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Purpose

At Sandvine Incorporated and Sandvine India (“Sandvine”), we are committed to providing a safe and respectful work environment that is free from any form of harassment and discrimination for all staff and customers. No person, whether it is a people leader, a team member, a contractor, or a member of the public, has to tolerate harassment for any reason or at any time. No one has the right to harass anyone else, at work or in any situation related to employment. This policy is one step toward ensuring that our workplace is a comfortable place for all.

The policy is formulated to comply with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act, 2013) to help promote non-discrimination and harassment free employment to all employees. All complaints of sexual harassment will be treated seriously and promptly, with due regard to confidentiality.

Sandvine India is a gender friendly workplace and even though the reliefs in the statute are for women, there is a discretionary and non-statutory complaint mechanism with respect to all genders.

The Policy is gender-neutral and applies to all genders.

Scope

This Policy is applicable to all categories of Employees at Sandvine India (defined below) and encourages every Employee who believes that they have been sexually harassed to use the redressal mechanisms provided under this Policy.

Definitions

Who all come under the ambit of this Policy? (Employee)

Any individual employed at Sandvine India, for any work on regular, temporary, ad-hoc or daily wage basis, including an intern, either directly or through an agent, including a contractor, with or without the knowledge of Sandvine India is also included. Additionally, this association could be for remuneration or not, or on a voluntary basis. Lastly, even in situations where the terms of employment or association with Sandvine India are expressed or implied, this Policy is applicable to them. All the above associations mentioned are referred to as “Employee” in this document.

Where is this Policy applicable? (Workplace)

This Policy covers all instances of sexual harassment which may arise in places associated with Sandvine India and are not restricted to geographical location alone. This includes Sandvine India’s offices and branches and also the places where our official work requirements are being fulfilled. As we follow a remote working setup, any such premises where the Employee is present for work, whether it is their residence/home or any co-working space, such premises will be considered as Workplace for application of this Policy. In such remote-working environments, all mediums of communication including but not limited to email, SMS, social messaging services etc., shall be considered as an extension of the workplace. In addition to the place of work, it shall incorporate every place visited by the Employee during the course of employment including client sites, conferences, social, business or other functions organized by us in connection with work.

Lastly, the above and our specific modes of communication Slack, Intercom, emails, calls are all considered as “Workplace” in this document.

Who can file a complaint of workplace sexual harassment? (Aggrieved)

While the Act declares a person who can file a complaint of workplace sexual harassment as a woman, we, have adopted a gender-neutral policy and extend this to all genders. As and when certain legal mandates which are applicable solely under the Act are applicable, respective individuals will be educated on the same.

So any person, irrespective of their gender, if and when, have experienced any sexual misconduct from a person of the same or different gender defined under the definition of “Employee” and in a place defined under “Workplace”, is eligible to file a complaint and is called as “Complainant” for the purpose of this document.

Who can a complaint be filed against? (Respondent)

Any individual who is mentioned under the definition of “Employee” and has extended an inappropriate behavior in a place defined under “Workplace” is someone against whom a complaint can be filed.

There may be instances where such a person is employed at a workplace other than this organization. An Employee, who has experienced a sexual misconduct from an employee of another organization during the course of their work, can bring a complaint of sexual harassment to the Internal Committee (as defined below) of this organization. This extends to include our customers (existing and potential), users, and any other individual our Employees interact with during the requirement of their work duties.

Where to raise or bring such complaints? (Internal Committee)

An internal redressal body of selected members is formed in accordance with the Act to receive such complaints and provide redressal to the individual Complainant. This Committee, titled as “Internal Committee” (IC) has the powers of a Civil Court to:

- Receive complaints of sexual harassment at the workplace
- Conduct inquiry as per the established procedure under law
- Submit findings and final recommendations to be implemented by the Management
- Maintain strict confidentiality throughout the process
- Ensure absolute transparency in its activities and investigate the complaints while abiding by the principles of natural justice.

Who is responsible for ensuring the implementation of this Policy and the functioning of the IC? (Employer)

The Leadership Team at Sandvine India will be responsible for this. Any Employee who observes a violation of this Policy or non-implementation of this Policy, is requested to approach the Leadership.

