


<p align="center"><b>Human Resource Policy</b> (Ref. SOP No.: SOP/HR/005)</p>	 <b>Molbio Diagnostics Private Limited</b>		
<p align="center"><b>Prevention of Sexual Harrasment At Workplace Policy</b></p>	<b>Policy Code</b>	<b>:</b>	<b>MD/P08</b>
	<b>Version No.</b>	<b>:</b>	<b>03</b>
	<b>CC No.</b>	<b>:</b>	<b>CC24//HR/289</b>
	<b>Effective Date</b>	<b>:</b>	<b>10/10/2024</b>

## INTRODUCTION

Sexual harassment is a violation of the fundamental rights of a person to equality, their right to life and to live with dignity and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe work environment free from sexual harassment.

Molbio Diagnostics Private Limited ("Molbio"), as a organisation believes that every person has the right to be treated with dignity and respect and to be free from all forms of harassment in the workplace. As a workplace with people from diverse cultures, caste, class, gender, sexual orientations, all employees are expected to observe the highest possible standards of behaviour, respecting the dignity and personal integrity of their colleagues to take responsibility for their own actions and to conduct themselves in accordance with this policy.

Sexual harassment in the workplace or in other settings in which staff may find themselves in connection with their employment is unlawful and will not be tolerated by Molbio.


Molbio places the highest priority on the prevention and elimination of sexual harassment in the workplace, bearing in mind that sexual harassment may be detrimental to an individual's physical and psychological well-being, lower morale and disrupt the working environment. Molbio wishes to emphasize that all complaints of sexual harassment will be investigated seriously and that necessary disciplinary actions will be initiated , as appropriate.

No women shall be subjected to sexual harassment at the workplace, and 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 her employment; or
- (ii) Implied or explicit threat of detrimental treatment in her employment; or
- (iii) Implied or explicit threat about her present or future employment status; or
- (iv) Conduct of any person which interferes with her work or creates an intimidating or offensive or hostile work environment for her; or
- (v) Humiliating conduct likely to affect her health or safety .

The Directors of Molbio, the Management Team, the Heads of Departments / Functions and supervisors are responsible for providing and maintaining a harassment-free working environment and are entrusted to take initiatives and actions to prevent harassment from



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occurring, as well as to take effective and prompt protective measures. To achieve this goal, the conduct that is described as “sexual harassment” in this policy will not be tolerated and provided herein under is a procedure by which inappropriate conduct will be dealt with, if encountered among employees. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unacceptable and will not be tolerated.

This policy is aligned in accordance with “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” (the “Act”), “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013, (the” Rules)” and Molbio’s internal “**Code of Conduct**”.

**Nothing in this policy shall be construed as affecting or intended to affect or in derogation or to in any way interfere with any laws in force at the time.**


Any proven false and malicious or vexatious accusations of sexual harassment will be deemed to constitute a violation of the above standards of conduct and disciplinary action will be taken against such complainant, as appropriate.

While this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit the authority of Molbio to take discipline or take remedial action for workplace conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

## OBJECTIVE

Molbio is an organisation with zero tolerance towards any form of harassment and firmly believes that every employee has a right to work in an environment free from harassment, intimidation or offensive behaviour and issues of harassment will be resolved without fear of reprisal. Towards that goal, this Policy is designed to be used as a reference document for the Internal Complaints Committee (“ICC”) to be referred to as the “Committee, that has been formed to take initiatives towards prevention, prohibition and take actions towards redressal of any instances of sexual harassment in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.



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<div>Prevention of Sexual Harrasment At Workplace Policy</div>	Policy Code	:	MD/P08
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	CC No.	:	CC24/I/HR/289
	Effective Date	:	10/10/2024

## SCOPE

This policy shall extend to:

- all employed/engaged, whether in full time employment or contractual or temporary capacity with Molbio, including all managerial staff and workmen, those on deputation, trainee, part-time, contractual or consultancy basis at all the units of Molbio across India.
- the aggrieved woman may also be a visitor (including volunteers), vendors and any/or any other external stakeholder paying a visit to the workplace, including extended workplace as provided under the legislation.
- and shall also be applicable to any branch/administrative offices/factories/sites that currently is established by Molbio anytime in the future in India.

## DEFINITIONS OF SEXUAL HARASSMENT

**"Sexual Harassment"** includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- i. Physical contact and advances; or
- ii. A demand or request for sexual favours; or
- iii. Making Sexually coloured remarks; or
- iv. Showing pornography; or
- v. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

### **Verbal form of Sexual Harassment includes, but not limited to:**


- gender based insults, sexist remarks, sexual or gender based jokes or teasing, innuendos and taunts, unwelcome sexual overtone over call (online, telephone etc), requesting sexual favors, spreading rumours about a person's personal or sex life, pressuring for dates, comments about clothing, person's body, graphic description of pornography etc.

### **Non Verbal form of Sexual Harassment includes, but not limited to:**

Staring, sizing up a woman's body (looking up and down), derogatory gestures of a sexual nature, sexually suggestive looks, facial expressions of a sexual nature; winking, licking lips, stalking etc.

