

Roles and Responsibilities of Employers Under the PoSH Act

The Prevention of Sexual Harassment (PoSH) Act, 2013 – was enacted to ensure that workplaces across the country are safe, respectful and friendly to all the workers. The act requires the employers to take active steps to prevent, deter and respond to workplace sexual harassment. Adventurous adoption of the PoSH Act continues to be a key responsibility to all employers, regardless of the size of their organization, whether a startup or a large corporation. If an employer fails to fulfil the responsibility, they risk both legal consequences as well as serious deterioration of employee trust as well as morale.

Here's a breakdown of the key roles and responsibilities of employers under the PoSH Act:

1. Establish an Internal Committee (IC)

All employers with a staff of 10 or more must by law have an Internal Committee (IC) in every office or branch. The presiding officer should be a senior female employee, and a third-party member should have knowledge of women's rights to make the committee work in a neutral manner. Many companies work with an experienced [PoSH consultant](#) to set up and train the IC effectively.

2. Implement a Clear Policy on Sexual Harassment

The existence of an express anti-sexual harassment policy is an essential aspect of PoSH compliance standards. This document should define what constitutes harassment, provide a way of making complaints, and require that reports are handled without fear of retaliation. The policy communication has to reach the entire organization reaching all employees, regardless of their role or function. Successful [PoSH companies](#) often post the policy where everyone can see it and also present it in the employee handbook.

3. Conduct Regular Awareness and Training Programs

Awareness is key to prevention. Organizing [PoSH training for the employees](#), the management and the members of the Internal committee falls also to the employers. From these sessions, the employees will learn the kind of behavior that is acceptable at work, how to report concerns, and how bystanders can support the victims of harassment. Hiring the services of a PoSH consultant is one of the commonest practices in companies, in installing impactful and updated training modules.

4. Ensure Confidentiality and Timely Redressal

When a complaint has been received, the main obligation of the employer is to ensure a rapid and secret investigation procedure. In order to protect immediate action, the inquiry ought to be completed by the Internal Committee within 90 days. The employer is obliged to make the committee's decisions within 60 days. Lack of confidentiality or delay on due timelines might constitute a penalty impairing the company's reputation.

5. File Annual Reports and Maintain Records

The Internal Committee as part of [PoSH compliance](#) is expected to submit an annual report showing the cases filed, those closed and pending cases. Compliance requires that employers keep detailed and credible data of all cases and responses. By maintaining these records employers can prepare better for compliance review and demonstrate their efforts to make the workplace safe and respectful.

6. Promote a Culture of Respect and Zero Tolerance

Apart from their legal obligations, employers must ensure that they build a positive workplace culture that prizes harassment out of it. This includes empowering HR staff with authority; promoting open dialogue and creating clarity around the need for workplace safety and respect. Highly successful in PoSH, these core values are operated in all aspects of the management and business processes of the most successful organizations.

All should experience a safe working environment, not be treated as a luxury. Employment of PoSH consultants and ongoing PoSH education of staff and even keeping up-to-date with best compliance standards empowers employers to create an environment where individuals are appreciated, listened to, and safe.