

GENDER-BASED VIOLATIONS POLICY



- **Scope:** Transrail Lighting Limited is committed to creating and maintaining an environment in which Gender-Based Violence (GBV) have no place and where they will not be tolerated by any employee, sub-contractors, supplier, associate or representative of TLL.

TLL Shall ensure that all those engaged in the project are aware of this commitment.

- **Applicability:** This policy is applicable to the entire organization, our partners, our vendors, suppliers, contractors or anybody we do business with.

- **Definition:**

- 1) **Gender-Based Violence (GBV):** This is based on socially ascribed (i.e. gender) differences between males and females. It includes acts that inflict physical, sexual, or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private. The term GBV is used to underscore systemic inequality between males and females (which exists in every society in the world). The 1993 United Nations Declaration on the Elimination of Violence against Women defines violence against women as “any act of gender-based violence that results in or is likely to result in, physical, sexual, or psychological harm or suffering to women. The six core types of GBV are:

- a) **Rape:** Non-consensual penetration (however slight) of the vagina, anus or mouth with a penis, other body part or an object.
- b) **Sexual Assault:** Any form of non-consensual sexual contact that does not result in or include penetration. Examples include attempted rape, as well as unwanted kissing, fondling or touching of genitalia and buttocks.
- c) **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature.

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Sexual harassment is not always explicit or obvious, it can include implicit and subtle acts but always involves a power and gender dynamic in which a person in power uses their position to harass another based on their gender. Sexual conduct is unwelcome whenever the person subjected to considers it unwelcome (e.g. looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts).

- d) **Sexual Favours:** Is a form of sexual harassment and includes making promises of favourable treatment (e.g. promotion) or threats of unfavourable treatment (e.g. loss of job) dependent on sexual acts or other forms of humiliating, degrading or exploitative behaviour.
 - e) **Physical Assault:** An act of physical violence that is not sexual in nature. Examples include hitting, slapping, choking, cutting, shoving, burning, shooting or use of any weapons, acid attacks or any other act that results in pain, discomfort or injury.
 - f) **Forced Marriage:** The marriage of an individual against her or his will.
- 2) **Denial of Resources, Opportunities or Services:** Denial of rightful access to economic resources/assets or livelihood opportunities, education, health or other social services.
- 3) **Psychological / Emotional Abuse:** Infliction of mental or emotional pain or injury. Examples include: threats of physical or sexual violence, intimidation, humiliation, forced isolation, stalking, harassment, unwanted attention, remarks, gestures or written words of a sexual and/or menacing nature, destruction of cherished things, etc.

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- 4) **Online Grooming:** Is the act of sending an electronic message with indecent content to a recipient who the sender believes to be a minor, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.
- 5) **Accountability Measures:** Are the measures put in place to ensure the confidentiality of survivors and to hold Company, consultants, and the client responsible for instituting a fair system of addressing cases of GBV.
- 6) **GBV Allegation Procedure:** Prescribed procedure shall be followed when reporting incidents of GBV.
- 7) **GBV Codes of Conduct:** The Codes of Conduct adopted for the project/Company covering the commitment of Transrail, and the responsibilities of managers and individuals with regards to GBV.
- 8) **GBV Compliance Team (GCT):** A team established by the project to address GBV and issues.
- 9) **Perpetrator:** The person(s) who commit(s) or threaten(s) to commit an act or acts of GBV.
- 10) **Response Protocol:** Is the mechanisms set in place to respond to cases of GBV
- 11) **Survivor/s:** the person(s) adversely affected by GBV. Women, men can be survivors of GBV.

❖ Abbreviations:

- GBV - Gender Based Violations
- GCT - Gender-Based Violations Compliance Team
- SOP - Standard Operating Procedure
- TLL - Transrail Lighting Limited

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- **Respect Each Other:** We believe in an equal opportunity at the workplace which is free from discrimination and Harassment. We are an equal opportunity employer and employment decisions are based on merit and business needs. We do not discriminate our employees based on any biases with reference to Colour, Caste, Gender, Creed, Religion, Disability, Age and Sexual Orientation. To put these values in practice, all the employees must ensure that decisions affecting employees are based on business factors only. All managers or concerned decision making authorities must ensure that decisions regarding hiring, promotion, termination, transfer, leave of absence or compensation shall only be based on relevant business factors.

In case of any grievances with reference to the discrimination at the workplace or Sexual Harassment at the workplace, the employees can contact the grievance redressed forum. Confidentiality in terms of the victim's identity shall be maintained to prevent any incident of retaliation.

