

DBM India Posh Policy

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DBM India POSH Policy

1. Purpose

The purpose of this document is to describe the details of the **Prevention Of Sexual Harassment** policy at work place. This is acronymed as POSH policy which is a mandatory requirement as per the Indian Law.

2. Organization's Commitment

DBM India believes that every employee and individual working for DBM India in various capacities, deserves to work in an environment free from sexual harassment.

Sexual harassment is a form of misconduct that undermines the work relationship. No employee or individual should be subjected verbally or physically to unsolicited and unwelcome sexual overtures or conduct. Behavior that amounts to sexual harassment may result in disciplinary action, up to and including termination of the employment or other contract.

Any and all complaints or allegations of sexual harassment will be investigated promptly. DBM India has developed policy intended to prohibit and prevent sexual harassment, and to deal with any complaints which may arise.

3. Scope of the policy and effective date

This policy is formulated to comply with and in accordance to the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the rules therein (POSH Laws). For the purpose of ease of use, the term "party" or "parties" shall be used in the below document to refer to all genders.

The policy applies to all employees as well as trainees, beneficiaries, consultants, vendors, volunteers and visitors present at the workplace / extended workplace and at organizational events. All complaints related to sexual harassment will fall under the purview of this policy which comes into effect immediately.

4. What is Sexual harassment

Sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- Physical contact and advances; or
- A demand or request for sexual favours'; or
- Making sexually coloured remarks; or
- Showing pornography; or
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

Further, following circumstances may amount to sexual harassment:

- Implied or explicit promise of preferential treatment in his / her employment; or
- Implied or explicit threat of detrimental treatment in his / her employment; or
- Implied or explicit threat about his / her present or future employment status; or
- Interference with his / her work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect his / her health or safety.

5. Internal Committee

DBM India has constituted an Internal Committee (IC) of employees and an external member to address and redress complaints pertaining to sexual harassment. The IC comprises the following roles as a minimum requirement :

- a) A Presiding Officer
- b) Members from amongst employees; and
- c) An external member

Designated Committee details are as under:

Sr.	Name	Contact No	Email ID
1	Farheen Peshimam (Presiding Officer)	9819108191	farheen@dbmindia.org
2	Parvinder Kaur (Member)	9920258964	parvinder.kaur@dbmindia.org
3	Archana S (Member)	7045668810	archana.shedekar@dbmindia.org
4	Rinki Anand (External member)	9969234343	anand.rinky@yahoo.com

6. Reporting harassment and redressal procedure

1. Any aggrieved employee may make in writing, a complaint of sexual harassment at workplace and any other place which is related because of work, to the IC within a period of 3 months from the date of incident and in case of series of incidents, within a period of 3 months from the date of last incident. The time limit may be extended for a further period of 3 months if, on account of certain circumstances, the aggrieved persons were prevented from filing the complaint as mentioned in the Act.

2. Before initiating an inquiry, at the request of the aggrieved person, the committee may take steps to arrive at a settlement or conciliation between the parties. However, no monetary settlement can be made as the basis of such conciliation. If there is a satisfactory settlement between the parties, a copy of the same will be given to both parties and the management and no further inquiry will be conducted by the committee.

3. IC proceeds to make an inquiry into the complaint in accordance with the Act.

4. Where both parties are employees, the parties shall during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make a representation against the findings before the committee

5. For the Purpose of making inquiry, IC shall have the same powers as are vested in a civil court under Code of Civil Procedure, 1908.

6. The inquiry shall be completed within a period of 90 days from receipt of formal complaint from the aggrieved employee.

7. If a Committee feels that the allegation against the respondent is malicious or the aggrieved party or any other person making a complaint has made the complaint knowing it to be false or the aggrieved party or any other person making the complaint has produced any forged or misleading documents, it may recommend to the employer to take action against the party or the person who has made the complaint. Further mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this provision.

8. During the course of inquiry, if it is found by the IC that the complaint was baseless or based on false evidence or forged or misleading documents, the IC may recommend to the management to take discretionary action as may be necessary.

9. Protection against retaliation : Regardless of the outcome of the complaint made in good faith, the complainant and any other employee providing information will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the IC will ensure that the complainant or the witnesses are not victimized or discriminated against.

10. Any unwarranted pressures, retaliatory or any other type of unethical behavior while the investigation is in progress should be reported to the IC immediately. Disciplinary action will be taken against any such behavior.

11. Confidentiality : All information received during the redressal procedure will be kept confidential. Any employee who breaches confidentiality will be subject to disciplinary action.

12. Appropriate disciplinary action will be taken in case of misconduct. Disciplinary action will be commensurate to the degree of the misconduct and may include the complainant receiving a verbal or written apology, the defendant receiving a verbal or written reprimand, change in work team or role or location, withholding increment, termination of employment, reporting to the police or relevant authorities.

7. Awareness and information dissemination

The organization will disseminate information related to this policy widely within organization's offices and workplaces for prohibition, prevention and redressal of sexual harassment intended to promote gender sensitive safe spaces.

The organization will also conduct orientation programmes and seminars from time to time, for members of the internal committee as well as for employees.

Annexure:

Definitions

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 the terms of employment are express or implied and includes a co-worker, a consultant, a contract worker, probationer, trainee, apprentice or called by any other such name.

Aggrieved Person

a person of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent

Workplace

i) It includes the registered office of the organization, activity centres, field office and various departments.

ii) Any place visited by the employee arising out of or during the course of employment including transportation provided by the organization for undertaking such journey and events organized by DBM India