



Awareness on POSH

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BITS Pilani
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The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013



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What is POSH?



- ✓ **The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013**
- ✓ **This is an Act passed by the Government which came into effect on 9th Dec 2013.**
- ✓ **It extends to the whole of India.**



UGC regulation



The University Grants Commission came up with new regulations which were published in the Gazette on 2nd May 2016 .

They were called as

University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment) of Women Employees and Students in Higher Educational Institutions Regulations, 2015.

It applies to all higher educational institutions in India



Why is it important?



Your behavior should **not**
Impact your career which has
a **repercussion** on your life.



Purpose of the act



- ✓ To ensure we create a **safe and appropriate work environment** for all employees and students.
- ✓ To become aware of **actions** that could be perceived as **inappropriate** work behavior.
- ✓ Understand what is **Sexual Harassment**.
- ✓ Understand the **Legal aspects** of the Act & UGC guidelines.
- ✓ Understand the **support mechanism** in case of complaints



Definition: Student?

- ❖ **Duly admitted** and pursuing a program
 - regular
 - distance learning
 - short term training programs
- ❖ **Process of taking admission**, not yet admitted
- ❖ **Participants** in any of the activities in a HEI **other than the HEI** where the student is **enrolled** shall be treated as a student of that HEI where any incident of SH takes place against such student



Definition: Campus



❖ Location or land on which the institution stands and includes

Library, laboratories, lecture halls, Toilets, student centers, Residences, and halls.

Stadiums, parking areas, Hostels, dining halls, stadiums, parking areas, parks like settings, Amenities like health centers, canteens, bank counters

❖ Includes extended campus

- **Places visited as a student**
- Includes **transportation** provided for travel to and from the college
- Locations **outside the institution** on field trips, internships, and study tours
- Excursions, short-term placements
- **Places used for camps, cultural festivals, sports meets,** and such other activities where a person is participating as a student or an employee of the institution



What is sexual harassment?



Unwanted conduct with **sexual** undertones if it occurs

Or

which is **persistent** and **demeans**, and **humiliates**.

Or

creates a **hostile** and **intimidating** environment.

OR

calculated to **induce submission** by actual

OR

threatened adverse consequences and includes any one or more or all of the following **unwelcome** acts or behavior (whether directly or by implication)

What is sexual harassment?



Physical contact

Sexually colored remarks

Showing pornography



A demand or request for sexual favours

Any other physical, verbal or non-verbal conduct of a sexual nature

Types of Sexual Harassment



Quid Pro Quo



Hostile environment

Quid Pro Quo



- ❖ A Latin term meaning **this for that**.
- ❖ Implied or explicit promise of **preferential** treatment for **sexual favors**;
- ❖ Implied or explicit threat of **detrimental** treatment in the conduct of work;
- ❖ Implied or explicit threat about the **present or future status** of the person concerned;



Hostile environment



- ❖ Creating an **intimidating offensive** or **hostile** learning environment.
- ❖ **Humiliating** treatment likely to affect the health, safety dignity or physical integrity of the person concerned.
- ❖ It occurs when physical, verbal, or visual sexual **harassment is severe** pervasive enough to create **a hostile or abusive work environment**.
- ❖ Comments about your **body, sexual remarks, pornographic pictures displayed at the workplace**, touching, and grabbing may all create a hostile environment.



So what is not sexual harassment?



This is not sexual harassment



- ❑ **Following up** on work/class absenteeism
- ❑ Requiring **performance to job/class standards**
- ❑ The normal exercise of **management rights**
- ❑ **Work-related** stress e.g. meeting deadlines /quality standards.
- ❑ **Work Condition Constructive feedback** about the work
mistake and **not** the person.



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When to complain?



Complaints should be lodged within three (03) months of the incident(s)



Punishment if found guilty



- **Withhold privileges** of the student such as access to the library, auditoria, halls of residence, and transportation. Scholarships, allowances, and identity card
- **Suspend or restrict entry** into the campus for a specific period;
- **Expel and strike off name** from the rolls of the institution, including **denial of readmission**, if the offense so warrants;
- **Award reformatory punishments** like mandatory counseling and, or performance of community services

Thank you!