



**PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT  
WORKPLACE**

**VERSION 1.1**

**HUMAN RESOURCE DEPARTMENT**

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## *Policy Certification*

**Title** **POLICY FOR PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE**

**Version** **1.1**

<b>Owned By:</b>	<b>Human Resources Management Department</b>
<b>Prepared By:</b>	<b>HRM Department</b>
<b>Reviewed By:</b>	<b>HR COMMITTEE of BOARD</b>
<b>Approved By:</b>	<b>Board</b>
<b>Effective From:</b>	<b>01 April 2021</b>
<b>Validity</b>	<b>Till it is reviewed and modified by Board</b>

### Version Control

<b>Version No.</b>	<b>Prepared By</b>	<b>Approved By</b>	<b>Effective Date</b>
1.0	HRM Dept.	Board	01.04.2020

### Changes during the year:

<b>Date of Issuance</b>	<b>Circular No.</b>	<b>Circular Name</b>
31.03.2020	HRM – 179	Policy for prevention of sexual harassment of Women at Workplace



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## Preamble

The Bank is committed to provide a safe, secure and congenial work environment to its employees and to take all appropriate measures to eliminate discrimination against women employees and to ensure that they are not subjected to any form of sexual harassment. The Bank appreciates that such harassment constitutes infringement of fundamental rights to work in a safe and healthy environment and ensures that the workplace is free from sexual harassment, intimidation and exploitation. Every woman shall have a right to be free from sexual harassment and the right to work in an environment free from any form of sexual harassment. The Bank is bound to provide a work environment which ensures that every woman employee is treated with dignity and respect and is afforded with equitable treatment. The Bank is also bound to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity. The Bank will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its women employees are not subjected to any form of sexual harassment. With this objective, in line with the guidelines of the Vishakha Committee and Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act and Rules 2013, the Bank has framed the Policy on the Sexual Harassment of Women at Workplace.

## 1. Purpose/ Objective of the Policy

This policy has been framed with a view to

- Provide to its employees a safe, secure and healthy work environment free from sexual harassment.
- Promote a workplace based on equality, dignity and respect.
- Awareness and sensitization about sexual harassment at the workplace.
- Prevent sexual harassment that causes anxiety and stress.
- Provide formal and informal mechanism for redressal in case of complaint of sexual harassment at the workplace.
- Actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment of women.
- Define the implications and outcome of sexual harassment.
- Uphold commitment to provide an environment free of discrimination and violence against women at workplace.
- Generate public opinion against sexual harassment of women at the workplace.
- Ensure protection against retaliation to complainants, witnesses, committee members and other employees involved in prevention and complaint resolution.
- Ensure a workplace free from all sorts of discrimination based on sex at workplace.
- Take necessary steps to ensure that the women employees are not subjected to any form of Sexual Harassment.





## 2. Scope of the Policy

This policy applies to all categories of employees of the Bank irrespective of whether they are permanent employees, employees on deputation to subsidiaries & RRBs, trainees/probationers. For the purpose of this policy, it will also include employees on contract, daily wagers, people doing outsourced work at its workplace as well as visitors on the Bank's premises, though there is no employer and employee relationship.

Workplace includes:

- a) All Offices or other premises or any department, branch, unit directly or indirectly where the Bank's business is conducted.
- b) All Bank related activities performed at any other site away from the Bank's premises.

## 3. Regulatory reference

It is the duty of the Bank to provide to its employees a safe and healthy environment. It is the responsibility of the employer to ensure that the women employees do not suffer any form of sexual harassment and that they work with respect and dignity. That apart, the Bank appreciates that sexual harassment causes anxiety and stress which shall be prevented and if committed, redressed. The Bank is committed to develop employee confidence in organizational commitment to prevent sexual harassment. With this end in view, this policy is being formulated. The policy has been formulated in line with the govt. guidelines on Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act and Rules, 2013 (published in the Official Gazette on 9th December, 2013).

