

BMW TechWorks India



A **TATA** TECHNOLOGIES Joint Venture

BMW TechWorks India POSH Policy



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1. Overview

The objective of this policy is to promote a workplace that is free of sexual harassment and lay guidelines aligned to Prevention of Sexual Harassment Act 2013. BMW TechWorks India is an equal opportunity employment BMW TechWorks India, without regard to race, caste, religion, color, marital status, gender, age, nationality, disability of its staff or colleagues. BMW TechWorks India also believes that all employees have the right to be treated with dignity and that Sexual Harassment at workplace is a grave offence. BMW TechWorks India holds the responsibility to identify and prevent Sexual Harassment and to develop a culture of "zero tolerance" for any form of Sexual Harassment at the Workplace. BMW TechWorks India will respond promptly to reports of Sexual Harassment and will take appropriate steps to discipline behavior that violates this Policy and if necessary, facilitate legal action.

This Policy is applicable across BMW TechWorks India in all its Workplaces.

While this Policy sets forth BMW TechWorks India's goals of promoting a workplace that is free of sexual harassment, the Policy is not designed or intended to limit the organization's authority to discipline or take remedial action for workplace conduct which BMW TechWorks India deems unacceptable, regardless of whether such conduct satisfies the definition of sexual harassment.

With this policy our BMW TechWorks India hereby declares that we are adopting a Gender-Neutral PoSH policy.

2. Applicability

1. This Policy extends to all Employees of BMW TechWorks India whether permanent, temporary, on training and on contract and is deemed to be incorporated in the service conditions of all Employees. It also extends to outside people who come in contact with the Employees of BMW TechWorks India and who allege that they have been sexually harassed by the said Employee.
2. BMW TechWorks India will also not tolerate Sexual Harassment of the Employees of BMW TechWorks India, if engaged in by clients or any other business associates.
3. This Policy shall extend to:
 - All BMW TechWorks India-related activities performed at any other site away from BMW TechWorks India's premises.
 - All Employees in respect of Sexual Harassment occurrences at the Workplace (*as defined herein below*).
 - Incidents of Sexual Harassment reported by BMW TechWorks India's Employee as a result of an act by a third party or outsider while on official duty.
 - In cases of respondent who is a third-party individual, the Internal Committee shall recommend appropriate action including reporting the matter to the employer of the

Respondent, restricting workplace access, or assisting the Complainant in initiating legal action.

4. BMW TechWorks India will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.

3. Definition

1. **Sexual Harassment** to include any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- physical contact and advances.
- a demand or request for sexual favours.
- making sexually coloured remarks.
- showing pornography.
- An alleged act of Sexual Harassment committed during or outside of office hours falls under the purview of this policy.
- Sexual harassment also includes conduct occurring through electronic, digital or virtual means including emails, messaging platforms, video conferencing tools, social media, or any other digital communication channel.
- any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Further, the following may also amount to sexual harassment:

- implied or explicit promise of preferential treatment.
- implied or explicit threat of detrimental treatment.
- implied or explicit threat about present or future employment status.
- interference with work or creating an intimidating or offensive or hostile work environment; or
- humiliating treatment likely to affect health or safety

2. **Employee**, for the purpose of this Policy, means and includes any person hired by BMW TechWorks India, whether as a consultant or as an employee on the rolls of BMW TechWorks India who is employed for any work on regular, temporary, ad-hoc or daily wage basis, directly or through an agent, including a contractor, with or, without the knowledge of BMW TechWorks India's management, whether for remuneration or not, or working on voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice, article clerk or called by any other such name.

3. **Workplace** shall include:

- All BMW TechWorks India offices situated in India and/or
- Any place visited by an Employee of BMW TechWorks India, arising out of or during the course of discharging BMW TechWorks India's work, including transportation provided by BMW TechWorks India for undertaking such journey.



