

Filing of Sexual Harassment Complaint

Section 9 of the POSH Act gives details on filing of a complaint of Sexual Harassment at Workplace. Excerpts from Section 9 of the Act:

Any employee who faces sexual harassment at workplace can lodge a complaint to the Internal Complaints Committee within a period of 3 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.

In case the employee is not able to give the complaint in writing, the Presiding officer or any member of the Internal Complaints Committee shall render all reasonable assistance to the employee for making the complaint in writing.

In case the employee is not able to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or any such person as may be prescribed, may make a complaint.

In case of physical incapacity (e.g. physically hurt and unable to file a written complaint) a complaint may be filed by -

- a. Her friend or relative or
- b. Her co-worker; or
- c. Any person who has the knowledge of the incident, with the written consent of the aggrieved woman.

In case of mental incapacity (e.g. mental trauma/distress or pre-existing mental illness etc.) and is unable to file a written complaint, a complaint may be filed by –

- a. Her relative or friend; or
- b. a qualified psychiatrist or psychologist; or
- c. the guardian or authority under whose care she is receiving treatment or care; or
- d. Any person who has the knowledge of the incident jointly with her friend/relative/psychologist/psychiatrist or authority under whose care she is receiving treatment

In case where the aggrieved woman is dead, a complaint may be filed by any person who has the knowledge of the incident, with the written consent of her legal heir.

Given below is a format designed by Metis POSH to assist the aggrieved individual/victim/complainant in making a formal complaint to the Internal Complaints Committee (ICC).

Sample Complaint Format (POSH)

This format can be used by any employee who wishes to lodge a complaint
of Sexual Harassment at Workplace

*(Any information / details provided by the Aggrieved Individual / Complainant shall be kept
confidential)*

Section 1:

Details of the Aggrieved Individual / Victim

Name	
Designation	
Division/Unit/Department	
Contact Number	
Address (office)	

(If applicable) Details of Complainant who is filling the form on behalf of the aggrieved individual / victim.

Name	
Relationship with Aggrieved Individual (Victim)	
Designation (if Complainant is an employee)	
Division/Unit/Dept (if Complainant is an employee)	
Contact number	
Address (office/administrative unit where the complainant works)	
Reason for which Aggrieved Individual is unable to file the complaint	<div> Physical incapacity <input type="checkbox"/> Mental incapacity <input type="checkbox"/> Death <input type="checkbox"/> Any other reason <div></div> </div>

Section 2:

Details of the Alleged Harasser

Name	
Designation	
Division / Unit / Department	
Contact Number	
Address (place of work of the alleged harasser)	

Section 3:

Details of the Incident

Description of the incident	
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Other details (if the incident was repeated / any previous related incident)	
Date and Time of the Incident / Incidents	
Details witness /witnesses	1. 2. 3. 4. 5.
Details of any documents available (E.g. Messages, email, letter etc)	
Details of any persons contacted by the aggrieved individual after the incident (If any)	
Any other relevant information / comments	

Section 4:

Any additional information and comments if any:

Section 5:

Name of the Aggrieved Individual:

Signature

Date:

Name of the complainant (If applicable):

Signature

Date:

Please note: Signature of the Aggrieved Employee/Complainant on the bottom of every sheet.

Metis POSH handles enquiries related to sexual harassment complaints till closure and assists the committee in documentation and reporting. Please email:

Jayaprada@posh.metisindia.com or call **9880711690** for more details.