## 4. Policy Statement And Details:

**Employer / Bank :** The Employer / Bank means Indian Bank.

**Employee:** Employee means employees in every cadre working in the Bank and on deputation to its Subsidiaries & RRBs.

For the purpose of this policy, it is understood that apart from regular employees, this policy is also applicable to probationers, employees on temporary / contract basis and / or trainees, apprentices, person/s engaged on adhoc basis, daily wagers and persons doing outsourced work at workplace, though there is no employer and employee relationship.

**Outsider:** Any person who visits the Bank for any work connected with the Bank or otherwise and also would include employees and other persons of any other organization where an employee of the Bank has to visit for official work.

**Counselor:** Counselor shall be a person, preferably a woman, who is competent to render counseling service to the employees and shall be nominated by General Manager (CDO) / Zonal Manager, as the case may be, either internally or externally and notified from time to time.



**Committee:** The Committee shall be called "Internal Complaints Committee" and formed at the Corporate Office and Zonal Offices.

**Member:** A person who is a member of the Internal Complaints Committee.

**Presiding Officer:** A person who is nominated as the Presiding Officer of the Internal Complaints Committee.

**Aggrieved Woman:** In relation to workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent.

**Respondent:** Against whom the aggrieved woman has made a complaint.

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

Physical contact and advances;  
Demand or request for sexual favours;  
Making sexually coloured remarks;  
Showing pornography;  
Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

The following circumstances among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment.

Implied or explicit promise of preferential treatment in her employment.

Implied or explicit threat of detrimental treatment in her employment.

Implied or explicit threat about her present or future employment status.

Interference with her work or creating an intimidating or offensive or hostile work environment for her.

humiliating treatment likely to affect her health or safety.

## Workplace

Any place where working relationship and / or employer-employee relationship between the Bank and the person exists. This includes all the Bank's premises or offices, any department, branch, unit directly or indirectly where the Bank's business is conducted (including transit houses & guest houses) 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 a journey.



### Internal Complaints Committee

The Bank shall, by an order in writing, constitute a Committee known as the "Internal Complaints Committee". Provided that where the offices or administrative units of the workplace are located at different places or divisional or sub-divisional level, the Internal Committee shall be constituted at all administrative units or offices i.e. at the Corporate Office and Zonal Offices.

**Constitution of Internal Complaints Committee** the Internal Complaints Committee shall consist of the following members to be nominated by the employer namely, -  
A Presiding Officer who shall be a woman employee at a Senior level at the Bank amongst the employees;

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from nearby offices or administrative units / Zonal Offices of the Bank. Provided further that in case the nearby offices or administrative units of the Bank do not have a senior level woman employee, the Presiding Officer shall be nominated from the Corporate Office.

Not less than two members from amongst the employees preferably committed to the cause of the women or who have had experience in social work or have legal knowledge.

One member from amongst non-governmental organization or association committed to the cause of women or a person familiar with the issues relating to sexual harassment.

Provided that at least one-half of the total Members so nominated shall be women.

The Presiding Officer and every member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the Bank.

The Member appointed from amongst the non-governmental organization or associations shall be paid fees or allowances for holding the proceedings of the Internal Committee, by the Bank, as may be prescribed.

Where the Presiding Officer or any Member of the Internal Committee, -

contravenes any of the provisions of this Policy;

has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or

he/she has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her; or

has so abused his/her position as to render his/her continuance in office prejudicial to the public interest, such Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this Policy.





### **Fees or allowances for Member of Internal Committee**

The Member appointed from amongst non-government organisations shall be entitled to an allowance of two hundred rupees per day for holding the proceedings of the Internal Committee and also the reimbursement of travel cost incurred in travelling by train in three tier air condition class or air conditioned bus and auto rickshaw or taxi or the actual amount spent by him/her on travel, whichever is less. The concerned Zonal Offices / Corporate Office of the Bank shall be responsible for the payment of allowances.

