

Chapter 29

Prevention of Sexual Harassment Policy

1. Introduction

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 was enacted to ensure safe working spaces for women and to build enabling work environments that respect women's right to equality of status and opportunity. An effective implementation of the Act will contribute to the realization of their right to gender equality, life and liberty, equality in working conditions everywhere. The sense of security at the workplace will improve women's participation in work, resulting in their economic empowerment and inclusive growth.

POSCO-India, POSCO-IPC, POSCO-IPPC & POSCO-ISDC are committed to providing a place of work that is free from sexual harassment and all forms of exploitation.

At POSCO-India, POSCO-IPC, POSCO-IPPC & POSCO-ISDC, all employees are expected to uphold the highest standards of ethical conduct at the work place and in all their interaction with the business stake holders. This means that employees has a responsibility to

- Follow the law in letter & spirit.
- Refrain from any unwelcome behavior that has sexual nature.
- Refrain from creating any hostile atmosphere at workplace viz. sexual harassment.
- Treat each other with dignity & respect
- Report sexual harassment experienced or witnessed to appropriate authorities and abide by the complaint handling procedure of the company.

2. Objective

The object of the policy is to provide protection against sexual harassment at POSCO-IPPC and for the prevention & redressal of complaint of sexual harassment and for matters connected there with or incidental there to as prescribed under the Act.

The policy has been framed for the purpose of preventing, prohibiting and redressing Sexual harassment of female employees at the work place of POSCO-IPPC having regards to the provisions contained in the Act, which are based on Fundamental principles of justice & fair play.

3. Scope & Effective date

This policy takes the complete cognizance of the latest legislation by Government of India "The Sexual Harassment at Work Place (Prevention, Prohibition and Redressal)" Act, 2013 and its rules notification published on 9th December 2013. This Act is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected herewith or incidental thereto.

This policy is applicable to:

- All employees working with POSCO-IPPC (including Expat employees from HQ, Regional Offices, Corporate offices, Processing Centers & Depo) as well as
- All temporary employees, contract employees, trainees, service providers and visitors to the office/work place premises.

4. Definition

- a. **“Act”** means the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013.
- b. **“Aggrieved Party”** means any person whether employed or not, who alleges to have been subjected to an act of sexual harassment by the respondent. In relation to a work place, a woman of any age, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors & guests.
- c. **“Respondent”** means a person against whom the aggrieved party/ aggrieved woman has made the complaint.
- d. **“Employee”** means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of Principal Employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.
- e. **“Employer”** means any person responsible for the management, supervision and control of the workplace and the person discharging contractual obligations with respect to his/her employees.
- f. **“Workplace”** means any place of work (i.e. Registered Office, Corporate Office, Branch Office, Factories & Depo) where the aggrieved party/ woman or the respondent visits in connection with his/her work, during the course of and/ or arising out of employment/ contract/ engagement with POSCO-IPPC, including transportation provided for undertaking such a journey.
- g. **“Sexual Harassment”** means the behavior which is considered inappropriate within the Company’s working environment and is liable for disciplinary action and legal action if necessary
 - Unwelcome sexual advances involving verbal, non-verbal or physical conduct, implicit or explicit;
 - Physical contact and advances;
 - Demand or request for sexual favors;
 - Sexually colored remarks, including but not limited to vulgar/ indecent jokes, letters, phone calls, text messages, emails, gestures, etc.;
 - Showing pornography or the likes;
 - Any other unwelcome physical, verbal or nonverbal conduct of sexual nature;
 - Physical contact and advances such as touching, stalking, sounds which have explicit and/or implicit sexual connotation / overtones, molestation, etc.;
 - Display of pictures, signs, etc. with sexual nature/ connotation/overtones in the work area and work related areas;
 - Verbal or non-verbal communication which offends the individual’s sensibilities

POSCO - India Pune Processing Center Pvt. Ltd.

HR POLICY MANUAL

and affect his/her performance and has sexual connotation/ overtone/ nature;

- Teasing, innuendos and taunts, physical confinement and / or touching against one's will and likely to intrude upon one's privacy;

The following circumstances, among other circumstances, if present in any act or behavior of sexual harassment May amounts to sexual harassment:

Quid Pro Quo (literally 'this for that')

- 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;

Hostile Work Environment

- i. Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
 - ii. Humiliating treatment likely to affect her health or safety.
- h. **“District Officer”** means officer designated by Government to exercise power or discharge functions under the Sexual Harassment of Women at Workplace Act, 2013.

