



# Thozhi Federation



Study on Internal Compliance Committee (ICC) at  
Workplace-

Successes and Challenges in Thirupattur District  
of Tamil Nadu

—  
***A Status Report in collaboration with***



## Contents

<b>Executive Summary:</b> .....	<b>3</b>
<b>Introduction:</b> .....	<b>6</b>
<b>About Thozhi:</b> .....	6
<b>Background:</b> .....	6
<b>Scope of the Study:</b> .....	8
<b>Research Objectives:</b> .....	9
<b>Methodology:</b> .....	<b>10</b>
<b>Research Design:</b> .....	<b>10</b>
<b>Data Collection Methods:</b> .....	10
<b>Sampling:</b> .....	10
<b>Ethics:</b> .....	12
<b>Data Analysis:</b> .....	12
<b>Limitations:</b> .....	13
<b>Findings:</b> .....	<b>13</b>
<b>Demographic Profile:</b> .....	13
<b>Key Findings:</b> .....	14
<b>Discussion:</b> .....	<b>27</b>
<b>Interpretation of Findings:</b> .....	27
<b>Implications for Practice and Policy:</b> .....	30
<b>Recommendations</b> .....	<b>31</b>
<b>For The Community:</b> .....	31
<b>For the Organizations and Worker Unions:</b> .....	32
<b>For The Industry:</b> .....	32
<b>For The Government:</b> .....	32
<b>Conclusion:</b> .....	<b>33</b>
<b>References:</b> .....	<b>35</b>
<b>Acknowledgements</b> .....	<b>35</b>

## **Executive Summary**

The Prevention of Sexual Harassment Act (explained in detail in subsequent sections) mandates that every company with more than 10 female employees must constitute an 'Internal Complaints Committee' that would provide redressal to women employees in case of sexual harassment at their workplace. There are numerous guidelines with respect to the functioning of this committee. The company is also mandated to file annual POSH returns with the District Collectorate clearly articulating status of complaints if any.

Through its work for welfare of women workers at their workplace, Thozhi Federation reached out to government authorities to collate data on efficacy of ICC implementation and hit a wall. That such an important legislation was not being monitored even after giving suggestions on that front was a source of great concern for Thozhi. The need for this research study stemmed from this paucity of information.

### **The Study**

Thozhi identified critical stakeholders who are deeply connected with ICC – Women employees who are affected by its efficient functioning or otherwise; Government Officials, Company officials (HR officers, Supervisors, Owners) who have a role in implementing and monitoring this mandate; and Stakeholders who have a role in looking out for interests of the women employees – viz. Trade Unions, NGOs and Lawyers. Primary data collection from all the above sources, both quantitative and qualitative formed the core of this study. The study has been conducted taking feedback from 102 stakeholders in all.

### **Summary of Findings**

Awareness among stakeholders has come across as a major constraint for the effective adherence of the act. With implementors and victims both showing very low levels of awareness with respect to the provisions of POSH and ICC, its adoption and redressal mechanism was very limited. Only 40% of the participants were aware of the POSH act and ICC. A large majority of these respondents had gained knowledge about this act through training programs conducted by Thozhi Worker Federation. HR departments of their companies or government officials did not play any role in this.

Companies are required to adhere to the provisions of the POSH act but seemed to be able to get away quite easily without doing so – reasons may be due to lack of awareness or low importance attached due to ineffective monitoring mechanisms. Trade Unions who represent the interests of employees, both male and female seemed equally unaware of the provisions of the act and that of ICC.

Even where ICC committee exists, meetings are irregular and there is a lack of transparency about its operations leading to low success rate. Societal and financial pressures have come across as severely constraining factors that prohibit victims from seeking redressal under this act. Fear of losing their jobs and with families being highly dependent on their income, most victims chose to stay silent. Ineffective functioning of ICC also created a trust deficit in the employer – employee relationship. Respondents expressed a lack of trust in the ICC at their workplace due to non-transparent operations and irregular meetings.

Perhaps the most significant finding from the study was the status of monitoring of the act by Government machinery. Low awareness coupled with lack of clear processes, role definition, accountability and monitoring mechanism seem to render the ICC mandate ineffective. While Social Welfare Official seemed aware of ICC mandate, Officials from Labour Department show a complete lack of awareness about ICC. There seems to be a need not only to conduct awareness about the act among this critical stakeholder; It was also felt that roles and responsibilities of officials especially in labour department, by excluding supervision of the ICC mandate, was ignoring a vital aspect of worker welfare.

While NGOs have been instrumental in spreading awareness about the ICC and POSH Act, there is a need for more formal and structured training within workplaces. Barring advocates and member NGOs of Thozhi Federation, other stakeholders showed poor awareness about ICC.

Women employees demanded better monitoring, transparency, and support for ICCs from companies, governments, and trade unions.

With poor awareness, what follows is poorer adherence. A legal compliance that was brought about after several agitations and representations remained just that – a document, that has not given respite to the most vulnerable that it aimed to serve.

## **Recommendations**

Monitoring the implementation of ICC through verification of the constitution and functionality is critical to its success. Addressing fear of retaliation by creating a supportive environment, speaking to families and ensuring transparency in the ICC operations in companies is the need of the hour. Establishing accountability especially with respect to corporates and government departments through an independent monitoring agency is crucial. It has also been seen that trade unions and NGOs have a great role to play in this area by working closely with the workers and helping them get required redressal from the committee.

## **Actionable Points for Improvement**

1. Comprehensive awareness and training programs for all the stakeholders - Women employees, Government Officials, HR officials and Trade Union representatives, on POSH act and ICC has come up as the most urgent requirement.
2. Companies and Government must address the fear of retaliation by creating a supportive environment and ensure confidentiality in the complaint process.
3. Clear operating processes and assigning of responsibilities among the critical stakeholders in the government machinery is a priority. Monitoring of ICC adherence will become a reality only when this problem is addressed
4. Government must ensure 100% constitution and functionality of ICCs in all workplaces, with regular meetings and transparent operations.
5. Establish clear mechanisms for monitoring ICCs and transferring information to the Labour Department.
6. Government departments must collate detailed statewide information about the adherence to ICC mandate and its status and showcase this information each year
7. Government must involve NGOs and Trade Unions representatives officially in awareness campaigns and oversight of ICC implementation by employers

# Introduction

## ***About Thozhi***

'Thozhi' in Tamil means 'Friend', specifically, a 'Female Friend'. Thozhi Federation is a registered federation of NGOs working for the cause of women workers across 15 districts of Tamil Nadu. As an organisation, it embodies the spirit of comradeship and friendship among women, especially working women. Focused on working for the rights of women workers, Thozhi has 65 member organisations, who in turn are working with 1.02 lakh families. Thozhi advocates a 'Violence Free Working Environment' with 'All Legal Rights as per Labour Act' for women workers. Thozhi is active in the districts of Krishnagiri, Vellore, Thiruppathur, Thiruvannamalai, Dharmapuri, Salem, Tiruppur, Erode, Namakkal, Karur, Trichy, Pudukottai, Tanjore, Perampalur and Ariyalur. Since 2014, Thozhi has received support from DEEPS – DKA Austria. It is associated with Dhvani since December 2023.

