DH

DEMO HR ADVISORY

Demo HR Advisory

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SAMPLE REPORT - FICTIONAL COMPANY, ILLUSTRATIVE ANSWERS

POSH Act 2013 Compliance Assessment Report

Sexual Harassment of Women at Workplace Act, 2013

Prevention, Prohibition and Redressal

Prepared For

Demo Manufacturing Pvt Ltd

Maharashtra | Manufacturing

Employees: 26-50

Prepared By

Demo HR Advisory

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Assessment Date: 22 November 2026

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70%

Overall Compliance Score

SAMPLE - Not a real assessment. Take the assessment for your own report.

Executive Summary

70%

Overall Compliance Score

Risk Level	Penalty Exposure
High Risk	**Rs.1,00,000+**

Category-wise Compliance

Category	Your score	Peer avg	Requirements met
ICC Constitution	73%	-	7/10
Policy & Documentation	73%	-	5/8
Training & Awareness	74%	-	6/8
Display & Communication	58%	-	3/5
Reporting & Monitoring	70%	-	5/7
Complaint Handling Readiness	60%	-	4/7

Key Findings

* Total Compliance Score: 70%
* Risk Level: High Risk
* Areas Requiring Attention: 3 High Priority Items
* Compliant Areas: 30 areas meet requirements

Your Action Plan

15 actions, in the order to tackle them. Step-by-step instructions, deadlines and penalties for each follow on the next pages.

IMMEDIATE (0-30 days) - 3 actions

High priority - highest penalty risk

1. Appoint Qualified External Member to ICC

ICC Constitution | POSH Act 2013, Section 4(2)(c); POSH Rules 2013, Rule 4
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

2. Include POSH Awareness in New Joiner Induction

Training & Awareness | POSH Act 2013, Section 19(c)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

3. Establish Board-Level or Senior Management Monitoring

Reporting & Monitoring | Aureliano Fernandes v. State of Goa (SC, 2023)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

SHORT TERM (31-90 days) - 10 actions

Medium priority

4. Issue Written Nomination Orders for All ICC Members

ICC Constitution | POSH Act 2013, Section 4; POSH Rules 2013, Rule 4
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

5. Define All Five Types of Sexual Harassment per Section 3

Policy & Documentation | POSH Act 2013, Section 3(2)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

6. Review and Update POSH Policy Periodically

Policy & Documentation | Best Practice; POSH Act 2013, Section 19
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

7. Address Virtual/Remote Workplace Harassment in Policy

Policy & Documentation | Sanjeev Mishra v. Bank of Baroda (Rajasthan HC, 2021)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

8. Include Contract Workers, Interns, and Trainees in Training

Training & Awareness | POSH Act 2013, Section 2(f)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

9. Display Penal Consequences at Conspicuous Workplace Locations

Display & Communication | POSH Act 2013, Section 19(b)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

10. Make ICC Details Available on Company Intranet/Website

Display & Communication | POSH Act 2013, Section 19
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

11. Include All Required Information in Annual Report

Reporting & Monitoring | POSH Act 2013, Section 21
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

12. Establish Clear Complaint Filing Mechanism

Complaint Handling | POSH Act 2013, Section 9
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

13. Communicate Appeal Mechanism to Employees

Complaint Handling | POSH Act 2013, Section 18
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

ONGOING (90+ days) - 2 actions Low priority - improvements and housekeeping

14. Document ICC Member Qualifications and Selection Criteria

ICC Constitution | POSH Act 2013, Section 4(2); POSH Rules 2013, Rule 4
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

15. Assist with Filing Police Complaints (FIR) When Requested

Complaint Handling | POSH Act 2013, Section 19(g)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

HIGH Priority Action Items

Address immediately to mitigate compliance risks.

HIGH ICC Constitution

Appoint Qualified External Member to ICC

"Does your ICC have the mandatory external member?"

Steps to Address:

1. Identify NGOs working on women's issues in your district/city
2. Alternatively, find person with 5+ years documented experience in women's empowerment
3. Third option: Person familiar with labor/civil/criminal law AND connection to women's causes
4. Verify qualification: NGO membership certificate OR experience letters OR legal credentials plus women's cause connection
5. Issue formal nomination order with term dates (max 3 years)
6. Arrange payment: Rs. 200/day sitting fee + travel (3-tier AC equivalent) per Rule 6
7. Document external member's qualification in ICC records

Deadline: Part of ICC constitution (immediate for 10+ employees)

Penalty: ICC may be invalidated entirely (Ruchika Singh v. Air France precedent); Rs. 50,000+ penalty

Ref: POSH Act 2013, Section 4(2)(c); POSH Rules 2013, Rule 4
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

HIGH Training & Awareness

Include POSH Awareness in New Joiner Induction

"Is POSH awareness included in your new joiner induction/onboarding program?"