### **Person familiar with issues relating to sexual harassment**

Person familiar with the issues relating to sexual harassment shall be a person who has expertise on issues relating to sexual harassment and may include any of the following:-

(a) a social worker with at least five years' experience in the field of social work which leads to creation of societal conditions favourable towards empowerment of women and in particular in addressing workplace sexual harassment; (b) a person who is familiar with labour, service, civil or criminal law.

### **Complaint**

Any aggrieved woman 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:

Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing;

Provided further that 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 woman from filing a complaint within the said period;

Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed below may make a complaint under this section.

where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by

her relative or friend; or

her co-employee; or

an officer of the National Commission for Women or State Women's Commission; or

any person who has knowledge of the incident with the written consent of the aggrieved woman;

where the aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by-

her relative or friend; or

a special educator; or



a qualified psychiatrist or psychologist; or  
the guardian or authority under whose care she is receiving treatment or care; or  
any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care;

where the aggrieved woman 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 her written consent;

where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir. Identity of the Complainant and the person against whom the allegations are made will be maintained in confidentiality.

### **Conciliation**

The Internal Committee may, before initiating an inquiry under the Policy and at the request of the aggrieved woman, take steps to settle the matter between her and the respondent through conciliation: Provided that no monetary settlement shall be made as a basis of conciliation.

Where a settlement has been arrived at under the Policy, the Internal Committee shall record the settlement so arrived at and forward the same to the Corporate Office / Zonal Office concerned as the case may be to take action as specified in the recommendation. The Internal Committee shall provide the copies of the settlement, as recorded under the Policy, to the aggrieved woman and the respondent.

Where a settlement is arrived at under the Policy, no further inquiry shall be conducted by the Internal Committee.

### **Inquiry into Complaint**

Subject to the provisions (clause 8) of the Policy, the Internal Committee shall, where the respondent is an employee, proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the respondent. Provided that where the aggrieved woman informs the Internal Committee that any term or condition of the settlement arrived at under the Policy (clause 8) has not been complied with by the respondent, the Internal Committee shall proceed to make an inquiry into the complaint. Provided further that where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.

For the purpose of making an inquiry under the Policy, the Internal Committee shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:-





summoning and enforcing the attendance of any person and examining him on oath; requiring the discovery and production of documents: and (3) any other matter which may be prescribed.

The inquiry under this Policy shall be completed within a period of ninety days.

### Manner of Inquiry into Complaint

Subject to the provisions of the Policy, at the time of filing the complaint, 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.

On receipt of the complaint, the Complaints Committee shall send one of the copies received from the aggrieved woman to the respondent within a period of seven working days.

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.

The Complaints Committee shall make inquiry into the complaint in accordance with the principles of natural justice.

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 Presiding Officer. Provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.

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 Complaints Committee.

In conducting the inquiry, a minimum of three Members of the Complaints Committee including the Presiding Officer shall be present.

**Other relief to complainant during pendency of inquiry**

During the pendency of an inquiry on a written request made by the aggrieved woman, the Internal Committee may recommend to the employer to:

restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report, and assign the same to another officer; transfer the aggrieved woman or the respondent to any other workplace; or grant leave to the aggrieved woman up to a period of three months; or grant such other relief to the aggrieved woman as may be prescribed.

The leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled to.

On the recommendation of the Internal Committee the Bank shall implement the recommendations made and send the report of such implementation to the Internal Committee.

### **Inquiry Report**

On the completion of an inquiry under this Policy, the Internal Committee shall provide a report of its findings to the Bank within a period of ten days from the date of completion of the inquiry and such report shall be made available to the concerned parties.

Where the Internal Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the Bank that no action is required to be taken in the matter.

Where the Internal Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the Bank:-

(i) to take action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent (if he is an employee) or where no such service rules have been made, in such manner as may be prescribed by law; (ii) to deduct , notwithstanding anything in the service rules applicable to the respondent from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs, as it may determine, in accordance with the provisions of the Policy:-

Provided that in case the Bank is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment, it may direct to the respondent to pay such sum to the aggrieved woman.

