



Josh Talks Prevention of Sexual Harassment (PoSH) of women at Workplace

1. Purpose

11. Josh Talks or Organization endeavors to put in place adequate measures to ensure safety, security, dignity, rights and equality of all irrespective of gender. Accordingly, this Policy on Sexual Harassment Free workplace (Prevention, Prohibition and Redressal) has been framed with the intention of providing a sexual harassment free environment and addresses the prevention and redressal of sexual harassment at the workplace for all team members of the organization in India.
12. At Josh Talks, we have zero-tolerance for sexual harassment. The purpose of the Policy is to promote a work place free from sexual harassment, prevent and minimize harassment of sexual nature, and provide an appropriate mechanism to redress the complaints and ensure time bound redressal and to promote a healthy work environment.
13. This Policy has been framed in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder (hereinafter referred to as "POSH Act") in 2013, applicable throughout India. Commission of any act of sexual harassment as defined in the Act and in this Policy shall result in strict disciplinary action. Accordingly, while the Policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.
14. Additionally, although the POSH Act specifically deals with the protection of women against sexual harassment, the Organization strongly believe that all team members, regardless of their gender, have the right to work in an environment safe from verbal or physical abuse and unsolicited or unwelcome sexual overtures. In furtherance to this objective, the organization has adopted this Policy with a gender-neutral approach. The Organization is committed to provide redressal against sexual harassment to all team members, irrespective of their gender, and to take strict disciplinary action as provided under this Policy against any persons who are perpetrators of any and all forms of sexual harassment, regardless of the gender of the perpetrators.
15. This Policy comes into force with immediate effect.

2. Scope

- 2.1. This Policy addresses the prevention and redressal of sexual harassment at the workplace (as defined in the further section), and is applicable to all team members (irrespective of their gender, as defined in the further section) associated with the Organization's operations in India.
- 2.2. It is clarified that though the law governing this policy is gender specific and is designed for women stakeholders of workplaces, this Policy, as adopted by this organization, is gender neutral in its approach and will accept sexual harassment at workplace complaints from all genders.
- 2.3. This Policy will make specific references to guidelines which are only applicable to women team members and complainants, as and where required, keeping in mind the provisions of the POSH Act and POSH Rules. Those specific guidelines will not be applicable to other complainants, who are not women, since they do not fall under the purview of the POSH Act.
- 2.4. Also, while this Policy covers all the key aspects of the POSH Act, reference shall always be made to the POSH Act for any further clarification and the provisions of the POSH Act shall prevail in case of any discrepancy.

3. Definitions

- 3.1. Aggrieved Individual or Complainant, in relation to a workplace, is a person, of any age, and gender whether a team member or not, who alleges to have been subjected to any act of sexual harassment.
- 3.2. Respondent refers to a person against whom a complaint of sexual harassment has been made by the Aggrieved/Complainant.
- 3.3. Team member for the purpose of this Policy means a person employed at the 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 coworker, a contract worker, probationer, trainee, apprentice or by any other such name.
- 3.4. Workplace for the purpose of this Policy includes the premises and offices of the Organization, its affiliates and any place visited by Team members arising

out of or during employment including transportation provided by the Organization for undertaking such journey. Additionally, any individual representing the Organization in the capacity of a “Team member”, anywhere in India or outside, in existing and potential official engagements, out station travels and conferences, training and capacity building programs, including Organizations engagements, gatherings and parties, will be considered engaging in extended workplaces of the Organization. Also, all official platforms of communication, including but not limited to emails, official discussion forums, official WhatsApp group/s, and official telephone conversations with internal or external stakeholders of the Organization will be considered as “workplace” for all Team members and the guidelines of this Policy will extend to them as well.

35. Employer for the purpose of the Act refers to any person or board or committee responsible for management, supervision and control of the workplace, including formulation and administration of policies of the Organization.
36. Internal Complaints Committee (“IC”) refers to the internal redressal committee constituted by the Organization to receive and inquire into complaints pertaining to sexual harassment at workplace incidents and provide its final recommendations to the employer, i.e. management of the Organization for implementation. You can find the details of the current IC members across all locations of the Organization in Annexure A of this Policy.
37. Management for the purpose of this Policy means Organization’s Officer or Officers/ Nominee or Nominees as may be authorized in this behalf by the Employer to be responsible for implementing the recommendations of the IC within the Organization.
38. “Visitor” or “Third Party” includes any person who is visiting the Workplace and is not covered by any of the other categories defined by this Policy. For example, guests coming for interviews, meetings, events, programs or people walking in for meeting existing Employees, etc.

