



**KENNAMETAL INDIA LIMITED**

**PREVENTION OF SEXUAL HARASSMENT POLICY**

**Amended and restated effective from May 12, 2021 which is the effective date of  
the commencement of the new amended and restated Policy**

## 1. PURPOSE

- 1.1 The document sets out the Prevention of Sexual Harassment Policy (“Policy”) with respect to the Employees (as defined below in Clause 2.4) of Kennametal India Limited the “Company”). This Policy aims to define the Company’s intention to prevent, prohibit, redress and set out the grievance procedure with respect to sexual harassment at its Workplace (as defined below in Clause 2.8).
- 1.2 It is the Company’s goal to promote a Workplace that is free of Sexual Harassment (as defined below in Clause 2.6). Sexual Harassment of Employees occurring in the Workplace is unlawful and will not be tolerated by the Company under any circumstances.

## 2. DEFINITIONS

- 2.1 **“Respondent”** means an Employee or Third Party who has been alleged of an act of Sexual Harassment by either an Aggrieved Woman (as defined below in Clause 2.3) or an Aggrieved Male Employee (as defined below in Clause 2.2).
- 2.2 **“Aggrieved Male”** means in relation to a Workplace, a male of any age, including a transgender man whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by an Employee at the Workplace. **[Comment – The changes in this section are intended to be consistent with the similar language regarding an “Aggrieved Woman,” as set forth in Section 2.3.]**
- 2.3 **“Aggrieved Woman”** means in relation to a Workplace, a woman of any age, including a transgender woman whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent or a Third Party at the Workplace.
- 2.4 **“Employee (s)”** means a person or persons employed by the Company for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether working for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.
- 2.5 **“Male Employee”** means a male Employee of any age, including a transgender man.

2.6 **“Sexual Harassment”** means and includes any of the following acts committed against an Aggrieved Woman or an Aggrieved Male Employee of the Company: -

- a. Physical contact and advances; or
- b. A demand or request for sexual favours; or
- c. Making sexually coloured remarks; or
- d. Showing pornography or other materials that may be viewed as offensive; or
- e. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

Further, the following acts against an Employee, if they occur along with any act of Sexual Harassment would also amount to Sexual Harassment:

- a. Implied or explicit promise of preferential treatment in their employment; or
- b. Implied or explicit threat of detrimental treatment in their employment; or
- c. Implied or explicit threat about their present or future employment status: or
- d. Interference with their work or creating an intimidating or offensive or hostile work environment for them; or
- e. Offensive or humiliating treatment likely to affect the health or safety of an Employee.

The above-mentioned acts will be deemed acts of Sexual Harassment if they are carried out anywhere within the Workplace.

2.7 **“Third Party”** means a person who is not an Employee of the Company and includes a stranger, visitor, consultant, vendor with whom the Employee comes in contact with during the course of employment at the Workplace.

2.8 **“Workplace”** means the premises of the Company and any place visited by the Employee arising out of or during the course of employment, including the residence or such other place from where Employee may be working remotely as per the Work From Home policy with prior approval of his/her manager; transportation provided by the employer for undertaking such journey.

### 3. **WORK ATMOSPHERE**

The Company takes serious note of any act of Sexual Harassment against any Employee of the Company. It is therefore the responsibility of the head of each department to establish and maintain a safe work environment for their Employees and any person visiting the Workplace, and take the following steps to ensure that such acts do not occur in their department:

- a. Set a tone for office conduct and appropriate Workplace behaviour;
- b. Communicate to the Employees that Sexual Harassment will not be tolerated. These instructions should not be limited to just the Employees of the Company but should also be communicated to such other agencies /organizations which the Employee may come in contact during or in connection with their employment in the Company, this may include but shall not be limited to the transporter engaged in transporting the Employees of the Company, other organizations to which they are deputed, customers and clients of the Company;
- c. Place a copy of this Policy on the Company notice board or any other such prominent places;
- d. Train all the team managers to reduce likelihood of Sexual Harassment at the premises of the Company;
- e. Make it known to all Employees that any act of Sexual Harassment will be severely dealt with by the Company. It is further clarified that any of the heads of the departments or authorized representative who do not take corrective/preventive actions with regard to the above shall be personally held liable for incidents of Sexual Harassment.

