



CREDITACCESS GRAMEEN LIMITED

**POLICY ON PREVENTION OF SEXUAL HARASSMENT OF
WOMEN AT WORKPLACE**

Revision History

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1.	Haridarshini	MD & CEO	Board of Directors
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1 Introduction

This Policy is in accordance with the provisions of “The Sexual harassment of Women at the Workplace (Prevention, Prohibition & Redressal) Act-2013 (hereinafter referred to as the SHWW -2013).

We reiterate the statement that our success is based on our employees. The organization is committed to provide a work environment that is free from harassment wherein employees are motivated to achieve their full potential and contribute to the objectives of the organization. Employees must treat each other with respect and dignity and expect everyone to promote a sense of personal responsibility. The Company will provide opportunities to all, irrespective of the gender, caste, creed, religion, sexual orientation etc.

The ‘Policy on Prevention of Sexual Harassment of women at workplace’ (POSH) guidelines for “CreditAccess Grameen Limited” (CA Grameen) intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

2 Objective

The Company firmly believes that every employee has a right to work in an environment free from harassment, intimidation or offensive behavior and the environment is such that issues of harassment will be resolved without fear of reprisal. Therefore, the objective of this POSH policy is to promote a safe, respectful and a professional workplace/environment by

- Preventing sexual harassment by raising awareness and sensitivity;
- Prohibiting instances of sexual harassment in the workplace, and
- Creating a mechanism to provide redressal, set out procedures for resolution, settlement and/or prosecution of acts of sexual harassment.

Sexual harassment whether it is during or after office hours, overt or subtle, quid pro quo or environmentally hostile, is prohibited both by the Company and Indian law more specifically by the provisions of Sexual harassment of Women at the Workplace (Prevention, Prohibition & Redressal) Act-2013 (hereinafter referred to as the SHWW -2013) and the provisions of such law will prevail where applicable.

3 Scope

The scope of the policy applies to all the employees of CA Grameen. It also includes all employees who are engaged through contractors or vendors as consultants with CA Grameen.

Company Workplace, in the context of this policy would mean and include apart from the physical offices of the company, any location where employees work, any place visited by the employee arising out of or during employment (“the extended workplace”) including transportation provided by the employer for undertaking such journey.

For example, it refers to their behavior in the workplace or at any location or any event related to work, including but not limited to while:

- On travel status related to work,

- At a conference where the attendance is sponsored by the employer,
- At employer sponsored training activities/sessions, and
- At employer sponsored events, including social events
- While meeting with clients in relation to work

4 Coverage of Policy

The policy is designed to take effective measures in accordance with the applicable law to avoid and to eliminate and if necessary to impose punishment for any type of harassment.

5 Applicability

This policy is known as policy for prevention, prohibition and redressal of harassment at workplace & the Rules (hereinafter referred to as 'Policy') and is applicable to all employees of CA Grameen. Deployed at the workplace who are either(a) on the rolls of the establishment or(b) engaged as consultants directly or through Contractor(s) having service agreement with the establishment.

6 Policy for Prevention, Prohibition and Redressal of Sexual Harassment at Workplace for Women

A) Preamble

- I. Sexual harassment at work place is considered as violation of women's right to equality, life and liberty.
- II. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (SHWW Act) has come in to force w.e.f 9.12.2013. The rules in the matter have been notified and come into force w.e.f 9.12.2013. Under section 19(b) of the Act it is obligatory for an employer to frame the policy for prevention and prohibition of sexual harassment at the work place and the procedure for dealing with the complaints arising from such Acts and display the same in a conspicuous place in the work place. Accordingly, the policy has been framed and notified for the information of the employees.
- III. There is an existing policy on Sexual Harassment at Workplace which has been notified and approved by the Board of Directors of CA Grameen. This policy shall replace the existing policy and any incidents which shall be deemed as sexual harassment shall follow this policy.