5. Roles & Responsibilities

a) Responsibilities of Employees: As a custodian of POSCO Values, Code of Conduct and guidelines, it is the responsibility of all employees of POSCO-IPPC to respect the rights of others and to never encourage harassment and also have the following responsibilities.

1. Be aware of and abide by law applicable to them, their job and the company policies and procedures.
2. Participate in the procedure of investigation if any complaint is brought forward.
3. Provide a full and truthful disclosure of relevant information and assist with investigations of alleged policy violation.
4. Do not attempt to investigate the information or suspected violations of this policy on their own.
5. Refusing to participate in any activity which constitute harassment;
6. Supporting the person to reject unwelcoming behavior;
7. Acting as a witness if the person being harassed decide to lodge a complaint

b) Duties and responsibilities of Employer: The Company is responsible for providing a safe working environment for its employees, free from harassment, bias 7 prejudices of any kinds. The responsibilities and duties of Head of Departments and all divisional heads of all Registered office, Corporate office, Branch Office, Factories, Depos of POSCO-IPPC shall include;

1. Providing a safe working environment at the work place which shall include safety from the person coming in to contact at their respective work place. Have zero tolerance towards act of sexual harassment;
2. Display at any conspicuous place in the work place, the penal consequences of sexual harassment;

POSCO - India Pune Processing Center Pvt. Ltd.

HR POLICY MANUAL

3. Organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act;
4. Provide necessary facilities to the Internal Committee, for dealing with the complaints and conducting an inquiry;
5. Provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian penal code or any other law for the time being in force;
6. To monitor the timely submission of report to the Internal Committee.

c) Responsibilities of Officers: All officers at POSCO-IPPC must ensure that nobody is subject to harassment and there is equal treatment, they must ensure that all employees understand that harassment will not be tolerated; that complaint will be taken seriously; and the complainant, respondent(s) or witnesses are not victimized in any way.

1. Bring the written complaint immediately to the IC, provide all kinds of support for the further investigations as a part of inquiry process.
2. Immediately forward any report or complaint of an alleged violation of this policy or not attempt to investigate or verify the information unless instructed by the IC.
3. Keep disclosed information as confidential. Handle information in discreet manner and disclose confidential information strictly on a “need to know” basis only.
4. Allow the complainant, respondent, witnesses and allied parties to attend the inquiry proceedings at the stipulated time and place.
5. Carry out all corrective measures and remediation established in the final decision.
6. Ensure that employees are adequately communicated the Company’s POSH policy.
7. Ensure no retaliation and zero tolerance to sexual harassment or inappropriate conduct.

6. Internal Complaint Committee (ICC)

To prevent instances of sexual harassment and to receive and effectively deal with complaints of sexual harassment, POSCO-IPPC shall separately constitute “Internal Complaint Committee” (ICC) which will deal with all such cases at all offices (i.e. Registered Office, Corporate Office, Branch Office, Factories & Depo).

In compliance with Section 4 of the Act, POSCO-IPPC constituted the ICC. With effect from 1st March 2022, the Management nominated following Employees as Members of the ICC:

Presiding Officer		
Name	Email ID	Contact Number
Ms. Prachi Bhave	prachiy@posco.net	9822074898
Committee Member		
Ms. Paromita Samaddar	paromitas@posco.net	9766581336
Ms. Vidya Vyavahare	vidyav@posco.net	9637441556
Mr. Ashish Parikh	ashishp@posco.net	8087570336
Mr. Sachin Markale	sachinm@posco.net	9011089040
Mr. Niranjan Kulkarni	niranjank@posco.net	9763718223
Social Worker /NGO		
Ms. Meenal Joshi	meenalrajiv@gmail.com	9881142351

Guidelines for the formation of ICC:

- a. At least 50% of the ICC members should be Women.
- b. The Chairperson of the committee should be a lady employee at a senior level.
- c. At least two (2) employees who are members should be committed to the cause of women or have experience in social work or have legal knowledge.
- d. One (1) member should be from NGO / associations committed to the cause of women and familiar with issues related to sexual harassment. She / he should be paid fees/allowances as decided by the company for holding the proceedings of the ICC.