➤ **Gender-Based Violence:**

Acts of GBV constitute gross misconduct and are therefore grounds for sanctions, which may include penalties and/or termination of employment, and referral to the Police for further action.

- All forms of GBV, including grooming are unacceptable, regardless of whether they take place on the work site/Plant, the work site surroundings, at worker's camps.
 - a) **Sexual Harassment:** For instance, making unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature including subtle acts of such behaviour is prohibited.
 - b) **Sexual Favours:** For instance, making promises or favourable treatment dependent on sexual acts or other forms of humiliating, degrading or exploitative behaviour are prohibited.
- Sexual contact or activity with children under 18 including through digital media is prohibited. Mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defence or excuse.

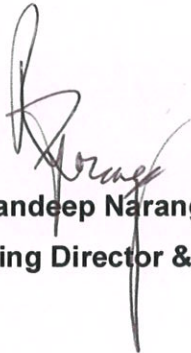
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- The relationships involving the withholding/promise of actual provision of a benefit (monetary or non-monetary) to community members in exchange for sex, such sexual activity is considered “non-consensual” within the scope of this Code.
- In addition to Transrail sanctions, legal prosecution of those who commit acts of GBV will be pursued if appropriate.
- All employees, and sub-contractors shall report suspected or actual acts of GBV by a fellow worker, whether in Transrail or not. Reports shall be made in accordance with the project’s GBV and Allegation Procedures.
- Managers shall report and act to address suspected or actual acts of GBV as they have a responsibility to uphold Transrail commitments and hold their direct reporters responsible.

Date: 01.04.2024


Randeep Narang
Managing Director & CEO

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Implementation - Standard Operating Procedure (SOP)

1. All managers shall sign the project's 'Manager's Code of Conduct', detailing their responsibilities for implementing the Transrail commitments and enforcing the responsibilities in the 'Individual Code of Conduct'.
2. All employees shall sign the project's 'Individual Code of Conduct' confirming their agreement to comply with ESHS and OHS standards, and not to engage in activities resulting in GBV.
3. Display the Transrail and Individual Codes of Conduct prominently and in clear view at workers' camps, offices, and public areas of the workspace.
4. Ensure that posted and distributed copies of the Transrail and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
5. An appropriate person shall be nominated as the Transrail's 'Focal Point' for addressing GBV issues, including representing the Transrail on the GBV Compliance Team which is comprised of representatives from the client, contractor(s), the supervision consultant, and local service provider(s)
6. **Procedure:**
 - i. **GBV Allegation Procedure to report GBV issues through the project Grievance Redress Mechanism.**
 - ii. **Accountability Measures to protect the confidentiality of all involved; and;**
 - iii. **Response Protocol applicable to GBV survivors and perpetrators.**
7. Transrail effectively shall implements GBV Action Plan.
8. All employees shall attend an induction training course prior to commencing work on-site to ensure they are familiar with Transrail's commitments to the project's GBV Codes of Conduct.

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9. All employees shall attend a mandatory training course once in Three months for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the project's GBV Code of conduct / standards and sign following declaration:

"I do hereby acknowledge that I have read the foregoing company Code of Conduct, and on behalf of the TLL company agree to comply with the standards contained therein.

I understand my role and responsibilities to support the project's OHS and ESHS standards, and to prevent and respond to GBV and I understand that any action inconsistent with this company's Code of Conduct or failure to act is mandated."

Company name : _____

Signature : _____

Employee Name : _____

Title : _____

Date : _____

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Mechanism for Preventing Gender-Based Violations

Managers at all levels shall have a responsibility to uphold Transrail's commitment to implementing and addressing GBV. This means that managers shall have an acute responsibility to create and maintain an environment that respects these standards and prevents GBV. Managers need to support and promote the implementation of the Transrail Code of Conduct. This commits them to supporting the implementation of the Plan and developing systems that facilitate the implementation of the GBV Action Plan. They need to maintain a safe workplace, as well as a GBV-free environment at the workplace and in the local community. These responsibilities include but are not limited to:

❖ Implementation / Procedure:

1. Transrail shall ensure maximum effectiveness of the company and Individual Codes of Conduct:

- i. Prominently displaying the Transrail and Individual Codes of Conduct in clear view at workers' camps, offices, and public areas of the workspace. Examples of areas include waiting, rest, and lobby areas of sites, canteen areas, and health clinics.
- ii. Transrail shall Ensure all posted and distributed copies of the Transrail and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.