4. **Aggrieved individual** with respect to the Act in relation to the workplace is an individual of any age, whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent.
5. **Complainants** shall include a person or any other person filing the complaint on behalf of the Aggrieved Person.
6. **Respondent** means the person who is alleged or reported to have committed an act of Sexual Harassment and against whom the Complainant has made a Complaint under this Policy in terms of Section 9 of the Act.
7. **Complaint** means information, either oral or written, made by the Complainant. However, complaints made orally must be reduced in writing for which the Internal Committee members shall provide assistance, if needed.

4. Constitution of the Internal Committee (IC)

An Internal Committee ("**IC**") must be constituted, in accordance with the provision of Section 4 of the Act, in every branch or office of BMW TechWorks India, to redress complaints of Sexual Harassment.

An IC shall consist of:-

- A presiding officer who shall be a woman employed at senior level.
- Not less than two Members from amongst the Employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
- One Member from an NGO or association committed to the cause of women or person familiar with the issues relating to the Sexual Harassment.
- At least one half of the total Members nominated shall be women. The Presiding Officer and Members shall hold office for a period not more than 3 years from the date of their nomination. A member of the IC may resign at any time by tendering his resignation in writing to the Company.

In case of resignation, removal, incapacity, or any other reason resulting in a vacancy created shall be filled by a fresh nomination by the Company within 30 days in accordance with the appropriate guidelines.

5. Reporting of Sexual harassment Behaviour

1. Complainant may make, in writing, 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 last incident
2. Where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee, shall render all reasonable assistance to the complainant for making the complaint in writing:



3. The Internal Committee may, 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 complainant from filing a complaint within the said period.
4. Where the complainant is unable to make a complaint on account of physical or mental incapacity or death or otherwise, legal heir or such other person as may be prescribed may make a complaint under this section.

6. Reporting of Sexual harassment Behaviour: when unable to do

1. Reporting when in case of inability of the Complainant to report the incident to IC on account of physical incapacity, the below stated person/s may make the complaint to the IC.
 - His/her legal heir
 - His/her relative or friend; or
 - His/her co-worker; or
 - An officer of the National Commission for Women or State's Women Commission; or
 - Any person who has knowledge of the incident, with a written consent of the Complainant
2. In case of inability of the Complainant to report the incident to IC on account of his/her mental incapacity, a complaint may be filed by -
 - His/her legal heir
 - His/her relative or friend; or
 - Qualified psychiatrist or psychologist; or
 - The guardian or authority under whose care Complainant is receiving treatment or care; or
 - Any person who has knowledge of the incident, jointly with his/her relative or friend, or qualified psychiatrist or psychologist, or guardian or authority under whose care Complainant is receiving treatment or care.
3. In case the Complainant for any other reason is unable to make a complaint, a complaint may be filed by a legal heir or any person who has knowledge of the incident, with the written consent of the Complainant.
4. In case the Complainant is dead, a complaint may be filed by a legal heir or any person who has knowledge of the incident, with the written consent of legal heir.

7. Conciliation

Only at the request of the complainant, the IC shall, prior to initiating an inquiry, take steps to settle the matter between the Complainant and the Respondent through conciliation. Informal resolution of complaints is aimed at stopping the discriminatory action(s) in a mutually agreed manner. Very often, the Respondent may agree to actions such as apologies, reprimands or voluntary resignations, without going through the formal disciplinary procedures. In case the Complainant and the Respondent have arrived at a resolution, the IC shall prepare the report of such resolution. The report shall be signed by



the Presiding Officer, the complainant and the Respondent. The report shall be submitted to BMW TechWorks India Management within ten (10) days of such settlement.