Thozhi's focus areas are Community Development, Skill Development, Women Empowerment and Advocacy

## ***Background***

### **The Problem**

Sexual harassment at workplace while subtly acknowledged at various forums was not treated as the malaise that it was. Women often face sometimes subtle, sometimes overt and aggressive harassment – both verbal and physical. Fear of backlash and loss of livelihood ensures they keep mum about the abuse. There are laws in place to protect women both at workplace and outside. As an organisation working for the rights of women, Thozhi has taken upon itself to investigate the status of implementation of Internal Complaints Committee in industries of Thiruppathur District of Tamil Nadu.

The Prevention of Sexual Harassment at workplace (POSH Act) has its roots in the Vishaka Guidelines of 1997 formulated after the Bhanwari Devi gang rape in Rajasthan. Bhanwari Devi, a Sathini who was implementing the Government's agenda of reducing child marriages saw herself and her family being ostracised by the village for attempting to prevent the marriage of a 9-month-old child belonging to the dominant Gurjar community. She herself was subjected to gang rape by the community and despite valiant efforts to file an FIR, did not get the required support from police or the judiciary. The incident angered various women activists and women rights groups who fought for the rights of women at

workplace. The Vishaka guidelines, 1997 the first of its kind laid the foundation for addressing sexual harassment at workplaces. The guidelines were framed by Supreme Court of India. However legislative void continued for a long time until 2010, when the Women and Child Development Minister, Krishna Tirth in 2007 introduced the bill which was approved by the Union Cabinet in 2010. The bill was passed by Lok Sabha in 2012 and Rajya Sabha in 2013 and came into force from 23<sup>rd</sup> April 2013.

### **Salient Features**

The POSH act defined sexual harassment and created a redressal mechanism for victims. The onus of implementing POSH act and its guidelines was on the employer (who had 10 or more employees).

The Internal Complaint Committee (ICC) composition, working guidelines, reporting requirements are clearly articulated in the POSH Act. The ICC is required to be set up in every organisation and it must resolve complaints within 90 days. Each organisation is required to submit the returns to District officer at the end of the calendar year stating cases reported during the year and other details.

There have been recent changes to the above:

- The term ICC has been changed to IC (Internal Committee)
- Complaint period has been changed from 3 months to 6 months i:e 180 days

*For the purpose of this report, the terminology ICC which is more well known has been retained*

### **Implementation of POSH Act in Tamil Nadu – Thozhi’s Findings and Interventions**

Effectiveness of any legislation lies in its successful implementation. Information on implementation for any legislation passed by government must be available in the public domain to gauge its success and address challenges if any.

Thozhi Federation tried to gather information about formation of ICC in companies, number of complaints received, resolutions etc and found that such data was not available in the public domain. Despite being the second most industrialised state in the country, the State Government’s nodal department viz. Social Welfare and Women Empowerment Department did not possess any data about ICC implementation.

Data gathered from the NCW (National Commission for Women) indicates that 1,278 complaints were received in 2022, compared to 894 in 2019 and 741 in the middle of 2023. However, there are no data points for Tamil Nadu.

In 2022, Thozhi Federation conducted an RTI campaign in 15 districts to gather information about ICC implementation, but there were no satisfactory data points. Thozhi concluded that women's issues at workplace was not getting the desired importance. It launched a state wise signature campaign and collected 1.16 lakh signatures to exhort the government to ensure implementation of ICC at workplace. This representation was submitted to Hon. Minister for Social Welfare and Women Empowerment, Govt of Tamil Nadu and the Directorate of concerned departments with relevant recommendations. 'PINK BOX' – Complaint/ Suggestion Box, one such suggestion by Thozhi was immediately introduced on 31<sup>st</sup> May 2022 by the government which mandated companies to follow this immediately.

Efforts to gather information about the implementation of above in February 2024, once again hit a dead end. There was no data on ICC constituted in the previous period, Pink Boxes installed, Complaints Received and Resolution of Complaints. The lack of data indicated a lack of monitoring mechanism on the part of government.

It is essential that women feel safe and comfortable at workplace. This is the joint responsibility of their employers and the government as well. Thozhi has therefore resolved to study the practices with respect to constitution of ICC and implementation of POSH Act in its true spirit in one district of Tamil Nadu.

## ***Scope of the Study***

### **Identification of the geography and the industry for the study**

Leather, and leather products manufacturing is one of the biggest non-farm employers in India and one of the top 10 foreign exchange earners. Tamil Nadu contributes 40% - 50% of India's leather exports. The sector has 4.42 million workers, among whom 30% are women. In Tamil Nadu, women constitute 25% - 30% of the total workforce of the leather industry.<sup>1</sup>

Newly born district, Tirupattur from Vellore, Tamil Nadu, is known for its vibrant leather industry, which significantly contributes to the state's economy. The population is diverse

---

<sup>1</sup> *Cividep study on uncovering the labour behind leather*

(Tribal and Muslim populations are high in numbers), with a mix of skilled artisans and labourers. Many workers face challenges such as low wages and poor working conditions, highlighting the need for improved labour rights and protections.

Thozhi Federation has therefore chosen 4 blocks from Tiruppattur District for this study on ICC.

### **Demographics**

Thozhi Federation has identified women employees predominantly working in the leather industry, specifically shoe companies for the purpose of its study. Thozhi has also identified HR managers, ICC Committee members, Advocates, Labour Department and Social Welfare Department representatives to be included in the study so as to get a diverse perspective about the ICC implementation.

### ***Research Objectives***

The main objective of the study is to '**Understand the current status of ICC Implementation in Thiruppathur District of Tamil Nadu**'. The primary goal or objective of this research is to gain a comprehensive understanding of how Internal Complaints Committees (ICCs) are implemented and functioning across various workplaces in Thiruppathur District, Tamil Nadu. This study tries to identify the effectiveness, compliance and impact of ICCs in creating a safe working environment, particularly for women, as mandated by the POSH act.

The research aims to answer the following broad questions:

- Adherence to the mandate of ICC constitution as per law and the guidelines thereof
- Awareness among stakeholders about ICC and various guidelines thereof
- Status of submission of complaints and their resolution
- Status of monitoring of the activities of ICC
- Identification of challenges/ bottlenecks in constitution and adherence to guidelines as per the act
- Suggestions for effective implementation of the act

# Methodology

## *Research Design*

The research is focused on various stakeholders in Thirupattur District of Tamil Nadu. The study uses a mixed approach towards data collection - Qualitative and Quantitative. While structured questionnaires have been designed for each stakeholder, interviewers have gathered additional insights in a conversational form as well.

## *Data Collection Methods*

The research focused on gathering ground level data from the most important stakeholder viz. women employees. Respondents who lived close by were interviewed using a pre-piloted questionnaire. 2 Focused Group Discussions (FGD) were conducted for a duration of 1 hour each with a total of 15 participants.

Women employees were asked to provide their opinions on the questions as per the questionnaire. The questionnaire created in a survey format, was aimed at identifying crisp and clear data points facilitating emergence of clear conclusions and insights from the exercise.

Aspects of compliance and adherence to the ICC mandate – legal requirements, effectiveness of ICC operations, awareness and trainings, challenges in implementation and recommendations were gathered through quantitative and qualitative data collection methods.

1. Number of NGO Partners involved in data collection (Member Organisations) - 4
2. Number of Blocks/Taluks where data was collected - 4
- 3.** Number of Companies/Employers covered – 4

## *Sampling*

Participants in the study were chosen using the purposive sampling method from among all categories of the labour community, departments, or unions, and their written or spoken comments were requested.

