Prevention of Sexual Harassment Policy

1. Scope of the POSH Policy

At Bright Future, a Project of New Resolution India, we desire to promote a healthy and congenial working environment irrespective of gender, caste, creed or social class of the employees. We value every individual and are committed to protecting the dignity and respect of every individual. Integrity, honesty, transparency and respect for people remain some of our core values. Therefore, we have zero-tolerance for sexual harassment and any act of sexual harassment will invite serious disciplinary
action.
The "Sexual Harassment at workplace" policy is meant to educate the employees/ Volunteers/ Interns/Consultant/ Vendor/ Associate of Bright Future about what conduct constitutes sexual harassment, the ways and means which we are adopting to prevent occurrence of any such event, and in the unlikely chance of such an occurrence, to enable a fair mechanism for dealing with such conduct.

'Sexual Harassment'- Sexual harassment results in violation of the fundamental rights of women to equality under articles 14 and 15 of constitution of India and her rights to life and to live with dignity under article 21 of the constitution.

The policy is made in accordance with the Section 3(1) of the Sexual Harassment of Women at Workplace

(Prevention, Prohibition and Redressal) Act, 2013

Bright Future will exercise utmost care in treating the entire process with the dignity, sensitivity and respect it merits including protection of the victim / harassed.

1.1 Applicability

"Rules for prevention and Redressal of sexual harassment at workplace" is applicable to:

1.2.1 Every employee/ Interns/ Volunteer/ Consultant/ Vendor/ Associate across the Bright Future– permanent, temporary, Trainees or Interns, probationary and on contract;

1.2.2 The definition of sexual harassment shall include any harassment caused to female or male employees. It would also include harassment caused to or by either gender.

1.2.3 An alleged act of sexual harassment, whether the incident has occurred during or beyond office hours which includes tele-cons after office hour, business trips, business meetings and business related social events.

1.2.4 An alleged act of sexual harassment, whether sexual harassment has taken place within or

outside the Organization premises which includes transportation provided by the employer from office to client place, client place to office/home, business trips, business meetings and business related social events.

1.2.5 This policy is only applicable when both or either the alleged harasser & the victim are employees/agents of the Organization. It is not applicable when both the alleged harasser & the victim are third parties.

2. Definitions

2.1 Sexual Harassment: "Sexual Harassment" is any unwelcome sexually determined behavior, such as: physical contact and advances; a demand or request for sexual favors; whether verbal, textual, graphic, and electronic or by any other action, sexually colored remarks, showing pornography; and any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

2.2 This includes verbal, non-verbal or physical conduct such as obnoxious comments or utterances, remarks or jokes, letters, phone calls, SMS or emails, gestures, showing pornography, stalking, sounds or display of a nature with sexual overtures. It also includes a demand or request for sexual favours in return for with a promise of work related favours such as performance appraisals, promotions, transfers, salary increases and employment or any other form of reward or recognition.

2.3. Sexual harassment need NOT involve physical contact. Any act that creates a hostile work environment- be it by virtue of cracking lewd jokes, verbal sexual abuse, circulating lewd rumours etc.. counts as sexual harassment.

2.4 Acts of sexual behaviour which may arise out of coercion ranging from pressure for personal favours to sexual favour as a 'Quid pro quo', intrusion into the private lives, etc.., or that which may lead to hostile working condition may also be considered as a form of sexual harassment.

2.5 Complainant: The person reporting an incident of Sexual Harassment

2.6 Victim: The person subjected to Sexual Harassment.

2.7 Alleged Harasser: The person who is alleged/reported to have committed an act of Sexual Harassment.

2.7 Internal Committee – An Internal Complaints Committee formed for enquiring into the complaints of sexual harassment

2.8 Presiding Officer – means a senior female representative appointed from the organization to chair the internal Complaints Committee and also who has veto powers.

2.9 Internal Complaints Committee

3 Constitution and Role:

a. In accordance with Supreme Court Guidelines, to manage the process of enquiry and redressal of sexual harassment complaints, Bright Future has formed an Internal Complaints Committees.

b. The Organization shall have an Internal Complaints Committee comprising 5 internal members and 1 external consultant.

c. Not less than half of the members of the Complaints Committee shall be women.

d. Names of the members of the Internal Complaints Committee along with their contact details are provided in the applicable annexure.

e. The 'People Function' representative will periodically update the list of names and contact details of the members.

f. Provide an email ID for the complaints committee.

g. The Presiding Officer and every member of the internal committee shall hold office for such period, not exceeding three years from the date of their nomination as may be specified by the employer.

h. Changes in the constitution of the Complaints Committee, whenever necessary, shall be made as expeditiously as possible and in any case within 15 days of the date of vacancy of office by one of the members.

i. Where the Presiding Officer or any member of the Internal Committee

• Contravenes the provisions of Section 16 of Sexual Harassment Act 2613, • Has been convicted for an offence or any inquiry into an offence under any law for the time being in force pending against him/her or

• Has been found guilty in any disciplinary proceedings or a disciplinary proceeding • Has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him

• Has so abused his/her position as to render his/her continuance in office prejudicial to the public interest.

