workplace with special attention to sexual harassment. D&B will take very serious disciplinary action against any victimization of the aggrieved person who is complaining or the alleged harasser that may result from a complaint.

### III. SCOPE:

This Policy extends to all Employees in India and is deemed to be incorporated in the service conditions of all Employees and comes into effect immediately.

The Policy is with respect to Prevention, Prohibition & Redressal of Sexual Harassment which may arise in places not limited to geographical location viz. D&B's offices / branches, but includes, all such places or locations where acts are conducted in context of working relationships or while fulfilling professional duties or which may be visited by an Employee during the course of employment including transportation provided by D&B for undertaking such visit. D&B's Policy includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and, visitors including outsourced employees. Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent. Sexual harassment as addressed in this Policy need not necessarily be from a male to a female employee, it can be vice versa as well as between individuals of same gender.

We encourage Employees, contract staff and visitors to D&B's Workplace to report any incident that they believe to be sexual harassment, without the fear of retaliation. D&B prohibits any form of Sexual Harassment at the Workplace, whether such harassment is overt or subtle, quid pro quo (in exchange for preferential treatment) or creates a hostile environment. No one at D&B, and that means not one person, has the right to discourage anyone else from reporting an incident of sexual harassment or to retaliate against anyone who genuinely reports an incident of sexual harassment. D&B will treat such behavior as a violation of its Code of Ethics.

### IV. DEFINITIONS:

- a. “**Aggrieved Person**” means a person in relation to Workplace, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent.
- b. “**D&B**” means Dun & Bradstreet Information Services India Private 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. “**Internal Complaints Committee**” means a committee constituted by D&B as per this Policy.
- e. “**Respondent**” means a person against whom the Aggrieved Person has made a complaint.
- f. “**Sexual Harassment**” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
  - 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 other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or
  - v. Any other unwelcome physical, verbal or non - verbal conduct of sexual nature; or

Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation or connected with any act or behavior of sexual harassment:

- i. implied or explicit promise of preferential treatment in their employment;
- ii. implied or explicit threat of detrimental treatment in their employment;
- iii. implied or explicit threat about their present or future employment status;
- iv. interfering with their work or creating an intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
- v. humiliating treatment likely to affect the health and safety of the aggrieved person.

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee, will be considered as Sexual Harassment.

g. “**Workplace**” includes any department, organization, undertaking, establishment, enterprise institution, office or branch unit of D&B. 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.

### V. INTERNAL COMPLAINTS COMMITTEE:

Every complaint received shall be forwarded to Internal Complaints Committee (“**ICC**”) formed under the policy for redressal. The investigation shall be carried out by ICC constituted for this purpose.

ICC has been constituted of the following members as nominated by D&B:

- a. A woman employee employed at a senior level amongst the employees shall act as Presiding officer of ICC.
- 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.

**The Members of the ICC is as per Annexure A** of this Policy and any change in such composition shall be effected in the Policy. At least half the total members of ICC are women.

**VI. COMPLAINT REDRESSAL MECHANISM:**

An Employee or Aggrieved Person who may have any grievance under the ambit of this Policy is encouraged to deal with any perceived Sexual Harassment directly by asking the Respondent causing such harassment to stop such behavior. If such efforts are not successful, the Employee or Aggrieved Person must report the incident that s/he is aware of in writing through the channels mentioned in this policy.

**Reporting Sexual Harassment:**

Any Employee / Aggrieved Person who is subject to or is a witness to sexual harassment at D&B's Workplace should immediately (and not later than three months) file a complaint in writing to D&B's ICC.

The complaint must be filed within 3 (three) months from the incident (or the last incidents in case of a series of incidents). The ICC may extend the timeline by another 3 (three) months in certain situations.

On receipt of complaint, ICC shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Aggrieved Person and Respondent.

ICC on receipt of such written complaint, may, if require ask the Aggrieved Person to furnish additional information about the alleged harassment.

