

Human Resources	Prevention of Sexual Harassment (POSH) Policy
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Prevention of Sexual Harassment (POSH) Policy

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Overview

Lowe's Services India Private Limited ("LSIPL" or "Company") is committed to providing a work environment that ensures every Associate is treated with dignity and respect and afforded equitable treatment and freedom from harassment of any kind, in particular, Sexual Harassment. LSIPL respects the dignity of everyone involved in our Workplace. The Company will not tolerate any form of Sexual Harassment and is committed to taking all necessary steps to ensure a safe Workplace. This Policy is framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter "the Act").

Purpose

The purpose of the Prevention of Sexual Harassment Policy (this "Policy") is to sensitize Associates regarding Sexual Harassment and to highlight what type of behavior is prohibited by LSIPL. Further, this Policy sets out the framework for preventing and deterring the commission of acts of Sexual Harassment at the Workplace and provides guidelines for the redressal of complaints pertaining to Sexual Harassment.

Scope

This Policy applies to all LSIPL Associates (as defined below) with respect to Sexual Harassment complaints at Workplace as defined below.

Definitions

Associates: Associates of the Company, for the purposes of enforcing the Prevention of Sexual Harassment (POSH) policy, shall include all LSIPL Associates - irrespective of gender identity, permanent or temporary status, full time or part-time status, etc. and to trainees/interns, contractors, consultants, seconded staff, etc. at the Workplace.

Further, for the limited purpose of this Policy, any visitors, suppliers, customers, or business associates who visit the Workplace ("Third parties") will be protected and governed by this Policy both as Complainants and Defendants (as defined below). Associates may also report instances of Sexual Harassment carried out by such Third Parties.

Complainant: A Complainant would be either an Associate or a third party who raises a complaint of Sexual Harassment pursuant to this Policy.

Defendant: A Defendant would be either an Associate or a third party (to the extent identifiable and traceable) who is accused of committing Sexual Harassment against the Complainant.

Workplace: The 'workplace' for the limited purpose of this Policy, will include:

- I. All offices or other premises where the Company's business is being conducted;
- II. Any external locations visited by an Associate pursuant to or during the course of their job/work during their association with the Company including but not limited to the office itself, campus or office building, work from home, head office of the Company within or outside India, business locations of other companies or customers, entities, guest houses, business events, hotels, team offsite, etc;
- III. Any mode of transport provided by the Company (or a representative/vendor of the Company) to travel to and from the aforesaid locations.

Sexual Harassment: Sexual Harassment at the Workplace includes one (1) or a series of incidents, whether direct or implied, involving:

- I. Unwelcome physical advances;
- II. Unwelcome sexual advances (verbal, non-verbal, written, electronic, or physical);
- III. Demand or request for sexual favors, passing sexually colored remarks, showing pornography, etc.;
- IV. Any other type of conduct of a sexual nature;

- V. Comments on sexual orientation, verbal abuse, or "joking" that is of a sexual nature;
- VI. Any sexual conduct that has the purpose or the effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment; and/or
- VII. Any request for sexual favors in lieu of any explicit or implicit promise of preferential treatment or threat of detrimental treatment in present/future employment.

Some examples of actions that may constitute Sexual Harassment are:

- a. Jokes causing or likely to cause awkwardness or embarrassing innuendos and taunts;
- b. Leering, whistling, staring, or stalking;
- c. Sitting or gesturing sexually;
- d. Unwanted and unnecessary touching, such as rubbing or massaging someone's neck or shoulders, stroking someone's hair, or brushing against another's body;
- e. Unwanted, sexual content or offensive letters or poems shared through e-media communications including email, text, instant messages, forwards, faxes, or voice-mail messages;
- f. Sexually suggestive noises, expressions, emoticons, wallpapers, posters, background, clothing with slogans, etc. during work-related audio or video calls;
- g. Repeated requests for sexual favours, friendship with or without benefits, dating, marriage, divorce from the existing partner;
- h. Foul or obscene actions or language;
- i. Offering or providing favors (explicitly or implicitly) or employment benefits such as promotions, favorable evaluation, and favorable assigned duties or shifts in exchange for sexual favors.

Note: The above examples are merely illustrative of instances of Sexual Harassment, and the Company and the Complainant may deem other behaviors as Sexual Harassment if those behaviors otherwise satisfy the definition.

Internal Committee (IC): All complaints of Sexual Harassment will be reviewed by the IC constituted by the Company. The IC will be chaired by a senior woman Associate called the Presiding Officer. In addition to the Presiding Officer, the members of the IC will include at least two (2) Associates having experience dealing with issues relating to

sexual harassment which impact all genders / social work/legal knowledge. The IC consists not less than one-half of the total members, so nominated are women and an external member from a Non-governmental organization (NGO) or association committed to the cause of women or a person familiar with the issues relating to Sexual Harassment. Any change to the constitution of the IC will be approved by the Board of Directors from time to time.

Details of members of the IC are displayed in a prominent and conspicuous location in the office premises of the Company.