Provided further that in case the respondent fails to pay the sum referred to in clause (ii), the internal committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

The Bank shall act upon the recommendation within sixty days of its receipt.

### **Punishment for false or malicious complaint and false evidence**

Where the Internal Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the Bank to take action against the woman or the person who has made the complaint under the provisions of the Policy, in accordance with the provisions of the service rules applicable to her or him or where no such service rules exist, in such manner as may be prescribed:-

Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this section:- Provided further that 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.

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 Bank to take action in accordance with the provisions of the service rules applicable to the said witness (if he/she is an employee) or where no such service rules exist, in such manner as may be prescribed by law.

### **Determination of compensation**

For the purpose of determining the sums to be paid to the aggrieved woman, the Internal Committee shall have regard to:-

the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;  
the loss in the career opportunity due to the incident of sexual harassment;  
medical expenses incurred by the victim for physical or psychiatric treatment;  
the income and financial status of the respondent; (e) feasibility of such payment in lump sum or in instalments.

### **Prohibition of publication or making known contents of complaint and inquiry proceedings**

Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint made under the Policy, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by the Bank shall not be published, communicated or made known to the public, press and media in any manner:- Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under this Policy without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved woman and witnesses.

### **Penalty for publication or making known contents of complaint and inquiry proceedings**

Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken under the provisions of this Act, contravenes the provisions of this Policy, he shall be liable for penalty in accordance with the provisions or the service rules applicable to the said person or where no such service rules exist, in such manner as may be prescribed.

### **Appeal**

Any person aggrieved from the recommendations made under Policy or non-implementation of such recommendations may prefer an appeal to the Court or Tribunal in accordance with the provisions of the service rules applicable to the said person or



where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal in such manner as may be prescribed.

The appeal shall be preferred within a period of ninety days from date of receipt of the recommendations.

## 17. Duties of the Bank

Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace.

Display at any conspicuous place in the workplace, the penal consequences of sexual harassments and the order constituting the Internal Committee.

Organize workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Policy and orientation programmes for the members of the Internal Complaints Committee.

Provide necessary facilities to the Internal Committee for dealing with the complaint and conducting an inquiry.

Assist in securing the attendance of respondent and witnesses before the Internal Committee.

Make available such information to the Internal Committee as it may require having regard to the complaint made.

Provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.

Cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the petitioner, or if the aggrieved woman so decides, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place.

Treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct.

Monitor the timely submission of report by the Internal Committee.

## Miscellaneous

The Internal Committee shall in each calendar year prepare, in such form and at such time as may be prescribed, an Annual Report and submit the same to the employer.

The Bank shall include in its report the number of cases filed, if any, and their disposal under this Act in the Annual Report of the Bank or where no such cases are reported, a NIL report may be submitted.



### **Preparation of Annual Report**

The Complaints Committee shall prepare an Annual Report, shall have the following details:

Number of Complaints of Sexual Harassment received in the year.

Number of Complaints disposed of during the year.

Number of cases pending for more than ninety days.

Number of workshops or awareness programmes against sexual harassment carried out.

Nature of action taken by the Bank.

### **19. Implementation of the Policy**

The Policy is implemented with immediate effect. The following actions are complied with. Communication of the Policy as a Circular and making it available in Bank's Intranet for reference of all employees.

Display of Constitution of the Internal Complaints Committee in Bank's Intranet for reference of all employees.

Implementation as a part of the corporate induction.

Reporting of cases and its resolution in a calendar year in the Bank's Annual Report.

The GM (CDO) shall monitor the implementation of this Policy and shall inspect records related to Policy on sexual harassment and its implementation.