#### **4. COMPLAINT OF SEXUAL HARASSMENT BY AN AGGRIEVED WOMAN**

- 4.1 If an Aggrieved Woman believes that she has been subjected to an act of Sexual Harassment, such Aggrieved Woman has the right to file a complaint with the Internal Complaints Committee for women in the manner prescribed below.
- 4.2 An Aggrieved Woman is also at liberty to file a complaint with the **Assistant General Counsel and Global Director, Office of Ethics and Compliance: Seth Rice by**

**Email:** k-corp.ethics@kennametal.com

**Phone:** +1 412 248 8275

**Ethics HelpLine:** +1 877 781 7319 (see ATT Access Codes) or

<https://kennametal.alertline.com>

the complaint filed with the office of Ethics and Compliance shall be directed to the Presiding Officer of Internal Complaints Committee duly forthwith.

4.1.1. The Internal Complaints Committee for women constituted in the Company to which a complaint can be made by an Aggrieved Woman, and which will conduct the inquiry will consist of the following members:

- a) Presiding Officer;
- b) Member;
- c) Member;
- d) Member; and
- e) External Member.

4.1.2. The Aggrieved Woman may file a complaint by contacting the Presiding Officer of the Internal Complaints Committee for women. The Presiding Officer will also be the person available to discuss any concerns of the Female Employee and to provide them with information on the Company's policy on Sexual Harassment and the complaint process.

#### 4.3 **Complaint Procedure**

4.2.1. If an Aggrieved Woman believes that she has been subjected to an act of Sexual Harassment, such Aggrieved Woman shall have the right to make a complaint to the Internal Complaints Committee for women in the following manner: -

- a. An Aggrieved Woman can make a complaint of Sexual Harassment to the Internal Complaints Committee for women, in writing, within three months from the date of the incident and in case of a series of incidents, within a period of three months from the date of the last incident in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules thereunder. Where a complaint cannot be made in writing, one of the members of the Internal Complaints Committee for women shall render all reasonable assistance to the Aggrieved Woman for making the complaint in writing.
- b. Before initiating the inquiry, the Internal Complaints Committee for women may at the request of the Aggrieved Woman, take steps to settle the matter between the Aggrieved Woman and the Respondent through conciliation. However, no monetary settlement shall be made as the basis of conciliation.
- c. In case a settlement is arrived in pursuance of such conciliation, the Internal Complaints Committee for women shall record the settlement so arrived at between the parties and will report the same to the Company for recommended action. In such cases, no further inquiry will be conducted by the Internal Complaints Committee for women.

#### **4.4 Inquiry**

- 4.3.1. In the event that a settlement is not reached through conciliation, the Internal Complaints Committee for women shall proceed to investigate the complaint made in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules thereunder.
- 4.3.2. The Internal Complaints Committee for women shall investigate each and every complaint of Sexual Harassment received from an Aggrieved Woman in a fair and expeditious manner. All such investigations shall be kept confidential except when the nature of investigation makes it necessary to disclose certain information.
- 4.3.3. Both parties shall, during the course of inquiry, be given an equal opportunity of being heard and a copy of the findings will be made available to both the parties enabling them to make representations before the Internal Complaints Committee for women. The Internal Complaints Committee for women's investigation shall include a private interview with the Aggrieved Woman, the Respondent who is alleged to have committed an act of Sexual Harassment and witnesses if any.
- 4.3.4. After the investigation is completed by the Internal Complaints Committee for women (which should be expeditious and concluded within 90 (ninety) days), the Internal Complaints Committee for women shall inform the Company, Aggrieved Woman and the Respondent the outcome of such investigation.
- 4.3.5. In the event that the Respondent is found guilty of Sexual Harassment, the Internal Complaints Committee for women shall, based on the findings of the investigation, recommend to the Company the nature of disciplinary action to be taken.
- 4.3.6. If the allegations of Sexual Harassment are not proved against the Respondent, then the Internal Complaints Committee for women shall recommend to the Company that no action need be taken against the Respondent.

#### **4.5 Acts By Or Against Third Party**

All the department heads of the Company are required to get in touch with the concerned person of the external supplier(s) and obtain the information with regard to the Internal Complaints Committees of such Third Party. Where Sexual Harassment against an Aggrieved Woman occurs as a result of an act or omission by any Third Party at the Workplace, the Company will assist such Aggrieved Woman in taking all steps necessary and reasonable to take action against such Third Party.

