



POSH

Prevention of Sexual Harassment



WHAT IS THE NEED FOR COMPLIANCE

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

“It is the duty of the employer or other responsible persons in workplaces or other institutions to prevent or deter the commission of acts of sexual harassment and to provide the procedure for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps required”



As per the latest survey, there has been 31% increase in sexual harassment complaints in FY 2023 vs. FY 2022 (370 out of BSE500 companies)

A survey done by the Women’s Indian Chamber of Commerce and Industry’s (WICCI) Council of Ethics in which 1,101 females participated found that approx. 50% of women experienced “physical contact or advances” or inappropriate touching at least once at the workplace.



WHAT HAPPENS IF POSH COMPLIANCES ARE NOT IN ORDER?

In case of non-compliance, as penalty, POSH Act prescribes for fine up to ₹50,000 and in case of repetition, it leads to cancellation of license to do business or double the penalty.

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HOWEVER, COURTS HAVE IMPOSED HIGHER PENALTIES TOO IN THE PAST:

CULCUTTA HIGH COURT

Not constituting an IC as well as not complying with other compliances. Penalty
Rs. 1.68 crores

MADHYA PRADESH HIGH COURT

Not constituting an IC and for the pain and suffering caused. Penalty
Rs. 50 Lakhs + Rs. 50,000

APPELLATE AUTHORITY

Arrears of salary (that were deducted from the Respondent's pay) and for creating a hostile working environment. Penalty
Rs. 30 Lakhs + Rs. 4,80,000

Additional damage to the **credibility, goodwill and reputation** of the company along with the **financial and legal** damages.

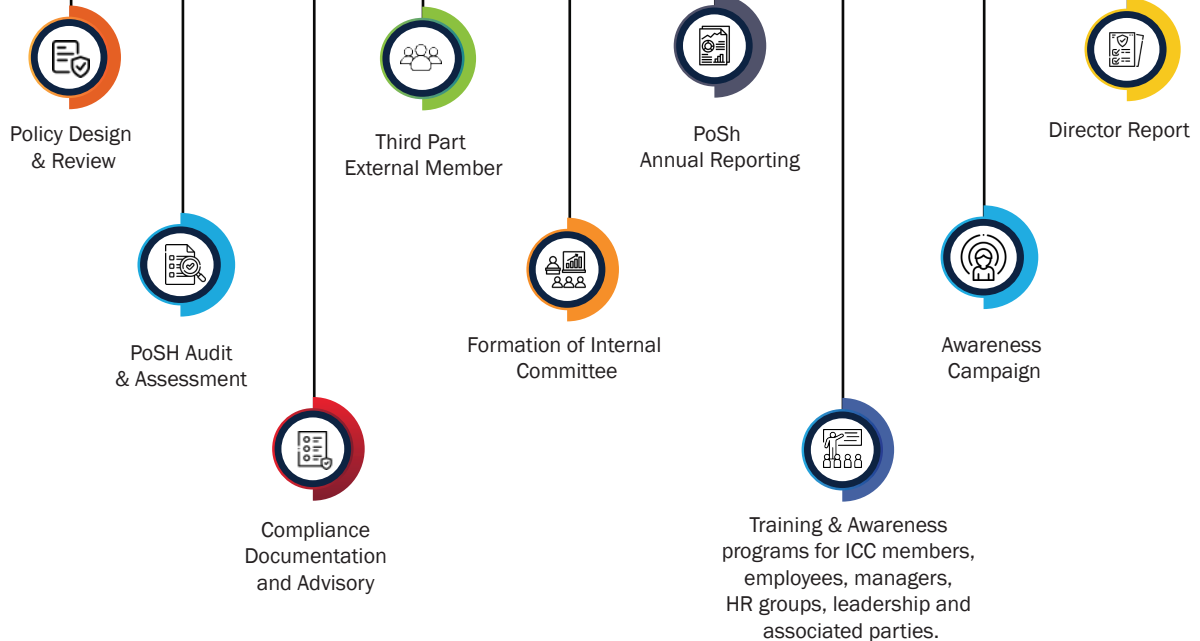


HOW CAN WE HELP YOU?

Many organizations struggle to fully implement the measures prescribed under the Act due to lack of legal & procedural awareness and expertise required to develop a **successful compliance program**.



