



A STUDY ON SEXUAL HARASSMENT OF WOMEN AT WORKPLACE: A THEORETICAL PERSPECTIVE

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Abstract

In the modern era, women increasingly work outside the home, most frequently in occupations dominated by men. Women have become more prominent in the public and private sectors, making the economy grow, but gender inequity has not disappeared. Workplace dominance is a problem among men that keep on harassing and harassing women on many grounds, especially among men who maintain the workplace as their domain. The prevalence of sexual harassment at work in India is quite diffuse, but victims are terrified of making a formal complaint about fear of social disgrace and job loss. Most women experience some form of sexual harassment in the workplace. Women's presence and harassment cases have continuously increased over the past decade. The psychological effects of harassment in the workplace adversely affected the psychological well-being of women, resulting in their inability to concentrate on their work. The purpose of this research paper is to examine the consequences of sexual harassment on women, including the way it affects their work and mental health. Additionally, this paper examines how to eliminate workplace harassment.

Keywords: Gender Inequality, Harassment, Psychology, Domination.

Introduction

Due to an increase in women joining the workforce over the last three decades, they have also become vulnerable to unwanted attention at work. A serious issue in the workplace today is sexual harassment- a health and safety hazard and human rights violation. In India, women are devalued and men are still dominant socially. Accordingly, women are considered lower social status, dowry burdens, and the weaker gender. The 2013 UN Human Development Report shows that India has a very low Human Development Index as well as a very low Gender Inequality Index, among many other factors. According to the Gender Inequality Index and Human Development Index, India ranks 132 among 148 countries. By using three dimensions - reproductive health, empowerment, and labor market participation - the Gender Inequality Index (GII) captures the lost achievement caused by gender inequality both within and across nations.

As of now, millions of women work in different sectors of the economy. The unorganized and organized sectors of the Indian economy both rely on them. Although not enough legal protection exists to protect the rights and interests of women employed in the organized sector. These individuals are confronted with several issues related to their employment and working conditions in the unorganized sector. A substantial number of women are being harassed at work due to sexual harassment nowadays. It was only recently that the public and the government began to be aware of this issue that the origin of this problem can be traced back to women entering the workforce. There are still no effective measures in place to prevent or at least reduce workplace harassment, even though social scientists, employers, and policymakers are taking the problem seriously today.

Definition of Sexual Harassment

It may be defined as unwanted sexual attention that is explicitly or implicitly used to influence an employee's employment decisions, or it may represent conditions that create an intimidating, hostile, or offensive work environment. Harassment occurs all over the world, and it has a specific form. While sometimes seen as harmless flirting, the reality is that it can significantly harm the victim, regardless of the intent of the perpetrator. The Supreme Court of India in its judgment of 14th Aug. 1997 defined sexual harassment to include such unwelcome sexually determined behavior such as –



- i. Physical contact
- ii. Demand or request for a sexual favor
- iii. Sexually colored remarks
- iv. Showing pornography and
- v. Any other unwelcome physical, verbal or non-verbal conduct of asexual nature.

Review of Literature

Many researchers have studied Sexual Harassment with different views in different environments. The existing literature on the problem is reviewed hereunder:

Gutek (1985) in his book titled “*Sex and the workplace*” discussed the multiple consequences of sexual harassment in the workplace and how it affects the well-being of employees and the productivity of organizations.

In Mazer and Percival’s (1989) study, it was found that gender role stereotypes were significantly related to attitudes to sexual harassment with respondents who endorsed sexist attitudes being more accepting and tolerant of sexual harassment. It was also found that respondents with less sexist attitudes defined more incidents of behavior as sexual harassment.

Foulis and McCabe (1997) study found that gender differences occur as a result of this conditioning and these differences influence attitudes to sexual harassment. Males perceive more situations as being sexual or potentially sexual, and so view sexual harassing behavior as normal or appropriate, and therefore see sexual harassment as the normal flirtation between men and women.

“*Violence Against Women*”, edited by *Pauline B Bart and Eileen Geil Moran (1993)*, highlights pervasiveness or parameters of the workplace, sexual assault, and formulates how women can curtail or eliminate such behavior in their places of employment or education.