Steps to Address:

1. Add POSH module to employee onboarding/induction program
2. Cover: policy overview, harassment types, ICC details, complaint procedure
3. Make POSH induction mandatory (not optional)
4. Obtain acknowledgment from new joiners
5. Provide POSH policy document during induction
6. Include emergency contact information for ICC

Deadline: During onboarding (within first week)

Penalty: New employees may be unaware of policy and complaint mechanism

Ref: POSH Act 2013, Section 19(c)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

HIGH Reporting & Monitoring

Establish Board-Level or Senior Management Monitoring

"Is there Board-level or senior management monitoring of POSH compliance?"

Steps to Address:

1. Include ICC reporting in Board/Audit Committee agenda
2. For non-corporate entities, establish senior management review
3. Present annual POSH compliance report to Board
4. Escalate critical compliance gaps to Board/senior leadership
5. Document Board engagement and decisions

Deadline: Ongoing

Penalty: Supreme Court emphasized organizational accountability; significant liability without oversight

Ref: Aureliano Fernandes v. State of Goa (SC, 2023)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Priority Action Items

Address within 30-60 days.

MEDIUM ICC Constitution

Issue Written Nomination Orders for All ICC Members

"Do you have written nomination orders for all ICC members?"

Steps to Address:

1. Create formal nomination order template covering member name, designation, ICC role, effective date
2. Issue individual nomination orders for each ICC member
3. Obtain signed acceptance from each member
4. Specify external member fee and travel reimbursement arrangements
5. Maintain nomination orders in ICC records file
6. Display updated ICC constitution order at workplace

Deadline: At time of ICC constitution

Penalty: Informal appointments may not constitute valid ICC; Section 26 penalties if ICC deemed invalid

Ref: POSH Act 2013, Section 4; POSH Rules 2013, Rule 4
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Policy & Documentation

Define All Five Types of Sexual Harassment per Section 3

"Does your POSH policy define all types of sexual harassment as per Section 3?"

Steps to Address:

1. Review current policy against Section 3(2) requirements
2. Include Type 1: Physical contact and advances
3. Include Type 2: Demand or request for sexual favors
4. Include Type 3: Making sexually colored remarks
5. Include Type 4: Showing pornography
6. Include Type 5: Any other unwelcome physical, verbal or non-verbal conduct of sexual nature
7. Add examples for each type for employee understanding

Deadline: Part of policy creation

Penalty: Incomplete policy may not meet Section 19 requirements; Rs. 50,000+ penalty

Ref: POSH Act 2013, Section 3(2)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Policy & Documentation

Review and Update POSH Policy Periodically

"When was your POSH policy last reviewed and updated?"

Steps to Address:

1. Schedule policy review with HR and legal team
2. Incorporate recent judicial developments (e.g., virtual harassment coverage)
3. Update ICC member details if changed
4. Review and revise complaint procedure if needed
5. Document review date and changes made
6. Re-communicate updated policy to all employees

Deadline: At least every 2 years

Penalty: Outdated policy may not cover modern scenarios; potential liability

Ref: Best Practice; POSH Act 2013, Section 19
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Policy & Documentation

Address Virtual/Remote Workplace Harassment in Policy

"Does your policy explicitly cover virtual/remote workplace harassment?"

Steps to Address:

1. Add explicit section covering digital/virtual harassment in policy
2. Include harassment via email, chat applications, video calls
3. Cover social media messages related to work
4. Address inappropriate behavior during screen-sharing
5. Specify that work-from-home environment is "workplace" under POSH
6. Update complaint mechanism for virtual complaint filing

Deadline: Immediate (especially for remote/hybrid workplaces)

Penalty: May not cover modern harassment scenarios; employer liability

Ref: Sanjeev Mishra v. Bank of Baroda (Rajasthan HC, 2021)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Training & Awareness

Include Contract Workers, Interns, and Trainees in Training

"Have contract workers, interns, and trainees been included in POSH awareness programs?"

Steps to Address:

1. Identify all non-regular employee categories at workplace
2. Include contract workers in annual POSH training
3. Provide interns and trainees with POSH induction
4. Coordinate with contractor/staffing agencies for coverage
5. Maintain separate training register for non-regular employees
6. Ensure their complaints can be received by ICC

Deadline: During their onboarding

Penalty: These workers are covered under POSH; excluding them violates Section 19(c)

Ref: POSH Act 2013, Section 2(f)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Display & Communication

Display Penal Consequences at Conspicuous Workplace Locations

"Are the penal consequences of sexual harassment displayed conspicuously at your workplace?"