The composition of Complaints Committee for POSCO-IPPC shall be annexed to this Policy as **Annexure 1**.

7. Raising a Complaint

A complaint in writing can be raised by the aggrieved woman/ affected person/ by someone who has witnessed the behavior. In case the complaint is raised by someone who has witnessed the behavior, the ICC must ensure before proceeding in the matter that prima facie there is a case of sexual harassment against the Respondent

If an incident of this kind is brought to the notice of any employee (not necessarily the reporting manager of the respondent/ affected person), he/she is responsible to communicate the same to the ICC.

The complaint must be made in writing to the Chairperson or any member of the ICC within three months from the date of incident. The ICC may, for the reasons to be recorded in writing, extend the time limit exceeding three months, if it is satisfied that the circumstances were such which prevented the complainant from filling a complaint within the said period.

The form in which the complaint is required to be made is annexed as Annexure 2 to the policy. However, any written complaint received in any form other than the form prescribed in Annexure 2 shall also be accepted. The complaint can be submitted to the ICC electronically at their mail IDs or may be physically submitted to any ICC member. The ICC may but shall not be bound to accept oral complaints under this policy.

8. Redressal Process

(a) Conciliation

Prior to initiating an inquiry, the ICC may, at the request of the complainant take step to settle the matter between the complainant and the respondent through conciliation, provided that no mandatory settlement is made on the basis of such conciliation. In case a settlement has been arrived, the ICC shall record the settlement so arrived and forward the same to the company to take action as specified in the recommendation of the ICC. The copies of such settlement as recorded shall be

provided to the aggrieved employee and the respondent. After such settlement no further inquiry shall be conducted by the ICC.

(b) Inquiry

For the purpose of inquiry ICC shall nominate two (2) or Three (3) persons from amongst its members as the Board of Inquiry. The inquiry should be completed within a maximum period of 90 days from the date of complaint.

For the purpose of making an inquiry into the complaint

- The ICC shall have the same powers as are vested in a civil court when trying a suit in respect of:
 - Summoning and enforcing attendance of any person and examining him/her on oath;
 - Requiring the discovery and production of documents; and
 - Any other matter which may be prescribed under the provisions of the Act.
- The ICC shall immediately proceed with the inquiry and communicate the same to the Aggrieved Party and the Respondent.
- The ICC shall prepare and hand over the statement of allegation to the person against whom complaint is made and give him/ her an opportunity to submit a written explanation if she / he so desires within 10 days of receipt of the same.
- The Aggrieved Party shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- If the Aggrieved Party desires to tender any documents by way of evidence before the ICC, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the ICC he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.
- If the Aggrieved Party or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the ICC the names of witness/es whom they propose to call; within a period not exceeding 10 working days from the date of receipt of the documents.
- The ICC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Aggrieved Party or Respondent fails, without sufficient cause, to present herself or himself for 3 consecutive hearings convened by the ICC, as the case may be, provided that such termination or ex-parte order may not be passed without giving a notice in writing, 15 days in advance, to the party concerned.
- The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the ICC. However, they may be accompanied by a colleague for psychological or emotional support but such colleague will not be permitted to speak at or otherwise interfere with the proceedings of the ICC.
- The ICC shall provide every reasonable opportunity to the Aggrieved Party and to the person against whom complaint is made, for putting forward and defending their respective case.
- The ICC shall complete the "Enquiry" within reasonable period but not beyond three months (i.e. maximum by 90 days) and communicate its findings and its recommendations for action to the competent authority. The report of the ICC shall be

POSCO - India Pune Processing Center Pvt. Ltd.

HR POLICY MANUAL

treated as an enquiry report on the basis of which an employee can be awarded appropriate punishment straightaway.

- The competent authority will ensure corrective action on the recommendations of the ICC, inform both the parties in writing and report it to ICC.
- The ICC shall be governed by the requirements of applicable laws, including the Act.

(c) Action during the pendency of the case

- The ICC shall ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.
- During the period of enquiry, based on a request from the victim, the ICC may recommend the company to
 - a) To transfer the victim/ respondent to another location/ work Place
 - b) Grant leave to the victim up to a period of three months (In addition to the leave otherwise entitled)
 - c) Restraint the respondent from reporting on the work performance of the aggrieved individual or writing his/her confidential report and assign the same to another officer.
 - d) Grant any other relief as found suitable by ICC.

