

CHECKLIST FOR PREVENTION OF SEXUAL HARASSMENT (POSH)

The Sexual Harassment of at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 mandates all offices to set up preventive, prohibitive and redressal mechanism for sexual harassment at workplace.

To help understand the extensive list of duties of the employer we have prepared a comprehensive checklist of the mandatory duties. This checklist is a handy tool for employers, HR professionals, senior management, organization leaders and consultants to check whether their organization is compliant with the mandatory anti- sexual harassment law in India.

S.NO	ACTIVITY	COMPLIANCE
1	<p>CREATION OF AN ANTI-SEXUAL HARASSMENT POLICY</p> <ul style="list-style-type: none"> • Have you prepared and implemented an internal Anti- Sexual Harassment Policy in your organization? • Is sexual harassment specified as a form of misconduct under the sexual harassment policy, employment contract, service rules and the standing orders? 	<input type="checkbox"/>
2	<p>INTERNAL COMPLAINTS COMMITTEE</p> <ul style="list-style-type: none"> • Have you created an Internal Complaints Committee (ICC) for each branch or unit or office as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and redressal) Act, 2013? (Applies for each branch or office with 10 or more staff) • Do you have required number of members in the Internal Complaints Committee as per the conditions laid down in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and redressal) Act, 2013 • Have you conducted an orientation program for the Internal Complaints Committee members? • Do you conduct capacity and skill building workshops for the Internal Complaints Committee members? • Do you provide necessary facilities to the Internal Complaints Committee for dealing with sexual harassment proceedings? • Have you prepared a handbook for the Internal Complaints Committee members? 	<input type="checkbox"/>

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3	<p>EMPLOYEE AWARENESS AND ASSISTANCE:</p> <ul style="list-style-type: none"> • Do you conduct periodic workshops or seminars to sensitize employees about the stance of your organization on sexual harassment and about the consequences of engaging in any conduct that amounts to sexual harassment? Have you made efforts to make employees aware about their rights under the act? • Do you have any system or process to provide assistance to an employee who has been sexually harassed, in approaching the complaints committee and in dealing with psychological and other effects of sexual harassment? • Does the organization provide assistance to the harassed employee to make a criminal complaint? 	<input type="checkbox"/>
4	<p>NOTICES AND POSTERS:</p> <ul style="list-style-type: none"> • Have you displayed sufficient notices informing employees about your organization's stance on sexual harassment and the consequences of indulging in such acts? • Have you provided sufficient information about the members of the Internal Complaints Committee and Local Complaints Committee in prominent places in Hindi as well as English and regional language? 	<input type="checkbox"/>
5	<p>EMPLOYERS DUTIES/SENIOR MANAGEMENT - COMPLIANCE WITH COMPLAINTS COMMITTEE RECOMMENDATIONS:</p> <ul style="list-style-type: none"> • Have you followed the recommendations of the Local Complaints Committee /Internal Complaints Committee (as applicable) regarding the interim measures? • Have you implemented the Local Complaints Committee /Internal Complaints Committee's (as applicable) recommendations as per the final award? • Do you monitor functioning and performance of the Internal Complaints Committee at a broad level? For example: whether the complaints follow the prescribed time limits and procedures? Whether conciliation and the interim measures were considered? 	<input type="checkbox"/>
6	<p>REPORTS:</p> <ul style="list-style-type: none"> • Does the Internal Complaints Committee/ Internal Committee forward an annual report containing necessary details of the sexual harassment case proceedings to the prescribed authorities? • Do you include information about pending and resolved sexual harassment cases in the annual report of your company? 	<input type="checkbox"/>

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