Steps to Address:

1. Create posters/notices with penal consequences of sexual harassment
2. Include Section 26 penalties: Rs. 50,000 first offense, Rs. 1,00,000 repeat
3. Mention license cancellation for continued non-compliance
4. Display at prominent locations: reception, notice boards, cafeteria, restroom entrances
5. Ensure visibility in common areas accessible to all employees
6. Update displays when penalty provisions change

Deadline: Immediate and ongoing

Penalty: Rs. 50,000+ for Section 19(b) violation

Ref: POSH Act 2013, Section 19(b)
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Display & Communication

Make ICC Details Available on Company Intranet/Website

"Are ICC contact details and complaint mechanism available on company intranet/website?"

Steps to Address:

1. Create POSH compliance section on company intranet/employee portal
2. Upload ICC member details with contact information
3. Post complete POSH policy document
4. Include complaint filing procedure and forms
5. Add FAQ section addressing common questions
6. Ensure accessibility for remote/WFH employees

Deadline: Ongoing

Penalty: Remote workers may not have access to physical displays

Ref: POSH Act 2013, Section 19
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Reporting & Monitoring

Include All Required Information in Annual Report

"Does your annual report include all required information?"

Steps to Address:

1. Review Section 21 requirements for report contents
2. Include: (a) Number of complaints received during year
3. Include: (b) Number of complaints disposed during year
4. Include: (c) Number of cases pending beyond 90 days
5. Include: (d) Workshops and awareness programs conducted
6. Include: (e) Nature of actions taken by employer/District Officer
7. Use prescribed format if available from state

Deadline: With annual report submission

Penalty: Incomplete report may not satisfy Section 21 requirements

Ref: POSH Act 2013, Section 21
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Complaint Handling

Establish Clear Complaint Filing Mechanism

"Is there a clear complaint filing mechanism communicated to all employees?"

Steps to Address:

1. Document step-by-step complaint filing procedure
2. Specify who to approach (ICC, HR, Presiding Officer)
3. Define accepted formats: written, email, online form, in-person
4. List information required in complaint
5. Explain timeline: 3-month filing deadline with extension provision
6. Create complaint form template for consistency
7. Communicate procedure to all employees

Deadline: Before receiving any complaint

Penalty: Complaints may be mishandled or delayed; Section 19 violation

Ref: POSH Act 2013, Section 9
Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

MEDIUM Complaint Handling

Communicate Appeal Mechanism to Employees

"Is the appeal mechanism (to appellate authority) communicated to employees?"

Steps to Address:

1. Include appeal rights information in POSH policy
2. Specify 90-day appeal period from ICC recommendations
3. Identify appellate authority for your jurisdiction
4. Inform both complainant and respondent of appeal right after inquiry
5. Include appeal information in training content

Deadline: Part of complaint mechanism communication

Penalty: Employees may not know their appeal rights; potential legal challenge

Ref: POSH Act 2013, Section 18

Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

LOW Priority Action Items

Address as resources permit.

LOW ICC Constitution

Document ICC Member Qualifications and Selection Criteria

"Have you documented ICC member qualifications and selection criteria?"

Steps to Address:

1. Document Presiding Officer's seniority level and designation
2. Record internal members' credentials (social work/legal background preferred)
3. Obtain external member's NGO membership certificate OR experience letters OR legal credentials
4. Create ICC member profile file with supporting documents
5. Include qualification summary in ICC constitution order

Deadline: At time of ICC constitution

Penalty: ICC may be challenged in legal proceedings; Ruchika Singh precedent shows qualification scrutiny

Ref: POSH Act 2013, Section 4(2); POSH Rules 2013, Rule 4

Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

LOW Complaint Handling

Assist with Filing Police Complaints (FIR) When Requested

"Does your organization assist women in filing police complaints (FIR) if requested?"

