
POLICY ON PREVENTION OF WORKPLACE HARASMENT

A policy to ensure a safe, secure, and congenial work environment where Employees, Associates and partners will deliver their best without any inhibition, threat, or fear.

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1. Introduction:

- 1.1 Toyota Financial service India Limited (“TFSIN”) strives for competitive excellence and is committed to lawful and ethical conduct and adhering to the company’s values which include integrity, honesty, and respect for people.
- 1.2 TFSIN is committed to provide a safe and conducive work environment to its employees and expects them combine “Expertise with responsibility” towards this, it is essential that each employee deal with his or her colleagues and third parties with full respect and realize that his/her behavior will be attributed to the company and can affect its reputation.
- 1.3 Harassment of any kind especially sexual harassment is forbidden. Every employee has the right to be protected against harassment, regardless of whether the accused considers his/ Her own behaviour to be normal or acceptable and of whether the harassed person has the opportunity to avoid the harassment. TFSIN is committed to providing a work environment free of sexual harassment. Sexual harassment is a form of workplace of a form of workplace harassment of a sexual nature that affects the dignity of men and women at work.
- 1.4 TFSIN’s goal to ensure a safe, secure and congenial work environment where employees, associates and partners will deliver their without any inhibition, threat or fear. Accordingly, TFSIN has adopted this policy for prevention of workplace Harassment (this “policy”), the goals of which are (a) spreading awareness about the cause and consequences of workplace harassment and (b)prohibiting, preventing and deterring the commission of acts of workplace harassment at . This policy provides the procedure for redressal of complaints pertaining to harassment.

2. Objectives of the policy:

- 2.1 To fulfil the directive of the supreme court of India enjoining all employers to develop and implement policy against sexual harassment of women at the workplace.
- 2.2 To uphold employees Right to protection against sexual Harassment and the Right to Livelihood and towards that end for the prevention and redressal any kind of Harassment of employees including sexual harassment.
- 2.3 To establish a mechanism for the prevention, prohibition and redressal of complaints of harassment of employees employee by TFSIN.
- 2.4 To actively promote a social, Physical and psychological environment that will raise awareness about and deter acts of harassment of employees especially sexual harassment.

- 2.5 To undertake all necessary and reasonable steps including the constitution of appropriate committees for the purpose of gender sensitization and to conduct enquiries into complaints of harassment.
- 2.6 To uphold the commitment of TFSIN to provide an environment free of discrimination and violence against women.

3. Scope & Applicability:

- 3.1 This Policy applies to (a) all the employees, workers and trainees (whether in the office premises or outside while on assignment) of the TFSIN and (b) all employees, regardless of their position, including those on contract and sub-contract work with TFSIN and covers sexual harassment by TFSIN's employees of anyone connected with TFSIN's business such as vendors and visitors.
- 3.2 Where a TFSIN employee is subject to sexual harassment by third party or outsider while such employee is on official duty, TFSIN will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.
- 3.3 This policy covers harassment of women by men, of men by women or between the same sexes. Harassment is unlawful irrespective of who is involved in the behaviour.
- 3.4 This policy is not restricted to TFSIN's premises but extends to all locations wherever TFSIN's employees have occasion to interact on company matters or engage in networking including, in vehicles, their premises, off site where company meeting are held; provided that this policy does not apply when employees decide to meet outside of TFSIN's office location of their own accord and for personal reasons.

4. Definitions for purpose of this policy:

- 4.1 **Management** shall mean the (1) MD & CEO & (2) EVP (Executive Vice President) of Toyota Financial services India Limited.
- 4.2 **Internal Complaints committee (ICC)** shall mean the committee formed under this policy and as required under the sexual Harassment of women at workplace (prevention, prohibition and Redressal) Act, 2013