B) Definitions

In this Policy document, unless there is anything repugnant to the subject or context thereof, the words and expressions as stated below shall have the following meanings:

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- i. **Act** means Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (SHWW Act) and rules there under SHWW Act.
- ii. **Company** means CreditAccess Grameen Limited referred to in this document as "CA Grameen" (formerly known as GrameenKoota Financial Services Pvt. Ltd) having its registered office at #49(old No 725), 46th Cross ,8th Block, Next to Rajalakshimi KalyanaMantapa,Jayanagar, Bangalore-560071.

- iii. **Complainant Employee/Aggrieved woman (CE – AW):** Refers to any employee/ Aggrieved woman (as per section 2(a) of SHWW Act) who has lodged a complaint of sexual harassment at workplace and has been subjected to any act of sexual harassment by another employee (hereinafter referred to as 'respondent').
- iv. **Internal Complaint Committee (ICC) or Internal Committee:** constituted in accordance with the provisions of this policy read with SHWW Act and Rules there under.
- v. **Management:** Management means Company's Managing Director/Director/Manager or such other officer or Officers/nominee or nominees as may be authorized in this behalf by the Managing Director/Director and notified in the Notice Board of the establishment and also includes disciplinary authority and Appellate Authority as notified under the service rules or the certified standing orders as applicable.
- vi. **Respondent Employee:** Refers to any employee against whom the complaint of sexual harassment has been lodged.
- vii. **Workplace:** Workplace refers to all the offices of the company and includes departments, branches situated anywhere in India or the places from where the employees are working. It also includes any place visited by the employees arising out of or during the course of employment including transportation provided by the company for undertaking the journey, the places where the employees of the company have met for social, sports or extracurricular activities organized by the company. For further clarity and details refer to the clause (O) Sec 2 of the SHWW Act.

C) Meaning of Sexual Harassment and Sexually Oriented Behaviour

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.

The above list is not exhaustive and can only be used as a guide for examples of sexual harassment.

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment: -

- (i) Implied or explicit promise of preferential treatment in employment; or
- (ii) Implied or explicit threat of detrimental treatment in employment; or
- (iii) Implied or explicit threat about present or future employment status; or
- (iv) Interference with Complainant's work or creating an intimidating or offensive or hostile work environment for the Complainant; or

(v) Humiliating treatment likely to affect Complainant's health or safety.

Sexual harassment whether it is during or after office hours, overt or subtle, quid pro quo or environmentally hostile, is prohibited both by the Company and Indian law more specifically by the provisions of Sexual harassment of Women at the Workplace (Prevention, Prohibition & Redressal) Act-2013 (hereinafter referred to as SHWW Act) and the provisions of such law will prevail where applicable.

Please see Annexure-1 for examples and explanations about what constitutes sexual harassment.

D) Constitution of Internal Complaint Committee

The management shall constitute Internal Complaint Committee (ICC) as per section 4 of the SHWW Act read with the rules thereunder to investigate any allegations of sexual harassment. ICC will adhere to the Principles of Natural Justice and will function with an aim to address sexual harassment complaints in a time-bound manner.

In the event that sexual harassment is established, the ICC will make suitable recommendations to the Disciplinary committee for further course of penal actions including suspension and/or termination.

The members of the committee shall be constituted by the management consisting of the following;

- (i) A presiding officer who shall be a woman employed at a senior level at workplace from among the employees.
- (ii) Not less than two members from amongst employees preferably committed to cause of the women or who had experience in social work or have a legal knowledge.
- (iii) One member from amongst non-governmental organization or association committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- (iv) The management shall ensure that at least one half of the total members so nominated shall be women.

The management may appoint ICC for each office or may appoint one Committee at the corporate level to deal with the complaints arising from any of the offices throughout India. However, whenever a complaint relating to a specific office is being enquired into, one of the senior officials of the said office preferably a women officer shall also be associated with the Committee.

The Committee as far as possible shall hold the proceedings in the office or in any other premises at the place in which the complainant is posted. However, Committee, at its discretion and without causing avoidable inconvenience to the complainant may hold the proceedings at the corporate office of the Company or any other place as decided by the Committee.

