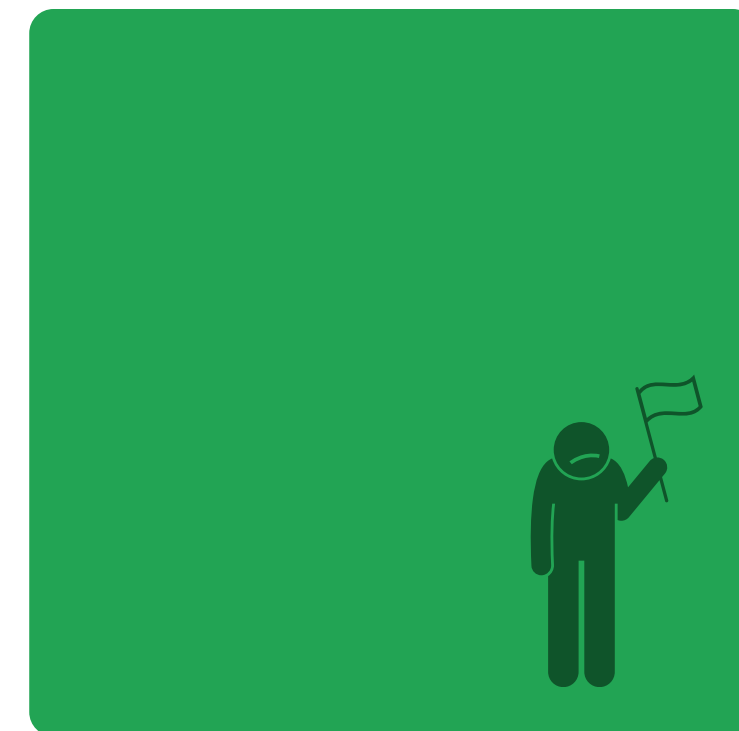
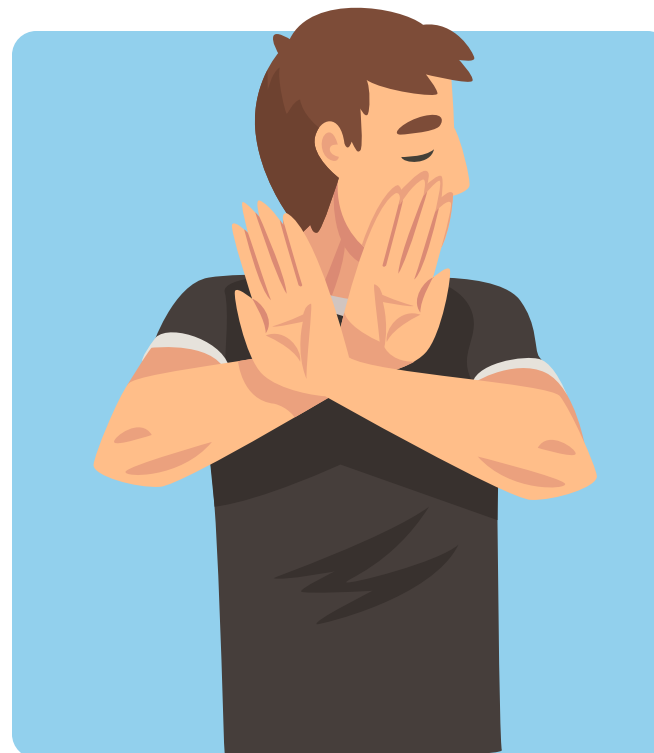


The Prevention of Harassment at Workplace



STRUCTURE

Phase I

- **Activity (Get Started)**
- **Background of the POSH Act**
- **Company Policies**
- **Salient Features of POSH & Company Policies**

Phase II

- **What is Sexual Harassment?**
- **What can constitute Sexual Harassment?**
- **How to avoid instances of Sexual Harassment?**
- **How to approach Instances of Harassment?**
- **Who is the Right Channel?**
- **How to file a Complaint?**

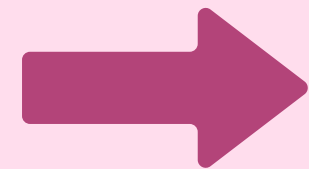
Phase III

- **What happens after a Complaint is Filed?**
- **What can the ICC recommend?**
- **Confidentiality**
- **Action Card**
- **Questions**

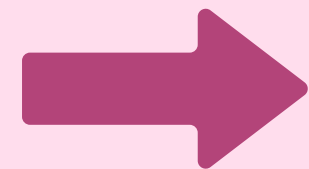


ACTIVITY

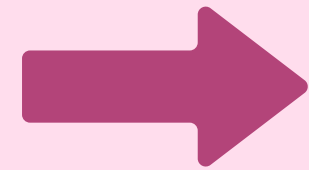
Background Of The POSH Act



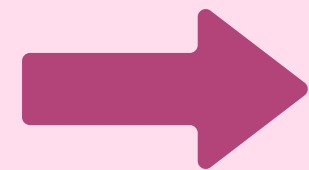
Bhanwari Devi Case



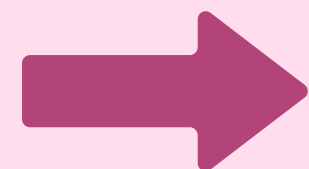
Women's demand for equality at workplace



Vishaka Judgment



Best Practices – passed by Supreme Court



Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, aka POSH Act of 2013

Company Policies



Confidentiality

**Zero Tolerance – Anti
Discrimination**

POSH – Gender Neutral

**OurWay.Rocks
– Your one stop shop for
all company policies**

Salient Features of POSH & Company Policies



It helps to create an avenue for employees to complain about indecent / inappropriate behavior without having to go to the police.