An oral discussion session (FGD) was held with a group of workers who had received pre-orientation for the study. Every respondent has previously participated in Thozhi activities and therefore had a good rapport with the organisers of FGDs as well as interviewers.

Stakeholder	Type of Interaction	Stakeholder Sub Type	No of respondents	Total no of respondents
Female Employees	Interview	Employees aware of ICC	16	40
		Employees not aware of ICC	24	
Government Officers	Interview	Social Welfare Officer	1	4
		Labour Welfare Board Officer	1	
		Inspectors of Labour	2	
Other Stakeholders	Interview	Corporate Representatives	3	8
		Trade Union Members	2	
		Advocates	3	
<b>Total Interviews Conducted - 52</b>				
Female employees	2 Focused Group Discussion	ICC Constituted Companies	7	15
		Non-ICC Constituted Companies	8	
<b>Total FGDs conducted - 2</b>				
Case Study	Detailed study	Study of the total incident of harassment faced by worker and subsequent findings	2	2

Member Survey	Survey	NGO Members who are part of Thozhi Federation	33	33
---------------	--------	---	----	----

## ***Ethics***

While conducting the study, several ethical aspects were considered paramount to ensure the integrity and safety of workers. Key ethical concerns included informed consent, confidentiality, and the potential for psychological distress when discussing sensitive topics related to workplace grievances. The Data Collectors through the following efforts aimed to foster a safe environment that encouraged open and honest dialogue, ultimately promoting ethical research practices throughout the study.

- **Informed Consent:** Participants were provided with clear information about the study's purpose, procedures, and their right to withdraw at any time without consequence. Data collectors ensured that oral consent was obtained in a manner that was easily understood, especially for those with varying literacy levels.
- **Confidentiality:** Measures were taken to safeguard participants' identities by anonymizing responses and securely storing data. The data collectors were trained to emphasize the importance of confidentiality to participants, reinforcing the idea that their shared experiences would remain private.
- **Minimizing Psychological Distress:** Recognizing the sensitivity of the topics discussed from workers' environment, data collectors were trained to approach each interaction with empathy and understanding. They were equipped to provide immediate support or refer participants to counselling services if any distress arose during the interviews or discussions.

## ***Data Analysis***

Firstly, to begin with, the data was pre-processed which involved cleaning and organizing the dataset to ensure for the preparedness for conducting analysis. In this step – data coding was done, where raw responses or variables were categorized and labelled systematically to facilitate accurate analysis.

Once this data was pre-processed and coded, descriptive statistics – frequencies (counts) and percentages were obtained. Further data visualization was computed using bar charts and pie charts.

The complete analysis is computed using Excel spreadsheets, SPSS (Version 20) and orange software. Excel spreadsheets were utilized for basic computations, the generations of tables and creating visual representations. SPSS software was used for analysing Quantitative data. And Orange software, which is an open-source data mining tool, was used for analyzing the results from Focus Group Discussions (FGDs) which helped for developing thematic analysis and word cloud.

## ***Limitations***

Despite the robustness of this mixed-methods approach, certain limitations were encountered. The reliance on self-reported data may introduce bias, as participants might underreport negative experiences due to fear of repercussions. Additionally, the qualitative sample size may not fully represent the diverse perspectives within the workforce, potentially limiting the generalizability of the findings.

## **Findings**

### ***Demographic Profile***

#### **Women Employees – Total Respondents 40**

- Age Group: The women employees who participated in the survey were in the age group 30 -47
- Work Experience: Ranged from 1 to 27 years. Average work experience of the respondents was 17 years
- Caste/ Religious Profile: Of the 40 respondents, 3 women were Muslims, 24 belonged to SC community, 1 from SC (Arunthathiyar) community and 12 were from Most Backward Communities. 13 of the 40 respondents were widows
- Educational background ranged from 2<sup>nd</sup> standard to 12<sup>th</sup> standard. Majority of the respondents were non matriculates
- Salary – Average salaries of the women was around Rs. 9000/- to Rs. 10,000/- per month

- Family Background – Average family size of respondents was 4 members. 75% of the respondents were sole earning members in their families
- Industry - All the respondents were working in shoe industry

### **Companies**

- 3 Industries – Shoe Industry
- Taluks: Companies surveyed were from Tirupatthur, Ambur and Vaniyambadi taluk
- No of employees – Between 100 employees to 1500 employees varying with each industry

### **Members of Thozhi Federation**

33 members who are part of Thozhi Federation Network also participated in the survey on ICC. Of the total respondents a majority of 55% work exclusively in the area of women welfare while an additional 36% worked with women and children. Overall, 91% of the members had women as their beneficiaries.

### **Government Officials**

Govt. officials who are related to workers welfare and industries positioned at Thiruppathur District participated in the study. A Social Welfare Officer, Labour Welfare Officer and 2 Inspectors of Labour were interviewed.

### **HR Managers, Trade Union Representatives and Advocates:**

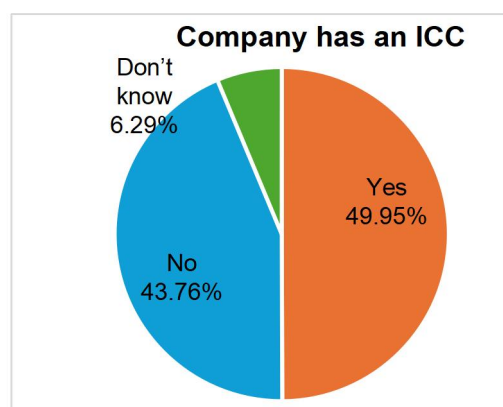
3 representatives from industry (1 owner and 2 supervisors – all 3 represent different organisations), 2 Trade Union Leaders and 3 Advocates were interviewed.

## ***Key Findings***

### ***Research Objective - Adherence to the mandate of ICC constitution as per law and the guidelines thereof***

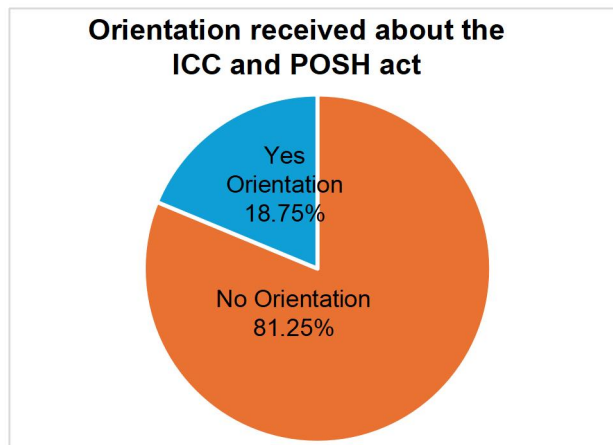
#### **Adherence - Prevalence of ICC at their workplace**

Of the 40 respondents, 16 were aware about POSH and ICC. These 16 women were asked whether their workplace had an Internal



Complaint Committee. 50% of the women responded positively; While 44% women replied in the negative, 6% did not know.

