

Handbook

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

STATE RESOURCE CENTRE FOR WOMEN
WOMEN AND CHILD DEVELOPMENT DEPARTMENT
GOVERNMENT OF HARYANA



Complaint Portal

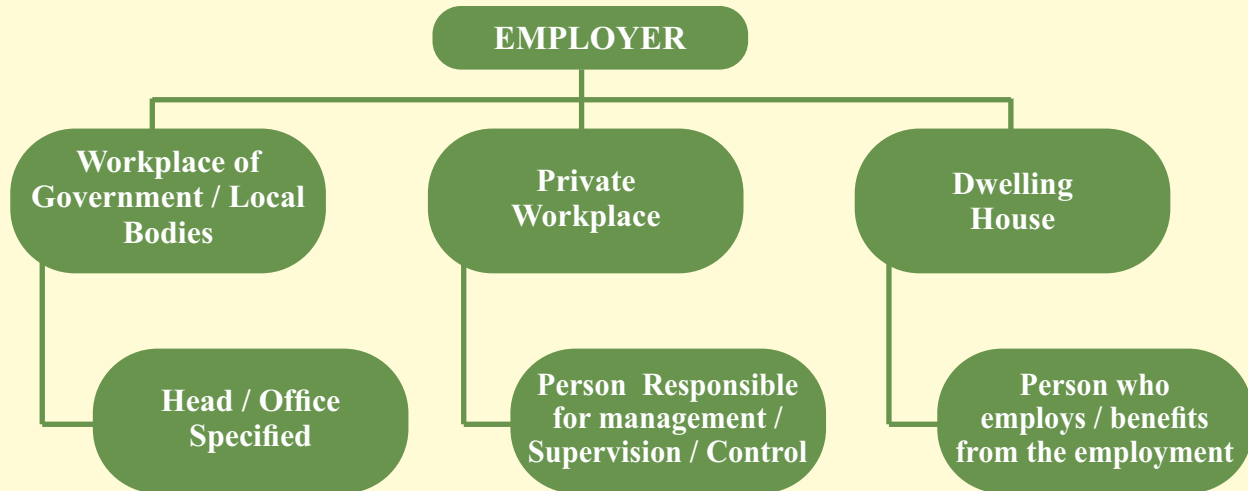
helpline.women@hry.gov.in

EMPLOYER'S DUTY

☞ PROVIDE SAFE ENVIRONMENT

☞ SECURE ENVIRONMENT

WHO IS AN EMPLOYER?



SEXUAL HARASSMENT IS FORM OF GENDER DISCRIMINATION



- Sexual Advances
- Request For Sexual Favours
- Verbal or Physical Conduct of Sexual Nature



INSTANCES OF SEXUAL HARASSMENT



Cracking jokes which cause awkwardness or embarrassment



Singing embarrassing film songs



Tonight, our little project team will do great work, won't it?



Making sexual advances or demanding sexual favours



Making obscene gestures or using indecent language

INNUENDOS AND TAUNTS

Making babies is all you women are good for



Using gender based insults

You're just a woman. We need a man for this assignment!



Discriminating on the basis of gender

GENDER BASED INSULTS OR SEXIST REMARKS

Arrey, you are like my beti...

**HUGGING OR FOUCHING
ON SOME PRETEXT**



I like to see the female
body in its natural form...

**DISPLAYING
PORNOGRAPHIC
MATERIAL
AT THE WORKPLACE**



Stop this or I'll
complain...

Then I'll stop your
promotion...

**THREATENING ADVERSE
CONSEQUENCES ON
RAISING OBJECTIONS OR
RESTING ADVANCES**



FOLLOWING CIRCUMSTANCES MAY AMOUNT TO SEXUAL HARASSMENT

- Promise of preferential treatment in her employment.
- Threat of Detrimental treatment in her employment.
- Threat about her present or future employment status.
- Interference with her work or creating intimidating or offensive or hostile work environment for her.
- Humiliating treatment likely to affect her health or safety.