Every member of ICC shall hold office for a period not exceeding 3 years from the date of their nomination as specified by the management. The management may at their discretion appoint any member or the presiding officer for another term having regard to his/her expertise and the experience gained by him/her while being associated with the Committee.

The names of members of the Committee appointed will be displayed prominently and in vernacular in all offices of the Company for the information of the employees along with their designation, office of working, telephone number & email.

E) Procedure of filing a Complaint

The complaint should be made by an aggrieved employee **within a period of three** months from the date of occurrence of incident and in case of a series of incidents, within a period of three months from the date of last incident. The complaint by an aggrieved employee shall be made to ICC in writing and be sent either by post/email or given in person to the ICC of the establishment or any officer authorized by ICC in writing.

The ICC may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the employee from filing a complaint within the said period. Where the employee is unable to make a complaint on account of physical or mental incapacity or death or otherwise, complainant's legal heir may make a complaint under this section. It is, however, pertinent to state that where the aggrieved person is unable to make a complaint on account of physical incapacity, a complaint may be filed by—

- (i) A relative or friend; or
- (ii) Co-worker; or
- (iii) an officer of the National Commission for Women or State Women's Commission;
or
- (iv) any person who has knowledge of the incident, with the written consent of the Complainant woman;

Where the aggrieved employee is unable to make a complaint on account of mental incapacity, a complaint may be filed by—(a) relative of friend; or (b) a special educator; or (c) a qualified psychiatrist or psychologist; or (d) the guardian or authority under whose care the Complainant is receiving treatment or care; or (e) any person who has knowledge of the incident jointly with the relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care the Complainant is receiving treatment or care;

Notes: (i) Where the aggrieved employee for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with Complainant's written consent.

(ii) Where the aggrieved employee is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of the legal heir/s.

The complaint should be accompanied by the supporting documents and the name and address of the witnesses if any to the incident.

F) Procedure to be followed post receipt of the Complaint:

If the complaint has been submitted to any one of the members of the ICC, the member concerned should forward the complaint to the presiding officer, if the complainant had explained any factual position relating to the complaint to the member, the member may record the same separately in a note sheet and forward it to the presiding officer.

The presiding officer along with the majority of ICC members should go through the complaint and evaluate if there is a prima facie case or not. The ICC having regard to the nature of the complaint may have a meeting to decide the further course of action of the complaint.

The process stated above should be completed expeditiously and delay should be avoided. The next step is to forward the copy of the complaint to the Respondent and seek his response within 7 working days from the date of receipt of the complaint. There is no need for serving a separate charge sheet. The complaint itself should be treated as the statement of imputation against the respondent. The Respondent will be given 10 working days' time to give his response. If the Respondent submits his response or fails to submit the same within 10 working days, the committee may proceed to conduct inquiry.

The inquiry should be conducted in accordance with the disciplinary procedure prescribed under the service rules. The date, venue and time fixed for the inquiry shall be notified to the Complainant as well as the Respondent and requiring them to appear in person at the appointed place and time.

G) Conciliation & Settlement

Before or at the first sitting of the inquiry if the complainant requests/ desires a settlement between self and the respondent through conciliation the committee may facilitate such settlement. Provided that no monetary settlement shall be made as a basis for a compromise. Where a settlement has been arrived at during the conciliation before the ICC, the Committee shall record the settlement and forward the settlement to the disciplinary authority. However, if the terms arrived at during conciliation have not been complied with by the Respondent, the ICC shall proceed to make inquiry in to the complaint. The copies of the settlement as recorded during the course of conciliation shall be made available to the Respondent as well as the complainant.

If the complainant does not propose any settlement through conciliation or the respondent does not agree for any settlement as proposed by the complainant, the committee may proceed to make inquiry in to the complaint in accordance with the procedure prescribed under the disciplinary proceedings.