### **Adherence – Orientation about ICC and POSH**



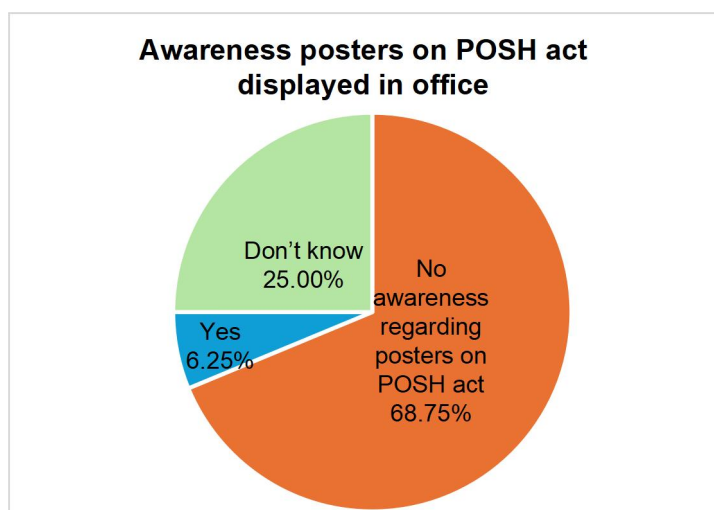
The POSH act mandates that women employees in organisations with 10+ female employees must be provided orientation about the act, ICC and the procedure to file complaints. When asked whether their companies conducted such orientation, an overwhelming 81% of the women employees who were aware about ICC said their companies did not conduct such orientation.

The information they gathered thus largely came from training sessions conducted by NGOs (56%), other sources including managers, police etc (19%) and Trade Unions (25%). Of the 16 women, only 3 mentioned that their companies conducted such orientation.

The above data seen in totality with the 24 employees who do not know about POSH and ICC shows that of the total 40 respondents, 37 women employees have not undergone any orientation about the act.

### **Adherence – Posters about POSH and ICC**

69% of the respondents who were aware about ICC responded that their workplace did not have any poster regarding POSH and ICC and there was no support number available to reach out to in case of harassment issues. Only 6% of the 16 respondents saw posters in their workplace. 25% of the respondents were not sure about having seen such a poster.



POSH act mandates that employers must display Posters showing their

intolerance towards sexual harassment and provide a number where employees can call to report complaints if any.

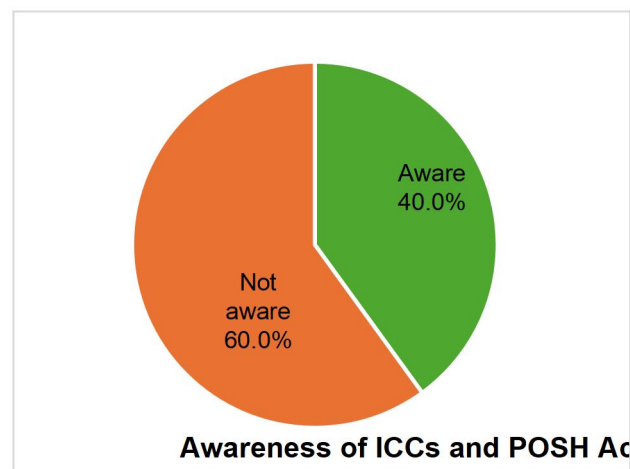
With respect to women who did not know about ICC as expected over 95% of women reported not having seen any posters at their workplace.

## **Research Objective: Awareness among stakeholders about ICC and various guidelines thereof**

### **Women Employees**

#### **Awareness - ICC and POSH Act**

The total number of respondents were 40; While 16 (40%) employees were aware of ICC and POSH Act, the remaining 24 (60%) employees were not aware of the same.



Employees who were aware about POSH Act and ICC got this awareness through NGO training sessions, HR

communication and informal information sharing from colleagues. They understood that ICC is established under POSH Act to prevent and address sexual harassment at workplace. They understood that any organisation with more than 10 female employees must constitute an ICC that must meet regularly to discuss issues of sexual harassment faced by women employees. They also understood that they could lodge complaints in the complaint box in case they face such a situation

It is imperative to note here that 60% of the women employees are not aware of POSH act and ICC.

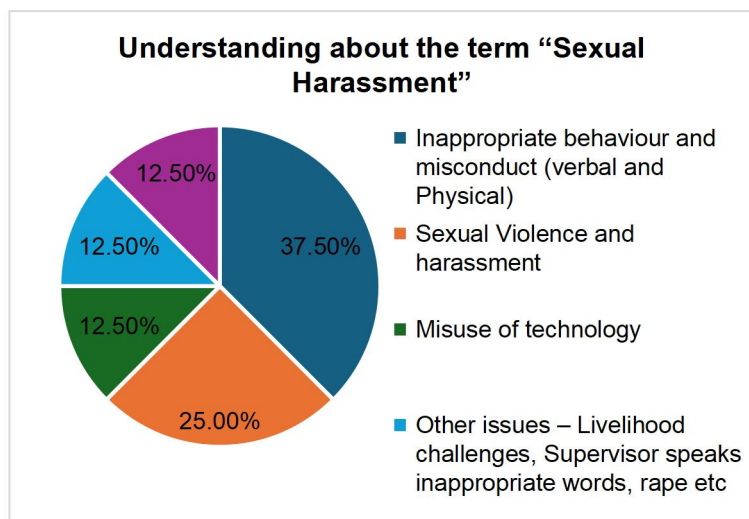
#### **Awareness – ICC and its guidelines**

The awareness about constitution of ICC and its guidelines differed greatly among the women who knew about POSH and ICC. 62.5% of the women who knew about POSH also knew about the committee's membership and function. They understood that the committee typically comprised fully of women and included Women Workers, HR

representatives and Managers. 31% of the women who knew about POSH act however did not know the guidelines with respect to constitution of ICC

With respect to external member, an overwhelming 87.5% of the respondents were not aware that the act mandates the presence of an external member either from an NGO or from government department. 12.5% of the respondents were aware of these stipulations.

### **Awareness of the term – Sexual Harassment**



The respondents who were not aware of POSH and ICC were asked to articulate their understanding of sexual harassment. Inappropriate touching and misconduct (verbal and physical) were termed as harassment by over 37% of the 24 respondents while 25% considered sexual violence as harassment.

### **Awareness and Understanding of Sexual Harassment in Workplace**

When the 24 women employees were asked what according to them constituted sexual harassment at workplace, there was a mixed response. 21% responded that physical misconduct and inappropriate touching was sexual harassment according to them. 29% of the women felt that inappropriate language and verbal misconduct (double meaning speech, obscene words and abusive language) was a top factor that construed as sexual harassment.

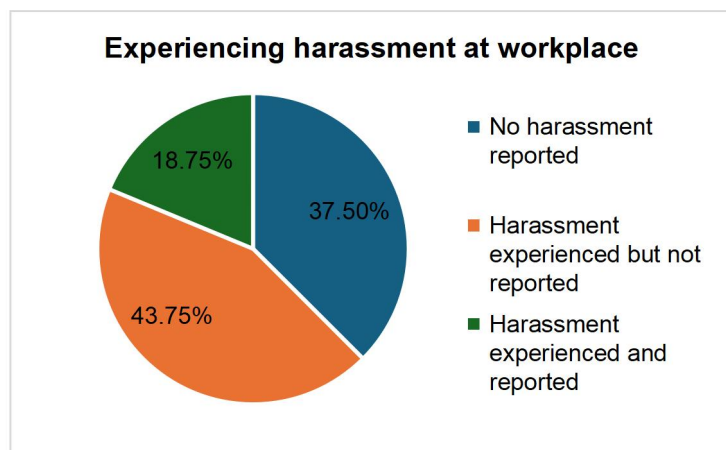
A notable portion of respondents (25%) either denied the presence of sexual harassment or expressed a lack of awareness about it, suggesting a possible underreporting of incidents or reluctance to acknowledge them. Additionally, 12.5% of respondents were

uncertain or admitted they didn't know what constitutes sexual harassment, highlighting the need for better education and awareness. The remaining responses (12.5%) recognised indirect forms of harassment like sending inappropriate photos, and harassment related to work-induced stress.