EMPLOYERS' DUTIES

- Constitution of Internal Complaints Committees (ICC) in Organizations having at least 10 Employees
- Do not end with merely constitution of Internal Complaints Committees
- Display of ICC on conspicuous places
- Educate employees on what sexual harassment is and what to do
- Learn the best ways to interview witnesses
- Keep information confidential
- Treat victims with respect



CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE

No.	Member	Eligibility
-----	--------	-------------

1.	Chairperson	Women working at senior level as employee; if not available then nominated from other office / units / department / workplace or the same employer.
----	-------------	---

2.	2 Members (minimum)	From amongst employees committed to the cause of women / having legal knowledge / experience in social work.
----	------------------------	--

3.	Member	From amongst NGO / Associations committed to the cause of women or a person familiar with the issue of Sexual Harassment.
----	--------	---

STAY CALM

EXPLAIN WHAT IS OFFENSIVE

CONFRONT THE HARASSER

PUT IT IN WRITING

EMAIL THE COMPLAINT (*helpline.women@hry.gov.in*)

REPORT TO SENIOR

DON'T DELAY

**WHAT TO DO
IF YOU
ENCOUNTER
SEXUAL HARASSMENT ?**

WHO CAN COMPLAIN AND WHERE?

COMPLAINTS COMMITTEE

In case of physical incapacity :

- Complainant's Relative
- Complainant's Friend
- Co Worker
- Officer of NCW or SCW
- Any person who has knowledge of the incident with the written consent of the complainant.

In case of mental incapacity :

- Complainant's Relative
- Complainant's Friend
- Special Educator
- Qualified psychiatrist / psychologist
- Guardian / Authority under whose care the complainant is receiving treatment / care.
- Any person with knowledge of the incident, jointly with any person mentioned above.

In case of Complainant's death:

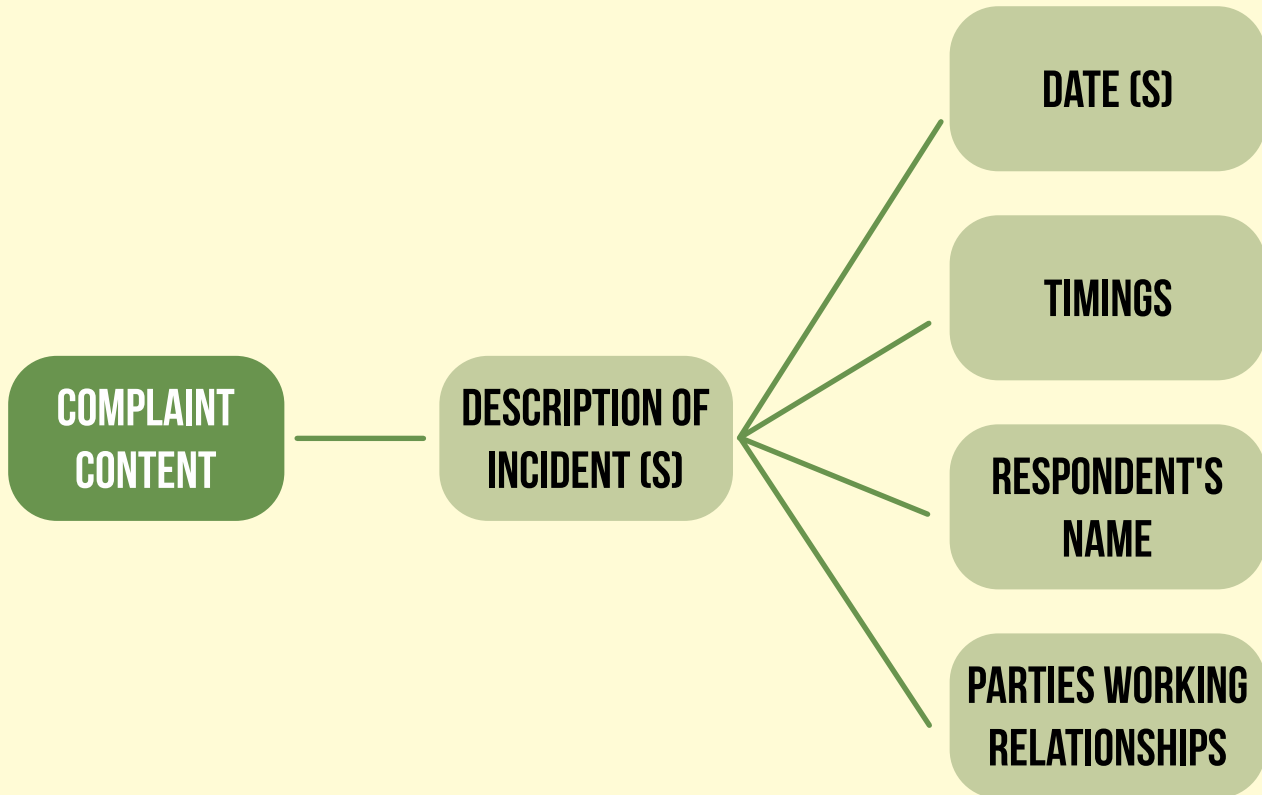
Any person with knowledge of the incident with the written consent of her legal heir.

