



**CodeLogicX**

## CodeLogicX Technologies Pvt Ltd

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The Policy on POSH Act, Prevention, Prohibition  
and Redressal of Sexual Harassment at  
Workplace Policy

**Policy Effective Date: 01/04/2024**

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1.0	01/04/2024	Ritika Jha, HR Manager	Board of Director

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# 1. Objective

Codelogicx Technologies Pvt Ltd 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. Codelogicx value every single employee working and wish to protect their dignity. In so doing Codelogicx is determined to promote a working environment in which persons of both sexes work and compliment each other as equals in an environment that encourages maximum productivity. Codelogicx is committed to take all necessary steps in ensuring that its employee works in a safe and respectful environment that is conducive to their professional growth and promotes equality of opportunity.

Behavior that has been defined as inappropriate by the Codelogicx Policy on Prevention, Prohibition and Redressal of Sexual Harassment at the Workplace (whether physical, verbal, written, graphic, emotional or through gestures that offend) intentionally or not, and offends dignity and morality of a person to which the behavior is directed by fellow employees, supervisors, customers and suppliers will be considered as Sexual Harassment and invite serious disciplinary action or other action as necessary, as described in more detail below.

## 2. Scope and Applicability

This is applicable to all employees across the organization including any gender, part time employees or on contract or service providers deployed in the premises. The policy covers such acts that occurred within the premises of the organisation, extended workplace or deemed premises which are within the organisation's control.

Codelogicx is committed to provide every employee a just and fair hearing on issues that are raised on Sexual Harassment.

### 3. Definition/Glossary

Term / Abbreviation	Definition / Expansion
IC	Internal Committee
Aggrieved Person	In relation to a workplace, any employee of any age who alleges to have been subjected to any act of sexual harassment by the respondent;
Respondent	In relation to a workplace, any employee of any age against whom the complainant has made the complaint in writing to the IC Committee.
Chairperson	The Presiding Officer who is a woman and responsible for conducting the inquiry into the complaint of sexual harassment. She must be a senior-level employee of the organization
Malicious	The desire to harm others
Sexual Harassment	<p>Sexual Harassment may include any of the following but not limited to:</p> <ol style="list-style-type: none"> <li>1. Unwelcome Sexual Advances involving verbal, non-verbal or physical conduct, implicit or explicit</li> <li>2. Physical Contact and advances</li> <li>3. Demand or Request for Sexual Favors</li> <li>4. Sexually colored remarks, including but not limited to vulgar/ indecent jokes, WhatsApp messages, gestures etc.</li> <li>5. Showing Pornography or similar content</li> <li>6. Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.</li> <li>7. Display of pictures, signs, etc. with sexual nature/ connotation/ overtone/ teasing/ innuendos and taunts or touching against ones will and likely to intrude upon one's privacy, like stalking.</li> </ol>

## 4. Policy/Process

### 4.1. Policy Statement

The Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 read along with its Rules of 2013, (the “Act”) states that no employee shall be subject to Sexual Harassment at any Workplace.

### 4.2. POSH Committee

- The company constituted an Internal Committee (IC) under Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 preferably headed by a senior designated women employee in the organization.
- The Internal Complaints Committee constituted will be appointed for a period of three years.
- The following are the members of the IC committee as per the resolution passed at the meeting of the Board of Directors held on 4<sup>th</sup> March 2024.

Sr.	Name of Member	Designation	Location	Email ID	Phone no	Remarks
1	Ritika Jha	HR Manager	Kolkata	posh@codelogicx.com	9230997470	Presiding Officer
2	Rubina Sarkar	Senior Human Resources	Kolkata	posh@codelogicx.com	6290828707	Internal Committee Member
3	Sonali Pal	Senior Web Application Developer	Kolkata	posh@codelogicx.com	9051861687	Internal Committee Member
4	Debarati Sarkar	Project Manager	Kolkata	posh@codelogicx.com	9432990888	Internal Committee Member
5	Sourav Pal	Project Manager	Kolkata	posh@codelogicx.com	8145550717	Internal Committee Member
6	Bikash Pal	Project Team Lead and Senior DevOps Engineer	Kolkata	posh@codelogicx.com	9051476274	Internal Committee Member
7	Jhuma Bhattacharyya	POSH and DEI trainer and consultant	Kolkata	jhuma001@yahoo.com	9681042985	External Committee Member

### 4.3. Responsibilities & Procedure

**Complaint Mechanism and Appeal:** Any aggrieved employee himself/herself or alternately, as provided under the Act can:

- File a complaint with the Internal Complaints Committee (IC) within a period of 1 year from the date of the incident through email, or written complaint.
- Within 1 week of receipt of the complaint, the Chairperson shall communicate the same to all the members of IC.
- Request the IC for settlement of the matter through conciliation; provided such request is made before the IC initiates an inquiry under the Act.
- The Internal Complaints Committee constituted will be appointed for a period of three years.

