

POSH ACT TRAINING

Date: Tuesday, 13 October 2026

Venue: CHETNA, Ahmedabad

Time: 2:00 PM – 5:00 PM

Mode: Hybrid (Online & Offline)

Resource Person: Ms. Manisha S. Pandya, Advocate & Notary (Govt. Of India), [Labour Laws Advisor]

Participants: Director, Program Director, Program Coordinators, Project Coordinators, Project Associates, Project Field Coordinators and Field Team

Total Participants: 141 Participants (104 Online & 37 Offline)

Background and Importance of the Training

POSH Act training is essential to ensure that all staff members understand what constitutes sexual harassment, their rights and responsibilities, and the procedure for reporting complaints. It helps employees recognize inappropriate behaviour, understand the organization's legal obligations, and respond appropriately to workplace concerns. Regular training also promotes awareness, accountability, and a safe, respectful, harassment-free work environment, in line with the POSH Act, 2013.

1. Introduction to the POSH Act

The session introduced the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**, commonly known as the POSH Act. The facilitator explained the purpose of the law, its background, the circumstances that led to its introduction and its implementation in workplaces.

The discussion covered the case of **Bhanwari Devi**, whose experience highlighted the need for legal safeguards against sexual harassment. The facilitator explained the significance of the *Vishaka Guidelines*, established by the Supreme Court of India in 1997, which laid the foundation for the POSH Act.

2. Definition of Sexual Harassment

The facilitator explained the definition of sexual harassment at the workplace, including unwelcome conduct of a sexual nature, such as:

- Unwelcome physical contact or advances.
- Requests or demands for sexual favours.
- Sexually coloured remarks.
- Showing pornography.
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

The concept of ***quid pro quo* sexual** harassment was also discussed, referring to situations where employment-related benefits or decisions are linked to accepting or refusing unwelcome sexual advances.

The facilitator explained the concept of a **hostile work environment**, including unwelcome sexual comments, inappropriate remarks about a person's body, spreading sexual rumours and other conduct that may create an intimidating, humiliating or offensive workplace.

3. Types of Complaints Committees

The facilitator explained the two mechanisms established under the POSH Act for receiving and addressing complaints of sexual harassment at the workplace: the Internal Committee (IC) and the Local Committee (LC). Their composition, eligibility criteria, number of members and responsibilities were discussed

a. Internal Committee (IC)

- **When required:** Every workplace with 10 or more employees must constitute an Internal Committee through a written order. At least 50% of the committee members must be women.
- **Composition:** The committee must have at least four members:
 1. **Presiding Officer:** A senior-level woman employee of the workplace. If no suitable senior woman employee is available, the Act provides for nomination from another office or organisation, as applicable.
 2. **Two or more employee members:** Preferably individuals committed to the cause of women, with experience in social work or legal knowledge.
 3. **One external member:** A representative of an NGO or association committed to the cause of women, or a person familiar with issues relating to sexual harassment.
- **Eligibility and gender representation:** At least half of the total committee members must be women. The external member helps bring an independent perspective to the inquiry process.
- **Responsibilities:** Receive complaints, conduct inquiries according to the prescribed procedure, maintain confidentiality and recommend appropriate action based on the findings.

b. Local Committee (LC)

- **When applicable:** The Local Committee, constituted by the District Officer, handles complaints from establishments where an Internal Committee has not been constituted because there are fewer than 10 workers. It also handles complaints against the employer and complaints from domestic workers, as provided under the Act.
- **Composition:** The committee consists of the following members:
 1. **Chairperson:** An eminent woman committed to the cause of women and having experience in social work.
 2. **One woman member:** A woman working at the block, taluka, tehsil, ward or municipality level in the district.

3. **Two NGO or association members:** Individuals from organisations committed to the cause of women, or persons familiar with sexual harassment issues. At least one must be a woman, and at least one should preferably have a legal background or legal knowledge.
 4. **Ex-officio member:** The district officer dealing with social welfare or Women and Child Development.
- **Eligibility and representation:** The composition must follow the requirements of the Act, including the specified representation of women and a member belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes or a notified minority community.
 - **Responsibilities:** Receive and address complaints within its jurisdiction, facilitate the prescribed inquiry process and recommend appropriate action.

Key distinction: The Internal Committee operates within an eligible workplace, whereas the Local Committee provides a complaint mechanism at the district level for cases covered under its jurisdiction. Both committees must follow the procedures and safeguards prescribed by the POSH Act.

4. Terminology Used in the Complaint Process

The importance of using appropriate and legally recognised terminology was highlighted.

- **Aggrieved woman:** A woman of any age, whether employed or not, who alleges that she has been subjected to sexual harassment at a workplace.
- **Respondent:** The person against whom a complaint of sexual harassment has been made.

The facilitator emphasised the use of these terms instead of labels such as “victim” and “culprit” during the complaint process, maintaining a professional and impartial approach while the allegations are examined.

5. Complaint Procedure and Timeline

The facilitator explained the process for submitting and addressing complaints under the POSH Act.

- A written complaint should generally be submitted within **three months** of the incident or, in the case of a series of incidents, within three months of the last incident. The committee may extend this period by up to another three months for reasons recorded in writing.
- The complaint should contain the details of the aggrieved woman, the incident, the respondent and any witnesses or supporting information, as applicable.
- The committee follows the prescribed inquiry procedure and documents its findings.
- A copy of the inquiry report is to be made available to the concerned parties in accordance with the applicable provisions.
- Employees can approach the Internal Committee in their workplace to report incidents of sexual harassment.

6. Inquiry Outcomes and Disciplinary Action

The session covered the possible consequences of substantiated complaints and the importance of following due process during an inquiry.

Depending on the findings and applicable service rules, recommended action may include:

- Withholding promotion or increments.
- Disciplinary action under the organisation's service rules.
- Termination of employment, where warranted and permitted under the applicable rules.

The facilitator emphasised the importance of confidentiality, fairness and appropriate action in handling complaints.

7. Annual Reporting and Documentation

The facilitator discussed the documentation and reporting responsibilities of the committees, including the preparation of annual reports containing information on complaints received, inquiries conducted and action taken.

The applicable reporting process to the District Women and Child Development (WCD) authority was also discussed.

8. Impact of Sexual Harassment at the Workplace

The discussion highlighted the adverse effects of sexual harassment on employees and organisations, including:

- Employee stress and reduced well-being.
- Resignation and loss of experienced employees.
- Longer onboarding periods and additional recruitment costs.
- Hesitation among prospective employees to join an organisation.
- Deterioration of workplace trust, safety and productivity.

The facilitator emphasised that preventing sexual harassment is essential to maintaining a safe, respectful and inclusive working environment.

9. Government Helplines and Support Mechanisms

Government helpline numbers and available support mechanisms for women were discussed during the session to familiarise participants with the resources they can approach for assistance.

10. Recommendations and Action Points

1. **Display POSH information:** All field offices should display a POSH Act information pamphlet in a visible location.
2. **Strengthen awareness:** Ensure that employees and field teams understand the definition of sexual harassment and the procedure for reporting complaints.
3. **Communicate reporting mechanisms:** Display information about the relevant Internal Committee or Local Committee and applicable complaint channels.

4. **Promote a safe workplace:** Encourage a culture of respect, accountability and zero tolerance for sexual harassment.

Conclusion

The session enhanced participants' understanding of the POSH Act, its legal background, the role and composition of complaint committees, complaint procedures, inquiry processes and possible disciplinary action. The session reinforced the importance of workplace awareness, accessible reporting mechanisms and the display of POSH-related information across all field offices.

Photos

