



## **Prevention of Sexual Harassment Policy**

### **Applicability:**

This Policy applies to all employees, both female and male, of Sanofi in India and will be deemed to form part of their Conditions of Employment. All employees are expected to familiarize themselves with the Policy and to act in accordance therewith at all times.

### **1. Policy Statement**

Sanofi believes and commits as follows:

- (a) All employees have the right to be treated with dignity.
- (b) Sexual harassment in the workplace will not be permitted or condoned.
- (c) Persons who have been subjected to sexual harassment in the workplace have a right to raise a grievance about it and to expect that the Company will take appropriate action as per legal provisions.
- (d) Sanofi will ensure providing of adequate training to all employees of the organization. It will act promptly and intervene appropriately whenever it observes any sign or communication of sexual harassment, whether formal or informal, written or verbal, during the employment or after the cessation of employment and will take necessary steps to arrest its potential escalation.
- (e) It will sincerely attempt fair treatment to all stakeholders irrespective of gender within the provisions of law. It will also deal with all situations of sexual harassment which do not find specific mention in the law, in a just and fair manner, eg, any verbal complaints.
- (f) It will proactively work towards fostering a culture of mutual respect, dignity and equality.
- (g) It will act promptly and intervene appropriately in any situation that demands intervention to prevent and redress sexual harassment.

### **2. Preamble**

The Sexual Harassment Policy of the Sanofi Group (available on the Sanofi Intranet) has been in place since 2005 and applies to all Group employees. The purpose of the present policy, applicable to employees working in all Sanofi entities in India, is to be consistent with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("the Sexual Harassment Act") which has come into effect from 9<sup>th</sup> December 2013. The Sexual Harassment Act has been enacted to provide protection to women against sexual harassment at workplace and for redressal of complaints of sexual harassment.

The Indian Constitution guarantees to its citizens the right to gender equality, right to life & liberty, right to live with dignity, right to practice any profession, trade or business and the right to a safe environment at workplace, free from sexual harassment. Sexual harassment is a violation of these fundamental rights. The Company commits itself to the timely handling of complaints of sexual harassment in accordance with the provisions of the Sexual Harassment Act and to ensure that fair procedures and appropriate action is taken to prevent, prohibit and deal with matters of sexual harassment.

The Company views sexual harassment of women at the workplace extremely strictly and disciplinary action, including dismissal, may result if the sexual harassment complaint is proved against the employee complained against. Conversely, false and malicious allegations of sexual harassment that are not proved will also be viewed in a serious light and may result in action under the Employment rules against the woman employee making a false complaint.

This Policy draws from the Sexual Harassment Act. Consequently, the complaint mechanism and reliefs as per this Policy are primarily focused on women. With respect to men, the complaint mechanism and reliefs as per this Policy are non-statutory and at the discretion of the Company.

### **Scope**

The Policy applies to all those employed and associated with the Company. They can be regular, temporary, ad hoc or daily wage basis employees. They include contract workers, consultants, retainers, probationers, trainees and apprentices or persons called by any other name engaged by the Company. They could be appointed either directly or through an agent including a contractor. The appointment could be with or without knowledge of the Company. The terms of employment could be expressed or implied. This Policy also applies to all vendors, contractors, customers, agents and suppliers who do business with the Company and/or visit the employees/workplaces of Company.

This Policy will be incorporated in the service conditions of all employees explicitly or by inference and will come into effect immediately. All parties connected with the Company are mandated to follow this Policy and to work collaboratively to prevent sexual harassment.

### **3. Definition of Sexual Harassment**

Under the Sexual Harassment Act, “sexual harassment” includes any one or more of the following unwelcome acts or behavior (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.

Sexual harassment can happen both in direct and/or indirect manner. It could be asking something in exchange (quid pro quo) and/or difficult, intimidating and offensive work environment (hostile work environment) that interferes with the work and performance at work. It could be either before and/or after an incident of sexual harassment. The behaviour may be a single incident or continuous unwelcome behaviour.

