

4TH RGNUL NATIONAL NEGOTIATION COMPETITION, 2025

7th-9th February, 2025

GENERAL INFORMATION

Preliminary Round-2

The Fall of a Star Employee

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BRIEF ON THE PARTIES

BuildingsByBob Pvt. Ltd.

BuildingsByBob Pvt. Ltd. (hereinafter “**BBB Pvt. Ltd.**”) is a prominent infrastructure development company held privately as a key subsidiary of the renowned Dua Group, BBB Pvt. Ltd. is led by its promoter Mr. Sudhir Dua, whose visionary leadership has steered the company towards expanding its footprint in international markets. Over the years, BBB Pvt. Ltd. has built a reputation for delivering high-quality projects on strict timelines, positioning itself as a trusted name in the construction and project management industry.

As of late 2024, BBB Pvt. Ltd. was undergoing a significant transformation in preparation to go public, including comprehensive internal restructuring and enhanced compliance mechanisms. This pivotal moment coincided with its adoption of advanced technology to optimize operations, including the trial use of Sekretum Employee Management Software (SEMS) for HR purposes. Despite its ambitions, the company has faced challenges, including supply chain disruptions, legal disputes, and most recently, a devastating data breach that jeopardized its reputation and financial prospects.

Ms. Brienna Gardner

Ms. Brienna Gardner is an Oxford graduate and belongs to a dogmatic family. She has constantly faced the pressure of achieving academic excellence throughout her life. In her twenties, while away from the restraints of her family to study abroad, Ms. Gardner meets Ms. Andrist Churchill, another MBA-HR candidate like herself. The two grow closer, and Gardner keeps her relationship with Ms. Churchill a secret.

After receiving offers from several companies offering her competitive salaries, Ms. Gardner joins Bulbo Pai Inc. and gets relocated closer to her family home. Fearing a backlash from her parents about her relationship with Ms. Churchill, she cuts her off without providing any explanations. A few years later, she receives an offer from BBB Pvt. Ltd. and gets posted at their overseas office. Ms. Gardner was working there in the capacity of a project manager and rose up the ranks of her department through her sheer grit and stellar performance. She worked long hours and clocked in a lot of overtime work, and hence she had a negligible work-life balance. After her promotion to

the position of Head of the Project Management Dept, Ms. Gardner became a known name amongst the Board of Directors of BBB Pvt. Ltd. Though she had an impeccable academic and professional record, Ms. Gardner had been facing turmoil in her personal life for a while now. Unfortunately, she had made some poor investments and the one major property she owned was forcefully acquired by the government for which she received a rather meagre compensation. She's recently given birth to triplets, unplanned, and her husband was laid off during the pandemic recession, thus her expenses have skyrocketed. Despite her personal struggles, Ms. Gardner was always working hard to fulfil her obligations towards BBB Pvt. Ltd., but she has been struggling, mentally and physically in the recent years and her health has only worsened over the years.

BACKGROUND OF FACTS

As the end of 2024 came close, BBB Pvt. Ltd. was gearing up to go public. The company was thus undergoing major internal restructuring and a plethora of due diligence was in progress. All pending projects were to be wrapped up soon, and a large recruitment drive was being conducted by the HR department. The HR Department of BBB Pvt. Ltd. had started using a newly launched beta version of Sekretum Employee Management Software (SEMS) that claimed to use "Advanced Machine Learning" to keep track of employee data. Sekretum software is equipped with an automated 'Search and Store' feature that allows it to continuously search the web for data related to its employees, collect and store the same. BBB Pvt. Ltd. does not intend to use this feature, and hence while installing the beta software, all present employees were intimated about the same and were guaranteed protection of their voluntarily submitted information through a company-wide email. This search and store option must be manually turned off and disabled every month, and the data, if it was collected, would be stored in BBB Pvt. Ltd.'s cloud servers in an auto generated folder. The Department's general practice was to assign a trainee to disable the search and store feature as one of the first tasks of the month, however, a rumour goes around that one such trainee forgot to disable the feature. As the software searched the net for data on all its employees, it came across a MeTube Channel by the name "PriceofProjects44" which was created in January 2023 and had over 1.4 Million subscribers. The channel featured a woman discussing personal finance management and project development tips, however, her face remained hidden. The software matches the contact email address, phone number, IP address as well as the voice of the owner of the channel to Ms. Gardner and stores the data under her name. The Channel's content was majorly related to finance and project management tips. Sekretum goes through all the videos uploaded on the channel and finds out that some of the projects discussed by the owner of the channel are in fact BBB Pvt. Ltd.'s confidential projects. The same is also stored in the folder.

On 30 August, 2024, BBB Pvt Ltd. suffers a massive data leak. Personal data of several employees from the search and store folder is made publicly available on the internet. As a consequence, Ms. Gardner's anonymous MeTube channel has now garnered the attention of the media and is the talk of the town. Ms. Gardner's social media profiles from back in her early twenties, including her accounts on Grindler and FaceNook have also spread over the internet. Her earlier posts from back in the day have now led to public speculation about her queer identity. BBB Pvt. Ltd.'s competitors such as Bhaksa Balls Pvt. Ltd. have connected the dots - the MeTube channel being owned by the Head of Project Management Dept. of BBB Pvt. Ltd. - the projects discussed ought to be BBB's ongoing works. Much like Bhaksa Balls, several other competing companies now have access to specific and sensitive information about BBB Pvt. Ltd.'s projects. The data leak has resulted in a massive hit to the public image of BBB Pvt. Ltd. and the Board of Directors is deliberating on whether they should continue with their plans to go public or not.

DISPUTE AND THE CALL FOR NEGOTIATION

Now that Ms. Gardner's MeTube account is not anonymous anymore, she is harassed by the media and ostracised by the public and her family about her queer identity. Her husband, who is yet to find a job after being laid off, also discovers her previous posts on the internet and has left their home unannounced after taking their children with him. He has stopped responding to Ms. Gardner's calls and has only dropped her a single message, *"I will be back when things are settled, or else our children will be harassed. We can then decide if we should continue."* Perplexed by his message, Ms. Gardner has an ominous feeling that her husband might want a divorce. Enraged and frustrated by her current circumstances, she now wants compensation for the breach of her privacy and the release of all her data out in the public domain. She wants to sue BBB Pvt. Ltd. on account of using the Search and Store feature of SEMS despite providing an unwavering promise to all their employees that the same will not be used. The Board of Directors of BBB Pvt. Ltd. on the other hand, are also infuriated. This incident has cost them severely and their reputation has been tarnished, moreover, their plans of going public are now spoiled. They intend to seek damages from Ms. Gardner for the disclosure of their confidential plans on the MeTube Channel.