### 4.4. Responsibilities of the IC

The IC shall:

- Investigate every formal written complaint of Sexual Harassment.
- Provide reasonable opportunity to the aggrieved employee and respondent for presenting and defending their respective case before the IC.
- Initiate appropriate remedial measures to respond to any substantiated allegations of Sexual Harassment and
- Complete its inquiry within ninety days of acceptance of the complaint.

### 4.5. The IC Inquiry Process/ Redressal Procedures

A Complainant can make a complaint, in writing, to the IC Committee within a period of one year from the date of incident and in case of series of incidents, within a period of one year from the date of last incident. The IC will examine every complaint of Sexual Harassment as per the guidelines prescribed under the POSH Act, 2013 and ensure that principle of natural justice is undertaken.

The IC Committee will also allow complaints to be filed on behalf of Aggrieved Person in the following circumstances:

If the Aggrieved Person is unable to make a complaint on account of his/ her physical incapacity, a complaint may be filed by:

- i. his or her relatives or friend
- ii. his or her co-worker, or

- iii. an officer of the National Commission for Women or State Women's Commission;  
or
- iv. any person who has knowledge of the incident, with the written consent of the aggrieved person.

If the Aggrieved Person is unable to make a complaint on account of his/her mental incapacity, a complaint may be filed by:

- i. his or her relatives or friend
- ii. A special educator; or
- iii. A qualified psychiatrist or psychologist; or
- iv. The guardian or authority under whose care he/ she is receiving treatment or care;  
or
- v. Any person who has knowledge of the incident jointly with the aggrieved person relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care he/ she is receiving treatment or care.
- vi. If the aggrieved person for any other reason is unable to make a complaint may be filed by any person who has knowledge of the incident, with his/ her written consent.
- vii. If the Aggrieved Person is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of his / her legal heir.
- viii. his or her co-worker, or
- ix. an officer of the National Commission for Women or State Women's Commission;  
or
- x. any person who has knowledge of the incident, with the written consent of the Aggrieved person.

#### 4.6. Action during pendency of the Inquiry

During the pendency of the inquiry, on a written request made by the Complainant, The IC Committee may recommend the following actions to be taken:

- Transfer the Aggrieved Person or Respondent to any other workplace
- Grant leave to the Aggrieved Person up to a period of three months.
- Grant such other relief to the Aggrieved Person as may be prescribed under applicable law
- Restrain the Respondent from reporting on the work performance of the Aggrieved Person or writing his/ her confidential report and assign the same to another officer.
- The leave granted to the Aggrieved Person shall be in addition to the leave he/ she is otherwise entitled to
- On receiving a recommendation from the IC committee, the Management shall implement the recommendations and send a report of such implementations to the IC Committee.



## 4.7. What Action Can the IC Take

The IC may, if it deems appropriate recommend the following actions (not exhaustive):

- Written apology.
- Warning, reprimand, censure.
- Compensation deduction from the salary or wages of the perpetrator.
- Withholding of promotion, withholding of pay rise or increments.
- Termination from service.
- Undergoing counseling session or carrying out community service; and/or
- Initiate appropriate statutory or legal action.

## 4.7. Making False or Malicious Complaints:

If the IC arrives at a conclusion that the complaint was made with a malicious intent and investigation has proved that the motivation of the complaint was purely to defame the Respondent, the IC shall take strict disciplinary action against the complainant, which action may be similar to the action taken for committing an act of Sexual Harassment. The IC shall also take strict disciplinary action on any witness who submits false evidence or produces any forged or misleading document relating to the complaint.

## Non Retaliation

Codelogicx will not accept, support or tolerate retaliation in any form against any employee who, acting in good faith reports misconduct, asks questions or raise concerns. Any person who engage in such retaliation directly or indirectly or encourage others to do so, may be subject to appropriate disciplinary action.

## **CONFIDENTIALITY**

Any person (including the witness) known to the incident or who has any knowledge about the contents of the complaint shall ensure strict confidentiality, therefore restricting of all information generated to the smallest possible group. It must be ensured that the process is brief and quick. Any attempt by the any members of the IC Committee or the witnesses or any other persons involved in the inquiry to discuss or disclose this information to anyone except those directly involved with the Complaint will be treated with disciplinary action. No such information shall be published or communicated in any manner whatsoever, including (but not limited to), publication in Codelogicx's Intranet portal or any internal messaging service, through email or any other social media. Codelogicx shall take strict disciplinary action against any person who is found to have breached their duty of confidentiality including imposition of a penalty as prescribed under the Act

Further, all the IC Committee Members, Human Resource Manager, General Manager are required to sign a Confidential and Non-Disclosure Undertaking declaring that they would maintain utmost confidentiality on all matters discussed under the purview of the Posh. The information will not be disclosed even to members of Senior Management who are not directly involved with the complaint.

