

What Constitutes Sexual Harassment at Workplace

The POSH Act covers any unwelcome physical, verbal, or non-verbal conduct of a sexual nature, as well as coercive workplace behaviors.

Category	Key Examples & Elements
Physical Conduct	Unwelcome physical contact, touching, cornering, or physical advances.
Verbal Conduct	Sexually colored remarks, unwelcome comments on body/clothing, sexual slurs, or asking for sexual favors.
Non-Verbal Conduct	Displaying pornography, explicit posters, sexually suggestive gestures, or inappropriate emails/messages.
Quid Pro Quo	Implied or explicit promise of preferential treatment or threat of detrimental treatment in exchange for sexual favors.
Hostile Work Environment	Conduct that creates an intimidating, offensive, or hostile work environment or affects health/safety.

Penal Consequences Under the POSH Act

Penalties apply to perpetrators found guilty, employers who fail to comply with the law, and individuals who submit false or malicious complaints.

Subject	Action / Offense	Penal Consequence
Perpetrator (Employee)	Proven sexual harassment	Service rule disciplinary action (written apology, reprimand, withholding promotion/increments, or termination).
Perpetrator (Employee)	Compensation to victim	Monetary deduction from salary/wages paid directly to the aggrieved woman.
Employer	Failure to constitute Internal Committee (IC) or non-compliance	Fine of up to ₹50,000 for the first offense.

Subject	Action / Offense	Penal Consequence
Employer	Repeated non-compliance	Double the fine and potential cancellation/suspension of business license or registration.
Complainant / Witness	False or malicious complaint / forged evidence	Disciplinary action as per employment service rules (does not apply to mere inability to substantiate a claim).

Do's and Don'ts for Employees at Workplace Premises

Do's	Don'ts
Maintain professional boundaries in all physical, verbal, and digital communications.	Do not touch colleagues without explicit consent or make unwelcome physical gestures.
Report unwelcome behavior to the Internal Committee (IC) in writing within 3 months of the incident.	Do not send sexually suggestive, explicit, or offensive texts, emails, memes, or images.
Attend mandatory POSH awareness workshops and familiarize yourself with company policy.	Do not make sexually colored jokes, double entendres, or personal remarks on appearance.
Support colleagues who voice concerns and co-operate honestly during IC inquiries.	Do not retaliate against anyone filing a complaint or acting as a witness.
Respect personal space and maintain professional decorum during official events/travel.	Do not misuse POSH provisions to file false, frivolous, or malicious allegations.

Blue
30/07/26

Chairperson
Internal Complaints Committee