- 4.3 **Sexual Harassment** shall mean and include any of the following:
- 4.3.1 Any unwelcome sexually determined behaviour such as sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature, is explicitly or implicitly made or implied, with or without being accompanied with any promise/ threat related to the terms or conditions of employment, participation or evaluation of an employee's engagement in TFSIN's activity or continued employment at TFSIN.
 - 4.3.2 Any unwelcomes sexually determined behaviour, including but not limited to sexual advances, physical and/or verbal or non-verbal or contact, such as loaded comments, remarks or jokes, Letters, Phone calls, SMS or emails, gestures, exhibition of pornography, lurid stares, Physical contact ,stalking, sounds or display of a derogatory nature while have purpose and /or effect of interfering with an employee's work of creates an intimidating ,hostile or offensive employment or living environment.
 - 4.3.3 When an employee uses with sexual purpose, the body or any part of it or any object as an extension of the body in relation to another employee without his/ her consent or against his/her consent or against his/her will, or when both or either of the perpetrator or victim is under influence of alcohol or any psychotropic drug or otherwise intoxicated due to any such substance, such conduct will amount to sexual assault.
 - 4.3.4 Any behaviour that falls in the list below or has the same impact as nay of the listed item, on an employee:
 - (a) Any taunting snider remarks based on sex (including pregnancy, childbirth or related medical condition), sexual orientation, gender identity, Marital status or personal appearance;
 - (b) Phone calls or electronic messages that is abusive or offensive to the receiving employee and are remake based on sex;
 - (c) Intrusive questions about sexual activity, tales exploits, comments about people's bodies or asking irrelevant personal questions of a sexual nature to an employee;

- (d) Repetitive unwanted advances (requests for dates or social contact) toward someone or displaying of books, photography's, paintings, films, pamphlets, packages, etc. containing indecent representation of women/men;
- (e) Viewing or sharing through letters, phone calls electronic instant messaging or email messages any pornographic posters, internet sites, cartoons or drawings of sexual nature;
- (f) Telling of lewd jokes, offensive language, singing or humming vulgar songs, etc.
- (g) Offensive gestures, staring, leering or whistling with the intention to insult or discomfort someone or another who may hear or see such behaviour;
- (h) Intentional touching of the body that makes a person uncomfortable or are inappropriate at the workplace even if the recipient welcomes it; or
- (i) Indecent exposure.

4.3.5 Sexual harassment is emotionally abusive and creates an unhealthy, unproductive atmosphere at the workplace. Sexual harassment cases can be classified into two categories- quid pro quo and creation of a hostile working environment

- (a) Under the quid pro (meaning this for that) form of harassment, a person or authority, usually the superior of the victim, makes implied or explicit demands for sexual favours in return for implied or explicit demand for sexual favour in return for implied or explicit promise of preferential treatment of in his/her employment with TFSIN Such as for getting or keeping a job benefit or any implied or explicit threat of getting or keeping a job benefit or any implied or explicit threat of getting or keeping a job benefit or any implied or explicit threat of detrimental treatment in his/her employment with TFSIN or about the present or future employment status such as threatening to give a low performance rating or to fire the employee in the conditions are not met.
- (b) A hostile work environment arises when co-worker or supervisor creates a work environment through verbal or physical conduct that interferes with another co-worker's job performance or creates the workplace atmosphere that is intimidating, hostile, offensive or humiliating and perceived as an attack on personal dignity.

However, an employee who is sexually harassed can complain about the same even if there is no adverse job consequence.

4.4 **Workplace Harassment** shall mean and include any of the following:

4.4.1 Sexual harassment as defined above; and

4.4.2 **Bullying:** bullying is any intimidating or insulting behaviour which makes any employee feel vulnerable, humiliated and/or threatened. Legitimate and constructive criticism of an employee's performance or behaviour or reasonable requests made of employees in the course of their employment will not constitute bullying it includes the following behaviour or any similar behaviour that has the same impact:

- (a) Shouting at, being sarcastic towards, ridiculing or demeaning others;
- (b) Physical or psychological threats;
- (c) Inappropriate and /or derogatory remarks about someone's performance;
- (d) Abuse of power by those in positions of seniority and authority; or
- (e) Exclusion from communication and meetings with the intent to disadvantage a person.

5. Employees 'Rights and Responsibilities under this policy:

An employee who believes he/ she has been subject of any kind of workplace harassment has the following avenues of redressal and the employee can use of the avenues either alone or together:

5.1 **Direct communication:** Any employee who believes he or she has been the target of harassment is encouraged to inform the offending person orally or in writing that such conduct is unwelcome and offensive and must stop.

If the employee does not wish to communicate directly with the offending person, or if such communication has been ineffective, the employee has multiple avenues for Reporting allegations of sexual harassment and /or pursuing resolution

5.2 **Reporting to supervisor/senior Management:** subject to the reporting procedures set forth in section 8.1, employees are encouraged to report the unwelcome conduct as soon as possible to a responsible depart or company official .it is usually most effective— although it is not required—that the official be within the employee's supervisors the offending person's supervisor and /or management officers of the company.