4. ACTIONS DEFINED AND IDENTIFIED AS SEXUAL HARASSMENT AT WORKPLACE

- 4.1 Sexual harassment: “Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) that would cause discomfort and/or humiliate a person namely:
 - Deliberate Physical contact and advances
 - Unnecessary or unwanted bodily contact such as groping or massaging.

- Demand or request for sexual favors;
 - Unwelcome sexual attention or invitations
 - Use of abusive language or any other foul language which shows disrespect towards women.
 - Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
 - Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
 - Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - Giving gifts or leaving objects that are sexually suggestive;
 - Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
 - Persistent watching, following, contacting of a person; and any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
 - Non-verbal behavior such as staring, leering, or gestures;
 - Sexual Innuendos or veiled threats;
 - Displaying or sharing offensive images such as posters, videos, photos, cartoons, screensavers, emails, or drawings that are derogatory or sexual;
42. The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment:
- Implied or explicit promise of preferential treatment in employment;
 - Implied or explicit threat of detrimental treatment in employment;
 - Implied or explicit threat about the present or future employment status;
 - The harassment has a purpose or effect of unreasonably interfering with the work performance or creating an environment, which is intimidating, hostile or offensive
 - Humiliating treatment likely to affect health or safety of the person
43. Sexual harassment, which is harassment specifically based on sex, can take two forms:
- Hostile Work Environment: Conduct that has the purpose or effect of unreasonably interfering with an team member's work performance or creating an intimidating, hostile, or offensive working environment; and
 - Quid Pro Quo Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an team member's employment, or when

submission to or rejection of such conduct by an team member is used as the basis for employment decisions affecting that team member.

4.4. Important Pointers:

- The list & details given above are not exhaustive. While it is not possible to list all those additional circumstances that may constitute sexual harassment, there could be some instances of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness.
- It is the reasonable perception of the aggrieved individual that would be relevant in determining: whether the conduct was sexual in nature, and, if so, whether such conduct was unwelcome or not; and/or that their objection to such conduct would disadvantage them in connection with their employment including [hiring, dismissal, performance appraisal, promotion/demotion, assignments, monetary appraisal] evaluation, grading, recruitment or promotion; or If the conduct in question creates a hostile working environment.
- Sexual Harassment may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between a Josh Talks team member and someone that team member deals with in the course of their work who is not employed by the Organization. Sexual harassment can happen regardless of the individuals' gender, gender identity, or gender expression and can, for example, occur between same-sex individuals as well as between opposite-sex individuals, and does not require that the harassing conduct be motivated by sexual desire.

All the above is prohibited through any mode of communication including in person, over the phone, on voice mail, through pen and paper, on e-mail, through chat, through SMS or any other form of communication.

5. Internal Complaints Committee (IC)

- 5.1 As mandated by the POSH Act, the Organization has constituted a committee to be known as the Internal Complaints Committee ("IC") in any or each of its offices with 10 or more Team members to address and redress complaints of sexual harassment. As per the POSH Act, the IC shall comprise of:
- A Presiding Officer ("Presiding Officer"), who shall be a woman Team member at a senior level in the Organization; not less than two Members ("Members") from amongst Team members preferably

- committed to or who have had experience in social work or have legal knowledge; one member (“External member”) from amongst non-government organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment;
- At least one half (50%) of the total members so nominated shall be women.
52. The Organization has extended the availability of the IC to receive complaints of all Team members, irrespective of their gender. The nomination of IC members will be made by the Management of the Organization and reviewed from time to time. All IC members are duty bound to handle all complaints without any bias or partiality towards any party. The term for the IC is a maximum of 3 years. Additional members will also be added as may be required from time to time. You can find the details of the current IC members across all locations of the Organization in Annexure A of this Policy.
53. The email ID of the IC is posh@joshtalks.com. This email ID shall be used by any Complainant to send their complaint of sexual harassment at workplace to the IC.
54. The IC as the redressal committee is responsible for:
- Receiving complaints of sexual harassment at the workplace;
 - Initiating and conducting inquiry as per the established procedure under law;
 - Submitting findings and final recommendations on complaints of sexual harassment at workplace which will be implemented by the Organization;
 - Maintaining strict confidentiality throughout the process as per established guidelines; and
 - Ensuring absolute transparency in its activities, disclosing necessary information to the respective stakeholders when required and investigating the complaints while abiding by the principles of natural justice.
55. An IC member shall be removed / replaced in the event that the IC member:
- breaches confidentiality
 - has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against them
 - has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against them
 - has abused their position as to render their continuance in office prejudicial to the public interest