## Research Objective – Harassment at Workplace – Status of submission of complaints and their resolution

### Sexual Harassment Experience – women aware about POSH and ICC

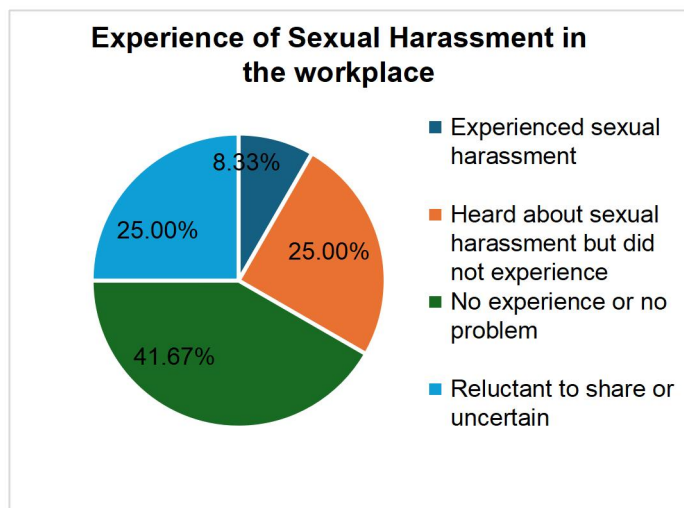
Of the 16 respondents who know about POSH and ICC, an overwhelming 62.5% reported having undergone some form of harassment at workplace while 37.5% reported not having faced any harassment.



Of the 10 women who had experienced harassment, only 30% reported the harassment, while an overwhelming 70% stayed quiet about it.

### Sexual Harassment Experience -Women unaware about POSH and ICC

Of the 24 respondents who did not know about POSH and ICC, 8.33% i 2 employees reported having faced sexual harassment. 25% of the women had heard of other women undergoing such experience but had not personally experienced it. 25% the women showed reluctance to answer this question possibility indicating a fear of repercussions.



41.67% reported not having experienced it themselves or being aware of anybody who had experienced harassment.

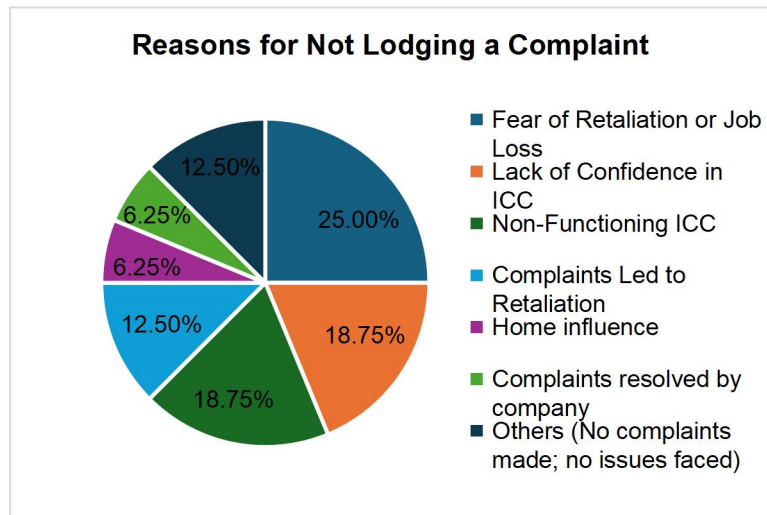
When asked whether they knew of any colleagues who may have experienced sexual harassment, 25% of women replied in affirmative with 8% women responding with specific cases of harassment that their colleagues have experienced.

**Factors hindering Complaints**

Among the respondents 6.25% who reported that they had lodged a formal complaint, there was 100% resolution. Action such as apologies, warnings or suspensions by HR were reported.

All the 16 respondents were asked to articulate the top

reasons why they may not lodge formal complaints against sexual harassment. The reasons mentioned ranged from fear of retaliation (job loss), Lack of confidence in ICC, Non-functioning ICC, Complaints led to retaliation, Home Influence, Complaints resolved by company and Others (no specific reason).



The functioning of Internal Complaint committee (ICC) within their organisations where it existed also did not inspire confidence among the employees to approach the committee for redressal of their complaints.

**Research Objective: Suggestions for effective implementation of the act**

**Perspective of Women Employees surveyed**

**Role of Government:**

Women employees who were aware about ICC had very clear views on how the government can make workplace safe for them.

- 37.5% of the respondents felt that establishing ICC, its compliance in true spirit and monitoring its functioning was critical for women safety at workplace. Several women felt that men must not be a part of ICC. Regular monitoring from government of ICC functioning was deemed critical.

- An equal number of respondents 37.50% felt that while ICC was important, government oversight in the form of stringent regulations, surprise inspections was critical to ensure compliance and worker protection.
- 25% of the women employees felt it was necessary to create widespread awareness through training programs for employers as well as employees. Educating men on respectful communication was also deemed important.

### **Role of Management:**

Employers have a huge role to play in creating a safe environment for women at workplace. 16 women who were aware about ICC and POSH were asked how they foresaw employer interventions in making this happen.

- 62.50% women felt that constituting ICC and adhering to its guidelines in the true spirit was the most important role that employers could play to make them feel safe at workplace.
- 37.50% women felt that employers must take active steps to create an atmosphere of protection and respect for women. They also felt that management must exhibit active support and engage regularly with the workers to gauge their wellbeing. This must be done in an atmosphere of confidentiality to enable women to speak freely about their experiences.
- 100% of the respondents felt that women supervisors must be appointed and that complaint boxes must be placed in convenient locations in the workplace.

### **Role of Trade Unions**

Trade Unions play a crucial role in ensuring workplace safety for women. Women who were aware about ICC had very clear ideas on the role trade unions can play to ensure that ICC is implemented in the true spirit.

- Creating awareness for women employees was the biggest role envisaged for trade unions with 44% women saying that they must conduct awareness programs.
- 13% women felt that trade unions must take active steps to ensure implementation of ICC in companies.
- 13% women felt that trade unions must actively intervene and support efforts to maintain a safe working environment.
- 30% of the employees did not have any suggestions on the role of trade unions.

## **Members of Thozhi Federations – Perspective on Implementation of POSH Act and ICC Guidelines**

33 NGOs who are part of the Thozhi Federation were interviewed about their understanding of ICC and its functioning. Insights are given below:

### **Members of ICC committees**

While 30% of members mentioned they were part of ICC as external observers, the remaining were not associated with any ICC.

### **Awareness about ICC Guidelines**

While all the members were aware of what ICC and POSH was, 61% members knew the guidelines with respect to meeting processes. The rest while possessing good awareness, did not know the specific guidelines.