Sexual Harassment at the Workplace

Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favors, or any other verbal or physical conduct of sexual nature.

Sexual Harassment at the workplace includes:

- Unwelcome advances whether verbally (by audio and video calls), written (by SMS, social media platforms, letters, E-Mails, etc.) or physically;
- Demands or requests for sexual favors
- Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body
- Showing/ sharing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings
- Humiliating treatment with sexual connotations likely to affect health or safety
- Verbal abuse or 'joking' that is sex-oriented
- Any other unwelcome physical, verbal or non - verbal conduct of sexual nature
- Any conduct that has the purpose or the effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct is either an explicit or implicit term or condition of employment and /or submission or rejection of the conduct is used as a basis for making decisions detrimental or preferential to the employment.

It is important to note that whether the harassment has taken place or not, does not depend on the intention of the people but on the experience of the person who has received such behavior.

It is also important to note that the aforesaid are only few instances of sexual harassment and any such other instance which may be considered to be an instance of 'sexual harassment' can be brought forward to the redressal mechanism formulated under this Policy for further investigation.

Note: Points to be noted with respect to understanding the definition of Sexual Harassment

- It is the reasonable perception of an individual that would be relevant in determining whether the conduct was sexual in nature, and, if so, whether such conduct was unwelcome or not. It is therefore the impact and not the intent that has to be determined.
- All the above-mentioned instances through any mode of communication including in person, over the phone, on voice mail, through pen and paper, on e-mail, through chat, through SMS, social media platforms, etcetera will be identified as an act of sexual harassment
- Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate an Aggrieved at whom the behavior or conduct was directed.
- While we as a team are not averse to individual personal relationships, it is important to note that two members of the same team, and individuals associated in a senior and team member association, and members in a reporting association, are not advised to be part of the same team. This disturbs work decorum and team culture and all Employees of Sandvine India are expected to respect this

Roles and Responsibilities

It is the personal responsibility of all Employees of Sandvine India to respect the rights of others and not encourage acts of harassment, thus abiding by this Policy.

In connection with the endeavor and statutory obligation to maintain a work environment free from any instances of sexual harassment, we will conduct awareness and sensitization sessions for all Employees at regular intervals.

Your responsibilities as an Employee of this organization

Your role as an Employee is important to uphold the highest standards of ethical conduct at this workplace in all your interactions with business stakeholders. All Employees have a responsibility to:

- Refrain from any unwelcome behavior that has a sexual connotation (of sexual nature)
- Refrain from creating hostile environment at workplace via sexual harassment
- Refuse to participate in any activity which constitutes sexual harassment
- Support employees to reject and defend unwelcome sexual behavior
- Report sexual harassment experienced by any other employee to IC immediately and abide by the complaint handling procedure
- Act as a witness if the person being harassed decides to lodge a complaint to the IC of the organization
- Support and cooperate during any inquiry process and provide a full and truthful disclosure of relevant information and assist with investigations
- Participate in all the awareness programs to further the objectives of this Policy

Your responsibilities as a People Leader/Manager

As a People Leader/Manager, your role under this Policy extends beyond your duties as an employee to ensure the following for your team members:

- Ensure that all complaints pertaining to Sexual Harassment at Workplace, if brought to attention by an employee, are immediately communicated to the relevant IC
- Individually do not take any action on the reported complaints of sexual harassment but immediately and without delay ensure that any written complaints pertaining to Sexual Harassment at Workplace received by any team member are forwarded to the relevant IC
- Assure the Complainant(s) that such complaints will be taken seriously by IC and will be inquired as per this Policy and provisions of the law
- Fully cooperate, facilitate and aid the prompt handling of an inquiry by the IC and allow the Complainant, Respondent, witnesses and allied parties to attend the inquiry proceedings at the stipulated time and place
- Assure the Complainant(s) that they would not face retaliation of any kind of reporting such incidents to the IC
- Assure the Complainant/ Respondent/s, or witnesses that they would not face any undue victimization within the organization

- Maintain confidentiality of all information disclosed about any incident of Sexual Harassment and in the course of the relevant investigations (in instances where the such manager and team leader is made aware of any details of an on-going investigation and in instances where an employee approaches their manager or team leader directly with a complaint)

Redressal Forum

Composition - What is the composition of the IC?