Law relating to sexual harassment at the workplace edited by *Indira Jaising (2004)* throws light on the various areas of the law that can be used to deal with sexual harassment of women at the workplace to a certain extent.

A Report on sexual harassment in Delhi University by *Gender Study Group (1996)* illustrated the fact that all most all women face sexual harassment on campuses. The survey report also revealed that the act of sexual harassment has psychological, emotional, and educational negative consequences on women and stressed the need for University authorities to take action.

Popovich et.al. (1992) also found that gender differences existed in perceptions of sexual harassment, regardless of the form that the sexual harassment took or the consequences of such behavior. Female raters tended to perceive the incident described as more likely to be sexual harassment, more likely to affect the recipient of the harassing behavior, and more negative than did male raters. Popovich and colleagues also found in their study that males generally perceived the incident of harassment to be based on attraction, as opposed to females who perceived it to be more power-based.

Objectives of the Study

The objectives of the study were as follow:

1. To study the effect of sexual harassment on working women’s mindset.
2. To study the current scenario of sexual harassment at the workplace in India.
3. To suggest measures to control, minimize, and if possible eliminate the element of sexual harassment of women at the workplace.



Effects of Sexual Harassment in the Workplace

Employees can feel uncomfortable in a workplace characterized by widespread sexual harassment. This issue is an under-reported issue that can lead to serious consequences. The effects of these behaviors can range from health problems to financial difficulties to global implications. It is your right to consult a sexual harassment attorney if you have faced sexual harassment in the workplace. You may consult with a labor law attorney to learn more about your legal rights and potential recovery options.

Emotional Well-Being

The emotional and mental health of the victim can be jeopardized by sexual harassment. Having low self-esteem can compromise relationships and even cause self-esteem to be lowered. Being harassed at work can be stressful and cause anxiety. As a result of long-term sexual harassment, employment harassment lawyers are likely to work with clients who have suffered from depression.

Physical Health

An individual's physical well-being is closely linked to emotional well-being. Physical health problems often follow mental and emotional problems experienced by victims of sexual harassment, such as eating disorders, headaches, weight fluctuations, and sleep disorders. A disturbance of sleep can lead to other serious health problems such as hormonal imbalance and high blood pressure, as well as a weakened immune system.

Financial Challenges

Sexual harassment frequently causes financial hardships in addition to causing health problems. Any financial consequences of sexual harassment, such as lost wages and unpaid leave, should be disclosed to an experienced San Jose sexual harassment lawyer. Survivors of sexual harassment may even lose their job references as a result of the harassment. To avoid a hostile work environment, some people decide to leave their current employer.

Global Consequences

Employers and the global economy are directly affected by sexual harassment. The costs associated with absenteeism, low productivity, employee turnover, low morale, and legal costs associated with sexual harassment total millions of dollars each year. Premature retirement and increased health insurance costs also hurt the economy.

Current Scenario of Sexual Harassment in India

India's Constitution Prohibits Discrimination Based on Sex, but still:

- 17% of women working in urban India have experienced some form of sexual harassment while on the job
- In 2013, India passed a law to ban sexual harassment in the workplace. The Act defines sexual harassment in the workplace and implements measures to minimize bias or influence during the grievance process
- 95% of women and girls feel vulnerable to sexual harassment in public spaces in the city of Delhi. In Delhi, 63% of women surveyed were afraid to go out alone after dark and 21% did not go out at all.

Table 1

Sr. No	Sexual Harassment Cases in India		
	Years	Number of Cases	Variation
1	2015	8707	-
2	2016	7356	-15.52%
3	2017	8974	22.00%
4	2018	8720	-2.83%
5	2019	9130	4.70%
6	2019	8904	-2.48%
Total		51791	

(Source: National Crime Records Bureau, Ministry of Home Affairs)



According to the above figure, 51,791 incidences of sexual harassment occurred in India during the previous six years. The aforementioned table also indicates the fluctuation in the number of incidents of sexual harassment. While there were lesser reports involving sexual harassment in 2016 as comparison to 2015, there is still a need to strengthen rules & policies so that workplace harassment is eliminated and women feel protected.