On receipt of such complaint, ICC shall provide a copy along with supporting documents of such complaints to the Respondent within 7 (seven) working days. Upon receiving a copy of the complaint from ICC, the Respondent should file its response with ICC within 10 (ten) working days along with list of documents, names and addresses of witnesses.

**Investigation into Sexual Harassment:**

ICC shall investigate in detail into the matter of the complaint. ICC shall have the right to call the Respondent against whom the complaint is made or any other witnesses, as and when necessary.

During the enquiry process, the Aggrieved Person and the Respondent shall refrain from any form of threat, intimidation or influencing of witnesses.

ICC will conduct enquiry in accordance with the principles of natural justice and will ensure to give both the parties, i.e., the Aggrieved Person as well as the Respondent, a right to be heard and present their case before ICC.

ICC shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or the Aggrieved Person remains absent for 3 (three) consecutive hearings, without sufficient cause, provided that such termination or ex-parte decision may not be passed without giving a notice of 15 (fifteen) days' in writing, to the concerned party.

ICC must complete its investigation within a period of 90 (ninety) days.

The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before ICC.

For conducting the enquiry, the quorum of ICC shall be of 3 (three) members including the Presiding Officer.

Before ICC initiates an inquiry, the Respondent may request ICC to settle the matter between the Aggrieved Person and the Respondent through conciliation. However, no monetary settlement shall be made in connection with any conciliation. In the event a settlement has been reached, inquiry shall not be conducted by ICC. See **Annexure B** for **Complaints Process**.

ICC may during such investigation may exercise the power of a civil court, vested in it, in respect of:

- a. summoning and enforcing the attendance of any person and examining him under oath;
- b. requiring discovery and production of documents;
- c. any other prescribed matter.

During such enquiry, upon written request by the Aggrieved Person, ICC may at its discretion recommend:

- a. to transfer the Aggrieved Person or the Respondent to any other workplace;
- b. grant leave to the Aggrieved Person of up to three months which is in addition to leave to which s/he is otherwise entitled. Provided, the Aggrieved Person has to tender justified reason for such transfer or leave, such as threat to work in the workplace.

**Disciplinary Action Against Sexual Harassment:**

ICC shall on completion of the enquiry provide a report of its findings within 10 (ten) days from the date of completion of the enquiry and such report shall be made available to the concerned parties.

If the allegation against the Respondent has not been proved, ICC may recommend that no action needs to be taken in the matter.

If ICC arrives at the conclusion that the allegation against the Respondent has been proved, or if such complaint is proved to be false or malicious, it may recommend to take action for sexual harassment as a misconduct, as per the following punishment matrix:

Penalty	Disciplinary action
Minor	Warning, Reprimand, Written apology to the Aggrieved Person
Moderate	Withholding of promotions / increments, Rescinding of bonus, Carrying out community service, Transfer from present location
Stringent	Compensation or deduction from the salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the Aggrieved Person or to their legal heirs, as it may determine, Suspension, Termination / dismissal from employment, Legal action under the Criminal Code

Such action will be taken within 60 (sixty) days of the receipt of report.



**VII. CONFIDENTIALITY:**

Any information of sexual harassment must be treated with confidentiality and respect. Those involved in investigating the matter shall only disclose information as necessary in connection with the investigation. If any person entrusted with the duty to handle or deal with a complaint, inquiry or any recommendations or actions, contravenes his/her confidentiality obligation, he/she shall be liable to potential disciplinary action.

**VIII. AWARENESS:**

- a. All the Employees, agents, customers, vendors, partners and visitors shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the People team.
- b. A brief shall be given to all existing employees regarding the features of this Policy and to new employees in D&B during their initial Induction.
- c. D&B will comply with all other details as set out under Section 19 of the Act to ensure that all Employees are provided with the safe working environment at the Workplace.
- d. D&B shall display the notice showing the name of ICC members at its every establishment at a conspicuous place.

**IX. FALSE ACCUSATION:**

The complaint of sexual harassment made by any Employee shall be taken up with utmost seriousness by D&B. However, there shall be zero tolerance for any false accusation.