In accordance with the Act, an appropriate complaint mechanism in the form of IC is constituted for the time-bound redressal of the complaint.

Details of the current IC members will be displayed and or circulated vide notices at conspicuous places and via mediums at the office premises (virtual and physical as applicable) across locations of operations.

Every IC will have minimum of 4 members with the following composition:

1. Presiding Officer who will be a senior woman employee from Sandvine India
2. Two members from among the employees
3. External member (third party), who will be from an NGO or an individual who is familiar with the issues relating to sexual harassment at workplaces
4. The quorum (chosen member for reviewing a specific complaint) for any IC composition at any time will be constituted with at least 50 % women representatives.

Tenure and working of the IC

Every member of the IC shall hold office for a period not exceeding 3 years from the date of nomination and appointment.

The members will regularly meet at the end of every quarter for the purpose of implementation of the Policy and monitoring the progress done till date.

For the purpose of making an inquiry the IC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 which will include the power to summon and enforce attendance of any person, require discovery and production of documents and any other matter for the purposes of conducting investigation under the Policy.

Raising a complaint

What is the timeline of filing a complaint?

An individual may make a complaint of sexual harassment at workplace within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident. The period of filing of complaint may be extended for a further period of 3 months if circumstances warrant such extension in the opinion of the IC.

Where to file a complaint?

An internal complaint management system should file complaints through that platform. Sandvine India has adopted a POSH platform known as Conduct to help all team members file their POSH complaints

seamlessly. All Employees of Sandvine India, with access to Conduct must log in through the SSO Key and click on 'Raise a Complaint' to file a formal complaint under the POSH Act, 2013.

Employees who do not have access to the platform may reach out to the HR or the IC Presiding Officer at Sandvine India to receive guidance on filing a complaint.

Please note that for the purpose of legal adherence to this procedure, such complaints are mandatory to be put in writing and oral complaints cannot be entertained.

In instances where filing a virtual complaint is not feasible and a handwritten complaint is being filed, an individual may reach out to the HR, or their manager, to be connected with the IC and there onwards IC will extend all necessary support in filing a complaint through Conduct.

What is the format and content of the complaint?

A complaint must contain the names of the Complainant and Respondent (s); description of the event (s); the names and contact email/phone number of the witnesses of the Complainant. The Complaint must be accompanied with all supporting documents/evidence such as screenshots of text messages or any other evidence and with a list of witnesses.

Note:

- IC is bound by legal mandate to only act upon complaints which are in written form. All assistance will be provided by the IC towards the Complainant for converting their verbal complaint into a written one. However, in instances where the Complainant is not willing to file a written complaint, or IC has not received a written complaint from the Complainant, it will not be legal for IC to undertake it. IC will coordinate with the HR and/or management to assist them with further resolve.
- Anonymous complaints shall not be entertained.
- If the Complainant for reasons of any difficulty is unable to file, the complaint in writing it can seek reasonable assistance from the IC. The Complaint may also file a complaint through its legal heirs, or any such other person as may be authorized in cases of mental or physical incapacity.
- In instances where a Complainant is unable to lodge a complaint on account of any physical or mental incapacity or death or otherwise, his/her legal heir, co-worker, or any person with knowledge of the incident may make a complaint to the IC, but only with the written consent of the Complainant.
- The identity of the Complainant, Respondent, witnesses, statements, and other evidence obtained in the course of the inquiry process, recommendations of the IC and action recommended and implemented by the Management is considered as confidential and will not be published or made known to public or media. Any person violating the confidentiality provision will be subject to disciplinary action as prescribed in the Act and any other internal Policy of the organization. All individuals who are part of the IC inquiry will need to sign a confidentiality undertaking.
- Any individual who would like to understand the process of IC and its redressal procedures may reach out to any of the IC members.

What is the process once a complaint is filed with the IC?