- Any vacancy created in the IC due to cessation of employment, resignation, death, disability or removal, as applicable, shall be filled by a fresh nomination by Organization in accordance with its guidelines and in conjunction with provision of Law (where applicable).

6. FILING A COMPLAINT OF SEXUAL HARASSMENT AT WORKPLACE

6.1. Filing a complaint

- **Timeline:** Any Aggrieved Individual who has experienced or has been subjected to any act of sexual harassment by a Team member shall be entitled to lodge a complaint in writing with the IC. The complaint shall be lodged within three (3) months from the date of the alleged incident of sexual harassment and in case of a series of incidents, within a period of three (3) months from the date of the last incident.
- **Discretion of the IC to extend timeline:** If there is a delay beyond three (3) months, the IC may extend the time limit by another three (3) months, on being satisfied about the circumstances that prevented the Complainant from filing a complaint within the prescribed period. IC will record the reasons for such extension of 3 (three) months in writing.
- **Only written complaint accepted by IC:** The IC can initiate inquiry on the complaint only if the complaint is in writing. In case a complaint may be conveyed verbally to any member of the IC, the member of the IC to whom the complaint is made or any other member of the IC shall render all reasonable assistance to the Aggrieved Person for making the complaint in writing.
- **Anonymous complaints will not be taken up by IC at any point in time.**
- **Details to be mentioned in the complaint:** The complaint must contain a description of the event (s) as well as the names and contact email/phone number of witnesses if any. Supporting documents, if available, such as letters, transcription of text messages etc. supporting the complaint of sexual harassment at workplace against the Respondent should be attached to the complaint.
- **Form/Format of the complaint:** The form in which the complaint is required to be made is attached as Annexure B to the Policy, and will be available with the IC and also on the crew portal on Workplace. However, any written complaint received in any form other than the form prescribed in Annexure B will be accepted provided the requisite details have been mentioned. The complaint can be submitted to the IC electronically at posh@joshtalks.com or may be physically submitted to any IC member.

- 6.2. If a Complainant is unable to make their complaint in writing themselves:
- If the Complainant is unable to make a complaint on account of their physical incapacity, a complaint may be filed, with the written consent of the Complainant by:
 - their relative or friend; or
 - their co-worker; or
 - an officer of the National Commission for Women or State Women's Commission; or
 - any person who has knowledge of the incident
 - If the Complainant is unable to make a complaint on account of mental incapacity, a complaint may be filed by:
 - their relative or friend; or
 - a special educator; or
 - a qualified psychiatrist or psychologist; or
 - the guardian or authority under whose care they are receiving treatment or care; or
 - any person who has knowledge of the incident jointly with the Complainant's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care they are receiving treatment or care.
 - If the Complainant for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with their written consent. If the Complainant is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.
- 6.3. If any Employee/Third Party is sexually harassed by any external party who is not an Employee of the Organization, either in Organization premises or in that external party's premises, then IC shall contact either the internal committee of that external party and / or the Police (as the case maybe), on the written complaint of such Employee/Third Party to the Organization's IC and on their request that such complaint be transferred to other IC and address the matter to satisfactory closure. Alternatively, Employee/Third Party may choose to reach out directly to IC of that external party and / or Police (as the case may be) and Organization will offer assistance on written request by Employee/Third Party.

7. Processing a complaint

- 7.1. On receipt of a complaint, the IC will acknowledge the receipt of the email on priority. The further process of inquiry to be followed will be explained to the Complainant in their first meeting with the IC.