In the event that any Respondent of the Company is found guilty of any act of Sexual Harassment or is convicted under the relevant provisions of criminal law (including without limitation to Section 509 of the Indian Penal Code) by the complaint made by a Third Party, the services of such Respondent may, at the discretion of the Company, be terminated forthwith by the Company.

## **5. COMPLAINT OF SEXUAL HARASSMENT BY AN AGGRIEVED MALE EMPLOYEE**

5.1 If an Aggrieved Male Employee believes that he has been subjected to an act of Sexual Harassment, such Employee has the right to file a complaint with the Internal Complaints Committee.

5.2 An Aggrieved Male Employee is also at liberty to file a complaint with the **Assistant General Counsel and Global Director, Office of Ethics and Compliance: Seth Rice by**

**Email:** k-corp.ethics@kennametal.com

**Phone:** +1 412 248 8275

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<https://kennametal.alertline.com>

The complaint filed with the office of Ethics and Compliance shall be directed to the Presiding Officer of Internal Complaints Committee duly forthwith.

5.1.1. The Internal Complaints Committee constituted in the Company to which a complaint can be made by an Aggrieved Male Employee, and which will conduct the inquiry will consist of the following members:

- a) Presiding Officer;
- b) One female Member; and
- c) One male Member.

5.1.2. The Aggrieved Male Employee may file a complaint by contacting the Presiding Officer of the Internal Complaints Committee. The Presiding Officer will also be the person available to discuss any concerns of the Male Employees and to provide them with information on the Company's policy on Sexual Harassment and the complaint process.

5.1.3. The process of taking up and investigating a case of Sexual Harassment against an Aggrieved Male Employee shall be in accordance with the principles of natural justice and equity.

## **6 FALSE ACCUSATIONS**

6.1 Whilst on one hand the Company does not tolerate any act of Sexual Harassment at its Workplace, the Company also does not encourage or tolerate any false accusations made by any one of its Employee against another Employee in this regard. Due to the serious and private nature of this offence, false accusations of Sexual Harassment are and will be treated as a disciplinary offence and the Internal Complaints Committee will have the power to give the same level of punishment that applies to a Respondent as mentioned in Clause 7.

6.2 Where it comes to the knowledge of the Internal Complaints Committee that any witness has given false evidence, the Internal Complaints Committee shall make a recommendation to the Company to initiate strict action against such witness.

- 6.3 Merely finding a Respondent not guilty of Sexual Harassment or an aggrieved Employee's inability to substantiate a complaint with adequate proof shall not imply that a false accusation was made by the aggrieved Employee or attract disciplinary action, and this clause shall only apply where it is found that the complaint was made mala fide, deliberately, falsely and with the intention of harming the Respondent, as established by an inquiry.

## **7 DISCIPLINARY ACTION**

- 7.2 If it is determined by the respective Internal Complaints Committee that an act of Sexual Harassment has been committed against an Aggrieved Woman or a Male Employee, the Internal Complaints Committee may recommend to the Company any one or more of the following punishments including but not limited to:

- a. Written apology;
- b. Warning;
- c. Reprimand or censure;
- d. Withholding of promotion;
- e. Withholding of pay raise or increment;
- f. Terminating services;
- g. Undergoing counselling;
- h. Carrying out community service;
- i. To deduct a sum as it deems appropriate from the salary of the accused to be paid to the complainant.

The Employer shall immediately implement the recommendation of the Internal Complaints Committee with respect to the punishment to the Respondent.

## **8 PENALTY FOR PUBLICATION OF COMPLAINT AND INQUIRY PROCEEDINGS**

The Company follows strict rules with respect to maintaining the privacy of the Employees involved in a case of Sexual Harassment. The contents of the complaint, identity and addresses of the Aggrieved Woman, Aggrieved Male Employee, the Respondent, the witnesses, information regarding the conciliation and inquiry proceedings and the recommendation of the Internal Complaints Committee and the action taken by the Employer must remain strictly confidential and must not be published, communicated or made known to the public, press and/or media. In the event the same is breached by any Employee of the Company, such Employee shall be penalised with a fine of INR 5000/- (Indian Rupees Five Thousand only).