### **Functioning of ICC Committees – Member perception**

ICC meetings– 60% of respondents mentioned that they were aware that meetings did not take place every quarter which shows that implementation of ICC on ground was very weak

Accessibility to workers – The respondents are members of the community who work directly with women beneficiaries, many of whom are employees in companies. Through their interactions with workers, over 67% of the members felt that ICC was not truly accessible to the main population that is impacted by its smooth functioning or otherwise – the women employees.

Relief from Sexual Harassment – With respect to sexual harassment at workplace, 51% of the members perceived that women employees got relief from the harassment.

Overall Satisfaction with functioning of ICC – 70% of the members expressed dissatisfaction with the functioning of ICC and felt there was a lot of room for improvement.

### **Suggestions by NGO members for effective functioning of ICC**

Members had several suggestions for the effective functioning of ICC as under:

## **For Government**

- To ensure independence and effectiveness, there should be strict enforcement of ICC policies, with potential penalties for non-compliance.
- Monitoring of the committee's activities should be brought under the oversight of district collectors.
- Annual review to ensure strict adherence to the government regulations must be incorporated

## **For Companies**

- Companies should prioritize raising awareness about the ICC among women workers and ensure comprehensive training for all employees and managers.
- For sectors where awareness is low, like certain garments sectors, targeted awareness programs are necessary. Awareness programs about ICC rights should be integrated into these meetings.
- The formation of an ICC alone is insufficient if it is not functioning properly; it is crucial for the committee to hold regular meetings, ideally monthly, and attendance of committee members must be ensured.
- Transparency and accountability must be emphasized, with a focus on conducting meetings consistently.
- The involvement of management is vital, and there should be a commitment to strengthening the committee and making it more than a mere formality.
- In private organizations where ICCs are not yet formed or are not functioning effectively, efforts should be made to establish regular meetings in accessible locations and ensure that the committee comprises the correct members.
- Companies should ensure strict adherence to government regulations and subject themselves to an annual review with state authorities with all relevant data.

## **Research Objective - Status of monitoring of the activities of ICC**

### **Interviews of Government Officials to gauge monitoring of ICC guidelines**

Perhaps the most important stakeholder of the ICC from the 'Monitoring' perspective are the government departments directly working with industries. These departments are responsible to ensure the welfare of workers and to ensure that industries adhere to all rules and regulations of government.

Thozhi interacted with government officials – A Social Welfare Officer, Labour Welfare Board Officer and 2 Inspectors of Labour.

Representatives of Thozhi Federation, met with officials in the government machinery who have a responsibility towards women and workers i: e Social Welfare Department and Labour Department. While a Social Welfare Officer was interviewed, 3 resources namely Labour Welfare Board Officer and 2 Inspectors of Labour represented the labour department for the study.

The Social Welfare Officer who has newly joined the position seemed aware about ICC. However, there was not much clarity or information on status of complaints or other aspects of the ICC mandate. Interestingly the labour department officials including inspectors were not aware about ICC provisions and its mandate. They were therefore not able to answer any questions on whether the companies had implemented the act, status of complaints etc. It was also observed that there does not seem to be any process for information percolation or sharing with the labour department thus keeping one of the most important stakeholders in the process out of the loop of women workers' well being.

Major findings from the interaction with the government officials were:

- There is lack of awareness among the important stakeholders about ICC act and its implementation
- There is no process to check the eligibility of companies to follow ICC mandate and check its implementation
- Monitoring the implementation of the act is irregular thus resulting in irregular enforcement
- Labour department, a very important stakeholder with respect to workers' welfare, is not in the loop at all as far as implementation of ICC is concerned. Sexual harassment is a very important factor affecting lives of women workers and labour department was not involved in the monitoring mechanism at all.

#### **Gaps identified by Government Officials for Effective Implementation of ICC**

- Government officials in the Social Welfare Department and Labour Department are both crucial for effective implementation of ICC.

- The importance of launching awareness campaigns and advertisements was highlighted to address the cultural and familial fears that often deter women from filing complaints.
- The need for regular follow-up actions was emphasized to maintain the ICCs active and responsive, once they were established.
- Recommendations included directives from higher authorities and keeping the District Collector informed of ongoing progress.

## **Awareness of Stakeholders – HR / Corporate Entities, Trade Union Representatives and Legal Advisors**

Thozhi Federation reached out to several corporate executives and management personnel, Trade Union representatives and legal advisors to gauge their understanding and awareness about ICC and its implementation. 3 members from industry (1 owner, 2 supervisors of different companies), 2 Trade Union representatives and 3 Advocates were interviewed.

These stakeholders have a very important role to play in ICC implementation, rendering justice and providing a safe work environment for women employees. While HR managers and other corporate executives are responsible for implementation of the act in its true spirit, trade unions as custodians of the interests of workers have a crucial role to play with respect to ensuring that the POSH mandate is followed by managements. Advocates are also important stakeholders as they provide critical advice in sexual harassment incidents to the victims and in some cases help the ICC members follow the right protocol in dispensing justice to the victims.

Awareness with respect to ICC mandate was highest among advocates with 100% of respondents knowing the act and guidelines. Corporates and trade union representatives showed very limited awareness about the act rendering further insights on how the committee was functioning and other questions to them irrelevant.

Important points that came up during the discussion have been compiled below:

- Corporate representatives seemed receptive to understanding more about ICC and even sought support in constituting the same while acknowledging that at present there was a woeful lack of knowledge about its constitution.

- They also felt that awareness needs to be built about the act and ICC among stakeholders and it was imperative that the committee was constituted and functioned transparently.
- Trade union leaders also emphasised on the need to make all stakeholders especially workers (both male and female) aware of the act and ICC. A 2-day training program for all workers was recommended by them.
- While advocates also recommended awareness sessions, they went a step further and recommended that family members of workers must also be given training on ICC. This will enable women workers to come out in open and speak confidently about any harassment they face at workplace without worrying about repercussions from their family members.
- One of the advocates interviewed recommended that monitoring of ICC adherence must be changed to some other department as against Social Welfare Department.

### **Focused Group Discussion – Findings**

Thozhi conducted 2 Focused Group Discussions (FGDs) with 15 participants. The participants were women employees of various industries with average work experience of 7 years. These employees were part of organisations with more than 100 employees except for 1 participant who was part of an organisation with 10 employees.

The main points that emerged from the discussion are highlighted below:

- Awareness about ICC and its functionality was low among most of the respondents.
- Organisation policies are not women friendly. E.g.: When women employees had to work late hours, their family members who came to accompany them home safely were not allowed into the premises. This put them at risk while travelling.
- While several of the respondents had either experienced harassment themselves or knew about colleagues having experienced harassment, there was not even a single respondent who had taken/ known of colleagues taking recourse with ICC. While this was due to the absence of awareness of ICC/ nonexistence of ICC in many cases, there were also instances where the victims did not feel safe to voice out their concerns either due to fear of repercussions, fear of losing job or lack of confidence in the management.

- In one instance where the respondent's organisation did have an ICC, the functioning was on paper only. Signatures were taken for compliance purposes without any actual activity.
- Stigmatisation and lack of support from family if they went public with such harassment issues was an important consideration for few of the respondents. Especially as the complainant would have to go to the police station, which they were not comfortable with.

