



POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

I. INTRODUCTION

Coldex Limited ("CL") is committed to secure long term competitive advantage and profitability by satisfying the needs of all our stakeholders, laws and regulations. The focus on quality & continuous improvement, the way we lead & operate; will drive our achievements, impact our customer relations and improve our financial performance. To meet our goals CL will continue to set, implement and measure quality objectives for all our key functions in operations.

Coldex Limited's Prevention of Sexual Harassment Policy has been formed to prohibit, prevent or deter the commission of acts of sexual harassment at workplace and to provide the procedure for the redressal of complaints pertaining to sexual harassment.

II. COMMITMENT:

Our Company is committed to secure long term competitive advantage and profitability by satisfying the needs of all our stakeholders, laws and regulations

The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its **aggrieved woman** are not subjected to any form of harassment.

III. SCOPE:

This Policy is in compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and applies to all categories of employees of the Company, permanent management and workmen, temporaries, trainees and employees on contract (whether in the office premises or outside while on duty) of all group companies in India.

Where sexual harassment occurs to any of the women employees, permanent management, workmen, temporaries, trainees and employees on contract of the Company ("**Aggrieved Woman**" or "**Complainant**") as a result of an act by a third party or outsider while on official duty, Coldex Limited will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.

The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates.

The workplace includes:

1. All offices or other premises where the Company's business is conducted.

2. All company-related activities performed at any other site away from the Company's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

IV. DEFINITION OF SEXUAL HARASSMENT:

Sexual Harassment includes such unwelcome sexually determined behaviour, as physical contacts and advances, sexually colored remarks, showing pornography and sexual demands whether by words, gestures or actions. Such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory when the complainant has reasonable grounds to believe that his other objection would disadvantage them in connection with employment, including recruiting or promotion or when it creates a hostile working environment.

Sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as:

1. unwelcome sexual advances (verbal, written or physical),
2. demand or request for sexual favours,
3. any other type of sexually-oriented conduct,
4. verbal abuse or 'joking' that is sex-oriented
5. any 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 submission to such conduct is either an explicit or implicit term or condition of employment and /or submission or rejection of the conduct is used as a basis for making employment decisions.

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 quo (meaning this for that) form of harassment, a person or authority, usually the superior of the victim, demands sexual favors for getting or keeping a job benefit and threatens to fire an **aggrieved woman** if the conditions are not met.

(b) A hostile work environment arises when a 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 which is intimidating, hostile, offensive or humiliating and experienced as an attack on personal dignity.



For example: an employee tells offensive jokes. No person shall indulge or caused to be indulged under instructions from superior in sexual harassment of co-workers.

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

V. 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.

VI. COMPLAINT MECHANISM:

An appropriate complaint mechanism in the form of “**Internal Complaints Committee**” has been created in the Company for time-bound redressal of the complaint made by the victim.

VII. INTERNAL COMPLAINTS COMMITTEE:

The Company has instituted Internal Complaints Committee for redressal of sexual harassment complaints (made by the victims) and for ensuring time bound treatment of such complaints.

Initially, and till further notice, the Internal Complaints Committee will comprise of such members as may be decided from Board from time to time.

The Internal Complaints Committee shall consist of a Chairperson, Secretary and 3 other members. Out of these 5 Committee members, 3 shall be women. One of the 3 women shall be the Chairperson. One of the Committee members shall be a woman from a reputed NGO/ legal body / any other social work body familiar with the issues of sexual harassment. The tenure of the committee shall be 2 years & names of the committee members shall be announced by the HR Manager. At each location there will be a women representative. The Executive Director shall be the authority for disciplinary actions on issues relating to sexual harassment at the workplace.

The Internal Complaints Committee is responsible for:

1. Investigating every formal written complaint of sexual harassment
2. Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
3. Discouraging and preventing employment - related sexual harassment



Internal Complaint Committee:

Name	Company	Designation
Tanu Jain	Coldex Limited	Chairperson/Presiding Officer
Neelansha Jain	Make a Difference	Member
Surbhi Talwani	Coldex Limited	Member
Ruchi	Coldex Logistics Private Limited	Member

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

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

A. Informal Resolution Options

Informal processes normally involve an intermediary means for resolving a problem. In the case of Sexual Harassment, at first instance, the person (i.e. HOD/ HR / Woman representative of the location) may be the point of first contact for anyone seeking informal support/intervention to stop unwelcome behaviour.

A sense of restraint and responsibility on the part of all concerned is critical for the effective functioning of these guidelines. The preventive/ informal process that can be adopted is as follows:

1. Convey to the person who is the cause of distress, about what that person's actions, words, behaviour is doing and convey in no uncertain terms that such behaviour is not appreciated. What is important is the "Way" a particular behaviour, action or word is perceived; "Intent" is of no consequence.
2. The second step would be to approach someone within the company - preferably your Superior or HR Representative. The Superior or HR Representative would then try and counsel / talk it over with a view towards closing the matter amicably.
3. In any case all such incidents along with the resolution, needs to be reported to the Head of HR who will then provide a short report to the Internal Complaints Committee and the matter will be closed.
4. However, in the event of it not being resolved, then it would need to be escalated to the Internal Complaints Committee.

B. Complaints:

1) It is the obligation of all employees to report sexual harassment experienced by them personally. A concerned co-worker may also inform the Internal Complaints Committee of any instance or behaviour of sexual harassment by a co-worker towards an aggrieved woman.

2) An **aggrieved woman** 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 Presiding Officer of the Internal Complaints Committee constituted by the Management. The complaint shall have to be in writing and can be in form of a letter, preferably within 3 months from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, an **aggrieved woman** can send a complaint through an email. An **aggrieved woman** is required to disclose their name, department, division and location they are working in, to enable the Presiding Officer to contact them and take the matter forward. Where an **aggrieved woman** is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section

3) Once the complaint is received, it will be kept strictly confidential.

4) The Presiding Officer of the Internal 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 constitute an offence of Sexual Harassment, the Presiding Officer will record this finding with reasons and communicate the same to the complainant.

5) If the -Presiding Officer of the Internal Complaints Committee determines that the allegations constitute an act of sexual harassment, he / she will proceed to investigate the allegation with the assistance of the Internal Complaints Committee.

6) Both the complainant and the alleged accused initially will be questioned separately with a view to ascertain the veracity of their contentions. If required, the person who has been named as a witness will need to provide the necessary information to assist in resolving the matter satisfactorily.

7) 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.

8) The person accused will be informed that a complaint has been filed against him/her and no unfair acts of retaliation or unethical action will be tolerated. The Committee shall ensure that a fair and just investigation is undertaken immediately.



9) The Internal Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Executive Director & Presiding Officer as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint.

10) The Executive Director & Presiding Officer will ensure corrective action on the recommendations of the Internal Complaints Committee, and keep both the complainant and the accused informed of the outcome of the investigation.

11) 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, termination of services, withholding promotion of the employee found guilty of the offence. This action shall be in addition to any legal recourse sought by the complainant.

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

IX. 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 the investigatory process to the extent practicable and appropriate under the circumstances.

Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.

X. 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.

XI. 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 the 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.

XII. CONCLUSION:

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment / discrimination and where every employee is treated with dignity and respect.

Please Note: The ICC will not entertain any anonymous complaints.