

The primary responsibility of an employer is to ensure a safe work environment for all its employees (both on premises and those working from home) and any other person who is directly or indirectly connected with the employer’s workplace.

A safe work environment directly impacts productivity, employee morale, hiring, employee development, teamwork and innovation.

Below is a checklist which could help employers understand their duties and responsibilities under the POSH Act 2013.

### From the compliance standpoint

Formation of Internal Committee (Chapter III, section 4 of POSH Act 2013)	✓
Easily accessible policy with clearly defined scope, applicability, important definitions, committee member details, process of handling complaints, disciplinary procedures, etc.	✓
Workshops and awareness programmes at regular intervals for the entire organisation (100% coverage of all employees) to sensitize employees on provisions of the Act. and the company’s policy.	✓
Take any interim measures required and as recommended by the Internal Committee during an ongoing investigation, (granting leave to the complainant, change of work location for either the complainant or the alleged harasser, change of reporting structure and approval authority (if the alleged harasser is immediate reporting manager) or any other such recommendations as suggested by the IC.	✓
Take immediate action on the recommendations made by the Internal Committee, if the alleged harasser is found guilty or in case of a malicious complaint.	✓
Maintain strict confidentiality while dealing with complaints on Sexual Harassment and ensure there is penalty for publication or making known contents of complaint and enquiry proceedings.	✓
Timely submission of Annual Reports by the Internal Committee as required by the act.	✓
Incorporate necessary and relevant changes as and when there are changes made in the provisions of the Act related to “Prevention and Prohibition of Sexual Harassment of Women at Workplace”	✓

## From prevention standpoint

Declare openly your stand and commitment to create a safe working environment.	✓
Display at conspicuous place in the workplace, the penal consequences of sexual harassment and committee member details.	✓
Conduct awareness session for managers and leaders on the consequences of sexual harassment (both on premises and in virtual world) and their obligation to maintain zero tolerance.	✓
Install CCTV cameras in areas where there are chances of such occurrences.	✓
Ensure the workplace is well lit and the workspace is comfortable for people to move around.	✓
Include the clause in the offer letter, about the disciplinary action if found guilty of Sexual harassment at workplace.	✓
The prevention of sexual harassment policy should be included in the employee handbook and should be emailed to every employee.	✓
Train your employees on preventive measures (both on premise and virtual world) and to report sexual harassment.	✓
Treat Sexual Harassment as a misconduct under the service rules and initiate actions for such misconduct	✓
Provide clear guidance to employees on how to use technology and social media responsibly	✓

## From an administrative standpoint

Ensure the Internal Committee is well trained to handle cases effectively.	✓
Provide necessary facilities to the Internal Committee for dealing with the complaints and conducting enquiries (conference rooms / telephones / video conferencing facilities for meetings, hearings and deliberations).	✓
Approve time off from regular work responsibilities, for the Internal Committee members while handling the complaints related to Sexual Harassment at workplace.	✓
Provide medical practitioners and counsellors as required or recommended by the Internal Committee.	✓
As an obligation to preserve confidentiality, an employer must also ensure strict adherence to IT Act and Rules since most of the companies store data in electronic form.	✓
Help the aggrieved woman if she wants to register a complaint with the police.	✓
Perform Internal Committee audits and regular POSH awareness surveys across the organisation.	✓