On receipt of a written complaint, the IC will officially acknowledge the receipt of the complaint through a mail within 7 days of the receipt of such a report of complaint.

Note: At this point, IC will also identify the quorum (minimum 3 members from the IC) who will be assigned with the responsibility of addressing this complaint. At the time of identifying the members, an internal conflict check will be initiated by the Presiding Officer and External Member to ensure that none of the IC members involved in the proceedings are closely connected with the complaint or Respondent. Additionally, it is also confirmed that none of the members are privy to the details of the incident prior to this case as they may be referred to as a witness at a certain point. In case of any conflict of interest, such conflicted IC members will be replaced for the purposes of investigation.

- Initiate the first meeting to validate the eligibility of the complaint as a sexual harassment complaint
- Meet the Complainant in person and request for any additional details missing from the complaint if required
- Share further details of the procedure of investigation with the Complainant
- Implement interim measures during the pendency of the investigation such as changing the arrangement in work settings that may be needed for complaints where the Complainant and Respondent are working in close professional association. If needed in special circumstances, IC will extend at their discretion a paid leave provision towards the Complainant for a period not longer than 3 months
- Forward the complaint to the Respondent/ Alleged Harasser within 7 working days of receipt of the complaint. The Respondent/ Alleged harasser will be granted time of up to 10 working days to file their official response along with a list of documents and names of witnesses.
- Once the official response is received, the same will be shared with the Complainant and options of conciliation will be presented and assessed

Note: Conciliation is an option available to the Complainant before proceeding with the formal inquiry and the IC can only proceed with it if the Complainant expressly agrees for the same.

No monetary settlement will form the basis of the conciliation. Once a settlement is reached through conciliation of dispute, there will be no further inquiry conducted by the IC and the case with the IC will stand closed.

If the IC finds that the complaint does not fall within the definition of Sexual Harassment or within the IC's jurisdiction, the complaint will be referred to the Human Resources team for appropriate action.

Furthering the Inquiry Process

In case of failure of conciliation or the Complainant not opting for conciliation, the IC will then carry forward with the process.

Investigation proceedings into the complaint shall be completed within 90 days of the complaint being filed and the IC shall formulate its report and recommendations within 10 days of completion of investigation.

The recommendations of the IC shall be implemented within 60 days.

The IC shall conduct the inquiry as per principles of natural justice and in a fair and unbiased manner. Important to take note that the IC investigation process does not allow any individual member, Complainant or Respondent to bring in any lawyer in the meetings or otherwise. This is why it is crucial for absolute transparency to be maintained in the entire proceedings between the parties, so they are able to defend and present their sides in an adequate manner.

There may be instances when either of the parties are no longer cooperating in an investigation. The IC may give an ex-parte decision or terminate the inquiry proceedings if the Respondent or Complainant fails to appear before the IC for 3 consecutive hearings without sufficient cause. However, the IC will give prior written notice of 15 days to the concerned party before taking any such decision.

Interim measure

Pending completion of the inquiry and at the written request of the Complainant and recommendations of the IC, one or more of the following interim measures can be initiated:

- Change reporting lines or division/ department of the Complainant or Respondent as the case may be
- In case the parties to a complaint happen to be working in close proximity at a site/office/working space then the IC may transfer the Complainant or Respondent to any other site/office/working space
- Grant leave to the Complainant up to a period of 3 months in addition to the leave already entitled
- Any other action recommended by the IC.

Final recommendation

- IC will provide its final inquiry report to the Leadership within a period of 10 days from the date of completion of the inquiry.
- A copy of the report will be provided to the Complainant & Respondent.
- The recommendations in the inquiry report are binding and will be implemented by the Leadership within sixty (60) days.
- Post implementation of the recommendation, Leadership shall provide a status report to the IC for its internal case records.

What are the possible outcomes of an investigation?