In case Complainant is unable to file the complaint for any other reason :

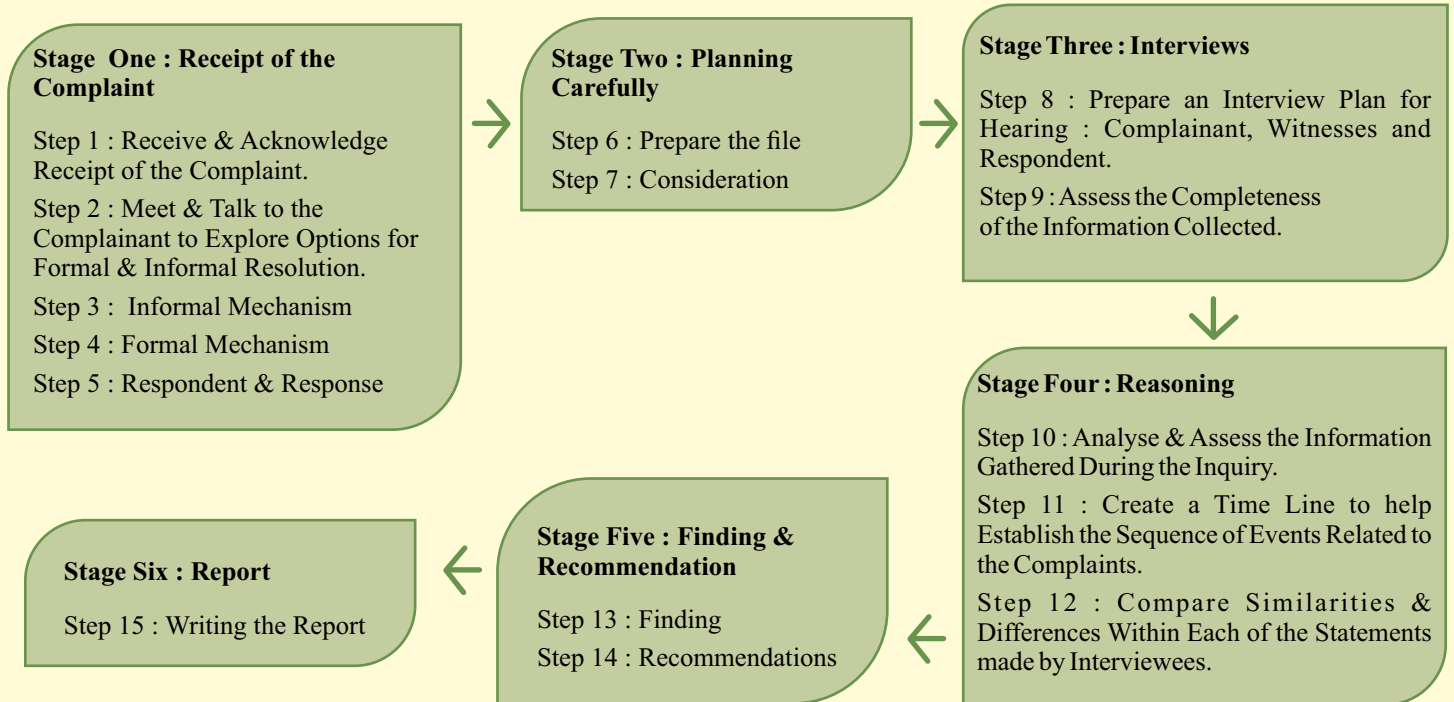
Any person with knowledge of the incident with the written consent of her legal heir.