It aims to create a safe workplace for everyone.



Useful for prevention, prohibition and redressing sexual harassment.



It calls to question both, the accused (if proven right) and the complainant (if proven false).

What is Sexual Harassment?

Physical Contact
or Advances

A Demand or
Request for
Sexual Favor/s

Making Sexually
Colored Remarks

Showing
Pornography

Any other Unwelcome
Physical, Verbal / Non-Verbal
Conduct of Sexual Nature



What can constitute Sexual Harassment?

**Implied or
Explicit
Promise of
Preferential
Treatment**

**Implied or
Explicit
Promise of
Deferential
Treatment**

**Interference with their
work / Creating a Hostile
Work Environment**

**Implied or
Explicit Threat
to their
Employment
Status**

**Humiliating Treatment
which can affect their
Health & Safety**

How do we avoid instances of Sexual Harassment?

Uphold appropriate decorum in the office.

Understand the personal boundaries of different people. If you're not sure, inquire about the person's comfort before taking any action.

Remember that consent is the most important thing: Watch out for signs of physical, mental, and emotional discomfort.

Do not take POSH lightly or diminish its importance.

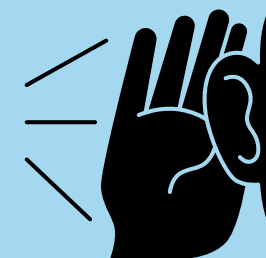
Be sensitive and accommodating of all people, without any discrimination.



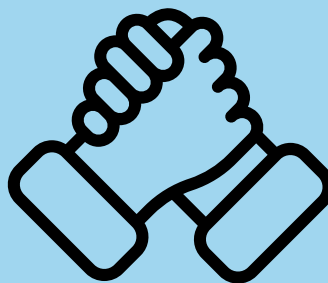
How to Approach Instances of Harassment?



Sensitively:
Being respectful of
all parties involved.



Respect privacy:
Respect your colleagues
and not gossip unless you
know both sides of the story



Support your colleagues:
The best way to support
them is to guiding them to
the right channels.



With maturity: Understanding
that there are 2 sides to a story
until one side is proven to be
true beyond reasonable doubt.

Your Internal Complaints Committee (ICC) members:

- **Alekhya Kilambi – Presiding Office of the ICC**
- **Pritha Dey**
- **Ankita Paul**
- **Angad Saimbi**
- **Abhishek Hawal**
- **Adv. Nikita Tilwani Fernandes – External member**

Your Managers, ExCo.

Your Management



**Who is the
Right
Channel?**

How to File a Complaint?



Send your complaint via Email to any of the ICC members.



Or Submit a Handwritten complaint directly to any ICC member.



If writing a complaint is not feasible, you can officially submit it through a Phone or Video Call and ask for the call to be recorded.



Under reasonable circumstances, Family Members can file the complaint on behalf of the complainant if they are unable to do so themselves.

What Happens After a Complaint is Filed?

The ICC has 90 days from the date of the complaint to investigate the case.

The ICC has to determine whether sexual harassment took place, and if it did, what was the extent of the injury caused.

In order to do so, the ICC can call witnesses, and examine both the complainant and the alleged accused.

Both parties get a chance to present their case (with evidence) before the ICC.

The ICC examines all documents & evidence on record, makes a decision, and writes a detailed report to the management for action to be taken.

What can the ICC recommend?

If the complainant's case is proven to be **TRUE**, the ICC can recommend the following:

- ➔ **That the accused be suspended.**
- ➔ **That the accused may pay a certain amount as compensation to the victim.**
- ➔ **In case of mental, physical and emotional injuries, the ICC can recommend treatment to be funded by the company or the accused.**
- ➔ **That the victim work from their place of comfort (home, shared workspace, etc) / that the victim take leave for x days.**
- ➔ **If the victim wants to file a police complaint, the ICC and company can assist them in doing so.**

What can the ICC recommend?

If the complainant's case is proven to be **FALSE**, the ICC can recommend the following:

- ➔ **That no action be taken against the complainant.**
- ➔ **If the ICC feels that the complaint was made with malicious intent, adverse action can also be taken against the complainant.**
- ➔ **In case of mental, physical and emotional injuries caused to the alleged accused in lieu of malicious complaint, the ICC can recommend treatment to be funded by the company.**
- ➔ **That the alleged accused from their place of comfort (home, shared workspace, etc) / that they can take leave for x days.**

Confidentiality

The ICC, Company, and all parties involved are duty-bound to keep all information confidential.

A person who fails to maintain confidentiality can be liable for penalties.

Action Card



Thank you!

Any Questions?

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