



**PONDY OXIDES AND CHEMICALS LIMITED**

**POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF  
SEXUAL HARASSMENT AT WORKPLACE(S)**

## **Commitment**

POCL is committed to provide a healthy work environment which ensures that every employee is treated with dignity, respect and equitable treatment. The Company is also committed to promote a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity which enables the employees to work without fear of prejudice, gender bias and sexual harassment. The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

## **Objective**

The Objective of this policy is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

POCL has a zero-tolerance policy for any act of sexual harassment of any kind and any act of suppressing or distortion of such facts or evidence and retaliation. All concerned should take cognizance of the fact that POCL strongly opposes sexual harassment and that such behaviour against women at workplace is also prohibited by the law as laid down in “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder (hereinafter referred to as “Act”).

Commission of any act of Sexual Harassment as defined in the Act and in this policy shall result in strict disciplinary action.

## **Scope and Applicability**

The Policy intends to ensure that no Employee is subjected to sexual harassment, and it is applicable to all Employees of Pondy Oxides and Chemicals Limited (“**POCL**”) and its fraternity. “**Employee**” as referred to in this Policy covers all employees of POCL, whether permanent or temporary, probationary or part-time or working as a consultant or on a voluntary basis or engaged through a contractor or agent, including employees at POCL’s Registered Office/Plants.

Where Sexual Harassment occurs against any Employee as a result of an act by a third party or outsider while on official duty, POCL will take all necessary and reasonable steps as per the applicable rules and regulations, to initiate action at the workplace of the third party or outsider. This Policy shall be applicable to any allegation of Sexual Harassment at POCL premises including any place visited by an Employee arising out of or during the course of employment and/or transportation provided by POCL (“Workplace”).

## **Definitions:**

- a) “**Act**” means “**The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**” and any amendment thereto.
- b) “**Aggrieved person**” means any Employee of POCL who alleges to have been subjected to any act of Sexual Harassment at the Workplace.

- c) **“Internal Complaints Committee”** means a committee by that name, constituted by the Board of POCL as per the provisions of the Act.
- d) **“Respondent”** means the person against whom the allegation of Sexual Harassment has been made by the Aggrieved person.
- e) **“Sexual harassment”** includes:
1. Any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:
    - Physical contact and advances;
    - a demand or request for sexual favours;
    - making sexually coloured remarks;
    - showing pornography;
    - any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
  2. Implied or explicit promise of preferential treatment in an individual’s employment
  3. Implied or explicit threat of detrimental treatment in an individual’s employment
  4. Implied or explicit threat about an individual’s present or future employment status
  5. Interference with an individual’s work or creating an intimidating or offensive or hostile work environment for him / her
  6. Humiliating treatment likely to affect the individual’s health or safety
  7. Retaliation in any manner, for complaining against experienced or observed sexual harassment or giving evidence in support of such a complaint

### **Scope of Work Interactions**

- Interactions amongst the employees of the Company irrespective of location and timing
- Interactions between the Company employee and a third party during the course of employment or business relationship
- Interactions between the Company employee and a visitor to the Company’s premises or events
- The term “employee” includes permanent as well as temporary employees, individual consultants, direct and third-party contractors and trainees (paid or otherwise)

### **Ambit of a workplace under POSH**

The definition of the workplace under the POSH Act is comprehensive and includes any place inhabited or visited by the employee arising out of or during the course of employment. The exact scope of the ‘workplace’ relies on the notional extension theory used in a court of law in order to extend to both ‘time’ and ‘place’. Hence this covers workplaces arising out of or during the workplace. Hence any act of sexual harassment effected virtually in a home or remote working space can be included in the notional definition of a ‘workplace’ which encompasses the following –

- The physical premises of the office
- Transportation provided by employer to undertake an official journey
- Any place visited by the employee arising out of or during the course of employment
- Co-working spaces – physical or virtual

- Telecommuting, digital platforms, virtual communication platforms, video conferences, remote workspaces, etc used for work related communication in any form

Sexual harassment is not just an occurrence during working hours or in the workplace itself. The behaviour can be sexual harassment in an extended work-related context including but not limited to conferences, work functions, business or field trips, and interactions with clients.

### **Prevention**

The Company shall introduce suitable steps to prevent any kind of sexual harassment at the workplace. Awareness material shall be made available for all employees and other stakeholders so that everyone is made aware of the need to prevent any kind of sexual harassment. An orientation workshop shall be separately conducted for the Internal Committee Members so as to make them aware of the processes around preventing and dealing with incidents of sexual harassment.

### **Compliance**

The POSH policy will be circulated amongst the employees as well as other stakeholders and also put up on our intranet. Awareness is also aimed to be established through personal briefings during new employee induction. Specific undertakings will also be issued for other stakeholders like vendors, contractors, sub-contractors, etc.