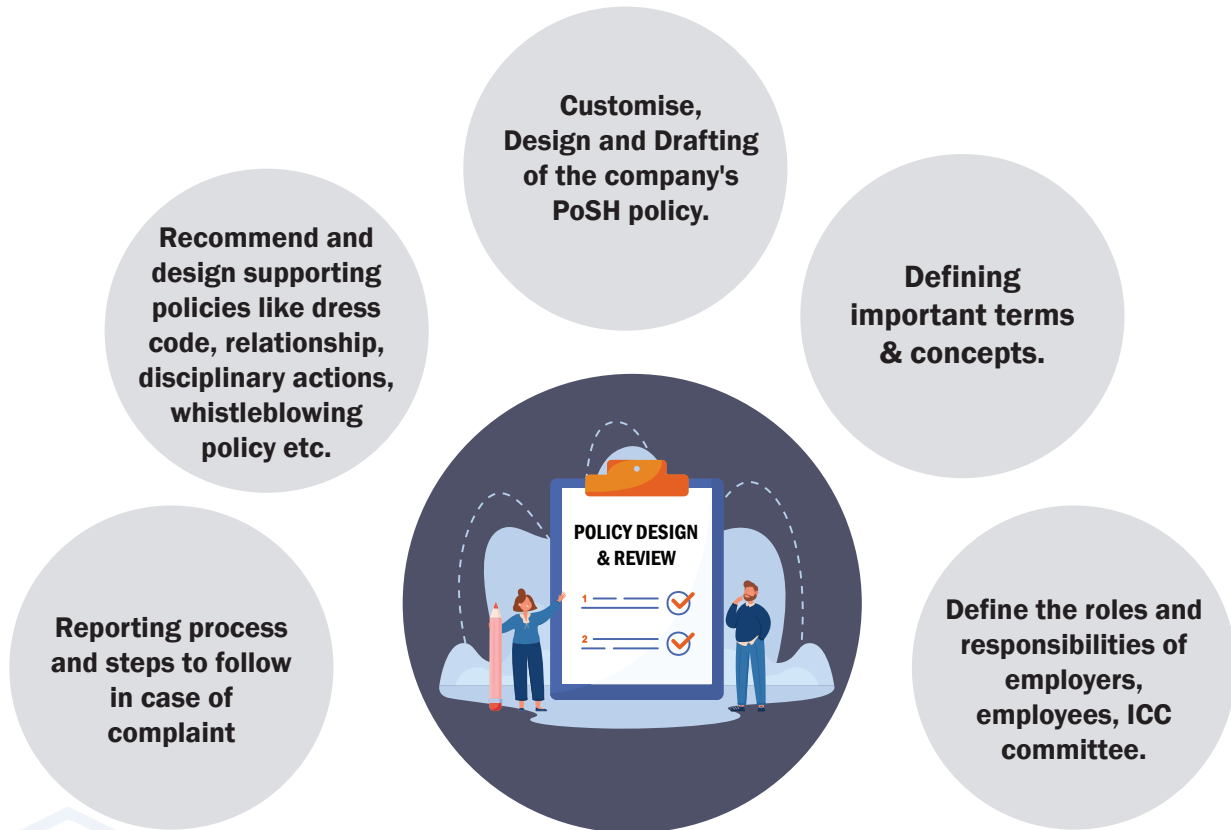
So, what does a PoSH Compliance program comprise of



Our SERVICES



1. POLICY DESIGN & REVIEW



The policy is customizable as per the organization needs and requirement.



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2. TRAINING & AWARENESS PROGRAMS

The training sessions are available in three forms:

Virtual Session, Classroom Session, Blended learning , Webinars and Seminars

We deliver :



Flagship programs:

1. Training & Awareness program for employees

- 1 Scope and salient features of PoSH Act, existing law and PoSH Policy.
- 2 What is 'Sexual Harassment' and Inappropriate behaviour in workplace.
- 3 Duties & Role of Employees and employers.
- 4 Do's and Don'ts of employee behaviour.
- 5 How to recognise, report and raise sexual harassment
- 6 Non retaliation and steps to take if you are a victim, harasser or witnesser.

2. Training & Awareness program for leadership, management & HR groups

- 1 Scope and salient features of PoSH Act, existing law and PoSH Policy.
- 2 What is 'Sexual Harassment' and Inappropriate behaviour in workplace
- 3 How to manage queries and handle workplace issues along with compliants.
- 4 Employer's role in promoting and implementing PoSH awareness programs.
- 5 Role of ICC & Redressal mechanism in the organization

3. Training & Awareness program for IC core members

- 1 Scope and salient features of PoSH Act, laws and PoSh Policy
- 2 Capacity Building of members and applicability of ICC handbook.
- 3 Investigation skills and steps to conduct investigation.
- 4 How to write a report and present fact-finding details
- 5 Mock interviews and sessions discussing live scenarios.

4. Train the Trainer & Certification

- 1 Day long Capacity Building Program for Employers, Leaders, Managers, HR groups
- 2 Two-day Workshop for Employees for train the trainer program
- 3 Mocks & Role Plays
- 4 Certification



3. FORMATION OF INTERNAL COMMITTEE



Formation of IC as per the guidelines under the PoSH Act



Choosing the right IC members- knowledgeable, unbiased & neutral



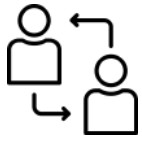
Do's and Don'ts by IC members and investigation skills.



Equip the IC to handle complaints, conduct investigation and recommend actions



Providing ICC handbook (part of the compliance documents)



4. THIRD PARTY EXTERNAL MEMBER



Policy review and recommendations to ensure legal compliance



Assisting ICC in developing & implementing successful PoSh program



Assisting ICC in investigations & Reporting.



Assisting in PoSh Audit and Annual Reporting.



Coach Internal Committee as and when required.