Policy

Implementation

- I. Procedure for dealing with complaints of Sexual Harassment:
 - a. Any Associate/who has been subjected to Sexual Harassment may report the incident in writing (email, letter) or otherwise (phone, meeting, etc.) to the Presiding Officer or any one (1) of the members of the IC. The legal heir or authorised representative shall also be authorised to file the complaint on behalf of the Complainant as per the Act. **Note:** Ideally, any incident of Sexual Harassment should be reported immediately. However, in the event that the Complainant is unable to report the incident immediately, they may do so within three (3) months of the incident or the most recent occurrence in case of a series of incidents. If the Complainant is unable to report the incident within three (3) months of it taking place, the IC may extend this period for another three (3) months if it is satisfied regarding the reasons for failing to report earlier.
 - b. If the Complainant has not rendered the complaint/grievance in writing, then they will be required to either file such complaint in writing or confirm in writing by signing the elements of the oral complaint drawn up in writing immediately after it has been brought to the notice of IC. Complaints can be submitted to the IC at ICC-CSC-B@lowes.com or reported on myHR by submitting the request at **myHR > Create HR Request > Associate Relations > POSH**.
 - c. The IC, after taking up the complaint and before initiating an inquiry into the incident, may at the request of the Complainant, attempt to settle the matter through conciliation; provided that no monetary settlements will be made as

a basis or outcome of the conciliation. If conciliation is successful, no further investigation will be conducted by the IC. In case of breach of terms of settlement, the IC shall proceed with an inquiry and recommend appropriate action.

- d. However, if a complaint cannot be settled through conciliation, the IC will conduct an inquiry into the complaint. During the pendency of the inquiry, the Complainant may request the following:
 - i. Transfer of the Defendant or Complainant to another department;
 - ii. Paid leave for the Complainant for up to a maximum period of three (3) months;
 - iii. Restraining the Defendant from being the reporting manager or reporting on the work performance of the Complainant or writing their confidential or performance appraisal reports.
 - iv. IC, will consider such requests on a case-by-case basis and look at the necessity of the transfer/leave/management responsibilities before granting such a request. Such recommendation of the IC during pendency of the inquiry is binding on the Employer/Company.
- e. The IC will thoroughly investigate the complaint/grievance and will take the appropriate course of action.
- f. IC shall ensure that the inquiry into the complaint is completed within a period of ninety days as required under the Act.

II. Disciplinary Action:

- a. Any victimization of, or retaliation against, the Complainant or witnesses of any investigation will be subject to disciplinary action, up to and including termination of employment.
- b. In the event that the outcome of an investigation by the IC shows that the Defendant is guilty of sexual harassment under the Act, the Defendant will be subject to corrective and/or disciplinary action up to and including termination of employment as deemed appropriate by the IC.
- c. In case any such conduct amounts to a specific offence under the Indian Penal Code at the request of the Complainant, the Company shall provide the requisite assistance to the Complainant to initiate appropriate criminal action against the Defendant.
- d. In the event the Defendant is a Third Party and the Complainant is an aggrieved women, then the Company shall forward the complaint to the Third Party's employer/Local Complaints Committee and require that their

IC/Local Complaints Committee conduct an inquiry into the allegations and/or seek other remedial measures up to and including termination of the vendor contract.

- e. False Complaint: If the IC concludes based on an inquiry that the complaint lodged is false, malicious, or forged and/or that misleading documents have been produced, disciplinary action, up to and including termination for cause, will be taken against the Complainant and, to the extent warranted, witnesses who also provided fraudulent information.

III. Powers of IC:

The IC shall have limited powers conferred to a Civil Court in India where a complaint is filed by an aggrieved woman. For the purpose of this Policy, any investigation and inquiry conducted by the IC will be treated as final and binding on the Company.

Note: (1.) The powers of the IC while investigating complaints filed by anyone other than a woman Associate shall be that of a Grievance Redressal Committee. (2.) Disciplinary inquiry into misconduct, and all action taken by the IC pursuant to such investigation/inquiry, shall be treated as that taken up by the Grievance Redressal Committee.

IV. Appeals:

The Parties to the Complaints shall have the right to appeal the decision of the IC before the relevant prescribed appellate authority as per the applicable law.

V. Confidentiality:

Any information transmitted to the Company and/or the IC in connection with any complaint, including but not limited to the contents of the complaint, the identity and addresses of the Complainant, Defendant, and witnesses, information relating to conciliation and inquiry proceedings, recommendations of the IC and the action taken by the Company, will be treated as confidential, except (1.) where required to be disclosed by valid court order or applicable law, (2.) where disclosed in the annual report detailing the Sexual Harassment investigations undertaken by the IC as required under the Act.

Additionally, Associates/Third Parties/witnesses/key stakeholders involved in an investigation under this Policy must treat the information received during the course of such investigation with complete confidentiality. Any breach of confidentiality by an Associate/Third Party/IC member will be treated as a violation of this Policy and should be reported to the IC-Presiding Officer or any of the other IC members immediately.

Note: Sexual Harassment inquiry may be conducted over video conference. Parties to the complaint and witnesses shall appear for video conference as notified by IC. Further, the inquiry conducted over video conference is confidential and should be attended in a private space, and the proceedings should not be recorded.

VI. Retaliation

Retaliation against an Associate, Complainant, Defendant or witness for reporting or testifying an incident of alleged Sexual Harassment, or other action prohibited by this Policy or under the Act

Corrective Action

Violation of this Policy will be considered a serious form of misconduct, which can result in disciplinary action up to and including termination without notice.