

PURPOSE

This Prevention of Workplace Sexual Harassment Policy (“PoSH Policy”) has been formulated in order to (a) prevent, prohibit and deter the commission of acts of Sexual Harassment at the Workplace (all terms defined below) and (b) to provide a fair and efficient procedure for the redressal of complaints pertaining to Sexual Harassment. It provides guidelines to maintain a work environment which is free from Sexual Harassment of any kind, whether verbal, physical or visual, by superiors, colleagues or anyone connected therewith, besides promoting security and well-being of Employees at the Workplace.

This policy seeks to achieve and evolve a mechanism for the prevention and redressal of Sexual Harassment at the Workplace, assist persons who believe that they have been subject to or have witnessed Sexual Harassment, to seek support and initiate appropriate remedial actions.

Although the law is restricted to the protection of women against Sexual Harassment at the Workplace, BMS recognizes that all genders must be afforded equal protection against harassment and accordingly has adopted a gender-neutral policy. We are also dedicated to ensuring the enactment, observance, and adherence of this policy and other best practices to prevent all acts of sexual harassment.

Sexual harassment whether *quid pro quo*, overt or subtle, is strictly prohibited under this policy.

SCOPE

This policy is applicable to all BMS Employees, contractors, trainees, consultants, visitors / clients present at BMS Workplace, including at company events and at training programs in Hyderabad, India. This policy is also applicable to all information and electronic sources used during the performance of BMS work in accordance to BMS-SOP-5d, The Use and Protection of Computers, Other Digital Resources and Information.

Any action which does not involve an Employee of the company may follow a separate process except when it is on BMS premises, at BMS function or corporate events.

Note: Definitions can be found near the end of the document

GUIDING PRINCIPLES

1. No-Unlawful Harassment

Sexual Harassment is prohibited by the company and is a form of Employee misconduct. Sexual Harassment, depending on the circumstances, may include, but is not limited to the following behaviors: unwanted sexual advances, sexual jokes and innuendo, verbal abuse of a sexual nature, commentary about an individual's body and the display of sexually suggestive pictures or objects on Company premises (including through email or other electronic resources of the Company). Sexual favoritism or the preferential treatment of an Employee based on the granting of sexual favors is also strictly prohibited. Sexual favoritism or preferential treatment includes decisions regarding an individual's employment, performance evaluation, promotion, pay advancement, assigned duties or any other conditions of employment or career development.

2. Unlawful Retaliation is prohibited

The company prohibits retaliation against any individual who, in good faith, reports Sexual Harassment or participates in an investigation of such reports. Specifically, Employees and applicants must not be subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any of the following activities:

- a) Filing a complaint.
- b) Assisting or participating in an investigation, being a witness in any case/investigation, compliance evaluation, hearing or any other activity related to the administration of any applicable law
- c) Exercising any other right protected under applicable law

Retaliation is a serious violation of this policy and like harassment itself, may be subject to disciplinary action up to and including termination of employment.

3. Employee Responsibility

Employees of BMS must conduct themselves so as to ensure a work environment that promotes, respects and upholds the dignity of every individual at the Workplace and does not become the cause of unlawful harassment. This includes, but is not restricted to, unwelcome behavior, threats and demands to submit to requests or favors that alter the terms of employment and interfere with work conditions.

Employees must report any and every incident of perceived harassment that they become aware of, reach out to the Internal Complaints Committee to redress complaints pertaining to Sexual Harassment of women at the Workplace, cooperate with the company in investigations and in preventing and curtailing unlawful harassment at the Workplace.

4. Internal Complaints Committee (ICC)

The management of both BMS entities in India, namely, Bristol Myers Squibb India Private Limited and Bristol Myers Squibb Business Services India Private have constituted an Internal Complaints Committee ("ICC") as per the requirements under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("PoSH Act").

Each BMS entity has constituted a separate ICC at each of its offices wherein at least 10 Employees are present. Further details on the members of the ICC shall be published on the notice board.

