



POLICY OF SEXUAL HARRASMENT

**Policy Effective
Date: 23/10/2021**

**BRING BACK GREEN
FOUNDATION**

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1. Objective

Bring Back Green Foundation 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. Bring Back Green Foundation is committed to take all necessary steps in ensuring that its staff works in a safe and respectful environment that is conducive to their professional growth and promotes equality of opportunity.

2. Scope and Applicability

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

Email Address to reach is **grievances@bringbackgreen.com**

3. Definition/Glossary

(a). "Aggrieved Woman" means in relation to a Workplace a person of any age, whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent and includes contractual, temporary employees and visitors.

(b). "Complainant" means the aggrieved person or a person having knowledge of the incident and having the consent of the aggrieved person to file a complaint or the legal heir of a deceased aggrieved person.

(c). "District Officer" means the District Magistrate or Additional District Magistrate or the Collector or Deputy Collector as appointed by the appropriate government as a District Officer for every District to exercise powers or discharge functions under the POSH Act.

(d). "Employee" means a person employed at a Workplace for any work on a 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.

(e). "Employer" means a person who is responsible for the management, supervision and control of the Organization's work and Workplace.

(f). "ICC" or "Internal Complaints Committee" means an internal committee constituted as per the Act.

(g). "Member" means a Member of ICC.

(h). "Respondent" means a person against whom a complaint alleging sexual offence has been made.

(j). "Parties" means collectively the Complainant and the Respondent.

(i). "Workplace" means establishments, enterprises, institutions, offices, branches, premises, locations or units established, owned controlled by the Organization or places visited by the employees out of or during employment including accommodation, transportation provided by the Employer for undertaking such journey.

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

Will be constituted by an order of Internal Complaint Committee (ICC) under Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 preferably headed by a woman member of the organisation.

#	Employee Name	Designation	Date of Nomination
1	Babitha PS	Presiding Officer	23/10/2021
2	Surya SB	Member Secretary	23/10/2021

3	Anagh	Member	23/10/2021
4	Adv Dhanuja M S	Member	23/10/2021
5	Ciba C Babu	Member	18/05/2022
6	Nayana Vinay	Member	23/10/2021
7	Rajasree S	External Expert	23/10/2021

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 (ICC) within a period of three months from the date of the incident through email, grievances@bringbackgreen.com written complaint and or verbal complaint.
- Request the ICC for settlement of the matter through conciliation; provided such request is made before the ICC initiates an inquiry under the Act.

Appeal: Any person aggrieved from the ICC report, may prefer an appeal to the Court as prescribed in the Act within a period of ninety days from the date of the ICC report.

4.4. Responsibilities of the ICC

The ICC 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 ICC.
- Initiate appropriate remedial measures to respond to any substantiated allegations of Sexual Harassment and
- Complete its inquiry within thirty days of acceptance of the complaint.

4.5. The ICC Inquiry Process

The ICC will examine every complaint of Sexual Harassment as per the guidelines prescribed under the Act and ensure that a fair and just investigation is undertaken.

4.6. What Action Can the ICC Take

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

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

4.7. Making False or Malicious Complaints:

Where the ICC arrives at a conclusion that the complaint was made with a malicious intent, the ICC 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 ICC shall also take strict disciplinary action on any witness who submits false evidence or produces any forged or misleading document relating to the complaint.

4.8. Definitions

4.8.1. What Constitutes Sexual Harassment

- (i) Sexual Harassment is any unwelcome and sexually determined act or behavior (whether directly or by implication) as:
 - (ii) physical contact and advances; or
 - (iii) a demand or request for sexual favors; or
 - (iv) making sexually colored remarks; or
 - (v) showing pornography; or
 - (vi) 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.

4.8.2. What Constitutes As A Workplace

A Workplace includes any Bring Back Green Foundation 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 Bring Back Green Foundation for undertaking a journey arising out of or during the course of employment, or (ii) meetings, conferences, seminars, training sessions, workshops, field visits, etc. organized by or through Bring Back Green Foundation.

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. This will include registered volunteers, interns or fellows under any fellowship program run by Bring Back Green Foundation.

4.9. References

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

Bring Back Green Foundation 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.

5. Special Circumstances and Exceptions

Any Deviation to this policy has to be approved by HR. Any changes to the policy has to be approved by Legal and Compliance.

6. Non-compliance and Consequence

Any person (including the witness) known to the incident or who has any knowledge about the contents of the complaint shall ensure strict confidentiality. No such information shall be published or communicated in any manner whatsoever, including (but not limited to), publication in Bring Back Green Foundation Intranet portal or any internal messaging service, through email or any other social media. Bring Back Green Foundation 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.

7. Training

Bring Back Green Foundation holds mandatory induction and refresher training for all members, employees and related personnel on the Organization's ICC policy and procedures.

Bring Back Green