9. Recommendations by ICC and Action

On completion of the inquiry, the ICC is required to provide a report of its findings to the company within 10 days from the date of completion of inquiry. The report is also to be made available to concerned parties.

- If the allegation has not been proved, the ICC recommends that no action is required to be taken in the matter.
- If the allegation has been proved, it is required to recommend to the company
 - To take appropriate action as per the policy.
 - To provide appropriate compensation to be paid to the aggrieved party which would be paid by the respondent/ deducted from his/her salary.
- The determination of the amount of compensation to be paid to the victim would be based on
 - Mental trauma, pain, suffering and emotional distress caused to the aggrieved party.
 - Loss in the career opportunity due to the incident of sexual harassment.
 - Medical expenses incurred by the victim for physical or psychiatric treatment.
 - Income and financial status of the respondent.
 - Feasibility of such payment in lump sum or in installments.

The company has to act upon the recommendation within 60 days of receipt of the same.

10. Malicious / False Complaint

POSCO - India Pune Processing Center Pvt. Ltd.

HR POLICY MANUAL

Dealing with complaints of sexual harassment is a very sensitive matter and any allegations/complaints, however discreetly handled, could prove damaging for the person against whom it has been raised. Baseless allegations should therefore be strictly avoided.

In case the ICC arrives at a conclusion that the allegation against the respondent is malicious or the complainant has made the complaint knowing to be false or has produced any forged or misleading document it may recommend to the Company to take suitable action against the complainant in accordance with the provisions of the policy or as prescribed under applicable law.

Mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant. Further the malicious intent on the part of the complainant needs to be established through the inquiry process before any action against such complainant is recommended by the ICC to the Company

11. Prohibition of Publication

The content of the complaint, identity and address of the victim, respondent and witnesses, any information relating to inquiry proceedings, recommendations of the ICC, and the action taken by the Company are not to be published, communicated or made known to the public, press and media. However, information may be disseminated regarding the justice administered to any victim of sexual harassment without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the victim and witnesses

12. Amendments

The Company reserves the rights to amend the policy in order to comply with any laws/ rules/ regulations that come in to effect from time to time, related to the above policy on Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013

Annexure - 1

Internal Complaint Committee

For the period of three years from 1st March 2022 to 29th February 2025 the following members are nominated by the Center Head of respective companies.

1. Chairman / Presiding Officer – Core Complaint

Committee Name: Ms. Prachi Bhave
E-mail ID: prachiy@posco.net

2. Member – Core Complaint Committee (Two

members) Name: Ms. Paromita Samaddar
E-mail ID: paromitas@posco.net

Name: Ms. Vidya Vyavahare
E-mail ID: vidyav@posco.net

Name: Mr. Ashish Parikh
E-mail ID: ashishp@posco.net

Name: Mr. Sachin Markale
E-mail ID: sachinm@posco.net

Name: Mr. Niranjana Kulkarni
E-mail ID: niranjan@posco.net

3. NGO Member - Core Complaint Committee (One members form

NGO) Name: Ms. Meenal Joshi
E-mail ID: meenalrajiv@gmail.com

4. Facilitator / Representative

(optional) Names:
E-mail IDs:

Annexure -2
Complaint Form

1. Details of the Aggrieved Individual

Name	Designation	Division & Department	Contact Numbers (Land line & Mobile)	Office Address

2. Detail of Complainant (In case the complainant is not the aggrieved Individual)

Name	Relationship with Aggrieved Individual	Contact Number (Landline & Mobile)	Address

3. Details of the individual alleged to have engaged in sexual harassment

Name	Designation	Division & Department	Contact Number (Landline & Mobile)	Office Address

4. Details of incident(s)

Sl. No.	Nature/ Description of the Incident	Date of Incident	Time of Incident	Place of Incident	Name & Contact details of witness if any

5. Has a report regarding these incidents been filed with any other agency? Yes () No ()
If yes, with whom?

6. Additional information and comments if any

Signature of Aggrieved individual:	Date:
Signature of Complainant:	Date:

Effective Date: 1st March 2022

End of Chapter No. 29