The following pointers must be kept in mind:

1. Provided that no monetary settlement shall be made as a basis of conciliation.
2. Where a settlement has been arrived at, the Internal Committee, shall record the settlement so arrived and forward the same to the employer to act as specified in the recommendation.
3. The Internal Committee shall provide the copies of the settlement as recorded to the complainant and the respondent.
4. Where a settlement is arrived at, no further inquiry shall be conducted by the Internal Committee.
5. Where the complainant informs the Internal Committee that any term or condition of the settlement arrived at has not been complied with by the respondent, the Internal Committee shall proceed to make an inquiry into the complaint.

8. Formal Complaint Redressal Procedure and Manner of Inquiry

Formal Resolution - If the grievance cannot be resolved informally, the complainant will fill up the complaint form and six copies of the same will be given to IC along with supporting documents and the names and addresses of the witnesses. Formal complaints must set out specific facts of the case and be signed by the Complainant.

- A signed complaint constitutes personal verification that the complaint is accurate and complete.
 - The Respondent needs to submit a written response to the complaint, to the IC within a week from having received it. Respondents shall also have a right to be heard personally by the IC about the details of inquiry done.
1. Where a complaint is received by the IC and the complainant opts for a formal recourse, the IC members shall within 2 (two) working days of receiving the complaint, interview both the parties and record findings of the incident (in case no settlement has been reached between the complainant and the respondent).
 2. While conducting the inquiry, a minimum of 4 (four) members of the IC including the Chairperson and External member shall be present.
 3. IC members shall discuss the complaint, and the report shall be submitted to the Chairperson for her to scrutinize the findings in support of complainant's contentions.
 4. The IC shall give an opportunity of being heard and of making representations before the IC to the respondent.
 5. Copy of findings shall be made available to both the employees (complainant and respondent), enabling them to make representations against the findings.
 6. The IC shall make inquiry into the complaint in accordance with principles of natural justice.
 7. Committee to document all investigations and findings in writing.



8. The IC shall have the same powers as that of a Civil Court as per the provisions of the Civil Procedure Code, 1908, including the following:
9. Summon and enforce the attendance of any person and examining him / her on oath
10. Require discovery and production of documents; and
11. Any other matter which may be prescribed
12. At the time of filing the complaint, the complainant shall submit 6 (six) copies of complaints along with supporting documents and addresses of witnesses.
13. IC shall send a copy of the complaint received from aggrieved to the respondent within 7 (seven) days of receiving such complaint
14. The respondent shall file a reply to the complaint and supporting documents within 10 (ten) days of receiving the documents.
15. The IC may terminate the inquiry proceedings, if the complainant or the respondent fails to present herself/himself before the chairperson of the IC for 3 (three) consecutive hearings. Provided, a 15 (fifteen) days' notice shall be given for such termination/cancellation. In case no settlement is arrived at, the IC may summon and enforce the attendance of any person and examining him / her and require discovery and production of documents
16. The IC shall give an opportunity to complainant and respondent of being heard and make representations before the IC
17. IC shall prepare its report and submit it to the Organization within 90 days.

9. Relief to the complainant during pendency of Inquiry

During the pendency of an inquiry, on a written request made by the victim the Internal Committee as the case may be, may recommend to the employer to—

1. Transfer the victim or the respondent to any other workplace or
2. Grant WFH to the victim
3. Grant leave to the victim up to a period of three months
4. Grant any other relief to the victim that the organization deems necessary to facilitate the smooth conduct of the inquiry
5. Restraining respondent from reporting on the work performance of the complainant.
6. Restrain the respondent from supervising any academic activity or evaluation of the complainant.
7. The Organization shall decide upon the same within 7 (seven) days of recommendation being received from the IC.

The leave granted to the victim under this section shall be in addition to the leave she would be otherwise entitled on the recommendation of the Internal Committee, the employer shall implement the recommendations made and send the report of such implementation to the Internal Committee

10. Inquiry Report

1. The IC shall provide a report of its findings to the Organization within 10 (ten) days from the date of completion of the inquiry.