Support to establish governance model around the policy & establish preventive steps.



5. POSH AUDIT & ASSESSMENT

Audit &

ASSESSMENT



- 1 Assessment of PoSh Policy and compatibility with different company policies.
- 2 Assessment of steps & action taken for the awareness program
- 3 Analysing your Company's Internal Complaints Committee constitution, internal documentations and various complaint resolutions effected by them.
- 4 Conduct meeting and discussion for a PoSh compliance health check at ground level.
- 5 Auditing the annual reports submitted by the Internal Committee to the local authorities.
- 6 Recommend any compliance gaps, preventive measures, improvement, and best practices based on careful assessment of your Company's current PoSH compliance program.



6. POSH ANNUAL REPORT

As per PoSH Act, failure to submit Annual Report is considered as violation of the Act. This will attract a **penalty of ₹50, 000** & more or cancellation of the license/certificate to conduct business. We can help you analyse and collect the data and submit the report to the concerned local authority as per your district's rules and regulations.



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7. DIRECTOR REPORT

As per The Companies (Accounts) Rules, 2014, it is now mandatory to attach a statement on the POSH compliance to the annual report of the company. However, many organizations are yet to comply with this amendment. Penalties described under Section 134 of the Company's act for non-disclosure is applicable in the matters of non-disclosure of PoSh compliances as well.



8. AWARENESS CAMPAIGN



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It is important to fully understand the different forms of harassment, their impact on individuals, or the long-term consequences.

- Partner with LexLevel to conduct a survey on Awareness & Prevalence of Sexual Harassment at your workplace.
- To understand the employee pulse and your compliance health check.

What do we Provide?

- 1 Employee questionnaire or Survey through link which can be anonymous.
- 2 Tools for awareness programs : public notices, posters, emailers, open discussion sessions.
- 3 Employee engagement activities in form of skits and games.
- 4 Final consolidated report with action items shared with the organization



9. COMPLIANCE DOCUMENTATION & ADVISORY

Documentation is an integral part of PoSH compliance. Any error in proper documentation of the PoSH documents can render the whole program ineffective. We at Lexlevel provide you with end to end compliance documentation to meet all legal and ethical requirements for a successful PoSh Program. Handbook, Reports, Checklists, Templates :

PoSH Policy	Annual Report	Audit Report
Director statement Report	Conciliation Settlement Report	Incident documentation Report
Investigation Conclusion Report	ICC Member handbook	PoSH Compliance checklist
Checklist for ICC	List of questions for interview	Employee questionnaire
Templates of notices to Respondent, complainant, witnesses	Complaint form/template for employees	PoSH FAQ sheet
	Posters/emailers/contents for awareness program	



10. OTHER SERVICES OFFERED BY LEXLEVEL

Legal Drafting & Analytics	Contract Solutions	Corporate Compliance	Training & Education
<ol style="list-style-type: none">1 Legal proof reading2 Legal data entry3 Legal document drafting4 Legal research	<ol style="list-style-type: none">1 Contract Lifecycle Management2 Contract Abstraction & Extraction3 Contract Redaction4 Contract Drafting, Vetting & Redlining	<ol style="list-style-type: none">1 Policy & Procedures development2 Internal Compliance program3 Internal Controls & Monitoring4 Standard operating procedure development (SOP)	<ol style="list-style-type: none">1 Code of Conduct2 Anti Bribery3 Anti Money Laundering4 Prevention of Harassment5 Diversity Equity & Inclusion6 Culture Development7 PoSh (Prevention of Sexual Harrassment)



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About **COMPANY**

LexLevel aims to build a healthy workplace and a better tomorrow, not just for the organisation but also for their employees and clients by simplifying the compliance complexities. We bring together distinct capabilities and experts to serve as the trusted advisors when you are facing your greatest opportunities or challenges.

Our mission is to foster a culture of compliance with our unwavering dedication and by enabling businesses to navigate successfully through the legal, ethical and regulatory requirements with confidence and integrity. We aim to create a brighter future for businesses by safeguarding our clients' reputation, growth, and success. Our Core Values start with “We” which emphasises the importance for us to listen and collaborate with you at every step and to deliver personalised solutions your organisation needs.



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About **FOUNDER**

LexLevel has been founded by Harshita Agarwal Sharma, a passionate advocate for ethics, eminent trainer and a strategic partner for various businesses, navigating them through complex landscapes of law and compliance. The journey began with a relentless pursuit of knowledge, earning a degree in B.A.LLB, soon becoming a certified Anti Money Laundering Specialist from the prestigious institute of ACAMS, the largest International organization for Anti-Financial Crime professionals. She is also an eminent speaker and a certified PoSH (Prevention of Sexual Harassment) trainer who has provided trainings to more than 600 employees, corporate leaders, vendors, Internal Complaints Committee (ICC) members across industries in domains relating to Anti-Bribery, Anti-Corruption, Employee code of conduct etc. Her commitment to excellence has driven her to continually stay ahead in this dynamic field and has helped domestic and International giants in successfully setting up their Compliance processes and internal control systems.



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