### **DP & Disciplinary Authority / Appellate Authority / Reviewing Authority**

Under Regulation 24(A) of Indian Bank Officer's Employees (Conduct) Regulations, 1976, "sexual harassment" has been defined as "misconduct". As per Regulation 24 of Indian Bank Officer Employees" (Conduct) Regulations, 1976 (as amended from time to time) a breach of any of those Regulations shall be deemed to constitute misconduct and is punishable under Regulation 4 of Indian Bank Officer Employees" (Discipline & Appeal) Regulations, 1976, as amended from time to time. Under clause 5(t) of Memorandum of Settlements (Disciplinary Action & Procedure therefore) dated 10.04.2002 for Workmen, indulging in any act of „sexual harassment" of any woman at her workplace is to be treated as "gross misconduct". DP will be initiated under the above Regulations. The Disciplinary Authority / Appellate Authority / Reviewing Authority for Officers and Disciplinary Authority / Appellate Authority for Award Staff in respect of Disciplinary Proceeding matters in the Bank will be the same for Sexual Harassment of Women at Workplace in our Bank as mentioned in our CO:HRM Department Circular PRNL.137/2008-09 dated 18.03.2009, which provides a detailed account of the jurisdiction in respect of DP matters.



**Legal Support to Presiding Officers / Committee Members against whom motivated false complaints have been made.**

In case of any motivated false complaint / litigation made by the respondent in any Court of Law against the Presiding Officer / committee members of the Internal Complaints Committee in connection with their findings / proceedings / report / enquiry on a sexual harassment complaint under this policy, the Bank will bear the legal expenses / professional charges incurred by them in this regard.

**5. Resources**

Not Applicable

**6. Roles & Responsibilities**

The GM (CDO) shall monitor the implementation of this Policy and shall inspect records related to Policy on sexual harassment and its implementation.

**7. Role of Internal Audit and Compliance**

- Annual Management Audit by CO: Inspection
- Vetting of Policy by CO: Compliance during annual review

**8. Review of Policy**

- Annually by HR Committee/Board
- Need based



<b>MAIN :</b>	HRMD:45/2023-24	 <b>Indian Bank</b> इलाहाबाद ALLAHABAD	<b>DT.</b>	24.08.2023
<b>CIRCULAR NO.</b>	21955			
<b>SUB :</b>	HRD - 41	<b>CO: HRM DEPARTMENT</b>	<b>FILE</b>	M-3 S-303

### **Reconstitution of Internal Complaints Committee at Corporate Office**

Internal Complaints Committee constituted under the policy for Prevention of Sexual Harassment of Women at Workplace, has been functioning at Corporate office with the objective to handle complaints of sexual Harassment of women at workplace. Reference may be drawn to Policy for Prevention of Sexual Harassment of Women at Workplace- Version-1.1 effective from 01.04.2021.

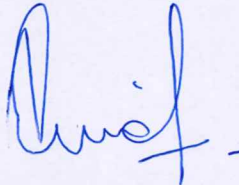
Internal Complaints committee has been reconstituted and the composition of the same is as follows:

<b>Role</b>	<b>Name</b>	<b>SR. No.</b>	<b>Designation</b>	<b>Contact Number</b>
Presiding Officer	Ms. Kanaka S	27996	Deputy General Manager	9742901702
Member	Ms. Vithyalakshmi K	33570	Chief Manager	8939679886
Member	Ms Sreeja Rani S	73862	Chief Manager (Law)	8971919449
External Member	Ms. S.R. Sumathy	NA	Advocate	9443326242

All women employees at corporate office are free to approach the above committee for redressal of their grievances (if any). The contact details are as follows:

**Email** :- internalcomplaints@indianbank.co.in

**Address of communication :-** Ms. Kanaka S  
Deputy General Manager  
CMC-I Department  
Corporate Office,  
Indian Bank, 254-260,  
Avvai Shanmugham Salai,  
Royapettah, Chennai-600014.

  
**ARVIND MISRA**  
**GENERAL MANAGER (HRM)**