2. Where the IC finds that no action is required to be taken, then it shall communicate the same to the Organization
3. Where the IC concludes that the allegation made by the complainant is true, it shall recommend to the Organization
 - To take action for sexual harassment or
 - To deduct from the salary of the employee as it may consider appropriate to be paid to the aggrieved.
 - Organization shall act within 60 (sixty) days of receipt of recommendations from the IC.

11. Inquiry into Complaint: Time Frame & Procedure

1. The Internal Committee, shall proceed to make inquiry into the complaint in accordance with the Service Rule applicable to the respondent
2. 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 representation against the findings before the Committee.
3. The Internal Committee inquiry shall be completed within a period of ninety days.
4. The Internal Committee shall within a period of ten days from the date of completion of the inquiry, shall provide a report of its findings to the employer, and such report be made available to the concerned parties.

12. Inquiry into the complaint

The Organization promises to promptly and thoroughly investigate all reports of Sexual Harassment as discreetly and confidentially as possible. However, investigation of such a complaint will generally require disclosure to the accused individual.

The objective of the Policy is to conduct a thorough investigation, to determine whether Sexual Harassment has occurred and to eliminate any hostile or offensive working condition and decide actions to take against the offending individual(s).

1. The complainant shall submit to the Complaints Committee, six copies of the complaint along with supporting documents and the names and addresses of the witnesses.
2. On receipt of the complaint, the Complaints Committee shall send one of the copies received from the victim to the respondent within a period of seven working days.
3. The respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents
4. The Complaints Committee shall make inquiry into the complaint in accordance with the principles of natural justice.
5. The Complaints Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the complainant or respondent fails, without sufficient



cause, to present herself or himself for three consecutive hearings convened by the Chairperson

6. The termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned
7. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the IC
8. In conducting the inquiry, a minimum of three Members of the Complaints Committee including the Presiding Officer or the Chairperson, as the case may be, shall be present.
9. The IC at the written request of the victim may recommend to the employer to:
 - restrain the respondent from reporting on the work performance of the victim or writing confidential report and assign the same to another officer.
 - restrain the respondent in case of an educational institution from supervising any academic activity of the victim

13. Inquiry into complaints: Power

For the purpose of making an inquiry the Internal Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 Summoning and enforcing the attendance of any person and examining him on oath; Requiring the discovery and production of documents any other matter which may be prescribed

14. Disciplinary actions and compensation

When the IC arrives at the conclusion that the allegations against the respondent have not been proved it shall recommend to the Organization that no action is required to be taken against the respondent.

The nature and severity of the action against the accused will be in direct proportion to the seriousness of the offense. The IC, in case it finds the allegations against the respondent to be true, shall recommend to the Organization to take action against the respondent for the misconduct as it deems fit.

To deduct from the salary / wages of the respondent such compensation as determined by it to be paid to the female member / complainant or her legal heir or direct the respondent to pay the amount.

The compensation shall be determined by the IC keeping in mind the following:

- Mental trauma, pain, suffering and emotional distress caused aggrieved.
- Loss to career opportunity due to the incident of sexual harassment
- Medical expenses incurred by the female member for physical or psychiatric treatment
- Income and financial status of the respondent
- Feasibility of such payment in lump sum or in instalments.

Such disciplinary action shall include, but not be limited to the following:



1. Formal written apology.
2. Warning letter.
3. Monetary fine or withholding of pay rise/increment.
4. Reprimand
5. Loss of full/partial pay for to be determined at the discretion of the Committee.
6. Immediate transfer/suspension with or without pay
7. Withholding of promotion/Demotion
8. Termination of employment.
9. Counselling.
10. Community service.
11. Monetary fine or withholding of pay rise/increment.
12. Loss of full/partial pay for to be determined at the discretion of the Committee.
13. Demotion / reduction to lower post.
14. Dismissal/Termination of employment.
15. Police complaint.
16. Any other action that the Organization may deem fit.