### **Physical form of Sexual Harassment includes, but not limited to:**

Unwelcome hugging, sexual touching or kissing, forcible physical touch or molestation, standing too close to or brushing up against a woman, leaning over, invading a woman's space, patting, stroking, grabbing or pinching, blocking woman's path with the purpose of making a sexual advance, rape or attempted rape, sexual assault- actual or attempted, or forced fondling.

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	<b>Version No.</b>	<b>:</b>	<b>03</b>
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**Visual form of Sexual Harassment includes, but not limited to:**

Presence of sexual visual material such as posters, cartoons, drawings calendars, pinups, pictures, computer programmes of a sexual nature, written material that is sexual in nature, such as notes, SMS, E-mail containing sexual comments

**Note:** It is important to emphasize here that sexual harassment refers to conduct which is **unwanted and unwelcome** to the recipient. It is the recipient's perception of unwelcome behavior that defines sexual harassment and the impact of such behaviour on her. It doesn't hinge on the harasser's intention.

**"Sexual Harassment" is not the following:**

- Acts of general courtesy
- Undue pressure to perform
- General grievance concerning pay
- Other behavioral/ adjustment issues between coworkers/managers
- Behavior based on mutual consent
- Dating and/or socializing is not sexual harassment if :
- Contacts are mutually agreed (expressed consent must)
- No unwelcome sexual contact is involved (without consent)

**Findings:** means findings of the Internal Complaints Committee post preliminary investigation to a complaint of sexual harassment.

**Inquiry Proceedings:** means final proceedings of an inquiry post issue of Findings and receipt of final representation from both Aggrieved Person and the Respondent.


**Inquiry Report:** The report issued by ICC post completion of inquiry proceedings, submitted to the Management Team and the Head of HR, in respect to a complaint.

## ROLES AND RESPONSIBILITIES

### i. Internal Complaints Committee

To deal with complaints of sexual harassment at workplace, to carry out necessary initiatives and actions towards prevention, prohibition and redressal of Sexual Harassment at workplace in compliance of the procedures laid down under the Act, the Rules and the organisational Policy effectively.



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	<b>Version No.</b>	<b>:</b>	<b>03</b>
	<b>CC No.</b>	<b>:</b>	<b>CC24/I/HR/289</b>
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## ii. HR Manager

To ensure that Internal Complaints Committee is addressing the complaints in stipulated time period and utmost confidentiality is maintained by the committee members regarding any instances of sexual harassment that has been reported to the committee.

## iii. All Employees of Organization

All Employees shall have a personal responsibility to ensure that their behavior is not contrary to this policy. It is the combined responsibility of the employees to withhold the values and principles of equal opportunity and zero discrimination for all involved.

## INTERNAL COMPLAINTS COMMITTEE

**Mandate:** The "Internal Complaints Committee" constituted at Molbio under this policy shall work on three aspects of the legislation:


- Preventive Actions with sensitisation and awareness sessions
- Receive Complaints related to sexual harassment
- Inquire into the complaint/complaints upholding the principles of natural justice, within the stipulated time period and submit the Inquiry Report to the management and Head of HR Department for necessary action.

### Composition:

The Internal Committee shall consist of the following members to be nominated by the employer, namely:-

1. Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees. However, in case a senior level woman employee is not available workplace, the Presiding Officer shall be nominated from other offices or administrative units of Molbio.
2. Not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
3. One member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

The Internal Committee shall at all time have at least one-half of the total Members as women.

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	<b>Effective Date</b>	<b>: 10/10/2024</b>

#### **Membership of the Committee:**


1. The membership of the committee shall not exceed a period of three years.
2. A member shall cease to hold membership of the Committee, should any of the following conditions arise:
  - In case of an internal member, she/he has stopped being an employee of Molbio,
  - Any member of the committee who has been found guilty of sexual harassment, act of misconduct as per internal regulation.
3. If any complaint arises against the Presiding Officer or any of the members of the Internal Committee, the Presiding Officer or the member as the case may be shall recuse herself or himself from the proceedings and an alternate member shall be appointed in her or his position to the committee to avoid any conflict of interest. Also, a member of the Committee who is under the management line of the respondent, shall recuse herself/himself, for that particular case.

#### **PROCEDURE FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT**

Molbio is committed to provide a supportive environment to resolve concerns of sexual harassment as under:-

1. An aggrieved woman who believes she has been subjected to sexual harassment may file a written complaint to the Internal Complaints Committee. However, where an aggrieved woman is unable to make the complaint in writing, the Presiding Officer or any member of the Internal Complaints Committee shall render all reasonable assistance to the woman for making the complaint in writing.
2. The said Complaint should be submitted at the earlier instance from the date of incident but not later than 3 months from the date of incident. The complaint can also email the complaint to the Presiding Officer of the Committee.
3. At the time of filing the complaint, the complainant shall submit to the Complaints Committee, six copies of the complaint along with supporting documents and the names and addresses of the witnesses



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	<b>Version No.</b>	<b>: 03</b>
	<b>CC No.</b>	<b>: CC24/I/HR/289</b>
	<b>Effective Date</b>	<b>: 10/10/2024</b>

4. The Complaint shall include the following:

- i. The details such as name, department and position of the Complainant.
- ii. The details such as name, department and position of the accused.
- iii. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
- iv. Steps, if any, the complainant has taken to try to stop the harassment.
- v. Any other information as the complainant believes to be relevant to the harassment complaint. Supporting documents, if any.