5. Disciplinary Action

BMS Managing Director shall execute the ICC recommendations in the enquiry report, within a maximum of 60 (sixty) days of receipt of the enquiry report from the ICC. After execution, BMS Managing Director shall submit to the ICC the report which shall state the status of implementation of the recommendations.

a) Reformative Action:

Depending on the severity of the complaint, the following reformative actions(s) may be recommended by the ICC:

- If found guilty, the Respondent may be separated from the organization.
- If the Aggrieved Employee has lodged a false complaint or in case of *malafide* complaints, then action will be taken against the Complainant for such an act. This could include a warning notice or, suspension; it may also amount to termination of services. However, mere inability to substantiate one's complaint shall not be treated as a false complaint.
- Apart from the action(s) listed above, any other action(s) as deemed appropriate depending on the severity of the complaint might be recommended, such as:
 - Counselling
 - A written reprimand
 - Compensation,
 - Suspension, with or without pay
 - A transfer, if it is not reasonable for the people involved to continue working together
 - A demotion
 - Withholding of increment and/or incentives including bonus payments,
 - removal of people management responsibilities,
 - withholding of promotion, career movement, onsite assignment for a specific period

The ICC may also recommend the Company to deduct from the salary or wages of the Respondent, such sum of compensation to be paid to the Aggrieved woman or to the legal heirs of such Aggrieved woman.

b) Appeal:

Any person Aggrieved from the recommendations made after the investigations conducted by the ICC, or in the event of non-implementation of such a recommendation by BMS, may prefer an appeal to the appellate authority as notified under applicable laws.

INVESTIGATION PROCEDURE

The Company strongly urges the reporting of all incidents of Sexual Harassment and retaliation, regardless of the perpetrator's identity or position. Individuals who believe they have experienced a conduct that is contrary to the Company policy or who have concerns about such matters should report these cases. Upon receipt of a complaint, the complaints procedure will be followed as per the steps below.

<p>Lodging Complaint</p>	<p>If an Employee (other than a female Employee) experiences or witnesses Sexual Harassment in the Workplace, he/she can complain in writing through any one of the following avenues:</p> <ul style="list-style-type: none"> · Your manager · Employee Relations · EthicsPoint - Bristol Myers Squibb <p>All verbal complaints will need to be documented and the aforementioned persons shall provide necessary support and guidance on the same. In case someone else is complaining on behalf of the Aggrieved Employee, then consent in writing would need to be obtained from the Aggrieved Employee.</p> <p>Female Employees who believe have been sexually harassed at the Workplace are required to lodge their complaint in writing with the ICC and may reach out to the ICC at POSH_HYDBMS@bms.com. If you have any questions about how to personally contact any member of the ICC, you can ask your Manager or a member of Human Resources for assistance.</p> <p>The female Complainant is required to make the complaint of Sexual Harassment in writing or <i>via</i> email to the ICC as soon as possible, not later than three months from the date of occurrence of the alleged incident constituting Sexual Harassment (in case of a series of incidents, not later than a period of 3 months from the date of the last incident). The Complainant shall provide the details of the incident, chronology of events, supporting documents, names of the witnesses, if any. In the event that the Aggrieved Employee is unable to make a complaint in writing, she may seek assistance from the ICC members. If the Complainant is unable to make a complaint on account of physical or mental incapacity or death, the legal heir / relative/ friend/ co-worker or any person with the knowledge of the case with the written consent of the female Complainant can raise the complaint in writing.</p> <p>The Complainant should ideally keep a record of the incidents (date, time, locations possible witness). While it is not mandatory to have a record of events to file a complaint, a record can strengthen the Complainant's case and help the Complainant remember the details over time.</p>
<p>Conciliation</p>	<p>The ICC may, before initiating an inquiry, and at the request of the Aggrieved woman may take steps to settle the matter between the Aggrieved woman and the Respondent through conciliation. Where a settlement is arrived at, no further inquiry shall be conducted by ICC, as the case may be. If there is a conciliation, it shall be documented in the global system.</p>
<p>Investigation by the quorum</p>	<p>In the absence of conciliation, the ICC shall</p>