The organization shall act upon the recommendations made by the IC within 60 (sixty) days of receipt

In case the organization is unable to make such deduction from the respondent's salary / wages due to his being absent from duty or cessation of employment it may direct the respondent to pay such compensation to the female member

In case the respondent fails to make the payment as directed by the organization then the IC may forward the order for recovery of sum as an arrear of land revenue to the concerned district officer

For complaints, which the IC considers falling outside its jurisdiction, for e.g. offenses of a criminal nature, the applicable laws of India shall apply.

Based on the conclusions of the investigation, the IC will suggest (as a part of the written report in case of formal resolution) appropriate disciplinary action to CEO which can include written apology, counselling, carrying out community service, warning, reprimand or censure, suspension, transfer from project or the Respondent, withholding of promotion, deducting the salary or any such sum as it may deem necessary, withholding of pay rise or increment, direct the Respondent to pay to the Complainant such sum considering the trauma suffered, loss in career, medical expenses incurred, income or financial status of the Complainant or any action up to and including termination of employment. The ICC will implement the action under the guidance of the CEO.

15. Termination of Inquiry



IC may terminate the inquiry or give an ex-parte decision, if the committee don't find any merit in the complaint or if the complainant or respondent respectively is absent for 3 consecutive hearings, without reason. 15 day written notice to be given to the party, before termination or ex-parte order.

16. Appeal

When as a result of the disciplinary action, an Employee feels injustice has been done to him/her, such Employee may resort to making an appeal to the Civil Court for review within ninety (90) days of the decision given by BMW TechWorks India in accordance with the provisions of the Act and the Rules.

17. Confidentiality

Individuals involved in the complaints process/system should refrain from divulging the details of complaint/any information gathered by them in the course of the inquiry and the identities of the persons involved in the case should not be disclosed. Any breach of confidentiality will be taken seriously and the implications of which shall be disciplinary actions as per the rules of BMW TechWorks India.

Involved parties breaching the confidentiality provisions shall, in addition to the above be liable to penalty. BMW TechWorks India shall recover a sum of INR 5,000 (Indian Rupees Five thousand) as penalty from such person.

No information must be communicated or published or made known to the public, press and media in any manner regarding:

- the contents of the complaint made,
- the identity and addresses of the victim,
- respondent and witnesses,
- any information relating to conciliation and inquiry proceedings,
- recommendations of the Internal Committee
- the action taken by the employer

Information may be disseminated regarding the justice secured to any victim of sexual harassment under this Act without:

- Disclosing the name, address, identity or
- Any other particulars calculated to lead to the identification of the victim and witnesses
- Details of Inquiry will not be disclosed to the victim but can be disclosed to the respondent.
- Any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken, contravenes the provisions of confidentiality, he shall be liable for penalty in accordance with the provisions of the service rules applicable to the said person

18. Non-Retaliation



This Policy strictly prohibits any kind of intimidation or harassment of individuals who have filed complaints, instituted proceedings, assisted in investigations, or formally or informally objected to discriminatory practices, irrespective of the final outcome. Anyone suspecting or experiencing retaliation should report to the IC. Any act of retaliation shall be treated as misconduct independent of the outcome of the original complaint. The Organization will take strict action against those Employees who would indulge in such retaliatory actions.

19. Frivolous or false charges

This Policy shall not be misused to bring frivolous or malicious charges against fellow employees.

1. Where the Internal Committee, arrives at a conclusion that the allegation against the respondent is malicious or the complainant or any other person making the complaint has made the complaint
2. knowing it to be false or
3. the complainant making the complaint has produced any forged or misleading document,
4. It may recommend to the employer to take action against the complainant.
5. A mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this section
6. The malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.
7. Where the Internal Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness to take action in accordance with the provisions of the service rules.

20. Training and Workshops

Employees of the organization should undergo Employee sensitization training on sexual harassment at workplace. Members of the IC shall compulsorily undergo the training program formulated against sexual harassment at workplace under Posh Act.