**No anonymous complaints will be acted upon.**

5. On receipt of the complaint, the Internal Complaint Committee will determine whether the allegations fall under the purview of sexual harassment, within 3 working days from the receipt of the complaint.

5.1 If the said allegations do not fall under the purview of sexual harassment, Internal Complaint Committee will record this finding with reason and communicate the same to the complainant.

5.2 If the said allegations prima-facie establishes case of sexual harassment, the Internal Complaint Committee will accept the complaint and shall send one of the copies received from the aggrieved woman to the respondent within a period of seven working days.

6. The respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents .


7. The Complaints Committee shall make inquiry into the complaint in accordance with the principles of natural justice.

8. The Complaints Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer, as the case may be. However, such termination or ex-parte order shall not be passed without giving a notice in writing of atleast fifteen days in advance to the party concerned.

9. 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 Complaints Committee.

10. In conducting the inquiry, a minimum of three Members of the Complaints Committee including the Presiding Officer shall be present.



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11. The internal complaints committee shall conduct such inquiry within a period of 90 days and submit the Inquiry Report to the employer within 10 days of completion of the inquiry.

12. The employer shall act upon the recommendations made in the Inquiry Report within sixty days of its receipt of such report.

13. If the Internal Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer that no action is required to be taken in the matter.

14. The recommendations suggested by the Internal Complaints Committee after the inquiry into the complaint may vary on the degree of offence committed by the respondent. Such recommendations may range, without limitation, from the following options

- i. Formal written apology from the respondent.
- ii. Undergoing counselling session
- iii. Written warning to the respondent and a copy of it maintained in the employee's file.
- iv. Change of work assignment/transfer for either for the victim
- v. Withholding of promotion.
- vi. withholding of pay rise or increments
- vii. Suspension or termination from employment.
- viii. Any other corrective measures which may be lawful.


15. The Committee, may, only at the request of the aggrieved person, take steps to settle the complaint through conciliation, before initiating an inquiry. No monetary settlement in the form of change/upgradation in role/ designation settlement shall be made as a basis of the conciliation.

16. Where the settlement is arrived, the Committee shall record the settlement so arrived and forward the same to the Management and Head of HR Department to take action as per the recommendation of the Internal Committee and no further inquiry shall be conducted. The copies of the settlement shall be provided to both the parties.

17. In situation where conciliation has failed, the Internal Committee shall move ahead with the inquiry which shall involve taking statements from the witnesses. Every detail of the hearings, evidences, statements, agreements and closures shall be documented and recorded by the Internal Committee. After the inquiry process, the Internal Committee will prepare Inquiry Report. Inquiry report shall be confidential in nature and will not be provided to the involved parties. The Committee will submit this detailed Inquiry Report to the Management.

18. Any person aggrieved from the outcome of the recommendations made or from non-implementation of the recommendations may appeal to the court or tribunal within a period prescribed under law.



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	<b>Version No.</b>	<b>:</b>	<b>03</b>
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Note: Incase the incident in question is of serious nature, the organisation must do the needful to report it to the authorities under law of the land.

#### **PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE.**

Where the Internal Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take following action against the woman who has made the complaint :

- i. Formal written apology from the complainant.
- ii. Undergoing counselling session
- iii. Written warning to the complainant and a copy of it maintained in the employee's file.
- iv. Withholding of promotion.
- v. Withholding of pay rise or increments.
- vi. Suspension or termination from employment.
- vii. Any other corrective measures which may be lawful.


#### **CONFIDENTIALITY OF THE PROCEEDINGS**

Dealing with the complaints will be done in an utmost confidential manner amongst all parties involved, including the Internal Complaints Committee members. The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and shall not be published or made known to public or media. Any individual contravening the confidentiality will be liable to appropriate action.

#### **ANNUAL REPORT**

The Internal Complaints Committee shall prepare an annual report on activities undertaken towards prevention and prohibition and any instances of sexual harassment in a calendar year and submit it to the Director and the District Officer.



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	<b>Version No.</b>	<b>:</b> 03	
	<b>CC No.</b>	<b>:</b> CC24//HR/289	
	<b>Effective Date</b>	<b>:</b> 10/10/2024	

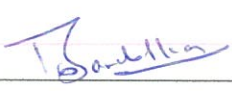
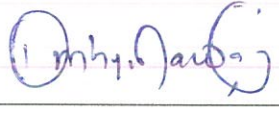

## CONCLUSION

In conclusion, Molbio reiterates its commitment to providing its employees a work place free from harassment/discrimination and where every employee is treated with dignity and respect.

## Reference:

The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act 2013.

The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Rules 2013.

			
<b>Signature:</b>	<b>Prepared By</b>	<b>Approved By</b>	<b>Authorized By</b>
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