• Such Presiding Officer or Member, as the case may be, shall be removed from the committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provision of this section

26.4.2 Functions and Powers of the Complaints Committee

26.4.2.1 The Internal Complaints Committee established in the Organization's office for inquiring into complaints of sexual harassment shall be deemed to be the Inquiring Authority appointed by the Management and the Internal Complaints Committee shall hold the inquiry in accordance with the procedure laid down in the Rules formulated by the State Government or as may be prescribed.

4. The Complaints Committee shall have power and jurisdiction for conducting an inquiry and also have the powers

- To summon witnesses and documents
- To recommend transfer and/or suspension;
- To recommend penalties as per Service Rules of the Organization.
- The Complaints Committee shall submit its Report to the Management for further necessary action.

5. The Internal Complaints Committee shall organize programmes for the gender sensitization of employees through awareness programs.

5.1 Committee to submit annual report- The Internal Committee or the Local Committee, as the case may be, shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the employer and the District Officer.

5.2 The Complaints Committee shall meet once a quarter and review preparedness to fulfill all requirements of the Sexual Harassment Act in the Organization. Even in the event of there being no reported case of harassment, the Complaints Committee shall meet once in a quarter as aforesaid and review the preparedness of the Organization in this matter.

5.3 The quorum for the purpose of meeting/hearing shall be 2/3rd of the members of the Complaints Committee. However, this shall not be a prerequisite for the quorum of an adjourned meeting.

5.4 The Presiding Officer of the Complaints Committee shall have veto power.

5.6 The minutes of every meeting shall be recorded in the Minutes of the meeting maintained for the purpose and shared with the committee members over a mail.

5.7 Process of Reporting Incidents of Sexual Harassment

5.8 Whom to contact in case of an incident of sexual harassment?

5.9 An employee (the Victim) is required to send a written complaint/email the complaint to the Internal Complaints Committee.

5.10 The employee (the Victim) may also contact his/her Team Manager or external representative. Upon being intimated, the Team Manager or the representative shall send an email communication to the Complaints Committee, providing all the necessary details of the Complaint.

5.11 If the employee (the Victim) is unable to contact or report the incident to any of the above, the employee may contact any other employee in the Organization also in this regard. Such an employee, who has been contacted, shall then send an e-mail communication to the Complaints Committee, providing all the necessary details of the Complaint.

5.12. If an employee (the Victim) is not able 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, make a complaint on behalf of him/her.

5.13 The Victim must be copied on such emails. The complaint should include the contact details of the complainant / victim such as name, address, contact number, department etc.. In all the cases above, the written complaint/email must provide the details of the incident together with the name/s of the alleged harasser/s and the victim/s, as available.

6. Process of making a complaint

6.1 Any aggrieved woman/man may make in writing/email, a complaint of sexual harassment at workplace to the Internal Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of the last incident.

6.2 Provided that where such complaint cannot be made in writing, the Presiding Officer or any member of the Internal Committee member or any other member of the ICC, shall render all reasonable assistance to the woman for making the complaint in writing.

6.3 Provided further that the Internal Committee, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

6.4 Depending upon the nature of the Complaint, the Core Complaints Committee may direct that a Conciliation/enquiry be conducted by an Investigating Committee constituted by the Internal Complaints Committee.

7 In case of Conciliation

7.1 The Complaints Committee may not order an enquiry, if examination of witnesses/documents is not necessary to arrive at a conclusion or if it could be settled with the Conciliation process. This conciliation process will not involve any monetary settlement.

7.2 In either case, the Complaints Committee shall provide an opportunity to the victim as well as the alleged harasser to represent their position and provide their explanations.

7.3 Where a settlement has been arrived at in the conciliation process, the same shall be recorded and has to be forwarded to the employer and district officer.

7.4 The internal committee will provide the copies of the settlement arrived at after the conciliation process to the Victim as well the alleged harasser.

7.5 In case of an enquiry into complaint

7.6 In the event, an enquiry is found to be necessary; the following procedure shall be adopted by the Committee:

8. For the purpose of making an Enquiry under sub-section (I) of the Act, the Internal Committee shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:

a. summoning and enforcing the attendance of any person and examining him on oath; b requiring the discovery and production of documents; and Any other matter which may be prescribed.

An enquiry is initiated through the members of the investigating committee (committee members to decide who the members who will conduct an enquiry are). This initial phase of committee meeting together to discuss the complaint of sexual harassment, forming the enquiry committee and discussing the process with the Victim, alleged harasser and complainant (if any) shall be completed within a period of 7 working days.

If the Complainant desires to tender any documents by way of evidence before the Committee, 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 Committee 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.

- Written record of all discussions are to be maintained by the committee. The Enquiry shall be completed within a maximum period of 30 working days (4 weeks)
- Enquiry findings are to be submitted to the Internal Complaints Committee which will study findings and present the decision and the recommended action thereon to the Human Resources within a maximum period of 14 working days (2 weeks)
- The 'People Function' will clarify with the Internal Complaints Committee on the recommendation and will implement the same after informing the Managing Director/CEO within a maximum period of 7 working days (1 week).
- On the completion of an Enquiry under this Act, the Internal Committee shall provide a report of its findings to the Employer.