An Internal Complaints Committee (ICC) will be constituted, comprising of members as recommended by the legal guidelines of India. i.e. more than 50% of the Committee Members are women. The ICC chairperson will be a woman and it will include an external woman member from an association or institution which focusses on gender equality and women empowerment in India. The ICC members will hold office for a period of 3 years and will be eligible for reappointment for further. The list of ICC members and any revisions thereof will be announced and updated in the Company POSH policy.

### **Procedure**

The Company is an equal employment opportunity provider and sexual harassment in any form is strictly forbidden irrespective of gender. The Company is committed to ensuring all stakeholders are treated fairly and equitably in an environment free of intimidation and sexual harassment. All complaints of sexual harassment will be treated promptly, with utmost confidentiality.

The procedure for filing a formal complaint with the ICC is outlined thus –

- The complainant i.e. the victim will submit a written complaint – either through hard copy or an email, within three (3) months of the actual incident, to any member of the ICC. The complaint should be accompanied by all relevant details of supporting evidence (emails, audio recordings, texts, transcripts of any communication related to the sexual harassment and/or history of previous incidents) including the names and co-ordinates of any witnesses.

- If the complaint is against one of the ICC members itself, then the complaint should be duly raised with the Local Complaints Committee (Tehsildar).
- The ICC shall, within 7 working days of receiving the complaint, send a copy of the complaint and a formal notice to the person against whom the complaint is made.
- The person against whom the complaint is made should respond to the ICC, within 10 working days of receiving the complaint copy. Such a response should carry details of any supporting evidence, transcripts of any communication, names and co-ordinates of any witnesses which can be used as a defence mechanism in resolution of the complaint.
- The ICC shall take up the complaint for investigation and shall ensure that the investigation is completed within 90 days from the date of complaint.

### **Rights of the Complainant**

During the course of the investigation, the complainant will have a right to request for a period of work from home, request for leave, not exceeding three (3) months, request prohibition of her/his performance appraisal by the person against whom the complaint has been made, ask for the Company's support in organizing counselling sessions with a professional counsellor and also seek assistance from the Company to file a police complaint in the said harassment case. The ICC determines the merit of each of these aforementioned requests raised by the complainant.

### **Redressal Procedure**

- The ICC shall complete its investigation within 90 days from the date of receiving the complaint
- The ICC shall provide copies of its findings to both the complainant and the person against whom the complaint is made, within 10 days of completion of its investigation
- Both the Complainant and the person against whom the complaint is made should be given sufficient time to respond to the ICC's findings
- If the allegations are proved, appropriate action is to be recommended by ICC against the individual who is accused of sexual harassment
- If the allegations are not proved, ICC will check if the complaint was false or malicious and if yes, recommend action against the complainant
- If the allegations are not proved and if the complaint was also not false or malicious, closure of the case will take place with no action required on either side
- The HR - Manager will take appropriate steps to complete the ICC's recommended action within 60 days of completion of investigation.

### **Redressal – Conciliation and Settlement**

If, after making a complaint, the Complainant wishes to settle the case or wants to withdraw the complaint, it can be done only if the ICC has not initiated the investigation process. In other words, once the investigation process has been initiated, it has to be completed and cannot be stopped. Only if the investigation process has not started, can the ICC entertain such a request from the complainant and initiate conciliation between the complainant and the person against whom the complaint is raised.

The conciliation can be in any manner (e.g., formal apology, affidavit) but not for any materialistic gain or involvement of money in lieu thereof. If the matter is settled as part of the conciliation process, the person against whom the complaint has been made, has to honour the settlement. If he/she does not honour the settlement or if the matter itself is not settled through conciliation process, the investigation process has to proceed as per the process.

### **Consequences for the person against whom the complaint is made**

In line with the recommendations of the POSH Act, if the complaint has been proved true and justified after the process of ICC's investigation, the person against whom the complaint has been made, may be liable to pay damages by way of compensation to the complainant. He / She shall also be liable for further punishment as prescribed by the ICC in conjunction with the Company's Code of Conduct and Ethics and his / her terms of the Employment Agreement. If the complaint is disproved, there is no action on the person against whom the complaint is made.

Depending on the severity of the incident, the Company shall take suitable action as recommended by the ICC which may include one or more of the following –

- Verbal or written warning
- Formal written apology
- Mandatory counselling sessions
- Monetary fines
- Withholding of promotions or increments
- Suspension from service
- Termination of service

Moreover, any person who is found guilty of sexual harassment of a woman shall be liable to pay compensation for any losses suffered by the harassed woman if and as determined by the ICC after the investigation. The following acts of sexual harassment are also treated as criminal offences under the Indian Penal Code and are punishable with fine and/or rigorous imprisonment of up to 3 years – (a), (b) and (c). The stipulated offence under clause (d) is punishable with fine and/or simple or rigorous imprisonment of up to 1 year.

- (a) physical contact and advances involving unwelcome and explicit sexual overtures
- (b) a demand or request for sexual favors
- (c) showing pornography against the will of the person
- (d) making sexually colored remarks

### **Consequences for false or malicious complaints**

If it is established in the ICC investigation that the complainant had filed a false or malicious complaint against anyone, then the complainant shall be liable for punishment as prescribed by the ICC. Depending on the extent of the damage caused by the false or malicious complaint, the punishment could be by way of warning, apology, withholding of increment or promotion, suspension, termination from services or any other appropriate form of punishment.