The term 'unwelcome' denotes unwanted, undesirable and uninvited behaviour that makes a person feel uncomfortable. A behaviour or a gesture while it may be acceptable to one person, need not be acceptable and comfortable for another person. Intention of the person and/or motive behind the behaviour will not be taken into account when it comes to classifying/naming a behaviour as sexual harassment. Sexual harassment cannot be justified and defended from this point of view. If the person was offended, humiliated or intimidated by the behaviour of a person or even felt so, it will fall within the purview of this Policy. It is important how the person perceives/understands /interprets the behaviour. Impact and effect of the sexual harassment on the person is important.

### **Hostile Work Environment**

The following circumstances, among others, if they occur or are present in relation to or connected with any act or behavior of sexual harassment, may amount to sexual harassment of a woman employee:

- (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) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- (v) humiliating treatment likely to affect her health or safety.

The behaviour will be definitely held as unwelcome, if the person has made it clear that the behaviour is offensive and unwelcome. This will be presumed where the person complaining of the behaviour is a junior employee and reporting that the behaviour of a senior is unwelcome, would be difficult.

Examples: Granting or denying recruitment, granting or denying promotion, threat of demotion, threat of termination or suspension, achieving or denying a privileged position such as a board member / special committee member, positive or negative performance appraisal result / career

advancement, threats to spoil career, increased or decreased remuneration / bonus / allowances, issuing or denying any other form of benefit or enhancement such as travel overseas, or training, or conference attendance or such related activities.

#### **4. Procedure in case of complaint**

##### **a. Internal Committee**

The Company has constituted an Internal Committee (“IC”) by an order in writing, which, as required by law, is displayed at the work premises and posted on the My Sanofi site.

##### **b. Complaint of Sexual Harassment:**

- (i) Any aggrieved woman employee may make, in writing, a complaint of sexual harassment at workplace to the IC. Where such complaint cannot be made in writing, the Presiding Officer of the IC or any member of the IC shall render all reasonable assistance to the woman employee for making the complaint in writing.
- (ii) Where the aggrieved woman employee is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir may make a complaint on her behalf.

##### **c. Each complaint should at the minimum be specific as to:**

- (i) Nature of sexual harassment
- (ii) Identity of the person/s who is/are involved in the act/s of sexual harassment
- (iii) Facts and circumstances in support of the complaint.

It is important that the aggrieved person keeps a written record of dates, times, details of the conduct and witnesses, if any.

##### **d. Inquiry into complaint:**

The IC shall proceed to make inquiry into the complaint in accordance with the framework of the Sexual Harassment Act and as per principles of natural justice. When investigating the complaint, the IC shall have the power to summon and enforce attendance of any person for examining and to call for production of such documents as it may require.

**e. Inquiry report**

- (i) On completion of the inquiry, the IC shall provide a report of its findings to the Company. It shall also make a copy of the findings available to the concerned parties to enable them to make representation against the findings before the IC.
- (ii) Where the IC arrives at a conclusion that the allegation against the respondent has not been proved, it shall recommend to the Company that no action is required to be taken in the matter.
- (iii) Where the IC arrives at a conclusion that the allegation against the respondent has been proved, it shall recommend to the Company to take action for sexual harassment as 'misconduct', resulting in disciplinary action based on the Sexual Harassment Act.

**f. False or malicious complaint and evidence**

- (i) Where the IC arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman employee has made the complaint knowing it to be false or the aggrieved woman employee has produced any forged or misleading document, it may recommend to the Company to take action against the woman employee in accordance with the Employment rules. However, a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant. For the purpose of this paragraph, malicious intent on the part of the complainant shall be established after a fair inquiry before any action is recommended.
- (ii) Where the IC arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend action to be taken against such witness.

**5. Confidentiality**

The contents of the complaint, the identity and address of the aggrieved woman employee, the respondent and the witnesses, any information relating to the inquiry proceedings, recommendations of the IC and the action taken by the Company shall not be published, communicated or made known to the public, press or media in any manner. However, information may be disseminated regarding the justice secured to any victim of sexual harassment without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved woman employee and the witnesses in the inquiry.

## **No Retaliation**

There will be zero tolerance to retaliation against the aggrieved person and all others who report such misconduct. Any act of retaliation should be reported to the IC. Appropriate steps will be taken to ensure that retaliation will not be done against any complainant or person who, in good faith, has participated in or provided information pertaining to incident/s of sexual harassment, regardless of whether the complaint was upheld. Individuals engaging in retaliatory conduct will be subject to disciplinary action by the Company.