

Ungender's Certification Program on the PoSH Law

In today's rapidly evolving society, ensuring a safe and inclusive work environment is of paramount importance. Recognizing the need for addressing and preventing incidents of sexual harassment in workplaces, the Government of India introduced the Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) (POSH) Act, 2013. The Act provides a comprehensive framework for preventing and redressing cases of sexual harassment.

As a capacity-building exercise and with a mission to update and train Internal Committee (IC) members, HR leaders, in-house lawyers, and independent PoSH practitioners about the important elements of compliance under the POSH Act, we are conducting a Two-day Certificate Program.

Our expert instructors come with a combined experience of 30+ years and will guide you through interactive sessions, case studies, practical exercises, and discussions to help you develop a comprehensive understanding of the Act and its implementation.

This will be a Virtual Program and will be conducted via live classes. The program, among other things, will broadly focus on:

- What does a workplace mean? Does it cover electronic communications? Does it cover unofficial employee gatherings?
- What is workplace sexual harassment and is it different from workplace harassment?
- Nature of complaints and how to identify if it's a sexual harassment complaint
- What if complaints are raised against outsiders (strangers or employees of other organizations)?
- Can transgender persons file a complaint? Can parties be of the same gender?

All of the above will be discussed with the help of mock complaints and responses and recent case laws. A detailed program schedule and payment details are mentioned below.

Program Schedule

Day 1 [11:00 am to 05:00 pm]

INTRODUCTION TO LAW

- Understanding the employer's responsibilities under the law, its importance & consequences of non-compliance
- Composition, appointment, removal & term of office of Internal Committee (IC)
- The importance of following the process prescribed by Law
- Role of IC members & HR in assisting Employer in fulfilling the same
- Managing multiple roles of mentor, manager, colleague, and employee
- Identifying the challenges that IC members and HR face in implementing the law
- Introduction to the redressal mechanism under the law

INTRODUCTION TO WORKPLACE SEXUAL HARASSMENT

- What does a workplace mean? Does it cover electronic communications? Does it cover unofficial employee gatherings?
- Sexual Harassment: Types & Criteria
- Workplace harassment vs. sexual harassment
- Intent vs perception
- Consent, sexual harassment, & relationships
- Impact on involved parties

INTRODUCTION TO COMPLAINANT AND RESPONDENT

- Who can file a complaint?
- Can transgender persons file a complaint?
- Who is an employee?
- Can parties be of the same gender?

- What if complaints are raised against outsiders (strangers or employees of other organizations)?
- Understanding the redressal mechanism under the law
- Assistance in filing the complaint

Day 2 [11:00 am to 05:00 pm]

YOUR ROLE AS THE FIRST RESPONDER

- Identify the complaints that can be entertained
- Awareness of individual differences in dealing with sexual harassment
- What if the complainant states that they are being stalked or threatened?
- What if the complainant wants to file a police complaint?
- What if one does not know how to write a complaint?

DEEP DIVE INTO THE REDRESSAL MECHANISM

- Process of Conciliation and things to keep in mind
- Steps involved in the inquiry procedure under PoSH
- What is admissible and not admissible as evidence?
- How to examine and cross-examine a witness?
- Principles of natural justice
- Confidentiality of the complaint, identity of the parties and the witnesses, etc.
- Timelines and how to meet them

INQUIRY REPORT: DOs AND DON'Ts

- Discussion on malicious complaints
- What to do when there is no evidence?
- Discussion on the preparation of an inquiry report along with recommendations
- Proportionality & recommendations – How does the IC determine the same?
- Drafting of inquiry report

Assessment and certification details

Assessment questions will be shared with you after the completion of the program. You will be required to submit the assessment within 24 hours of completing the program. Once we receive the assessment from you, a certificate of participation will be shared with you on your registered email ID.

Payment and fees details

The fee for the two-day certificate program is INR 11,800 (incl. of taxes). The fee needs to be paid in advance and there is no provision for partial payments. Additionally, there are no relaxations or discounts for this program fee available at the moment. Once your payment has been made, you will receive an email confirming your enrollment.

FAQs related to the certification program

1. How will the program be conducted? Is it a virtual program?

The program is virtual and will be conducted via live classes on Zoom.

2. How long is the duration of the certificate program?

This is a two-day certificate program. The total duration of the live classes will be 12 hours.

3. Who will be the facilitator of the certificate program?

The program will be conducted by in-house facilitators at Ungender. The facilitators come with a combined experience of 30+ years and have facilitated 250000+ hours of IC training and awareness workshops and investigated 6000+ PoSH cases.

4. Is the program conducted only once, or are there multiple sessions available?

There will be multiple batches running throughout the year.

5. Will the program be recorded for participants who may have scheduling conflicts?

No, a recording of the program will not be available. As said earlier, if a participant has scheduling conflicts then they can enroll in the upcoming batches.

6. Are there any prerequisites or specific qualifications required to enroll in the program?

No, if you are an HR professional, in-house legal counsel/lawyer, independent PoSH practitioner, Head of L&D departments, Internal Committee member, external member, law student, or simply anyone responsible for creating a safe workplace in their organization, this program is for you and there is no pre-requisite or prior knowledge of the Act/law needed.

7. What is the fee for the program, and are there any installment plans available?

The certificate program costs INR 11,800 (incl. of taxes). This cost includes assessment and certification. The payment needs to be made in advance and in full and there are no installment plans/partial payment options available.

8. Will I receive any course materials or resources to support my learning during the program?

Yes, after you have successfully submitted your assessment, you will receive a PPT for quick reference, a compliance checklist, and a checklist for timelines along with your certificate.

9. Are there any technical requirements or software needed to participate in the virtual sessions?

No, you only need to have a stable internet connection, a Zoom account, and a device to attend the live classes.

If you have more questions about the program, please feel free to reach out to Sidra Javed from the team at sidra@ungender.in or (+91) 8787205190 or [schedule a call](#).