72. Information about the Complainant's identity: It is important for the Complainant to understand that even though the process is confidential, the Respondent will be informed of the Complainant and any witnesses and persons directly involved in the complaint process will also learn of the Complainant's identity.
73. If the IC determines that the complaint received is of sexual harassment at workplace and falls within the jurisdiction of the IC, then it will proceed with the inquiry.
74. If the complaint does not fall within the definition of sexual harassment or within the IC's jurisdiction, the complaint will be referred by the IC to the relevant Human Resources Head for appropriate action under the relevant and applicable Organization's policy.
75. If the IC decides to proceed with the inquiry, the IC will send a copy of the written complaint to the Respondent within a period of 7 (seven) working days, who is required to file its reply to the complaint with all supporting documents and list of witnesses (if any) within ten (10) working days of receiving the copy of the complaint.

8. Conciliation before inquiry

- 8.1. IC may, before initiating an inquiry take steps to settle the matter between the Complainant and the Respondent through a process of conciliation. However, the IC can only proceed with conciliation if the Complainant expressly requests for the same in writing. Complainant can request IC to do inquiry directly and it is not mandatory for Complainant to request for conciliation before inquiry. No monetary settlement shall form the basis of the conciliation.
- 8.2. It is clarified that conciliation in itself does not necessarily mean acceptance of the offence having been committed by the Respondent, as mentioned in the complaint.
- 8.3. If a settlement is arrived at, the IC shall record the same, provide a copy to the Complainant and the Respondent and forward it to the Management of the Organization for implementation.
- 8.4. There shall be no further inquiry conducted by the IC and the case shall stand closed. However, any criminal proceedings filed by the complainant under IPC

or any other law for the offences under the IPC or any other law in force will continue, independent of the settlement arrived through the IC.

85. If Complainant feels that the terms of Settlement are not being complied with by the Respondent or action has not been taken by Organization, Complainant can make a written complaint to the IC to conduct an inquiry into the complaint.

9. **FORMAL INQUIRY TO BE CONDUCTED BY THE IC**

- 9.1 Important Guidelines with respect to inquiry conducted by IC
- Timeline: In case conciliation has not been requested by Complainant or no conciliation is arrived at or terms of conciliation have been breached, IC shall then initiate an inquiry and finish the inquiry process within ninety (90) days from the date of receipt of the complaint.
 - The Complainant, Respondent and witnesses will be informed by the IC about next steps and details with respect to any meetings that have to be scheduled.
 - The IC shall follow principles of natural justice and fairness in all its proceedings and will maintain confidentiality of the identity of the Complainant, the Respondent and any witness involved with the inquiry.
 - The inquiry process provides for equal opportunity for both parties to be heard. The IC will not prejudge the respondent's guilt and will consider all evidence and witness(es) available to determine the outcome of the inquiry. Similarly, IC will not prejudge the complaint as a false complaint and will consider all evidence and witness(es) available to determine the outcome of the inquiry.
 - Production of evidence by Complainant and Respondent: Both parties have the right to produce oral or documentary evidence in their favor. Also, IC has the right to call for and examine any other documents it deems fit for the purpose of the inquiry.
 - IC's right to call and examine witness: IC has the right to call upon and examine the witnesses provided by the Complainant and the Respondent and any other person as they deem fit to the inquiry.
 - No legal practitioner can represent any party at any stage of the inquiry process.
 - Refusal by any Team member of the Organization to attend any hearing when summoned before the IC or to provide any requested documents / information within his / her knowledge or possession shall constitute a misconduct as per this Policy and Organization's Code of Conduct and attract penalties/adverse action.

- In case there is any need for travel for either the complainant or the respondent for the purpose of inquiry, the costs of travel and stay will be borne by the Organization.