H) Inquiry process

The ICC may examine the complainant to present the case. If the Complainant (CE) desires to make a statement in camera and in the absence of the respondent, the ICC should facilitate the same. If the statement of the complainant is recorded in camera copy thereof may be made available to the respondent. The respondent may be given opportunity to submit interrogatories to the complainant to be answered. The Committee, on examination of the interrogatories submitted by the respondent, if it finds that the interrogatories are relevant to the allegations and for establishing the case of the respondent, may forward the same to the complainant. The ICC should stipulate time limit within which both the parties should complete the process of interrogation. Thereafter the Committee should record the statement of the witness cited by the complainant and provide opportunity to the respondent to cross examine the witnesses in presence of the committee members *only if the ICC is of the view that the witness or complainant can freely depose without any fear.*

The documents if any produced by the complainant or the witnesses may be taken on record and marked as exhibits.

The next step is to record the statement of the respondent and his witnesses if any. The documents if any produced by the respondent be taken on record and marked as exhibits. If

the complainant wishes to cross examine either the respondent or /her his witnesses the opportunity may be made available to the complainant. However, if the complainant chooses not to remain present when the statement of the Respondent is recorded the same may be permitted. After the statement of the respondent is recorded and the statement of witnesses produced by him/her is also recorded, the copies thereof may be forwarded to the complainant to submit response if any. If the complainant submits any response in writing the same may be taken on record.

After completion of the inquiry proceedings the Committee should meet and hold discussion on the material available on the records and proceed to record the findings. The findings recorded be made available to the complainant as well as the respondent to submit their say if any within a stipulated time.

If the complainant and the respondent submit their say within the stipulated period the Committee may examine the same and record their further finding if required. The Committee after completing this exercise should finalize the report and forward it to disciplinary authority along with their recommendation as to the punishment if any to be imposed on the respondent if the charges have been proved.

The Committee should bear in mind that the inquiry proceedings and submission of the report therein should be completed within a period of 90 days from the date of receipt of the complaint.

Important: For the purpose of making an inquiry under sub-section (1), the ICC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters, namely:—

- (i) Summoning and enforcing the attendance of any person and examining the respondent on oath;
- (ii) Requiring the discovery and production of documents; and
- (iii) any other matter which may be prescribed.

I) Interim Relief

Pending conclusion of the inquiry proceedings, the ICC Committee may, at the instance of the aggrieved person, consider granting the following types of interim reliefs.

1. Granting the aggrieved person leave (for a period of maximum 3 months).
2. Transferring the aggrieved person or the respondent to another workplace or permitting one or both of them to work remotely and/or
3. Restraining the respondent from reporting on the work performance of the aggrieved person.

Such a decision shall be at the sole discretion of the Committee.

J) Principles of Natural Justice

The ICC Committee should follow the principles of Natural justice to ensure that both the parties will get equal opportunity to present/defend their cases. The following steps among other things are included in the Inquiry process to facilitate this.

Copy of the Complaint along with all the details provided to be made available to the Respondent within seven working days of receipt of the complaint.

Opportunity to be given to both the parties to present their cases/witnesses /evidence.

Where both the parties are employees, a copy of the interim findings will be made available to both enabling them to make representation against the findings before the Committee. In

instances where one party is a non-employee, the decision so taken will be at the discretion of the ICC

Copies of the final recommendations of the Committee to be provided to both the parties to enable them to appeal against the recommendations were felt necessary (details below).

The ICC may at its discretion conduct the inquiry exparte if the complainant or the respondent fails without sufficient cause to present her or himself for three consecutive hearings convened by the Committee. However, such exparte order may not be passed without giving a notice in writing 15 days in advance to the party remaining absent from the proceedings.

The presence of three members of the ICC shall constitute quorum for conducting the initial information gathering/reconciliation process. Both the Presiding Officer & the External member shall always be present to ensure objectivity.

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

The ICC shall conduct the inquiry proceedings in a confidential manner.