### **Suggestions from the group**

- The group agreed that the ICC should be functional and must be adhered to in the true spirit of the law. The organisation must make the environment safe for women to come out and complain without fear or repercussions.
- Government and Trade Unions must take responsibility to ensure the transparent functioning of the ICC to inspire confidence among workers and ensure adherence to guidelines.
- Organisation policies must be women friendly. Government and Trade Unions must work with the management to ensure women employees are protected not only in the premises but their safety while travel is also taken care of.
- Role of NGOs was also emphasised with a respondent stating that they must visit often and intervene on behalf of the employees.  
NGOs must also conduct regular training sessions and build awareness among the employees.
- Companies and government must take steps to ensure that the victims are not further victimised. They must be assured of job safety and encouraged to come out with their issues.
- Monitoring of the process is critical to ensure that women feel safe and secure at their workplace. Accountability of all concerned stakeholders was crucial. Companies, Government and Trade Unions must play their role with respect to monitoring to ensure success of the ICC guidelines.

### **Case Studies**

#### **Price for Standing up for a colleague**

Kavya (name changed) aged 37 years, worked in the cutting department of a garment factory at Thirupattur. A male supervisor verbally abused a colleague of Kavya using

inappropriate words with sexual connotations. When confronted, he showed no remorse. When the abuse continued, Kavya and other women in the department decided to stand up for this victim. They informed the HR department that they would not work unless suitable action was taken. While the women were being given empty platitudes, inaction against the supervisor continued. The following day, a management representative asked Kavya to speak about the issue, recorded it and circulated it to the whole organisation claiming she was instigating workers for no reason. Thus started Kavya's torturous journey. From being asked to report to work at 6 am, to being given unreasonable targets, Kavya was victimised. With no time to eat or sleep, Kavya collapsed at work one day. The company just sent her to a hospital and refused to take any responsibility. With a life-threatening condition, she had to be shifted to Bangalore for treatment. With medical bills of over Rs. 70,000/- and no salary for 3 months, Kavya and her family had to undergo great suffering. Kavya's plight could have been avoided had there been a proper ICC mechanism in place.

### **Price for Confrontation**

Godai (name changed) aged 44 worked in a shoe company for 14 years. A supervisor abused her with inappropriate words with sexual connotations. Unable to bear the humiliation, she slapped him. Her life became very difficult after that. From being asked to do two shifts in a day, to being constantly humiliated, given unreasonable targets, Godai put up with the torture for a while before finally giving up and quitting her job. Today her family is in financial distress due to the loss of her income.

The above instances make it clear that it is the victims who pay the price for reporting abuse. The perpetrators go unpunished. This is due to non-adherence to ICC norms.

## **Discussion**

### ***Interpretation of Findings***

#### **Secondary Data**

Thozhi has undertaken the study on ICC at workplace primarily because of dearth of information with respect to the functioning and implementation of ICC as per the law of the land. Several RTI requests of Thozhi have yielded little to no information showing that monitoring of the act at all levels was very low.

There are 2 studies that deserve mention here:

**1. Survey conducted by Stratifix consulting with National Human Resource Development: <sup>2</sup>**

This study was reported by reputed national newspaper Economic Times. 400 working professionals participated in the survey. It was found that only 8% of respondents were aware of POSH policy prior to 2021. 11% said they would quit the organisation rather than report sexual harassment. 37% respondents largely women had experienced sexual harassment at workplace of which a worrying 2% faced sexual assault or rape at workplace.

The study concluded that conducting awareness about the Act with focus on prevention rather than redressal was the need of the hour. Trained and competent IC committee that can handle cases with confidentiality was considered essential as was the need for mandatory training of employees during on boarding

**2. Centre for Law & Policy Research Study on status of implementation of POSH Act in Chennai Collectorate and its subordinate offices:<sup>3</sup>**

Study found that the legislation largely exists on paper. Executive authorities seem uninterested in implementing this law. Awareness among all stakeholders was very poor about the POSH act.

In a city like Chennai, the Local Complaints Committee (LCC) had received only 1 complaint in the 5-year period 2014-2019. Except for District collectorate, Chennai office, most others did not have an ICC. Not even a single awareness workshop was conducted by Chennai District Authority despite the law mandating that such workshops be conducted at periodic intervals.

## **Thozhi Study on ICC implementation – Interpretation of Findings**

The above studies done by independent organisations point to 2-3 important aspects viz. status of awareness among stakeholders, adherence to the law and monitoring. These are critical to the effective implementation of the ICC mandate

The major findings from the study conducted by Thozhi with their interpretation are shared below:

---

<sup>2</sup> Article in Economic Times dated 24<sup>th</sup> Feb 2023

<sup>3</sup> Centre for Law & Policy Research article dated 24<sup>th</sup> Feb 2020

## **1. Lack of Awareness**

Sexual harassment is a known topic to most women. However, perception of sexual harassment at workplace does not only constitute rape/ molestation/ groping. Harassment encompasses many aspects and may include innuendos, double meaning diatribe, seeking sexual favours, digital harassment and so much more. Many of the women employees that Thozhi spoke to are not clear on what constitutes harassment at workplace. Ignorance of their rights are at a very basic level.

Ignorance of the ICC and salient points of POSH act seems to be a common point uniting almost all the stakeholders who are closely connected with the implementation of ICC. While women employees largely seemed unaware of the existence of such an act, what was alarming was that the implementors i: e corporate sector seemed equally unaware of the act or its implementation. Even more disturbing was the lack of awareness among the most important cog in the wheel i: e Government Officers who are responsible for enforcing the law and monitoring the implementation.

NGOs working with women seemed largely aware of what ICC is. However, even in this sector there seemed to be a widespread ignorance of the guidelines under the act.

This points at a systemic failure to set a process for enforcement of the act. Ensuring safety at workplace is a very important responsibility of government through its relevant departments. While the awareness of the act is so low, responsibilities are not clearly defined, a standard operating process does not exist for implementation, the implementation was bound to stumble.

While Thozhi has been actively trying to obtain information from relevant government departments, undertaking RTI petitions, this has still not resulted in any changes in the functioning at the government level. While the TN Government has undertaken certain interventions in the textile industry, the problem at an overall level persists

## **2. Lack of Adherence to the Act**

While awareness is abysmal, implementation of ICC was bound to be worse. Constituting an ICC in the organisation, conducting regular meetings, conducting regular awareness programs, maintaining confidentiality and inspiring victims to come forward are the expected outcomes of the ICC implementation. With most

companies not even taking the first step which is constituting a committee; Or in some cases having a committee that is in name only; Not making employees aware or not making them confident enough to come forward with their issues shows gross negligence on the part of corporates.

While financial negligence or mistakes cost industries dear and the respective government departments are quick to act with respect to penalising them and collecting fines, human resource wellbeing does not seem to appear on the radar of government machinery's monitoring of industry

Threat of livelihood looms large over victims. With their well-being not being a priority of any of the stakeholders that are responsible for the same, women employees continue to be at the mercy of ruthless and predatory supervisors and an uncaring management at workplace, a largely ignorant trade union which was constituted to fight for their rights and an equally oblivious government machinery.

