

POSH POLICY			
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OBJECTIVE

To provide protection against sexual harassment of women employees of CJ Darcl Logistics and for the prevention & redressal of complaints of sexual harassment and for the matters connected therewith and incidental thereto.

APPLICABILITY

The policy will be applicable to all subsidiary companies of the CJ Darcl Logistics Limited as on date or are formed in future.

COMMITMENT

Our Company is committed to provide a work environment that ensures every woman employee is treated with dignity and respect and afforded equitable treatment.

The Company is also committed to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity.

The Company will not tolerate or undermine any form of harassment (Sexual, Physically or mental) and is committed to take all necessary steps to ensure that its women employees are not subjected to any form/kind of harassment (Sexual, Physically or mental).

DEFINITIONS

1. **Aggrieved person:** Any person (employed, associated and visiting the Company) who complained of harassment (Sexual, Physically or mental).

2. **Respondent:** Any person (employed, associated and visiting the Company) against whom aggrieved person complained for harassment (Sexual, Physically or mental).

3. **Workplace:** Includes all offices, branches and outside work locations of the Company, all instances reported within the Company and in any place visited by the employee arising out of or during the course of the employment including transportation provided by the Company for undertaking such journey.

4. **Sexual Harassment:** Sexual harassment would mean and include any of the following: -

(a) Unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;

Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls; e-mail, gestures, showing of pornography, lurid stares,

physical contact or molestation, stalking, sound, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her performance;

(b) Eve-teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;

(c) Act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex;

(d) Conduct of such an act at work place or outside in relation to an employee of ACL, or vice versa during the course of employment; and

(e) Any unwelcome gesture by an employee having sexual overtones.

These are indicative acts and not exhaustive in nature, as such any other incident amounts to sexual harassment may also be included in such acts of misconduct.

COMPOSITION OF THE INTERNAL COMPLAINTS COMMITTEE (ICC)

A Committee is - constituted at Corp. Office, to consider and redress complaints of sexual harassment. The constitution of the Committee at Corp. Office, will be as under, in which half of the Committee Members would be women: -

The centralised committee at Corporate office comprises of:

- Presiding Officer: A woman employed at a senior level in the organization or workplace
- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge
- One external member, familiar with the issues relating to sexual harassment

Current nominated members of the committees are given in **Annexure A**.

- The Committee shall hold Office for a period of three years from the date of its formation.
- A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer, at least two members, one of whom shall be a lady.

Rules For forming Sub-Committee.

- In order to maximise reach of committee there will be a sub-committee in all branches employing more the 5 females.
- These members will be nominated by the full-time committee members.
- Sub - committee will submit its initial report to the Full-time committee.
- In case of any dispute arising on appointment of a sub committee member objections can be registered with the Presiding Officer/Chairperson.
- Member with previous record of harassment will not be eligible to be part of any committee.

The committee is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

RESPONSIBILITIES REGARDING SEXUAL HARASSMENT

- All employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this policy.
- All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT

The Company is committed to providing a supportive environment in which to resolve concerns of sexual harassment as under:

A. Informal Resolution Options

1. When an incident of sexual harassment occurs, the victim of such conduct can communicate her disapproval and objections immediately to the harasser and request the harasser to behave decently.
2. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, she can bring her concern to the attention of the Complaints Committee for redressal of her grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. Complaints:

1. Any employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Chairperson of the Complaints Committee constituted by the Management.
2. The complaint shall have to be in writing and can be in form of a letter, preferably **within 30 days** from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the employee can send complaint through an email. The employee is required to disclose her name, department, division and location she is working in, to enable the Chairperson to contact her and take the matter forward.
3. The Chairperson of the Complaints Committee will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably **within 30 days** from receipt of the complaint. In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not mean an offence of Sexual Harassment, she will record this finding with reasons and communicate the same to the complainant.

4. If the Chairperson of the Complaints Committee determines that the allegations constitute an act of sexual harassment, she will proceed to investigate the allegation with the assistance of the Complaints Committee.

5. Where such conduct on the part of the accused amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

6. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the HR Dept as soon as practically possible and in any case, not later than **90 days** from the date of receipt of the complaint. The HR Dept will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.