2. Verbally and in writing shall explain the Transrail and Individual Codes of Conduct to all staff.

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3. TLL Ensure that:

- i. All direct reportees shall sign the 'Individual Code of Conduct', including an acknowledgment that they shall read and agree with the Code of Conduct.
 - ii. Staff shall sign copies of the Individual Code of Conduct are provided to the OHS/Project Manager.
 - iii. Participate in training.
 - a. confidentially report GBV incidents through the Grievance Redress Mechanism (GRM)
 - iv. Staff shall be encouraged to report suspected or actual GBV, emphasizing the staff's responsibility to Transrail and the country hosting their employment, and emphasizing the respect for confidentiality.
4. In compliance with applicable laws and to the best of our abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired, or deployed. Use background and criminal references shall be checked for all employees.
5. Shall Ensure that when engaging in partnership, sub-contractor, supplier, or similar agreements, the following agreements:

- i. **Codes of Conduct shall incorporate the GBV.**
- ii. **Shall Include the appropriate language requiring such contracting shall entities and individuals, and their employees and volunteers shall comply with the Individual Codes of Conduct.**
- iii. **Shall Include the appropriate language requiring such contracting shall entities and individuals, and their employees and volunteers shall comply with the Individual Codes of Conduct.**

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➤ **Manager's Code of Conduct:**

1. Expressly state that the failure of those entities or individuals, as appropriate, to shall ensure compliance with the ESHS and OHS standards, shall take preventive measures against GBV, to investigate allegations thereof, or to take corrective actions.
2. Shall Ensure that any GBV issue warranting Police action is reported to the Police, the client.
3. Reporting and acting according to the response protocol any suspected or actual acts of GBV as managers shall be responsible to uphold Transrail commitments and hold their direct reports.

• **Response:**

1. Managers shall be taken the required appropriate actions to address any GBV incidents:
 - a. Transrail, managers shall uphold the Accountability Measures set forth in the GBV Action Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of GBV (unless a breach of confidentiality is required to protect persons) or (property from serious harm or where required by law).
 - b. Manager shall develop concerns or suspicions regarding any form of GBV by one of his/her direct reportees, or by an employee working for another contractor on the same work site. He/she shall be required to report the case using the GRM.
2. Including:
 - a. Informal warning.
 - b. Formal warning.
 - c. Additional Training.

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- **Declaration by the Manager:**

"I do hereby acknowledge that I have read the foregoing Manager's Code of Conduct, do agree to comply with the standards contained therein, and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV requirements. I understand that any action inconsistent with this Manager's Code of Conduct or failure to act mandated by this Manager's Code of Conduct may result in disciplinary action."

Signature : _____
Name : _____
Title : _____
Date : _____

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Preventing Gender-Based Violence

This declaration is required from all the stakeholders of Transrail in the form of employees, trainees, suppliers, associates, representatives, contract labourers, subcontractors etc.

I, _____, acknowledge that preventing gender-based violence (GBV) and violence against children are important.

Transrail Lighting Conditions considers that failure to follow ESHS and OHS standards or to partake in GBV or activities be it on the work site, surroundings, at workers' camps or the surrounding communities constitute acts of gross misconduct and are therefore grounds for sanctions, penalties, or potential termination of employment Prosecution by the Police of those who commit GBV or shall be pursued.

➤ **I shall agree that while working on the project/Plant, I shall:**

1. Attend and actively partake in training courses related to HIV/AIDS, GBV, and;
2. Police Verification by the respective police station.
3. Treat all women, children (persons under the age of 18), and men with respect regardless of race, colour, language, religion, political or other opinions, national, ethnic, or social origin, property, disability, or birth.
4. Not use language or behaviour towards women, children, or men that are inappropriate, harassing, abusive, sexually provocative, demeaning, or culturally inappropriate.
5. Not engage in sexual harassment, for instance, making unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct, of a sexual nature, including subtle acts of such behaviour (e.g. looking somebody up

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and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; giving personal gifts; making comments about somebody's sex life; etc.).

6. Not engage in sexual favours, for instance, making promises or favourable treatment dependent on sexual act or other forms of humiliating, degrading, or exploitative behaviour.
7. Not participate in sexual contact or activity with children - including grooming or contact through digital media. Mistaken regarding the age of a child shall not be a defence.
8. Consider reporting through the GRM or to the manager any suspected or actual GBV or by a fellow worker, whether employed by Transrail or not, or any breaches of this Code of Conduct.

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