

## UNDERSTANDING THE LAW

# Making Workplaces Safer: A Guide to the POSH Act, 2013

### What Constitutes Sexual Harassment?



Sexually coloured remarks



Physical contact/demand for favours



Showing pornography

Any unwelcome act like physical contact, demand for sexual favours, sexually coloured remarks, or showing pornography.

### Who is an "Aggrieved Woman"?

Any woman of any age, whether employed or not, who alleges to have been subjected to sexual harassment.

### What is a "Workplace"?

Any place visited by an employee during work, including government/private offices, hospitals, and company transport.

## THE COMPLAINT & REDRESSAL MECHANISM

### Where to File a Complaint



**Internal Committee (IC)**  
For workplaces with 10+ employees



**Local Committee (LC)**  
For smaller firms

### Key Duties of an Employer



Form an IC



Display POSH policy



Conduct awareness sessions



Provide assistance for inquiries

Penalty for Non-Compliance:  
**Up to ₹50,000**



Repeated non-compliance can lead to double the penalty and cancellation of the business license.



# Decoding the POSH Act: Your Guide to a Safer Workplace in India

Overview of India's Sexual Harassment of Women at Workplace Act, 2013, for employers and employees.

The POSH Act, 2013, is a landmark law in India designed to protect women from sexual harassment at their place of work, establishing a framework for prevention, prohibition, and a clear redressal mechanism.

## What Constitutes Sexual Harassment?



### Unwelcome Acts or Behaviour

Includes physical contact, demands for sexual favours, sexually coloured remarks, showing pornography, or any unwelcome conduct.



### Hostile Work Environment

Also includes implied threats or promises about employment, or creating an intimidating or offensive work atmosphere.



### Broad Definition of 'Workplace'

Applies to government and private sectors, hospitals, institutions, and even transport provided by the employer.

## The Complaint & Redressal Mechanism



### Internal Complaints Committee (ICC)

Mandatory for every workplace with 10 or more employees to form an ICC.



### Local Complaints Committee (LCC)

Constituted by the District Officer for workplaces with less than 10 employees or if the complaint is against the employer.



### Complaint Filed

Within 3 months



### Inquiry Process

Inquiry Timeline: Must be completed within 90 days

## Key Duties of an Employer



### Create & Publicise a POSH Policy

Employers must formulate a policy and display it conspicuously in the workplace.



### Conduct Regular Awareness Training

Organise workshops and awareness programs for all employees and orientation for ICC members.



### Ensure Action & Compliance

Act on the recommendations of the ICC/LCC within 60 days. Non-compliance can lead to a fine of up to ₹50,000.



# Making Workplaces Safer: A Guide to the POSH Act, 2013

The POSH Act, 2013 is a landmark law in India defining sexual harassment, establishing complaint procedures, and outlining employer duties for a safe working environment for women.

## Understanding the Law



### What Constitutes Sexual Harassment?

Any unwelcome act like physical contact, demand for sexual favours, sexually coloured remarks, or showing pornography.



### Who is an "Aggrieved Woman"?

Any woman of any age, whether employed or not, who alleges to have been subjected to sexual harassment.



### What is a "Workplace"?

Any place visited by an employee during work, including government/private offices, hospitals, and company transport.

## The Complaint & Redressal Mechanism



### Where to File a Complaint

An Internal Committee (IC) for workplaces with 10+ employees, or a Local Committee (LC) for smaller firms.



### Key Duties of an Employer

Form an IC, display the POSH policy, conduct awareness sessions, and provide necessary assistance for inquiries.



### Penalty for Non-Compliance: Up to ₹50,000

Repeated non-compliance can lead to double the penalty and cancellation of the business license.





# Creating a Safe Workplace: A Guide to the POSH Act, 2013

This infographic breaks down the key components of India's POSH Act, 2013. It defines sexual harassment, outlines the mandatory complaint and redressal mechanisms that every organisation must follow, and highlights the specific duties required of employers to ensure a safe work environment.

## What is Sexual Harassment?

### Unwelcome Acts of a Sexual Nature



Any one or more of the following unwelcome acts or behaviours are considered sexual harassment.



- **Examples of Unwelcome Behaviours:** Physical contact, demanding sexual favours, making sexually coloured remarks, or showing pornography.

### Circumstantial Harassment

Includes implied threats about employment, interfering with work, or creating a hostile environment.

## Complaint & Redressal Mechanism

### Internal Committee (IC) Formation

**10+** Every employer with 10 or more employees **MUST** form an internal Committee to handle complaints.

### Local Committee (LC) for Specific Cases

**<10** The District Officer forms a Local Committee for workplaces with <10 employees or if the complaint is against the employer.

### Critical Timelines

**3 MONTHS**

A complaint must be filed within 3 months of the incident

**90 DAYS**

The inquiry must be completed in 80 days.

## Key Duties of the Employer



### Provide a Safe Working Environment

Employers are legally required to ensure the workplace is safe from harassment.



### Create Awareness

Display the POSH policy, details of IC members, and conduct regular awareness workshops.



### Penalty for Non-Compliance

Failure to comply can result in a fine of up to ₹50,000 for the first offence.



# MAKING WORKPLACES SAFER: A GUIDE TO THE POSH ACT, 2013

## UNDERSTANDING THE LAW



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### What is a 'Workplace'?

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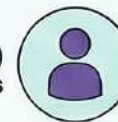


## THE COMPLAINT & REDRESSAL MECHANISM



Internal Committee (IC)  
10+ employees

Local Committee (LC)  
smaller firms



### Where to File a Complaint

An Internal Committee (IC) for workplaces with 10+ employees, or a Local Committee (LC) for smaller firms.



Display  
Policy

Conduct  
Awareness  
Sessions



Provide  
Assistance



### Key Duties of an Employer

Form an IC, display the POSH policy, conduct awareness sessions, and provide necessary assistance for inquiries.



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