- 5.3 **Mediation:** in addition to reporting harassment concerns to a responsible department official, employees who believe they have been subjected to harassment may elect to pursue resolution in several ways, including through mediation, which is an informal way to resolve office issues using a trained mediator who facilitates communication between the parties to the dispute. If an employee chooses to attempt resolution through mediation, management is obligated by this policy to send a representative to the table. If a resolution is not reached, the parties may continue to pursue their rights in any other appropriate forum. Employees may ask for the assistance of a mediator by contacting the company's management.
- 5.4 **Reporting to internal complaints committee:** if an employee who has been subject of workplace harassment especially sexual harassment, has not been able to resolve the issue through any of the channels above, or if the employee is not comfortable using any of the channels above, the employee can report the harassment to the internal complaints committee as per the reporting procedure in clause 8.

6. What can you do as a co-employee? - Responsibility:

If you become aware of any incident of harassment or if any employee confides in you about any incident of harassment that has happened with employee, you should follow these guidelines:

- 6.1 Do not judge on your own about the truth of the incident. Encourage the persons involved to follow the process under this policy.
- 6.2 Do not disbelieve an employee when they share his or her concerns about sexual harassment. Remember sexual harassment is 'unwelcome' behaviour. Do not trivialize the matter. Remember that it is difficult to speak about sexual harassment. Hence if a colleague is talking about it he/she will require a lot of encouragement and support.
- 6.3 Encourage the recipient to (a) approach the offending person directly (and, if you wish, offer to accompany him/her when confronting the offending person), (b) use other informal resolution methods in para 5 above or (c) report the matter in accordance with section 8
- 6.4 If you are present when any such incident is happening, you may take suitable action to intervene to ensure that the sexual harassment is stopped.
- 6.5 Protecting all the persons involved i.e. the alleged victim and the perpetrator, is the responsibility of all employees. Do not share this information or talk to any internal or external persons about any incident of harassment that you are aware of. This may have a long-term traumatic effect on the persons involved

7. The Internal complaints committee- Reporting channel:

An internal complaint committee (ICC) has been formed details of the Team has been provided as annexure-I. This Committee shall undergo changes as and when required with the approval of the Managing director and CEO.

8. Dealing with the complaint:

8.1 The Reporting process:

8.1.1 Any employee who is the recipient of behaviour that can reasonably be construed as constituting harassment is expected to report the same at the earliest. A complaint relating to harassment shall ordinarily be lodged Within 90 calendar days from the date of the alleged offence and in case of a series incident, within 90 calendar days of the last incident. Any delay in reporting must be explained to the ICC with sufficient cause. If an employee knows of or suspects the occurrence of such harassment to anyone else, he/she should encourage the recipient employee to report the same and could offer to speak for/ accompany the person if the individual needs support.

8.1.2 Complaints under this policy may be lodged with the ICC at the mail id given in Annexure I. complaints must be made in writing so as to enable a formal investigation and inquiry into the mater. Appropriate measures will be taken by the authorities to ensure confidentiality to the extent possible and each party gets a fair hearing.

8.1.3 The concerned employee may mail in writing at the designated mail id to the ICC giving details of his or her complaint to the ICC giving details of the incident, along with the supporting documents and evidences and the name of witnesses, if any, within 90days of its occurrence. If required, during preliminary investigation, the ICC may ask for six signed copies of his or her complaint in writing giving required details, evidences and the name of witness, if any