Corrective action may include any of the following:

- a. Formal apology
- b. Counselling
- c. Written warning to the perpetrator and a copy of it maintained in the employee's file.
- d. Change of work assignment / transfer for either the perpetrator or the victim.
- e. Suspension or termination of services of the employee found guilty of the offence

7. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

Final Recommendations by the ICC

ICC on charges proved against the respondent shall make following recommendations to the Management:

1. Initiate disciplinary action against the respondent in accordance with this Policy.
2. Deduction of sum from salary or wages of the respondent as it may consider appropriate to be paid to the aggrieved person. In case deduction from salary / wages is not possible due to absence or cessation from employment, respondent can be directed to pay the amount to the aggrieved person.

Determination of damages shall be based on the following:

- a) Mental trauma, pain, suffering and emotional distress caused to the person
- b) Loss in career opportunity due to incident of sexual harassment
- c) Medical expenses incurred by the person for physical and psychiatric treatment.

In addition to the above mentioned points income and financial status of the respondent and feasibility to pay in lump sum or instalments shall be taken into account.

The Management shall act upon the final recommendations of the ICC within 60 days of its receipt.

In all situations, behaviour of the respondent will be strictly monitored by the ICC and / or by the HR department during the post enquiry phase. The above disciplinary mechanism would be used

judiciously to ensure fair and healthy working environment within the organisation and keep up the high morale of the employees.

OTHER POINTS TO BE CONSIDERED

- The Committee may recommend to the Head-HR action which may include transfer or any of the other appropriate disciplinary action.
- The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, TPC shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- The Committee shall analyse and put up report on all complaints of this nature at the end of the year for submission to Head- HR.
- In case the Committee find the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.

CONFIDENTIALITY

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.

DOCUMENTATION

The Committee 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 Complaints Committee.

ACCESS TO REPORTS AND DOCUMENTS

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

PROTECTION TO COMPLAINANT / VICTIM

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

The Company will ensure that victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

Complaints made with a malicious intent

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of sexual harassment. However, if on investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing his/her image in the company and to settle personal/professional scores, strict action will be taken against the complainant. The employees who are victims of sexual harassment may, in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.

APPEALS

In case of any decision by the ICC is not acceptable to the aggrieved person and / or respondent, they shall be given an opportunity to represent the case to the ICC in-person and the same shall be recorded. The decision arrived at thereafter by the presiding officer of the ICC shall be final and binding to both and shall be implemented by HR. They could further appeal to a court or tribunal as per the law within a period of 90 days.

MANAGEMENT RESPONSIBILITIES

- 1) Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace.
- 2) Display at any conspicuous place in the workplace' the penal consequences of sexual harassments; and the order constituting the ICC.
- 3) Organise workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the 2013 Act and orientation programmes for the members of the ICC.
- 4) Provide necessary facilities to the ICC for dealing with the complaint and conducting an inquiry.
- 5) Assist in securing the attendance of respondent and witnesses before the ICC and make available such information to the ICC in context of the complaint.
- 6) Provide assistance and initiate action to the aggrieved person if they so choose to file a complaint against the respondent in relation to the offence under the IPC or any other law for the time being in force;
- 7) Treat sexual harassment as misconduct under the code of conduct and initiate action for such misconduct;
- 8) Monitor the timely submission of annual reports by the ICC to the Management.
- 9) Management on the recommendation of the complaints committee and / or the HR department may seek appropriate expert advice and arrange for help and support for the recipient in the form of counselling and / or medical attention.

For **CJ DARCL LOGISTICS LIMITED**

ANNEXURE- A

INTERNAL COMPLAIN COMMITTEE

Email id:-posh@cjdarcl.com

Members	Designation	Posted At	Coordinator for
SHIKHA DAYAL	MANAGER	CO - HR	Presiding Officer
MUKUL MATHUR	HEAD	CO - HR	Corporate / NBU
MEHAK SHAFI	ASSISTANT MANAGER	CO - CBD	CO / SBU
PURNIMA SACHDEVA	SQL DEVELOPER	HO - IT	HO / Hisar
POOJA AGGARWAL	ASSISTANT MANAGER	EBU - Delhi	EBU
LOKESH GUPTA	REGIONAL MANAGER	WBU - NSP	WBU
GEETA BRIAN FERNANDEZ	DY MANAGER	Own Rail	Mumbai

NGO Representative:- Ms. Neeru Madan