	<ul style="list-style-type: none"> ➤ constitute an investigating quorum which will include not less than three members from the ICC (including the Presiding Officer), and the external member ➤ Prepare an enquiry report at the end of the investigation. ➤ The ICC shall have the same powers as are vested in a civil court under the Code of Civil Procedure 1908, including in terms of summoning and enforcing the attendance of any person, examine him on oath, eliciting all forms of evidence, including access to written communication, witnesses, previous records and documents ➤ all the Employees, and the organization shall co-operate with the ICC in this regard. <p>The ICC 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 themselves for 3 consecutive hearings convened by the Presiding Officer of the ICC.</p> <p>Neither the Complainant nor the Respondent shall be allowed to bring in any legal practitioner to represent them in their case with respect to a complaint at any stage of the proceedings before the ICC.</p> <p>Both, the Aggrieved Employee and the Respondent, shall be given an opportunity to present their views to the ICC and also cross-examine each other and the witnesses as the case may be. The investigation will be conducted strictly in accordance with the principles of natural justice.</p> <p>After hearing both individuals and any other concerned parties in the case, examination of all evidence at hand and based on the investigation, the quorum will prepare an enquiry report, in writing, outlining the case, the investigation, its findings and the suggestions including the reformative/disciplinary action(s) to be initiated.</p> <p>The organization will thereafter take necessary steps to comply with the recommendations made by the ICC, to safeguard the victim and any other Employee participating in the investigation, from retaliation. During the pendency of an enquiry, certain interim measures may also be taken by the organization, to protect the victim and provide a safe working environment.</p> <p>The information related to an investigation is maintained as confidential information and disclosure of the same shall be only on a need-to-know basis with due respect to confidentiality and privacy.</p>
Final Enquiry Report	<p>After completion of the enquiry within 90 days, the ICC shall submit its findings and recommendations to the BMS MD for necessary action.</p> <p>BMS Managing Director will execute the same within a maximum of 60 days upon receipt of the report from the ICC and send a report of the actions taken to the ICC.</p>

Company's Discretion

This policy is implemented in the sole discretion of the Company, and it may be modified or amended at any time in the sole discretion of the Company.

ROLES AND RESPONSIBILITIES

Roles	Responsibilities
Business Unit/Staff Function	<ul style="list-style-type: none"> a) Provide the resources necessary to support the implementation of this policy. b) Ensure Employees complete the training under this policy. c) Ensure periodic assessments are conducted to verify that related activities are in compliance with this policy.
ICC	<ul style="list-style-type: none"> a) Work towards ensuring that the sanctity of the policy is maintained in BMS. b) Identify action plans and initiatives that need to be driven in the organization to ensure sufficient awareness and sensitization of the policy. c) Determine outcome of any Sexual Harassment complaint d) Submit annual reports as required under law
BMS Managing Director	<ul style="list-style-type: none"> a) Authority to address cases pertaining to harassment and Sexual Harassment of all genders except women. b) support efforts to manage harassment, discrimination and retaliation issues at the Workplace.
Employee Relations / People Services	<ul style="list-style-type: none"> a) Manage harassment and discrimination issues at the Workplace.
Employees	<ul style="list-style-type: none"> a) Comply with this policy and report any violations.

