

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

Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 is brought into force by the Central Government from 9th December 2013. The Act seeks to provide women protection against sexual harassment and right to work with dignity.

The salient features of the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 are as follows:

- There should not be any sexual harassment of women at workplace. Every Employer has a statutory duty to provide his employees a workplace where they can work with dignity.
- The Act provides protection to women at workplace irrespective of the fact whether she is employed there or not.
- The definition of workplace is very wide. It covers not only government offices, entities, companies, establishments but also private sector organizations, undertakings, enterprises, hospitals, stadium, sports institutes training venues etc. It also extends to transportation provided by employer arising out of or during course of employment.
- Internal Complaints Committee (ICC) shall be constituted in every workplace. Separate ICC shall be established for every location, divisional, sub-divisional office & all administrative offices at different locations.
- The Act has specific guidelines about composition of the ICC, who can be member, working of the ICC etc.
- It requires every workplace to have a detailed and specific anti-sexual harassment at workplace policy describing procedure to make complaint. It also lays down outline of procedure on receipt of complaint, inquiry report, action to be taken by the management after the report.

- The Act specifically spells out the duties of the Employer. Few of such duties are providing safe work environment, organizing workshops and awareness and orientation programmes for employees, facilitation of inquiry, taking action on the basis of reports of the ICC.
- Failure or non-compliance of the provisions of the Act attracts penalty as well as punishment.

How can we help you?

1. We draft customized Anti-Sexual Harassment at Workplace policy suitable for every client/ company considering nature of work carried out at the client company, composition of staff, management structure of the company etc.
2. We prepare customized presentations for training, awareness and orientation programmes for sensitizing the employees about the Act, the company policy. We also conduct separate training sessions for employees, management members, administrative staff members and members of the ICC as they need to be informed about different aspects of the policy and the law.
3. We provide guidance to our client companies about composition & formation of the ICC, choice of members of ICC, working guidelines for the ICC. We also act as member of the ICC, as the Act requires having one external member to the ICC who has legal knowledge or experience in issues relating to sexual harassment.
4. We guide ICC members about carrying out inquiry procedure after receipt of complaint.