

# Internal Committee (IC)

## - Case Filing & Inquiry Process

Let us start by looking at...

### Who Can File a Complaint with the IC

An employee – hereafter known as the “**complainant**” - who has been a victim of sexual harassment by a male colleague – hereafter known as the “**respondent**” - can file a written complaint with the IC within three months from the date of the incident.

If - for any reason - the Complainant is unable to file a complaint, any person who is aware of incident details can file a complaint on their behalf, *provided* the person has the Complainant’s written consent.

### But what are the pre-requisites to file a complaint?

In order to qualify for filing, a sexual harassment complaint needs to satisfy these requirements:

1. The Respondent displayed potentially improper and/ or offensive conduct, which may fall under the purview of workplace sexual harassment
2. The behaviour was directed at the complainant
3. The complainant came to harm due to the Respondent’s behaviour
4. The behaviour occurred in the workplace or at any location or event related to work

## What Should Be Mentioned in The Complaint?

The complaint should contain a description of the incident, including the date, time, location, name of the Respondent, and the working relationship between the complainant and the Respondent.

## What are the Key Responsibilities of the IC Once a Complaint Is Filed?

To effectively address workplace sexual harassment complaints, the IC must...

1. Thoroughly interview the complainant to understand the case in detail.
2. Impartially interview the Respondent to understand his side of the story.
3. Ensure that the complainant and Respondent are made aware of the process and their rights/responsibilities within it.
4. Prepare and submit a report with findings and recommendations to the employer for further action.

## What is the IC's Inquiry Process and Timeline?

Here's a step-by-step process followed by the IC once a sexual harassment complaint has been filed:

Sno.	Process	Timeline
1	Complaint to be filed by the Complainant	Within 3 months of the last incident
2	Notice to be issued by the IC to the Respondent	Within 7 days of receiving a written complaint
3	Inquiry to be completed by IC	Within 90 days
4	Inquiry findings and recommendations to be submitted by IC to the employer	Within 10 days of completion of the inquiry
5	Recommendations to be submitted by IC to the employer	Within 60 days

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6	If dissatisfied by IC's recommendations, or in case of non-implementation of such recommendations by the employer, the Complainant <i>and/or</i> the Respondent can appeal to a tribunal or court	Within 90 days of submission of recommendations by IC to the employer
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## What happens if a false and malicious complaint is filed?

If the IC finds that the complaint is malicious or that the Complainant has produced false or misleading documents in support of the complaint, then depending upon the nature and severity of the complaint, the IC may recommend the employer take appropriate action against the Complainant.

With this, we come to the end of our course on Prevention of Sexual Harassment.