## PROHIBITION OF VICTIMISATION

I. No person shall be victimized for anything said or done in relation to any complaints or proceeding under this act.

II. A person victimizes another person if the person subjects the other person or threatens to subject the other person to any detriment in connection with employment or recruitment or promotion because such person

- a. Has brought proceedings under this Act against any person.
- b. The other person associates with the complainant.
- c. Has given evidence or information or produced a document, in connection with any proceedings under this Act.
- d. Has otherwise done anything in accordance with this Act in relation to any person.
- e. Has alleged that any person has contravened a provision of this act

## 4.8. Definitions

### 4.8.1. What Constitutes Sexual Harassment

- Sexual Harassment is any unwelcome and sexually determined act or behavior (whether directly or by implication) as:
  - physical contact and advances; or
  - a demand or request for sexual favors; or
  - making sexually colored remarks; or
  - showing pornography; or
  - any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or
  - any of the following circumstances that occur or is present in relation to or connected with any act or behavior of Sexual Harassment (under (i) to (v) herein above):
    - implied or explicit promise of preferential treatment in the employee's employment; or implied or explicit threat of detrimental treatment in the employee's employment; or implied or explicit threat about the employee's present or future employment status; or
    - interference with the employee's work or creating an intimidating or offensive or hostile work environment for the employee; or humiliating treatment likely to affect the employee's health or safety.

There are usually three kinds of sexual harassment and the following examples are not exhaustive. Sexual harassment can be perpetrated upon members of the opposite gender or one's own gender.

#### **I. Non-Verbal**

- a. Gestures
- b. Staring /leering
- c. Invading personal space
- d. Pin-ups
- e. Offensive publications
- f. Offensive letter / memos
- g. Unsolicited and unwanted gifts

#### **II. Verbal**

- a. Language of a suggestive or explicit nature
- b. Unwanted propositions
- c. Jokes of a sexual or explicit nature
- d. Use of "affectionate names"
- e. Questions or comments of a personal nature

#### **III. Physical**

- a. Deliberate body contact
- b. Indecent exposure
- c. Groping / fondling / kissing
- d. Coerced sexual contact

### 4.8.2. What Constitutes as A Workplace

A Workplace includes any office or premises, or any place visited by the employee arising out of or during the course of employment, such as (including but not limited to): (i) transportation provided by or through Codelogicx for undertaking a journey arising out of or during the course of employment, or (ii) meetings, conferences, seminars, training sessions, workshops, etc. organized by or through Codelogicx.

### 4.8.3. Who Is An Employee Under The Act

An 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 the 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.

## 4.9. References

Reference any other policies, documents or legislation that support the interpretation of this policy.

Codelogicx Technologies Pvt Ltd has the maximum discretion permitted by law to interpret, administer, change, modify or delete this policy at any time, with or without notice. This policy does not form part of any employee's contract of employment unless explicitly stated otherwise in such contract of employment, and this policy has not been adopted to encourage any person to commence or continue employment with the Company. This policy is not intended to restrict communications or actions protected or required by local, state or federal law or a collective bargaining agreement.

## Special Circumstance and Exception

Any Deviation to this policy has to be approved by HR. Any changes to the policy has to be approved by Board of Directors.

## Awareness of Appropriate Behavior

The most important step in the direction is the communication cascade. An awareness program to be initiated quarterly to all the employees in Codelogicx. The IC committee shall be in charge of spreading awareness across the organisation. Employees who would like further clarify their understanding of the policy will be encouraged to call the Presiding Officer or any other IC member.

### **MANAGEMENT OBLIGATIONS:**

1. Management of Codelogicx Technologies shall provide all necessary assistance for the purpose of ensuring full, effective and prompt implementation of this policy. It shall further be bound by the decisions of the IC and shall implement the same expeditiously.
2. The support to be provided to IC includes:
  - a. Secretarial and administrative support for training and other preventive actions.
  - b. Helping to set up IC.
  - c. Secretarial support during SH enquiries.
  - d. Adequate financial resources for all activities.
3. Codelogicx Technologies is expected to provide adequate protection to IC members in case of threats and any retaliation. Support & protection must also be provided if matters go to Court.
4. Communicate the policy to all employees.
5. Prevent, stop and correct harassment.