The training program and workshops conducted shall include, but not be limited to the following layout:

1. Understanding the paradigms of the Act and scope of definition of sexual harassment
2. Gender sensitization
3. Examples and case studies
4. Procedural intricacies
5. Orientation programs and seminars
6. Capacity building and skills building
7. Declare names and contact details of all members of IC
8. Complaint mechanism
9. IC



Employee sensitization training on sexual harassment shall be conducted at least once every calendar year.

21. Duties of the Employer

1. BMW TechWorks India shall ensure that this Policy is communicated, explained and handed over at the time of induction of every new joinee.
2. It is both the duty and obligation of BMW TechWorks India to provide necessary communication and training with respect to this Policy.
3. To provide a safe working environment to all persons at the workplace.
4. BMW TechWorks India shall display at any conspicuous place in the Workplace, the penal consequences of Sexual Harassment and the order constituting the IC.
5. Organize workshops and training programs at regular levels.
6. Provide necessary facilities to IC for dealing with complaints and conducting inquiries.
7. Assist in securing attendance of respondents and witnesses before the IC.
8. Provide assistance to an individual if individual chooses to file a complaint under the Indian Penal Code or any other applicable law.
9. Monitor timely submission of reports by the IC.
10. And any other assistance required by the IC for conducting inquiries into complaints made against sexual harassment.

22. Duties of the Employee

All Employees of BMW TechWorks India have a personal responsibility to ensure that their behavior is not contrary to this Policy. This Policy is deemed to be a part of the terms of employment of every Employee of BMW TechWorks India. All Employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

Abstain from committing acts amounting to sexual harassment whether explicit or implied resulting in unwelcome behaviours or creating hostile environment.

It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- Refusing to participate in any activity which constitutes harassment.
- Supporting the person to reject unwelcome behavior.
- Acting as a witness if the person being harassed decides to lodge a complaint

23. Duties of the Management



They must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

Also,

1. Take action as recommended by the committee.
2. Overall process & policy ownership.
3. Ensure the policy is communicated to all employees.

24. Duties of the IC

The IC shall function as an independent body and implement this policy.

1. The IC members to meet once in every quarter and review the measures taken by BMW TechWorks India, to suggest enhancing the measures taken by BMW TechWorks India to prevent any type of sexual harassment at workplace and recommend remedial measures.
2. Conducting inquiries in accordance with the procedures set out further below and ensuring compliance with the Act in all actions taken under, or in connection with, this Policy.
3. A quorum of 3 members including the Presiding Officer is required to be present for the proceedings to take place of the IC.
4. The IC shall handle complaints in a confidential manner and within a time-bound framework.
5. The IC shall prepare an Annual Report and submit it to the Management Committee the Annual Report shall have details of complaints received, action taken by the Committee in respect of the said complaints, the number of cases in which the allegations made by the aggrieved have been proved and not proved. The Annual Report shall also include the recommendations sent by the Committee to the management for enhancing the measures taken for prevention and redressal of complaints of harassment.
6. The IC shall be objective and will respect the dignity and confidentiality of the persons involved.
7. Understand & determine if the complaint falls under the sexual harassment purview and then proceed further.
8. If the complaint is on a location or site head or on an IC member then direct the complaint to the Management for further steps.



9. If the aggrieved so desires, help to resolve the dispute on mutually agreed terms. No monetary settlement shall be made as a basis of dispute resolution. Based on the agreement arrived, recommend it to the IC.
10. In the case of a formal inquiry process, help or support the aggrieved to put the case in writing.
11. Hold a detailed inquiry into the proceeding and document the procedures.
12. Submit an inquiry report to the Management after each inquiry with conclusion and recommendation. Provide a copy to the aggrieved and respondent.

25. Contact details of the key members

Names of the members of the IC, along with their contact details are provided in the order constituting the IC. BMW TechWorks India will periodically update the list of names and contact details of the members.