8.2 Investigation process:

8.2.1 Any complaint received by the ICC shall be kept confidential by the members of ICC to the extent possible.

- 8.2.2 The ICC shall ensure that a fair and just investigation is undertaken immediately in accordance with principles of natural justice. The investigation process shall be initiated within seven working days of receiving the complaint and shall be completed within 90 days of the receipt of the complaint.
- 8.2.3 The management shall not in any way interference the ICC during the courses of an investigation. It shall provide all support possible to arrive at the best and fair solution in the interest of all employees involved in the issue.
- 8.2.4 Within seven working days of the receipt of the complaint, the ICC shall inform the person accused that a complaint has been filed against him/her and send one copy of the complaint along with supporting documents to the Accused
- 8.2.5 The ICC shall inform the Accused that no unfair acts of victimization, retaliation or unethical action or coercion against the aggrieved employee will be tolerated during and after the investigation proceedings and if required TFSIN shall take adequate steps to prevent such retaliation, etc., or if such protection is requested by the aggrieved Employee.
- 8.2.6 The Accused shall be required to represent his/her case in writing along with supporting documents and details of witnesses within ten working days of the receipt of the notice.
- 8.2.7 Initially both the complainant and the alleged accused will be heard separately with a view to ascertain the veracity of their contentions. If required, the person(s) who has been named as a witness will also be hearing by ICC to seek any information necessary to assist in resolving the matter satisfactorily.
- 8.2.8 Subject to the aggrieved employee's consent and on the basis of written representations of both parties and the above hearings, the ICC will initially try to settle the matter amicably between the parties through conciliation. The conciliation will be undertaken by the ICC with or without support of any professional counsellors at their discretion. No monetary settlement will be made as a basis of conciliation.

- 8.2.9 In case the aggrieved employee is willing to enter conciliation or after efforts of conciliation, no settlement has been reached, the ICC shall initiate inquiry in the matter.
- 8.2.10 Based on the representations of both parties, witness accounts and evidences submitted, the ICC may launch an independent inquiry in the matter. Both the parties shall be given a copy of the findings of ICC to enable them to make a final representation against the finding before the ICC
- 8.2.11 Neither parties shall be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before ICC. However, at its discretion and after giving a 15 days' notice, the ICC may terminate the proceedings or give a sentence in absence of the accused, if the complainant or accused, fail to appear before the ICC for three consecutives hearings without sufficient cause.
- 8.2.12 On completion of the inquiry, the complainant and the accused shall be informed of the outcome of the investigation in writing. If the investigation reveals that the complainant has been sexually or otherwise harassed as claimed, the accused will be disciplined accordingly.
- 8.2.13 If the ICC finds that the complainant was/ has been harassed in violation of the law:
- (a) The victim of harassment has the option to seek transfer of the person who harassed him/her or his/her own transfer; and
 - (b) The ICC can determine the compensation including monetary damages, if any (please note, employee cannot opt conciliation in lieu of money) on the basis of loss of career opportunity, hospitalization cost, mental trauma, pain, agony, financial status of respondent and pay capability etc. Complainant can also seek leave or transfer on the basis of it.

9. Disciplinary Action:

Where any misconduct is found by the ICC, appropriate disciplinary action shall be taken against the accused. Disciplinary action may range from include oral/ written warnings, transfer or a change of role, withholding promotion, suspension or even dismissal. This action shall be in addition to any recourse sought by the complainant in a court of competent jurisdiction.

10. Confidentiality:

It shall be the duty of everyone (including the members of the ICC, the complainant, the defendant, witnesses and other participants and all the employees of TFSIN) Whether or not they are involved in the process to ensure that all incidents/ grievances/ complaints lodged under this policy including identity of the complainant and accused are kept as confidential as much as possible. Any person (including witnesses) who breaches Confidentiality or publishes or makes know to the public, press and media in any information related to the above shall be subject to disciplinary action.

11. Protection against retaliation:

- 11.1 Regardless of the outcome of a complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation.
- 11.2 While dealing with complaints of harassment, the ICC shall ensure that the complainant or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the accused against the complainant while the investigation is in progress should be reported by the complainant to the ICC as soon as possible. Disciplinary action will be taken by the ICC if any such complaints that are found genuine.
- 11.3 Retaliation will be treated as seriously as a case of harassment and will apply even if the original complaint of harassment is not proven. Retaliation will be treated as a gross misconduct and Toyota financial services India Limited will take appropriate action to address any instance of retaliation.

12. Documenting Harassment:

- 12.1 Documenting the harassment is important for use as evidence in a case or complaint. You should:
 - (a) photography or keep copies of any offensive material at the workplaces;
 - (b) keep a journal with detailed information instances of harassment;
 - (c) note the dates, conversation, frequency of offensive encounters etc; and
 - (d) obtain copies of your work records (including performance evaluations) and keep these copies.