DEFINITIONS

Sexual Harassment	<p>Sexual Harassment by any Employee in the workplace has been defined as including "unwelcome" sexually determined behavior (whether directly or by implication) namely:</p> <ul style="list-style-type: none"> • physical contact and advances; or • a demand or request for sexual favors; making sexually colored remarks; or • circulating obscene content by email, sms or mms, showing pornography; or • any other unwelcome physical, verbal or non-verbal conduct of sexual nature. • Any <i>quid pro quo</i> for sexual favors against preferential treatment or threat of detrimental treatment in the employment or • interference in the work or creating an intimidating or offensive or hostile environment or humiliating treatment likely to affect health or safety of the person will be considered as Sexual Harassment.
--------------------------	--

	Please note that the above is not a comprehensive list and is only indicative of what could constitute 'Sexual Harassment'. Please refer to the PoSH Act for more details.
Complainant Aggrieved /	Person who alleges to have been subjected to any act of Sexual Harassment by the Respondent or a person who is an observer of harassment occurring for someone else who may be unable to complain.
Respondent	person against whom the Aggrieved Employee has made her/his complaint
Employee	person employed at a Workplace of BMS in India, for any work on regular, temporary, <i>ad hoc</i> 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, contract worker, probationer, trainee, apprentice or called by any other such name
Workplace	BMS and any place visited by the Employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey. The Workplace may also include remote working locations.

References

- BMS-SOP-2g: *Respectful Workplace, Non-Discrimination and Anti-Harassment*
- BMS-SOP-5d: *The Use and Protection of Computers, Other Digital Resources and Information.*
- BMS-OCD-5dS2: *Business Communication and Internet Usage Standards*
- BMS-SOP-3e - *Conflict of Interest*
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act, 2013 and relevant rules thereof

DOCUMENT HISTORY

Effective date	See Signature Manifestation Page	Version	3	Author	
Description of changes					
Approvers					
Effective date	28 Nov 2023	Version	1	Author	Shriya Dutt - Director, HR - BMS Hyderabad
Description of changes					
First Version					
<ul style="list-style-type: none"> The Policy is prepared for BMS Hyderabad entity in accordance with The Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act, 2013 					
Approvers	Mandy Mirghashini - Executive Director, PS Regional Delivery & Service Line Management				

Effective date	26 February 2024	Version	2	Author	Shriya Dutt - Director, HR - BMS Hyderabad
Description of changes					
Second Version					
<ul style="list-style-type: none"> Added an Internal Committee Member and the External Member in the Annexure. 					
Approvers	Mandy Mirghashini - Executive Director, PS Regional Delivery & Service Line Management				

Effective date	01 April 2024	Version	3	Author	Damayanti Sengupta Goel, Employee Relations
Description of changes					
Third Version					
<ul style="list-style-type: none"> Removed an Internal Committee Member in the Annexure. 					
Approvers	Shriya Dutt - Director, HR - BMS Hyderabad				

APPENDIX-1 INTERNAL COMPLAINTS COMMITTEE

The ICC requires minimum 3 committee members in its composition as mentioned below. In the event of an SH investigation, the members are selected from the list of representatives in the below table as per the roles defined.

ICC Composition (Roles)	Names of Representatives	Designation	Date of Nomination
Presiding Officer	Shriya Dutt	Director, HR	01 November 2023
	Smitha Mallimogaru	Associate Director, Principal Software Engineer	01 November 2023
	Varsha Mahajan	Head of Statistical Programming	01 November 2023
	Vijaya Bolneedi	Director, Enterprise Salesforce	01 November 2023
	Syed Aleemuddin Hussain	Director, India IT Infrastructure Lead	01 November 2023
	Saurabh Rathore	Associate Director, Senior Principal Software Engineer	01 November 2023
	Madhav Pratap Patil	Senior Director, Global Data Operations Delivery	01 November 2023
External Member	Ayushi Agarwal	Advocate	01 January 2024

Terms and conditions for the Internal Committee

Every member shall hold office for a period of three (3) years. Any vacancies may be filled by fresh nominations. Members may be removed from the IC:

- If a member contravenes the confidentiality obligations with regard to an inquiry
- A member has been convicted for an offence or an inquiry into an offence under any law in force is pending against him/her
- A member has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her
- Or for any other reason, for the effective implementation of the policy or the Company's requirement as may be determined by the Company in its discretion.