In cases where the ICC arrives at a conclusion that the allegation against the Respondent is malicious or Complainant has made complaint knowing it to be false or the Complainant has produced forged or misleading document, the Committee may recommend to the management to take action against the Complainant in accordance with the section 14 of the SHWW Act. (Refer Annexure 1 for Section 14 of the Act.)

In cases where the ICC arrives at a conclusion that during inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the management to take appropriate disciplinary action against the concerned person(s).

K) Action based on the report of the ICC

The disciplinary authority shall initiate action on the report submitted by the ICC. The disciplinary committee members are nominated by the management.

If the ICC has held that charges against the Respondent have been proved and the disciplinary action against the Respondent is in accordance with the Disciplinary policy of the Company, there is no need for ordering for a fresh inquiry. The disciplinary authority shall examine the report and thereafter propose the punishment in accordance with the disciplinary policy of the company. After receipt of the respondent, the disciplinary authority shall pass speaking order imposing the punishment. The disciplinary authority shall complete the disciplinary action against the employee within 60 days of the receipt of the recommendations of the ICC.

L) Appeal Process

Any person aggrieved by the recommendations of the ICC or non-implementation of such recommendations shall have a right of appeal to the Appellate Authority in accordance with the disciplinary policy /service rules of the company. Where no such service rules exist the appeal shall be made to Appellate authorities as provided in the SHWW Act and Rules there under. The

appeal shall be preferred within 90 days of the recommendations of the ICC to the Appellate Authority.

M) Obligations of the Management:

The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of the policy.

The management shall ensure that the ICC shall be reconstituted once the term of the existing committee is over. In cases if there are any complaints against any of the ICC members the management shall take immediate steps to reconstitute the ICC. The time limit specified under this policy shall be inclusive of the time taken for reconstituting the committee.

The Management will monitor timely submission of reports. For this, the Management will conduct periodic update meetings with the ICC to ensure that the said policy is being implemented in letter and spirit.

As provided in the SHWW Act, the Management shall provide assistance to the Complainant if the Complainant so chooses to file a complaint with the police in relation to the offence under the Indian Penal code or any other law for the time is being imposed.

The Management will also initiate action under the Indian Penal Code or any other law for the time being in force, against a perpetrator, where the perpetrator is not an employee of the establishment and there is complaint of Sexual Harassment against the said perpetrator in the workplace where the harassment took place.

The Management shall ensure that the annual report of the company includes the measures taken for ensuring the provisions of the SHWW Act are fully complied with and the complaints received under this policy and the action thereon.

The Management will create awareness amongst employee material on sexual harassment in the following manner: -

- (i) Training and Awareness session for employees (men and women)
- (ii) Training and Awareness session for ICC members
- (iii) Training and Awareness session for Human Resource teams and Senior Management.

7 Confidentiality and Non-Disclosure

The identity and address of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC, the action taken by the employer shall be treated as confidential and shall not be disclose to anyone who is not authorized to receive the said information.

The above restrictions shall be applicable to all the members of the ICC and those who appear before the ICC as witnesses and all those persons who are entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations. Any breach of confidentiality the person concern shall be liable for the consequences as stipulated under section 17 of the Act read with rule 12 of the rules.

The provisions of the Right to Information Act are not applicable to the proceedings initiated under the Act in accordance with section 16 of the Act. Accordingly, no disclosure shall be made even if an application under RTI Act is made seeking any

information with respect to the complaint or the proceedings or the action taken on the recommendation of the internal committee.

The Management may decimate regarding the justice secured to any victim of sexual harassment without disclosing the name, address, identity or other particulars calculated to lead to the identification of the agreed women and witnesses

8 Retaliation

The Company strictly prohibits retaliation against any employee or person who makes a good-faith report or complaint or participates in an investigation of such report or complaint of sexual harassment.

