

# Guide for Survivors of Sexual Harassment at the Workplace

---



***Trigger Warning:*** This guide contains information on physical violence, sexual violence, abuse and slurs which some readers may find disturbing.



## HOW CAN THIS GUIDE HELP YOU?

This guide helps those who have faced sexual harassment at the workplace to navigate the legal process in such situations. The guide clarifies legal aspects including what constitutes sexual harassment, remedies or safeguards available to the survivor, investigation procedure, punishments, etc.

The guide's objective is to help survivors of sexual harassment secure a safe work environment and enable them to take action against sexual harassment by a colleague, visitor, or anyone else at a workplace.

## WHAT ARE THE LAWS DISCUSSED IN THIS GUIDE?

This guide discusses the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("POSH Act"), The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 ("POSH Rules") and the Indian Penal Code, 1860, ("IPC") which criminalizes offences such as sexual harassment, stalking, and voyeurism and provides alternative criminal complaint mechanisms.

## TABLE OF CONTENTS

How can this Guide help you?	3
What are the laws discussed in this Guide?	3
What is sexual harassment in the workplace?	5
What is a 'workplace'?	8
What about working from home?	8
What kind of organisations or workplaces are covered under the law?	9
Who can complain against sexual harassment at the workplace?	9
How can you complain against sexual harassment?	11
Can I file anonymously? Can someone else file for me?	12
What temporary relief measures can the survivor get during a pending inquiry?	12
Who should you complain to against sexual harassment at the workplace?	13
Who are the members of the Internal Committee?	13
What is the role of the Internal Committee?	14
What is a Local Committee?	14
What are the mechanisms for organizations without an IC?	15
What are the alternative complaint options?	15
Can I file more than one complaint?	16
How does the Internal Committee look into the complaint?	17
Who are the members of the Internal Committee?	17
What is the timeline for addressing the complaint?	19
Can the case be settled or conciliated?	19
What are the punishments for committing sexual harassment at the workplace?	20
Contact Information	21
Checklists	22
Can I file a complaint without evidence?	22
Sample Forms	23
Annexure - Draft Email Complaints	24
Sources of Information	26
Glossary Terms	27
Endnotes	28