- 12.2 Take all letters of commendation, awards, thank you' s and anything at all that will corroborate your positive job performances Pay special attention to document that your superiors have provided lauding you and your work. If possible, ask your clients, staff, and peers for letters of commendation.
- 12.3 If you desire to pursue your judicial remedies as described in section 14, please note That every document that you use during trial must be authenticated by a witness. Keep this in mind during your depositions when the defence asks you where you obtained a document. If you are not clear about where you got the document, and who can authenticate it, you will not able to use it during your trial.
- 12.4 The ICC shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof. The incident would be documented in both the complainant's and the accused's files with the full report of the ICC.
- 12.5 The ICC will send an annual report regarding matters reported to it under this policy, as well as any such complaint outcome, to the management of TFSIN.

13. Dissemination of the policy:

A copy of this policy shall be made available to all employees including any new employees and each employee shall acknowledge physically or electronically that he/she has received and read, understood and will comply with this policy.

14. Judicial Remedy:

An employee who feels that a harassment complaint or a retaliation complaint did not receive prompt and fair response/ resolution or the resolution promised has not been implemented either partially or fully may contact the md & CEO within 90days of the communication of the decision of ICC to the employee.

Additionally, nothing in this policy shall prevent the complainant or the accused from simultaneously pursuing formal legal remedies or resolution through government agencies or the courts of law of the country.

15. Complaints made with a malicious intent:

This policy has been developed as a tool to ensure that in the interest of justice and fair play, our employees have a forum and procedures to report instances of workplace harassment. However, if it is revealed that the complaint was made with a malicious intent or knowing it to be false and with the motive of maligning the concerned individual/ tarnishing his/ her image in the company and to settle personal/Professional score or where any party has produced false or misleading documents as evidence, disciplinary action shall be taken against person. This will also apply to an employee who appears as a witness with a malicious intent or gives false testimony.

However, a mere inability to substantiate a complaint or provide adequate proof will not attract disciplinary action under this clause. This disciplinary action could include termination of employment.

16. General:

TFSIN reserves the right to modify and amend the provisions of this policy, so as to comply with applicable legal requirements, internal policies, or with a view to alter the provisions of this policy to the extent deemed necessary, appropriate or desirable by TFSIN from time to time. Any amendment to this policy shall be effective only with the approval of MD & CEO

Note: Ignorance of any aspect of this policy cannot be used as Defence during an inquiry on the matter.

Sd/-
N. Raja
MD & CEO

ANNEXURE – I

INTERNAL COMPLAINTS COMMITTEE

The Internal Complaints Committee (ICC) consists of the following Employees for a tenure of 3 Years starting from 15-May-2020 to 14-May-2023:

Sl. No.	Name	Designation	Role	Responsibility	Phone No.	E-mail ID
1	Krithika G	Chairperson	Presiding Officer	1. Handle sensitive issues such as "Sexual harassment" 2. Oversee the proceedings and ensures that they are in accordance with the provisions of the Act and 3. Guides the Nodal Officer/Records Officer in their actions and delegates responsibilities to others as and when necessary 4. Annual Return Filing by 31-Jan every year	9632814499	g.krithika@tfsin.co.in
2	Amitha Raj	Intenal Member	Nodal Officer	1. Receive/process the complaint 2. Facilitate the committee meeting and 3. Coordinate with all concerned including the HR department in a timely manner in matters concerning "Sexual harassment"	9902332042	amitha.raj@tfsin.co.in
3	Rema Sushil Kumar	Intenal Member	Records Officer	Create and maintain records	9945691588	rema.sushilkumar@tfsin.co.in
4	Rangesh Srinivasan	Intenal Member	Committee Member	Participates in meetings /Inquiry	9930730490	rangesh.srinivasan@tfsin.co.in
5	P Satyadeep	Intenal Member	Committee Member	Participates in meetings /Inquiry	9663288199	p.satyadeep@tfsin.co.in
6	Sabita Prasad	External Member	Primary Consultant	1. Bring an un-biased & informed opinion to the table 2. Guide the Presiding Officer where requested 3. Peruse all reports prepared by Nodal officer / Records Officer before finalization	9845121157	sabita@resonanceconsulting.in
7	Sudha Jayaram	External Member	Support Consultant	4. Review the Annual Return before submission 5. Support to establish Governance Model around the POSH Policy 6. Conduct Orientation / Awareness sessions on a periodic basis 7. Handle employee calls and / or e-mails, if any employee reaches out	9449850684	sudha@resonanceconsulting.in

Mail ID of the Internal Complaints Committee (ICC) : posh@tfsin.co.in

The Constitution of this committee is subject to change, with approval from the MD & CEO

Sd/-

N. Raja

MD & CEO