THE COMPLAINANT

WHAT SHOULD THE COMPLAINT CONTAIN?



THE SEXUAL HARASSMENT COMPLAINT PROCESS



TIMELINES

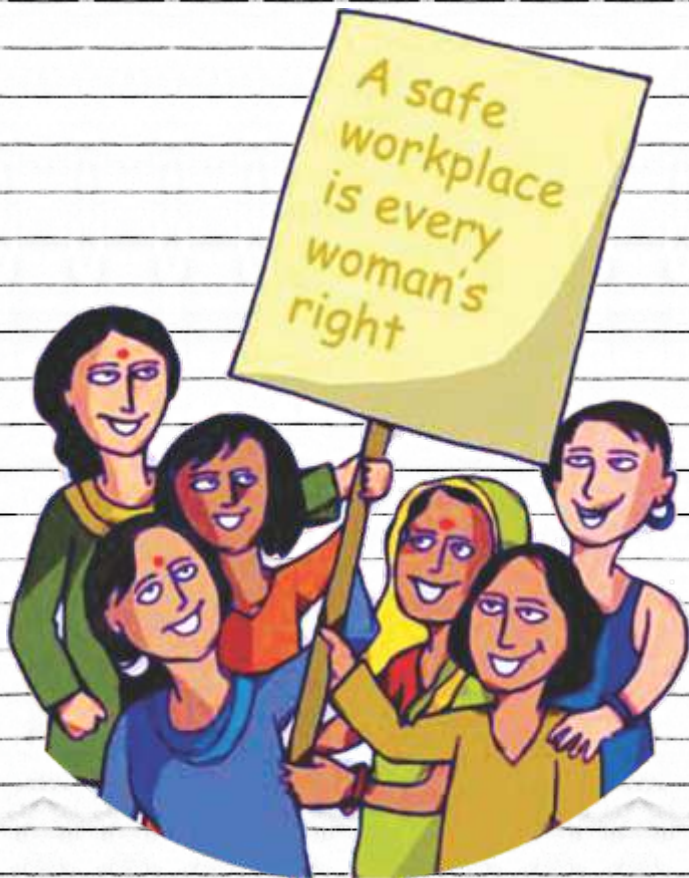
SUBMISSION OF COMPLAINT	→	WITHIN 3 MONTHS OF THE LAST INCIDENT
NOTICE TO THE RESPONDENT	→	WITHIN 7 DAYS OF RECEIVING COPY OF THE COMPLAINT
COMPLETION OF INQUIRY	→	WITHIN 90 DAYS
SUBMISSION OF REPORT	→	WITHIN 10 DAYS OF COMPLETION OF THE INQUIRY
APPEAL	→	WITHIN 90 DAYS OF THE RECOMMENDATIONS

CONSEQUENCES FOR NOT COMPLYING WITH THE ACT

- PENALTY OF RS. 50,000/-
- UP TO 5 YEARS IMPRISONMENT
- FINE

FALSE COMPLAINT CONSEQUENCES

Under IPC 177 up to 6 months of imprisonment or fine or both



STATE RESOURCE CENTRE FOR WOMEN

**WOMEN AND CHILD DEVELOPMENT DEPARTMENT
GOVERNMENT OF HARYANA**

BAYS 15-20, SECTOR 4, PANCHKULA

PHONE No. 0172-2560349/249

E-mail : helpline.women@hry.gov.in