Any report of retaliation by the one accused of harassment or discrimination, or by co-workers, supervisors, or managers, will also be promptly and thoroughly investigated in accordance with the Company's investigation procedures outlined above. If a complaint of retaliation is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

9 Timeline For Activities under the Policy

SL. No	ACTION POINT	AUTHORITY/CONCERNED PERSON	TIME LIMIT
1	Complaint:	Complaint to be lodged by aggrieved woman before Internal Complaints Committee in writing/email	1) within the period of 3 months from the date of the incident, or 2) in case of series of incidents, within the period of 3 months from the date of last incident.
2	Initiation of Inquiry Proceedings by ICC	Determining the nature of the complaint as Sexual harassment and if so, sending the copy of complaint to the Respondent	Within the period of 7 working days of receipt of the complaint
3	Reply by the Respondent along with his list of documents, names and addresses of witnesses	To the Internal Complaints Committee	Within 10 working days from the day of receipt of the copy of complaint forwarded by ICC.
4	Completion of Inquiry proceedings	By ICC	Within 3 months from the date of receipt of

			Complaint
5	Submission of Inquiry Report and Findings along with recommendations by ICC	To the Management	Within 10 days of completion of Inquiry Proceedings by ICC
6	Implementation of Recommendations made in the Inquiry Report of ICC	By the Management	Within 60 days of the receipt of the Recommendations made in the Inquiry Report by ICC
7	Appeal against the recommendations of the ICC	By the aggrieved person	Within a period of 90 days of Recommendations by ICC.

10 Annexure 1. Sexual Harassment -Explanations & Examples

Explanations & Examples are given below only for the purposes of a better understanding of what constitutes Sexual harassment and not for defining sexual harassment.

Sexual harassment at the workplace can generally be classified into two categories – “quid pro quo” and creation of a “hostile work environment”.

Quid pro quo:

Under the quid pro quo (meaning this for that) form of harassment, a person or authority, usually the superior, demands sexual favours for getting or keeping a job benefit and threatens to adversely affect employment conditions and promotion opportunities or even terminate services of the employee if the conditions are not met. Further, preferential treatment may also constitute quid pro quo. A single instance of quid pro quo offers or threat is sufficient to treat the behaviour as Sexual harassment.

Hostile atmosphere:

A hostile work environment arises when a co-worker or supervisor creates a work environment through verbal or physical conduct that interferes with another co-worker’s job performance or creates a workplace atmosphere which is intimidating, hostile, offensive or humiliating and is experienced as an attack on personal dignity and may even have a detrimental effect on the health and safety of that person.

Hostile atmosphere if present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

Examples for Conduct or behaviour prohibited under this Policy include, but are not limited to:

Unwanted, intentional physical conduct which is of a sexual nature, to include, but is not limited to: touching, pinching, patting or grabbing, blocking, showing pornography.

Sexually explicit behaviour including unwelcome sexually oriented gestures, noises, jokes or comments about a person's sex, sexual preference or sexual experience, directed to or made in the presence of team member.

Preferential treatment or promises of preferential treatment, to include but not limited to promotions, training, job assignments, salary revisions, made to a team member for submitting to sexual conduct.

Threat of detrimental treatment in employment/future employment status made to a team member for not submitting to sexual conduct;

Sexually oriented activities that have the purpose or effect of unreasonably interfering with another team member's work performance or which create an intimidating, hostile or offensive work environment;

Sexually-explicit email, WhatsApp/ text messages, voice communication, screen savers, graffiti, posters or calendars; vulgar, offensive, sexually-related or sexually-abusive language, displaying or publicizing pictures, objects, promotional material or other materials that is sexually suggestive, sexually demeaning or pornographic;

Behaviour as described above whether conducted in face-to-face interactions or during virtual meetings/conferences/ phone calls will be considered as sexual harassment.

Sexual harassment should not be confused with simple friendly behaviour or with more intimate exchanges if these are desired and accepted. The difference between the friendly behaviour and sexual harassment is that sexual harassment is neither solicited nor accepted by the recipient, it is unwelcome or imposed.