Against the Respondent

In its final report, IC on concluding that allegations have been proved, may recommend on the basis of the gravity of the misconduct committed any or more of the following penalties:

- a written apology from the respondent or issuance of a reprimand/ censure by the management
- a letter of warning
- immediate transfer or suspension without pay
- withholding of pay rise or increment(s)

- demotion in a post
- counselling sessions for the Respondent
- payment of monetary compensation
- termination from service; and
- any other remedy provided by the law

Against the Complainant

Where the IC concludes that the complaint has been made knowing it to be false or malicious and the Complainant has produced any forged or misleading document, it may recommend to the Management to take appropriate action against the Complainant after a duly investigated and substantiated enquiry into the same. The action recommended will be similar to the action proposed for the Respondent in case of substantiated and a proven complaint.

Against the Witness/es

In any investigation and redressal assistance, IC relies on the cooperation of individual members who are privy to any information about the incident/s. Sometimes, a person's name might be mentioned by the Complainant or Respondent, and at times IC will identify individuals it would need to speak to. Additionally, on your own if, and when, an individual does know a fact or information that can assist IC in a case, it is their duty to come forward and share it. In case a witness has given false evidence or produced any forged or misleading document during the inquiry, action may also be taken against the said witness in accordance with the applicable internal Policy.

Other Acts Punishable Under the Law

Apart from sexual harassment, disciplinary action can also be taken against an Employee if they commit the following acts:

- Making false allegations of sexual harassment with malicious intent and knowledge that such allegation is false or producing false evidence to justify this complaint
- Giving false evidence or testimony when called as a witness
- Breaching statutory duty to maintain confidentiality of information relating to the investigation by divulging such details to any unauthorized person(s), including but not limited to any other Employee of the Organization who is not involved in the complaint
- Victimizing, retaliating, intimidating, or influencing any person who is party to the complaint, specifically the Victim/Complainant and witness, whether directly or indirectly.

Confidentiality

All details pertaining to investigation proceedings, documents and records maintained under this Policy, including but not limited to names of complainant, respondent, and witnesses, shall be kept strictly confidential as mandated under the Act.

Any person who is involved in any investigation proceeding whether as a Complainant or Respondent or witness or member of the IC or any other Employee who has become aware of a complaint of sexual harassment, whether directly or indirectly, is required to maintain strictest form of confidentiality. Any person violating the confidentiality clauses is subject to disciplinary action as prescribed in the Act and additionally

subjected to immediate dismissal from their role at Sandvine India.

Criminal Proceedings

If the Complainant wishes to file a complaint under the Indian Penal Code, 1860 (IPC) or any other law for the time being in force, in relation to the alleged offence of sexual harassment, we will fully cooperate with her and provide her the necessary support required to pursue this.

Appeal Process

The IC will do its best to ensure a fair and just investigation is conducted while addressing a specific complaint. However, in instances where one of the individuals is not satisfied with the decision, the following can be initiated:

- When the complainant is a woman or a person who identifies self as a woman:
In instances when Complainant or Respondent are dissatisfied by the recommendations related to the quantum or nature of penalties made by the IC, they may file an appeal to the Appellate Authority in accordance with the Act and Rules within three (3) months from the date of the final inquiry report. (Such appellate authority is the respective Central Government Industrial Tribunal-cum-Labour Court appointed in various States).
- When the complainant is not a woman or a person who identifies self as a woman:
In instances when Complainant or Respondent are dissatisfied by the recommendations related to the quantum or nature of penalties made by the IC, they may file an appeal to the Management of the organization to take necessary steps to take corrective measures.

Third-Party Harassment

Any misconduct extended by an internal member of this workplace or an external member, will not be taken lightly and will be addressed in the manner as defined under this document. In case any Employee of the organization faces harassment from a third party (customer, client, visitor) during the course of their work, they can bring the complaint to the IC or the Leadership. We will extend all necessary and reasonable support required to the Employee to help them initiate action on seeking redressal.

Non-Retaliation

This Policy seeks to encourage all employees to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about Sexual Harassment or behavior that might constitute Sexual Harassment is also strictly prohibited. Any act of retaliation, including internal interference, coercion, and restraint by an Employee, violates this Policy and will result in appropriate disciplinary actions as per applicable Policies of the organization. Suspected or actual cases of retaliation must be reported to the IC.

Amendments

This Policy will be periodically revised and is subject to modification by the organization.