26. Annual Report

The IC shall submit in each calendar year an Annual Report which contains number of cases received, disposed, pending for more than ninety (90) days, number of workshops against sexual harassment carried out and nature of action taken to BMW TechWorks India and the district officer.

27. Preparation of Report

The IC shall prepare an annual report and submit the same to the district officer (a summary of which shall be submitted to the State Government) which should inculcate the following details:

1. Number of cases of sexual harassment received in a year.
2. Number of complaints disposed of in a year.
3. Number of cases pending for more than 90 (ninety) days.
4. Number of workshops of awareness programs carried out against sexual harassment
5. Nature of action being taken by the Executive Committee or the employer

28. Anti Sexual Harassment policy for Work from Home / Remote working

Our BMW TechWorks India is committed to providing a safe and respectful work environment for all employees, regardless of their location. This policy outlines our commitment to preventing and addressing sexual harassment in the context of remote work.

Remote Work: Work performed outside BMW TechWorks India's physical premises, often from an employee's home or an alternate location.



Sexual harassment is strictly prohibited, and any instances of such behavior will be addressed promptly and effectively, ensuring a productive and inclusive work atmosphere for all. BMW TechWorks India has zero tolerance policy for any kind of Verbal/ Non-verbal / Virtual / in person sexual harassment.

1. Sharing of inappropriate Photos, videos, tagging co-workers in any inappropriate content is a strict No-No.
2. No Suggestive Emoticons are shared that may give an unwelcoming sexual undertone to a reader.
3. Be mindful of body language during office video calls on various platforms such as Zoom Teams etc.
4. Ensure no inappropriate emails are shared.
5. Be Mindful of conversations on Official Calls, no Personal questions/talks having sexual connotations or private comments between colleagues must be shared.
6. Ensure if a screen is shared to discuss work there are no offensive screen savers or content that amounts to Sexual Harassment.
7. Ensure that Video calls on different platforms such as Zoom, Google Meet etc are done in formal settings. POSH complaints are still being filed: however, the incidents are more diverse now.
For Example, a posh Complaint was filed due to an incident wherein the employee was sitting in a room with a Sexual offensive poster visible during call.
8. Code of Conduct: Remote employees will adhere to the same code of conduct as they would while working in the office. This includes treating colleagues with respect and refraining from engaging in any form of sexual harassment.
9. Dress Code: Encourage employees to dress professionally during virtual meetings to maintain a respectful atmosphere.
10. Flexibility: Be flexible while still maintaining a safe and respectful virtual work environment.

29. Evaluation of Policy

The Sexual Harassment Policy shall be evaluated so that any amendments required may be recommended by the redressal committee based on their experience of dealing with complaints.

The exercise shall be an annual exercise at the minimum.

The Policy will be flexible to amendments to address situations that the policy has not covered at the onset.

30. Dissemination of Policy

A copy of this Policy shall be uploaded on BMW TechWorks India Portal and a statement acknowledging that they have read, understood and shall at times abide by the Policy shall be electronically submitted. This Policy is as per the applicable laws of India including the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 as well as any other applicable law governing sexual harassment, for the time being in force in India.



BMW TechWorks India shall also conduct annual training for the Employees to educate them on the policy guidelines.

31. Review and Development

This policy shall be reviewed and updated regularly by the IC to ensure that it remains appropriate in the light of any relevant changes to the law, organizational policies or contractual obligations. Additional regulations may be created to cover specific areas.

ANNEXURE 1

Constituent members of the Internal Committee

Position	Name	Designation	E-Mail
Presiding Officer & Internal Committee Member (Chennai SPOC)	Nrithya Rajagopalan	Cluster Head	nrithya.rajagopalan@bmwtechworks.in
External POSH Advisor	Harminder Kaur Chima	POSH Consultant	harminder@spherule.org harminder@poshhelp.in
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