

SEXUAL HARASSMENT AT WORKPLACE ACT

Parliament passed the Act in February and it came into effect on 9th December, 2013

- ◆ **What constitutes Sexual Harassment**
- ◆ Physical contact and advances
- ◆ A demand or request for sexual favors
- ◆ Making sexually colored remarks
- ◆ Showing pornography
- ◆ Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- ◆ ICC will comprise of a Presiding officer and 3 members, nominated by the Organization. 50% of nominated members must be women
- ◆ In case of organization with less than 10 employees, complaints can be lodged with Local Complaints committee (LCC) to be set up at the district level
- ◆ An employer can be fined Rs. 50,000 in case of violation of his duties under the Act
- ◆ Complaints of sexual harassment can be filed within three months
- ◆ The committee will have to complete the inquiry within 90 days
- ◆ Once inquiry is completed, report to be sent to employer or district officer
- ◆ Employer/district officer are mandated to take action on the report within 60 days
- ◆ The ICC and LCC can recommend withholding promotions, salary and even terminations of service if a charge of sexual harassment is proved.
- ◆ Committee can also revoke; suspend any license or registration of an organization/employee
- ◆ **What happens If a person is found guilty**
- ◆ If an individual is held guilty by the complaints Committee, action will be taken for sexual harassment as a misconduct in accordance with service rules and deduction of salary or wages such sum considered appropriate to be paid to the aggrieved woman or to her legal heirs.
- ◆ **What happens in case of false or malicious complaints**
- ◆ Action will be taken against the complainant in accordance with provisions of the service rules.

Organizations covered - public and private organizations including educational institutions, hospitals employing more than 10 workers

All such organizations must set up an Internal Complaints Committee (ICC)



Dr MCRHRD IAP

Contact ICC for further information and assistance