92. Important guidelines while conducting inquiry

- Quorum: In conducting the inquiry, it is mandatory for a minimum of 3 of the Members of the IC, including the Presiding Officer to be present at each of the hearings.
- Right to Cross examination: Both parties have the right to cross examine each other and the witness(es) provided by the other party. In situations when the woman Complainant does not wish to participate in a cross examination in-person, cross examination can be conducted through a questionnaire which will be provided to the respondent via the IC.
- The IC shall be sensitive to the often covert, private and insidious nature of sexual harassment and shall take into account that often the Complainant may not be able to submit or present direct or corroborative evidence.
- The IC shall take note of the respective socio-economic positions of the parties, their hierarchy in the Workplace, and other power differentials while giving recommendation.
- While inquiring into a complaint, IC shall take note that in cases of harassment via postings and messages through electronic and social media, the IC shall consider the public humiliation that this involves for the Complainant as well as the unwitting exposure of others who are using this media to circulate such messages and images.
- Interim Relief for the Complainant during the pendency of the inquiry
 - During the pendency of an inquiry, on a written request made by the Complainant, the IC may recommend the following to the Management of the Organization:
 - Transfer the Complainant or the Respondent to any other location or office of the Organization;
 - Grant leave to the Complainant for a period upto three (3) months;
 - Restrain the Respondent from reporting on the work performance of the Complainant or writing their confidential report and assign the same to another officer
 - It is important to note that the leave granted to the Complainant shall be in addition to the leave she is otherwise entitled to.

- On receiving a recommendation from the IC, the Management of the Organization shall implement the recommendations and send a report of such implementation to the IC.
- In case Respondent is a Visitor / Third Party, any one or more of the following may be recommended: If the Respondent is a Visitor / Third Party adequate steps to ensure that they do not enter Organization premises or contact/threaten Complainant/Witnesses shall be recommended to Organization by IC including reaching out to the Police if required with consent of Complainant.

93. Termination of proceedings/ex parte decision

As per the Act, the IC 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 to present herself or himself without sufficient cause for (3) three consecutive hearings convened by the Presiding Officer, after giving a 15 (fifteen days') notice to the party concerned

94. Record keeping

Every detail of the incidents, complaints, hearings, evidences, conclusions, agreements and closures will be documented and recorded in soft copy form by the IC. These records will be maintained by the IC in a safe and secure manner, and shall be shared with both the complainant and the respondent, as and when needed.

10. INQUIRY REPORT BY IC AND ITS IMPLEMENTATION

10.1. Actions to be taken after drafting the Inquiry Report: On the completion of the inquiry, the IC shall provide a report of its findings to the Management of the Organization within a period of 10 days from the date of completion of the inquiry. A copy of the report should be given to the Complainant & Respondent. The inquiry report shall specify details of the allegations against the Respondent, the statements made and evidence presented by the Complainant, Respondent and / or witnesses, IC's findings along with a statement giving reasons for the findings arrived at by the IC and IC's recommendations.

■ When the Complainant's allegations are not proved

- Where the IC concludes that the allegation against the Respondent has not been proved, it shall recommend to the Management of the Organization that no action is required to be taken in this matter.

- Further, upon sharing of the final report, the IC will ensure that both parties understand that the matter has been fully investigated and concluded to the best of the efforts of the IC and in alignment with the law, and this Policy.
 - When the Complainant's allegations are proved
 - If the IC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend in writing to the Management of the Organization to take action against the Respondent, which may include one or more among the following:
 - a written apology from the Respondent;
 - a letter of warning may be placed in the personal file of the Respondent;
 - reprimand or censure;
 - immediate transfer or suspension without pay;
 - withholding of pay rise or increment(s);
 - undergoing a counselling session;
 - carrying out community service; and/or
 - Termination from service.
102. Where the Respondent is a Third Party, IC may recommend any one or more of the following:
- Warning to employing Organization/association/firm (if any)
 - Declaring the Workplace/Organization out of bounds to the Respondent
 - Withdrawal of the right to provide services to Organization for a certain period (if applicable)
 - Helping the Complainant to file FIR, should they desire
 - Debarring/blacklisting such person from Organization
 - Other similar or appropriate punishment
103. Recommendation by IC for payment of compensation
- The IC may also recommend payment of compensation to the Complainant by the Respondent. For the purpose of determining the sum to be paid, the IC shall take into account:
 - The mental trauma, pain, suffering and emotional distress caused to the Complainant
 - The loss in the career opportunity (caused to the Complainant) due to the incident(s) of sexual harassment;
 - Medical expenses incurred by the Complainant for physical treatment or counseling; and/or
 - Feasibility of such payment being made in lump sum or in installments.