Suggestions to reduce or eliminate Sexual Harassment

Workplace sexual harassment in India is a social challenge that warrants attention. Greater public advocacy is needed to raise awareness about the issue and bring it out of the shadows.

01. The prevention of it as well as offering victims protection and support can be accomplished by actors at different levels. In addition to identifying these actors at the organizational or company level, it is essential to identify them at the state level as well. Additionally, we all have a part to play in creating a workplace where there is no tolerance for sexual harassment, whether it is by providing support to those subjected to it or by speaking up against it.
02. Defining the problem and providing clear guidelines for prevention and remedial measures would be a good start for the government. In doing so, employers will be encouraged to be socially responsible, to maintain a safe and conducive work environment for their employees, and to create a no-tolerance climate for sexual harassment at the workplace.
03. Employers need to establish policies that prohibit sexual harassment, establish clear processes for handling complaints, and train managers and staff so they recognize and deal with harassment appropriately.
04. In addition to many other organizations and associations, voluntary welfare organizations such as family service and counselling centers, community legal clinics, trade, and industry associations, and unions could also play an important role in providing much-needed support and services. It is especially important that those who experience sexual harassment report incidents but are uncertain and confused about how to proceed.
05. We need to identify the best solutions and avenues of redress for workplace sexual harassment and a deeper understanding of the scope and extent of the issue. Researchers in India need to better understand the prevalence of and scope of workplace sexual harassment in India, including how it affects specific groups including migrant domestic workers and students.
06. A more extensive study is needed on the feasibility of creating specific legislation to address sexual harassment, as well as administrative mechanisms to facilitate complaints. A government agency such as the Ministry of Manpower, or a tribunal can be used as a legal remedy, since the litigation process can be lengthy, expensive, and serves as a deterrent for potential victims as well.

Conclusion

It still seems that there are a large number of men who remain uncertain about what sexual harassment actually is and believe their inappropriate attitudes toward women are normal. Because men are generally unaware of the definition of sexual harassment, we can conclude that sexual harassment should not be viewed as a personal, but rather as a social issue. Harassment of women is not only psychologically harmful, but it also creates fear in the mind of women. Whether it happens in public or at the office, sexual harassment is pernicious. To eliminate it, laws and regulations must be created and implemented properly.

References

1. Bart, P.B., Geil, E. (1993). *"Violence Against Women: The Bloody Foot Prints"*.
2. Foulis, D., Mc Cabe, M. P. (1997). Sexual harassment: Factors Affecting Attitudes and Perceptions. *Sex Roles: Journal of Research*, 37 (9), 773-799.
3. Gender Study Group Report (1996). *Sexual Harassment*, Delhi University, New Delhi.
4. Gutek, B.A. (1985). *"Sex & the workplace"*, San Francisco, Jossey-Bass.
5. Jaising, I. (2004). *"Law Relating to sexual harassment at the workplace"*.



6. Marks, M.A., Nelson, E.S. (1993). Sexual harassment on campus: Effects of professor gender on perception of sexually harassing behaviors. *Sex Roles*, 28, 207-217.
7. Ministry of Home Affairs. (2012). 'Crime in India 2012', Chapter 5, National Crime Records Bureau. Govt. of India, India.
8. Pereira, M.P.J., Rodrigues, E.J. (2014). Sexual Harassment at the Workplace in India: Medico-Legal Aspects. *Indian Acad Forensic Med.*, 36(4), 421-424
9. Popovich, P. M., Gehlauf, D. N., Jolton, J. A., Somers, J. M., &Goldinho, R. M. (1992). Perceptions of sexual harassment as a function of sex rater and Incident form and consequences. *Sex Roles*, 27 (11/12), 609-625.
10. Sex Discrimination And Sexual Harassment. (2015, May 28). Retrieved from [http:// www.catalyst.org/knowledge/sex-discrimination-and-sexual-harassment-0](http://www.catalyst.org/knowledge/sex-discrimination-and-sexual-harassment-0)
11. The Effects of Sexual Harassment in the Workplace. (2015, Feb 12). *Advocacy Centre for Employment Law*.
12. Workplace Sexual Harassment. (2008). *AWARE*. Dover Crescent, Singapore.