### **3. Acute Fear Psychosis among women employees**

While ignorance is the largest reason for not taking recourse under the act, acute fear psychosis is the largest reason for women keeping mum about harassment. Lack of confidentiality and fear of reprisal when one must continue working for the same supervisor, fear of losing job and therefore main source of livelihood are among the many reasons for abused women not coming forward to lodge a complaint

Interestingly, women also do not come forward due to lack of support from families. The need to go to a police station and confront the accused thereby making the incident public and leaving the women at the mercy of legal machinery has also come up as a very important reason for women not coming forward to complain about sexual abuse

In the survey, a very small group of 3 women reported having submitted complaints and getting resolution. While this success story must be acknowledged here, what is disturbing is that there were a greater number of women in the same group that knew about ICC and POSH, underwent harassment, yet refused to come forward with their issues. This completely eclipses the very small successes observed

#### **4. Lack of Monitoring**

The act mandates that each year companies with over 10 female employees must submit the POSH returns to the local authorities. Lack of data with the relevant department coupled with ignorance of the provisions of the act show lack of oversight from government machinery.

### ***Implications for Practice and Policy***

The study has given many insights with respect to the status on ground for implementation of the ICC act.

- Awareness about the act and ICC mandate is inadequate in most of the stakeholders. This shows that trainings about the act with relevant refresher sessions is critical
- Adherence to the mandate in true spirit is another important insight. Companies need to follow the mandate and take responsibility for their employees' well-being
- Monitoring – From companies' perspective there must be a compliance checklist much akin to various audit compliances from financial perspective.
- Policy – Government must at the earliest create a comprehensive policy with SOPs and a reporting mechanism for implementation of ICC. The information must be made available in the public domain for it to be effective.

## **Recommendations**

Based on the findings from the Thozhi federation data analysis report, the following recommendations can be proposed to the Government, Industry, Community, and Worker Unions:

### ***For The Community***

1. Engage with NGOs to continue and expand their role in spreading awareness about the POSH Act and ICC through training and campaigns.
2. Encourage community leaders and members to participate in workshops and sessions that focus on workplace safety and rights.

## ***For the Organizations and Worker Unions***

1. Trade Union Representatives should play a more active role in creating awareness about workplace safety and rights.
2. Ensure the constitution of ICCs at all workplaces and support ongoing efforts to maintain a safe working environment.
3. Address gaps in current engagement or reporting, to enhance the effectiveness of trade unions in advocating for workplace safety.
4. Provide clear channels for reporting harassment and ensure that complaints are handled effectively and confidentially.

## ***For The Industry***

1. Provide formal orientation and training on the POSH Act and ICC to Employers and all employees to ensure awareness and understanding of complaint mechanisms.
2. Ensure 100% constitution and functionality of ICCs in all workplaces, conduct regular meetings with a focus on transparency and accountability.
3. Address cultural and familial fears that deter women from filing complaints through targeted awareness campaigns.
4. Implement specific safety measures such as complaint boxes, women supervisors, and regular meetings to discuss safety concerns.

## ***For The Government***

1. Enhance awareness and training programs for government officials, particularly Social Welfare Officers, Labour Welfare Board Officers, and Inspectors of Labour, to ensure they are fully informed about the ICC and its implementation.
2. Create 'Standard Operating Processes' from government perspective to ensure effective implementation of the mandate. The SOPs must clearly attribute responsibilities.
3. Establish clear mechanisms for transferring ICC information to the Labour Department to ensure proper oversight and action.
4. Implement regular monitoring systems to assess the functionality and effectiveness of ICCs in workplaces.
5. Introduce stringent regulations and conduct surprise inspections to enforce compliance with workplace safety measures.

6. Like all mandatory compliances, audit reports of companies may include the 'Human Welfare' component. This segment can include the status of functioning of ICC and ensure it is reported in the audit report.
7. Negative 'Human Welfare Index' findings must attract suitable penalties for companies.
8. Filing of annual returns must be accompanied by a checklist for ICC in the government database. This will help create a database of ICC implementation that can be easily retrieved by all stakeholders
9. Renewal/ allotment of various corporate licenses can be connected to the 'Human Welfare Index' in addition to other compliances.

These recommendations aim to address the gaps identified in the report, improve the safety and support for women in the workplace, and ensure that all stakeholders are actively involved in creating a secure work environment.

## Conclusion

The study by Thozhi had aimed to identify the status of implementation of ICC in companies in Thirupattur District of Tamil Nadu. The study also hoped to identify clear actionable points and recommendations for various stakeholders to ensure that the act is implemented better in future.

With the above objectives, the study has successfully highlighted the major gaps in the implementation of ICC – lack awareness, intent, monitoring mechanisms, accountability and transparency among the implementing stakeholders. It has also highlighted lack of awareness, fear of job, stigmatisation and reprisals as major reasons for victims refusing to take recourse under the act.

Government and corporates must take the initiative to set right the processes and plug the gaps in ICC implementation. Every woman must look forward to a safe and healthy work environment where she has the opportunity to flourish and be financially independent. There are certain research points that may be taken up in future to gain more insights into this space. These are listed below:

Future Research Directions:

1. Evaluate the impact of the recommended actions on the awareness and effectiveness of ICCs.

2. Assess the change in the workplace environment and the reduction of sexual harassment incidents post-intervention.
3. Investigate the role of cultural and familial factors in deterring women from filing complaints and explore strategies to overcome these barriers.
4. Study the effectiveness of different training methods and awareness programs to identify the most impactful approaches.

### The team at Thozhi





### VISION

Secure the unsecured women at the workplace.

### MISSION

- Empower women workers by building and strengthening Women Workers' associations.
- Capacitate the Federation members to facilitate Worker Associations
- To ensure that at least 1000 women get their full entitlements by strengthening 13 Women Workers' Associations by 2028.

Contact Information	
Address	Website: <a href="https://thozhifedtn.1ngo.in/">https://thozhifedtn.1ngo.in/</a>
Thozhi Federation, SEEDS NGO Campus, 3/394, Kamarajar Nagar, Nallampalli Post, Dharmapuri District, Tamil Nadu: 636807 Email: <a href="mailto:thozhifederation.tn@gmail.com">thozhifederation.tn@gmail.com</a>	 Thozhi Federation   Thozhi Federation

## References

SI no	Note	Link to the reference pages
1	Leather industry in Tamil Nadu	<a href="https://cividep.org/linking-workers-to-leather-brands/">https://cividep.org/linking-workers-to-leather-brands/</a>
2	Stratfix Study on POSH	<a href="https://hr.economictimes.indiatimes.com/news/workplace-4-0/only-8-employees-aware-of-the-posh-act-reveals-survey/98193795">https://hr.economictimes.indiatimes.com/news/workplace-4-0/only-8-employees-aware-of-the-posh-act-reveals-survey/98193795</a>
3	Centre for policy and Research study on ICC in Chennai	<a href="https://clpr.org.in/blog/status-of-implementation-of-posh-act-in-chennais-collectorate-and-its-subordinate-offices/">https://clpr.org.in/blog/status-of-implementation-of-posh-act-in-chennais-collectorate-and-its-subordinate-offices/</a>

## Acknowledgements

Thozhi Federation, Tamil Nadu team would like to express its appreciation and gratitude to the Member Organisations of Thozhi Federation and Thozhi Women Worker Union Members at Thiruppathur District for carrying out this study on the most challenging issue. We are deeply grateful to the women workers who contributed their time and energy to bring out this report, towards ensuring a violence free workplace and strengthening workplace relationships in the State of Tamil Nadu

We would like to thank the following organisations for their support in this study



(Supported by Thozhi Women workers Union)