- IC may also recommend the manner of collection of the compensation in its inquiry report as per the provisions of the POSH Act:
 - If the Respondent is still employed with the Organization: to deduct the decided amount from the salary;
 - If the Respondent is no longer employed by the Organization, to have the former pay the amount to the Complainant
 - If the Respondent fails to pay as per point ii, then the IC can ask the District Officer (appointed under the Act) of the district of appropriate jurisdiction / where offices of the Organization are located, to recover the sum as an arrears of land revenue.
 - Organization shall act upon the recommendation given by IC within 60 (sixty) days of receipt of the recommendation.

11. FALSE OR MALICIOUS COMPLAINTS

- 11.1. Where the IC concludes that the allegation against the Respondent is malicious or the Complainant or any other person making the complaint has made the complaint knowing it to be false or the Complainant or any other person making the complaint has produced any forged or misleading document, it may recommend to the Management of the Organization to take action against the person making the complaint.
- 11.2. While deciding malicious intent, the IC shall note that the mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry that the IC will conduct against the complainant.
- 11.3. The action recommended would be similar to the ones proposed for the Respondent in case of substantiated complaints.
- 11.4. In case a witness has given false evidence or produced any forged or misleading document during the inquiry, action may also be taken against the said witness in accordance with the applicable policy of the Organization.

12. NON-RETALIATION

This Policy seeks to encourage all Team members to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of sexual harassment. Retaliation against persons who report or provide information about sexual harassment or behavior that might constitute sexual harassment is also strictly prohibited. Any act of retaliation, including internal interference, coercion, and restraint by a Team member,

violates this Policy and will result in appropriate disciplinary actions as per applicable policy of the Organization.

13. ROLES AND RESPONSIBILITIES OF ORGANIZATION'S STAKEHOLDERS

13.1 Please note that:

- Organization has a zero tolerance towards sexual harassment at workplace and any such misconduct
- All concerns / queries / complaints etc. related to sexual harassment at workplace should be directly reported to the IC constituted by the Organization as it is a neutral body (works independently without any influence from management), has an external independent member as part of the IC and has powers of a civil court as per POSH Act and POSH Rules;
- IC shall inquire into the complaints without any bias or favoritism and on priority and as per provisions of the POSH Act and POSH Rules.
- As discussed in more detail below in clause [13.2], Organization has zero tolerance for retaliation and / or victimization of any kind before / during / after reporting such incidents to the IC;

13.2 Responsibilities of the Team members:

- At the Organization, all Team members are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. The Team members have a responsibility to:
- Treat each other with respect and display professionalism and the conduct that is expected of a Josh Talks employee as per the values of the Organization;
- Follow the letter and spirit of law;
- Refrain from any unwelcome behavior that has a sexual connotation (of sexual nature);
- Refrain from creating hostile environment at workplace via sexual harassment; and
- Refusing to participate in any activity which constitutes sexual harassment;
- Do not misuse the policy or the law by retaliating against those who report complaints or by filing malicious complaints for settling personal scores, seeking revenge or for personal gains and benefits etc.
- Do not ignore or allow inappropriate behavior to continue regardless of who is creating that situation.
- Supporting their colleagues at the Organization to reject unwelcome sexual behavior;

- Handle information related to known or suspected violations of this Policy in a discreet and confidential manner and not attempt to investigate / inquire into the information or suspected violations of this Policy on your own i.e. without involving the IC.
- Report sexual harassment experienced to IC immediately and abide by the complaint handling procedure of the Organization.
- Act as a witness if the person being harassed decides to lodge a complaint to the IC of the Organization.
- All are encouraged to advise others of behavior that is unwelcome. Often, some behavior is 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.

14. Confidentiality

- 14.1. All discussions / decisions pertaining to an incident of sexual harassment must be kept confidential. Therefore, contents of the complaint made, the identity and addresses of the Complainant, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, inquiry report including recommendations of the IC and action taken on the Respondent shall not be published, communicated or made known to the public, press and media in any manner. However, information may be disseminated regarding the justice secured to any victim without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the Complainant and witnesses.
- 14.2. Appropriate information will be shared with Government authorities as per the Act. If any person (including Complainant, witnesses) breaches confidentiality, Organization shall recover a sum of rupees five thousand (5,000) as penalty from such person and may take any other action as it may deem fit.