• Where the Internal Committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the alleged harasser has not been proved, it shall recommend to the Employer and the District Officer, as stipulated under law, that no action is required to be taken in the matter.

• Where the Internal Committee, arrives at the conclusion that the allegation against the alleged harasser has been proved, it shall recommend to the employer for taking action for sexual harassment.

• Where the Internal Committee arrives at a conclusion that during the Enquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Employer, to take strict disciplinary action. Some of them would be– show cause notice, suspension, monetary fine, stoppage of increment, reducing the rank, Termination etc..

• The final decision shall be communicated to the victim and the alleged harasser in both the instances above.

• The end-to-end process of receiving, identifying the investigation committee, Investigation procedure, Decision making and reporting should be completed within a maximum period of 60 working days of receiving the complaint.

- Functions of Complaints/ Investigating Committee
- To notify in writing/email the time and dates of the meetings to be held, to the complainant, victim and the alleged harasser.
- A copy of the statement of complaint to be given to the alleged harasser with reasonable time to study the same prior to appearing before the committee appointed for this purpose Enquiry to be conducted in a neutral location which provides an environment conducive for both the victim and alleged harasser.
- Both the parties may be allowed to bring in a colleague for specific advice and support. However, the same shall not be allowed if it causes undue delay or disrupts the committee proceedings
- Appropriate recordings of each enquiry sitting and observations shall be made by the committee members.
- During the process of investigation, the Organization will ensure no further harassment or victimization happens to either the victim or the alleged harasser and duties are carried out as normal.
- The Organization will also ensure that there is no proximity at work place between the victim and the alleged harasser, during the pendency of the Complaint.
- The conclusion of the findings and report to be handed over to the Chairperson of Complaints Committee, who will study and communicate the verdict to the CEO.
- Conclusion of the findings will also be informed to both the parties concerned.

8.Prohibition of publication or making known contents of complaint and inquiry

proceedings:

- Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint made under section 9, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and Enquiry proceedings, recommendations of the Internal

Committee or the Local Committee, as the case may be, and the action taken by the Employer or the

District Officer stipulated under the provisions of law shall not be published, communicated or made

known to the public, press and media in any manner:

Penalty for publication or making known contents of complaint and inquiry proceedings:

Where any person entrusted with the duty to handle or deal with the complaint, Enquiry or any recommendations or action to be taken under the provisions of this Act, contravenes the provisions of section 16, he shall be liable for penalty.

- Appeal If either party desires to appeal the decision, he/she may appeal in writing to the CEO, who shall decide the appeal within one month of the appeal reaching the CEO.

8. Third Party Harassment

Any harassment brought to the notice of the Organization arising out of an act or omission by any Third Party or an outsider, Bright Future will take necessary and reasonable steps in assisting the affected person in terms of support and preventive action.
The intent of this policy is to create a harmonious & safe working environment. To ensure that this is upheld in both letter and spirit, we urge Bright Future employees to desist from lodging wrongful allegations.

9. Disciplinary Actions

Possible Disciplinary Actions arising out of the Recommendations:

- A letter of warning that will be placed in the personal file of the harasser.
- Immediate suspension without pay or both.
- Fine equivalent to 2-4 months' salary that can be credited to a fund created to be utilized for the
- welfare of the employees.
- Stoppage of increment with or without cumulative effect.
- Reduction in rank.
- Termination/dismissal from the services of the Organization.
- Filing a Complaint before the relevant police station/Court.
- Any other action that the Disciplinary Authority may deem fit

Roles and Responsibilities

Employees: Are encouraged to familiarize themselves with the key elements of the policy and

should:

- Abstain from committing any acts which amount to sexual harassment at the workplace.
- Report incidents of sexual harassment without fear or seeking favor.
- Create an environment of conduciveness for co-workers to work together without fear of harassment.
- Get clarifications from Committee whenever in doubt.
- 'People' Department
- Conduct necessary communication and training across the Organization, with respect to sexual
- harassment at the workplace.
- Ensure this policy is communicated, explained and handed over at the time of induction of every
- employee.
- Any act of sexual harassment to be notified as misconduct under the Standing Orders of the
- Organization.
- Maintain records of all the Sexual Harassment cases and findings.
- Ensure implementation of this policy in line with overall Code of Conduct guidelines. • Ensure
- committee meetings are taking place periodically and the relevant minutes are recorded.

Employer: Every Employer shall—

- Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- Display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee;
- Organize workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;
- Provide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an enquiry;
- Assist in securing the attendance of respondent and witnesses before the Internal Committee or the Local Committee, as the case may be;
- 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;
- Cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
- Monitor the timely submission of reports by the Internal Committee.
- Power to Make Rules and Amendments
- The power to make rules pertaining to sexual harassment at workplace vests with the Board of Directors of Bright Future, a Project of New Resolution India.

Any changes to these rules shall be suitably communicated to all the employees.

Committee Members

Sr No	Designation	Name	Contact No	Email ID
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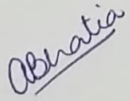

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