If ICC comes to a conclusion that the allegation was made with malicious intent or the Aggrieved Person or any other person making the complaint on behalf of the Aggrieved Person produced false or forged or misleading documents to prove his/her case, ICC may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom ICC concludes, that he/she has given false evidence or produced forged or misleading documents.

It is to be noted that this statement is not intended to discourage Employees from coming forward with any complaints. D&B recognizes and expects that some claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

**X. CONCLUSION:**

Complaints relating to sexual harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner, so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behavior. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

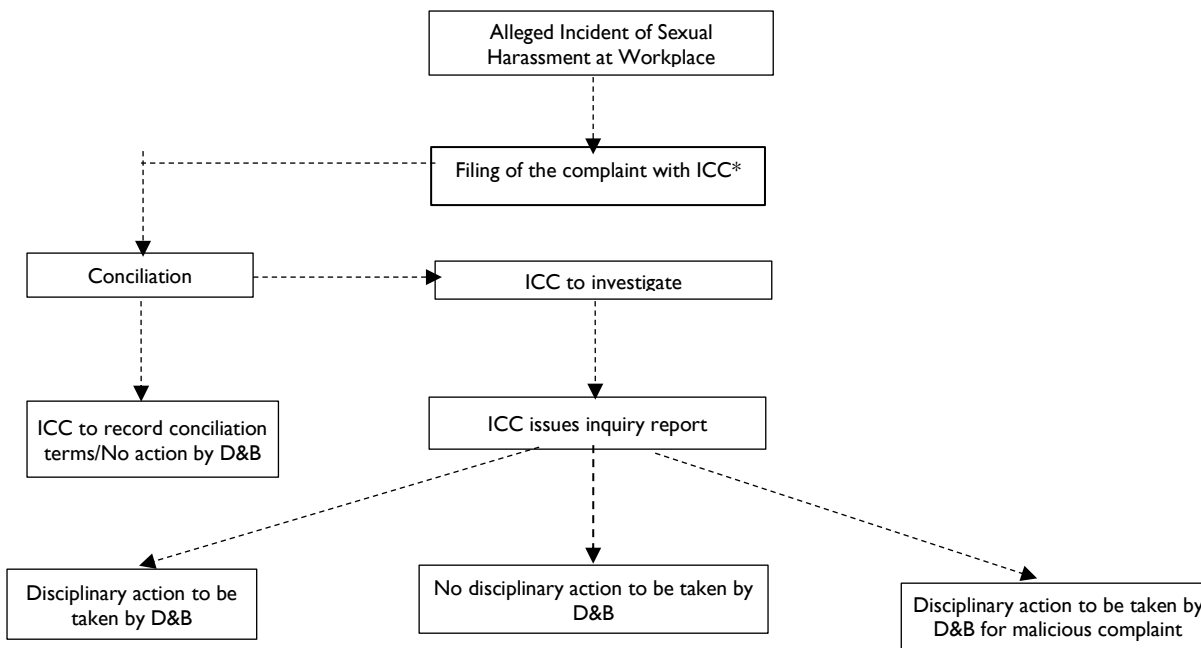
The identity and address of the Aggrieved Person, Respondent and witnesses will not be published or disclosed to the public or media, unless otherwise required by law. The decision of D&B shall be final and binding on all.

However, the same is without prejudice to any recourse that D&B or the individual concerned may have against the Respondent and it shall not limit or restrict the rights of the Aggrieved Person and/or D&B to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available. This policy may be modified or amended by D&B from time to time, in compliance with the applicable laws.

**ANNEXURE A – COMPOSITION OF ICC**

Sr. No.	Designation	Membership	Contact Nos.
1.	Director – CBIG	Presiding Officer	+91.6680 1308
2.	Director – People Team	Member	+91.6680 1309
3.	Head – Internal Audit, APAC	Member	+91.6680 1390
4.	External POSH expert, Ms. Anagha Sarpotdar	Member	+91.9930905927

**ANNEXURE B – COMPLAINTS PROCESS**



The ICC is also known as Internal Committee ("IC").