Steps to Address:

1. Document process for assisting with police complaints
2. Identify relevant IPC sections (354A, 509, etc.)
3. Prepare guidance document for complainants
4. Designate person to accompany complainant if needed
5. Coordinate with local police station contacts
6. Document all assistance provided

Deadline: When aggrieved woman requests

Penalty: Section 19 violation; woman's access to criminal justice impeded

Ref: POSH Act 2013, Section 19(g)

Link: https://wcd.nic.in/act/sexual-harassment-women-workplace-prevention-prohibition-and-redressal-act-2013

Compliant Areas (30)

These areas meet Sexual Harassment of Women at Workplace Act, 2013 requirements based on your responses

ICC Constitution

[Y] Is your Internal Complaints Committee (ICC) currently constituted with all required members?
[Y] Is your Presiding Officer a senior-level woman employee?
[Y] Are at least 50% of your ICC members women?
[Y] When was your current ICC constituted or last reconstituted?
[Y] Do you pay the external member fees and travel reimbursement as required?
[Y] Does your organization have separate ICCs at each location with 10+ employees?
[Y] Is there a process for replacing ICC members who resign, retire, or complete their tenure?

Policy & Documentation

[Y] Does your organization have a comprehensive written POSH policy?
[Y] Has the POSH policy been communicated to all employees?
[Y] Is your POSH policy easily accessible to all employees?
[Y] Is sexual harassment defined as misconduct in your service rules/employment contracts?
[Y] Does your policy cover harassment by third parties (customers, vendors, visitors)?

Training & Awareness

[Y] Does your organization conduct annual POSH awareness training for all employees?
[Y] Have ICC members received specialized training on inquiry procedures and legal responsibilities?
[Y] Do you maintain attendance records for POSH training sessions?
[Y] Does your training content cover virtual/remote workplace harassment scenarios?
[Y] Does your training cover the complaint process and timelines that employees can expect?
[Y] Do you conduct industry-specific training addressing customer/client/patient harassment scenarios?

Display & Communication

[Y] Is the ICC constitution order (with member names and contact details) displayed?
[Y] Are displays in languages understood by the majority of employees?
[Y] Do employees have multiple channels to file complaints (written, email, in-person)?

Reporting & Monitoring

[Y] Did your ICC submit the annual report to the District Officer for the previous calendar year?
[Y] Is POSH compliance disclosed in your company's Board of Directors' Report? (For companies only)
[Y] Does the ICC submit periodic reports to management/employer?
[Y] Have you registered your ICC with the state portal (if applicable)?
[Y] Do you retain ICC records and inquiry documents as required?

Complaint Handling

[Y] Do you have confidentiality protocols to protect complaint information?
[Y] Is there a system to track the 90-day inquiry completion timeline?
[Y] Are interim relief options (transfer, leave, no-contact) documented and available?

[Y] Is there protection against retaliation for complainants and witnesses?

Next Steps & Resources

Work through Your Action Plan in order, starting with the Immediate items. Re-assess every 6-12 months, or after any change in headcount, premises or state of operation.

Government Resources

WCD Ministry (POSH)
https://wcd.nic.in

SHe-Box Portal
https://shebox.nic.in

State Labour Dept Portals
Check your state government website

National Commission for Women
https://ncw.nic.in

Applicable Legislation

* Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
* POSH Rules, 2013
* IPC Section 354A (Sexual Harassment)
* Companies Act, 2013 (Annual Report Disclosure)

Key Compliance Deadlines

* ICC Annual Report to District Officer: January 31 annually
* ICC Board/Company Annual Report: Before Annual General Meeting
* ICC Inquiry Completion: Within 90 days of complaint receipt
* Action on ICC Recommendations: Within 60 days of report receipt
* ICC Member Tenure: 3 years (reappointment required)

Contact Demo HR Advisory
For help implementing this action plan, or to schedule your next review in 6-12 months, contact C. Demo, Consultant: +91 90000 00002 | advisor@example.com | www.example.com.

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Appendix: Legal References

The provisions behind each gap in this report - useful when briefing your CA or lawyer.

ICC Constitution

* POSH Act 2013, Section 4(2)(c); POSH Rules 2013, Rule 4
* POSH Act 2013, Section 4; POSH Rules 2013, Rule 4
* POSH Act 2013, Section 4(2); POSH Rules 2013, Rule 4

Training & Awareness

* POSH Act 2013, Section 19(c)
* POSH Act 2013, Section 2(f)

Reporting & Monitoring

* Aureliano Fernandes v. State of Goa (SC, 2023)
* POSH Act 2013, Section 21

Policy & Documentation

* POSH Act 2013, Section 3(2)
* Best Practice; POSH Act 2013, Section 19
* Sanjeev Mishra v. Bank of Baroda (Rajasthan HC, 2021)

Display & Communication

* POSH Act 2013, Section 19(b)
* POSH Act 2013, Section 19

Complaint Handling

* POSH Act 2013, Section 9
* POSH Act 2013, Section 18
* POSH Act 2013, Section 19(g)