15. FILING OF COMPLAINT WITH POLICE

- 15.1. Nothing in these rules and procedures shall preclude anybody from simultaneously lodging a complaint with the police in respect of any act amounting to an offence under the law. Organization will provide assistance in this regard, if assistance is sought.
- 15.2. In case of a complaint of sexual harassment or any other offense against a child, as per the Protection of Children from Sexual Offences Act, 2012 ("POCSO"), or in case of offense by a child, the provisions under POCSO and Juvenile Justice (Care and Protection of Children) Act, 2015 may become

applicable and would have to be dealt with in accordance with these laws. A child is any person below the age of eighteen years.

16. RESPONSIBILITIES OF THE IC

- 16.1. Receive and address complaints of sexual harassment and inquire into complaints in detail
- 16.2. Assist Complainant in filing the complaint, in case the Complainant is unable to do so.
- 16.3. Inquiry shall be a priority for an IC member.
- 16.4. Ensure quorum of minimum three (3) members is met during all Inquiry meetings, with mandatory presence of the Presiding officer at all inquiry meetings.
- 16.5. Follow the principles of natural justice and treat the Complainant, Respondent, witnesses and related persons to the inquiry with dignity and respect and give both the Complainant and the Respondent a fair opportunity to make their submissions. All members of the IC shall be acting without any prejudice or bias while conducting inquiries or dealing with complaints of sexual harassment in any other manner.
- 16.6. Make efforts to ensure that the Complainants and the witnesses are not further victimized or discriminated against while the complaint is pending.
- 16.7. Recuse themselves from their assigned job for the purpose of conducting an Inquiry if there is conflict of interest or a bias coming in the way of conducting a fair Inquiry.
- 16.8. Document in detail all the inquiry proceedings and the inquiry report.
- 16.9. Refrain from talking about a potential, pending or completed case of sexual harassment to any member directly or indirectly connected to any form of media, including print, Television, online media etc.
- 16.10. Review the status of all complaints received.
- 16.11. Recommend action against anyone who threatens or intimidates the Complainant or members of the IC.

- 16.12. Read and acquaint themselves with the Policy and attend trainings on this subject matter
- 16.13. Compile annual reports and submit to the concerned authorities.
- 16.14. In the event, the complaint does not fall under the purview of sexual harassment or the complaint does not mean an offence of sexual harassment, forward the same to the concerned person / committee.

17. Amendments & Updates

The policy will be reviewed from time to time and revised to keep it up to date with changes in state acts and employment policies. Organization may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be formally communicated to all the team members. This Policy does not intend to create any contractual obligation for or with Organization, and in case of dispute with the Act and the Policy, the Act shall prevail.

18. Exceptions

There are no exceptions to this policy.

ANNEXURE – A

Internal Complaints Committee Composition

The following members have been nominated and duly appointed as the members of the Internal Committee. Any change thereof in the member composition will be updated and notified accordingly.

The Committee members have been chosen in due accordance with the guidelines as prescribed in the Act, with four members team, presided by a Senior Woman member and two additional members from the organization. An independent external member with expertise on the subject to guide and advise the Committee on its activities has been duly appointed as well.

All communications to the Committee shall be made in writing or over mail to posh@joshtalks.com.

S. No.	Name	Designation	Membership
1	Shilpa Patra	Head of Curation	Presiding Officer
2	Manish Pandey	Head of Research	Member
3	Mitul Lall	Head of Communications	Member
4	Ms. Radhika Naithani	External Member	External Member



ANNEXURE – B
Format for Filing Complaint

Date of the complaint submission:

Name of the Complainant:

Designation:

Function/Department:

Name of the Respondent:

Designation:

Function/Department:

Date of the incident/s _____

Details of the incidents (Please write as much in detail as required):



Name/s of witness/es (if any) you would like to provide (Feel free to reach out to any of the IC members in case this needs more understanding) :

Mention any evidence (in the form of sms, WhatsApp messages, video, audio, email, or any other format or form) that you have or would like to present to support your complaint.

Any other information that you would like to bring to the notice of the IC with this complaint:

Name and signature of the Complainant
(only if this is being submitted manually. If being submitted over mail as a soft copy, it is no longer required).