## **Confidentiality**

Keeping in mind the sensitivity of the subject, confidentiality will be maintained by the ICC and the Company in all matters of sexual harassment cases. Specifically, the following shall not be disclosed, published or disseminated in any manner to the larger public, press or social media

1. Identity & co-ordinates of the complainant, the person against whom the complaint is made and / or the details of the witnesses
2. Any information relating to the settlement, proceedings or the investigation procedure

However, the following may be situations of exceptions where information may be shared under stipulated guidelines of the Company and after prior approvals

1. Information regarding justice provided to the complainant, without revealing the identity of any of the parties so as to set a right precedent for all other employees of the Company.
2. Compliance information about the complaint that was investigated and the findings thereof with any of the Company's auditors who may require the details as part of the audit report to certify on the Company's financial liabilities, if any, related to such complaints.

## **Standard Guidelines**

All complaints of sexual harassment that are reported will be investigated promptly, impartially and with confidentiality. The Company will either directly undertake or facilitate a thorough and objective investigation of the sexual harassment allegations. Stakeholders are expected to cooperate with any investigation, whether they are the accuser, accused or potential witnesses. Where such conduct of sexual harassment in any form, amounts to a specific offence under the Indian Penal Code; the ICC, the India Legal Counsel and the Manager – HR shall initiate appropriate action by registering a formal complaint to the appropriate legal authority.

In particular, it should be ensured that the affected persons or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. Regardless of the outcome of the complaint made in good faith, the complainant or stakeholder lodging the complaint and any person providing information or any witness, should be protected from any form of retaliation or victimization or discrimination. Any unwarranted pressures, retaliatory or any other type of unethical behavior from the accused against the complainant while the investigation is in progress, should be reported by the complainant to the ICC as soon as possible. The accused should refrain from interacting with the complainant and any of the complainant's witnesses. Both parties and their respective witnesses shall appear before the ICC whenever required for the purposes of the inquiry. They shall also produce all necessary information and / or documents demanded by the ICC for the investigation.

The ICC shall maintain complete and accurate documentation of the complaint, its investigation and the resolution thereof. The incident has to be documented in both the complainant's and the accused's records with the full report from the ICC.

After closure of every sexual harassment complaint, a confirmation of satisfactory closure of the complaint will need to be obtained from the complainant, with a clear statement of no monetary claim for damages from the Company.

The ICC shall meet once a quarter to take stock of any improvement measures to be brought about in the Company's POSH policy due to any legislation changes, any specific instances within the organization or due to any external developments. It shall also review any cases of sexual harassment complaints received from within the organization, maintain appropriate records of the same and file annual returns for the same.

#### **DO'S & DON'TS for the Company employees**

- Read the Company POSH policy and procedures dealing with sexual harassment.
- If you are being harassed, confront the harasser (if possible) and tell him / her to stop the harassment immediately and firmly.
- Wherever it is feasible, retain records (emails, messages, pictures, audio, video, tweets, social media posts, etc) of behaviour or incidents that you think may amount to Sexual Harassment.
- If you see someone else being sexually harassed, encourage the person to report it or please feel free to report it on behalf of the harassed person.
- Be conscious about your behaviour and communication, especially on social media platforms – what may seem fun to you may be offensive or harassing to another. It may also be illegal.
- Cooperate with the ICC in its investigations of complaints.
- Attend the hearings when summoned by the ICC and provide truthful information.
- Do not indulge in loose talk about alleged instances of sexual harassment or about any of the individuals involved.
- Do not breach confidentiality, as both sides are equally entitled to their privacy.
- Do not suppress instances of sexual harassment.
- Do not delay reporting of instances of sexual harassment.

#### **DO'S & DON'TS for the Company Managers**

- Sensitize your team members to issues of sexual harassment and educate them on the consequences.
- If anyone draws your attention to incidents of sexual harassment, encourage the person to report such incidents to the ICC immediately.
- Do not discourage anyone from reporting behavior, which he / she thinks is sexual harassment.
- Do not intimidate or retaliate against someone who has complained of sexual harassment. Such conduct may also get reported as sexual harassment.
- Do not draw conclusions without going through the complaints process.

#### **ICC Constitution**

This Order is published under section 19(b) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013.





Details of the Internal Complaints Committee (ICC) at Pondy Oxides and Chemicals Limited:  
The Company hereby constitutes an Internal Complaints Committee ("ICC") to address and investigate all complaints of sexual harassment. The Company's Registered Office is at: KRM Centre, 4<sup>th</sup> Floor, No. 2, Harrington Road, Chetpet, Chennai – 600031

The names and contact details of the ICC members:


## POSH- INTERNAL COMPLAINTS COMMITTEE (ICC)

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**"A Safe  
Workplaces  
Everyone's  
legal right"**