

**Compliance checklist for compliance of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the “POSH Act”)**

No.	Activity	Timeline	Necessary Action
1.	Creation of an Anti-Sexual Harassment Policy	Immediate	The policy must be specific to the Company, and it should be compliant with statutory and judicial pronouncements. It is advisable to take assistance from a legal expert.
2.	Constitution of an Internal Complaints Committee (ICC) for each branch or office of the Company which has 10 or more workers.	Immediate	An Internal Complaints Committee must be created to hear and redress grievances pertaining to sexual harassment, as per the provisions of the POSH Act. An external member must be nominated to the Committee.
3.	Filing of Annual Report by the ICC to the employer and District Officer containing necessary details of the sexual harassment proceedings	Annually (for each calendar year)	Annual report is to be furnished in the prescribed format.
4.	Disclosure of information regarding pending and resolved sexual harassment cases in the Annual Report of the Company	Annually (the timeline is the same as that of annual report of the company, that is 30 days from the date of the Annual General Meeting)	Mandatory disclosure is required in the annual report.
5.	Statement regarding compliance with POSH Act in the Board report	Annually in the Board Report	MCA has amended the Companies (Accounts) Rules, 2014 in 2018 which requires that the Board report should contain a statement that the company has complied with provisions relating to the constitution of Internal Complaints Committee under the

			Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
6.	Recognition of any act of sexual harassment as a form of misconduct in the Company	Immediate	Must be incorporated in the employment contracts/ HR policy/ Sexual Harassment policy
<b>Awareness</b>			
7.	Display of posters or notices in prominent places in the premises of the Company informing employees of the zero-tolerance policy towards sexual harassment	Immediate	Posters with graphics can be prepared and they must also contain the information of the members of the ICC
8.	Inform newly inducted employees about the zero-tolerance policy of the company	Need-based	The newly inducted employees should be made aware of the anti-sexual harassment policy. They should be imparted requisite training and information on what constitutes sexual harassment.
<b>Sensitisation and Capacity Building</b>			
9.	Conduct sensitisation workshops and seminars to inform the employees about their rights	Periodic	The Company can decide the format in which the workshops/ seminars must be conducted
10.	Capacity and skill building programmes for the members of ICC must be conducted	Periodic	Orientation programme must be conducted for the ICC members, along with capacity and skill building workshops, and also provide necessary facilities for dealing with sexual harassment proceedings
<b>Other Obligations</b>			
11.		Immediate	

	Prohibition of using the information technology assets for indulging in acts of sexual harassment		In the present circumstances, due to the pandemic, several organisations are working from home. The trend may even be relied upon for an indefinite period of time. Hence, sufficient modifications/ additions should be made by the Company in the existing anti-sexual harassment policy (could even make a new one) to incorporate situations to cover instances of sexual harassment through information technology devices or assets
12.	Monitoring the performance and functioning of the ICC	Periodic	The Company should check whether the complaints are being decided within specified time periods, whether necessary procedural rules are followed etc. Further, necessary knowledge must be given to the ICC members, like information on amendments and judgments on the law
13.	Assistance must be provided to the aggrieved employee to initiate criminal complaint in the police station	Whenever necessary	Guidance to be given to employee as to how to proceed with the filing of an FIR
14.	Implementation of policies that are gender-neutral so as to ensure adequate protection to male employees and transgender employees	Optional	Gender-neutral versions of the sexual harassment policy keeping in mind the interests of the male employees and transgender employees must be formulated, and they must be given all information about the protections afforded to them
15.	Anti-Sexual Harassment policy should be made applicable to all the offices including the main branch of the Company	Immediate	Sufficient flow of information between branches of the Company should be guaranteed to ensure complete compliance at all levels