

Gender Sensitivity & Sexual Harassment of Women at Workplace

What is Gender Sensitivity?

Is it the same as gender equality?

Are workplaces in today's India gender sensitive?

Is sexual harassment of women in the workplace on the rise?

These are some of the burning questions and issues at hand in today's work environment. Multiple companies across all industry sectors are beginning to take note of these issues and address them. While this proactive approach is seen in some organisations, many others have been slow to recognize the need while the rest have completely ignored it. Gender sensitivity essentially refers to making women's as well as men's concerns and experiences an integral dimension of all policies and programs in an organization so that women and men benefit equally and inequality is not perpetuated. Gender issues are sensitive and complicated and affect both women and men regardless of status. The ability of an organization to identify and handle gender inequality and gender discrimination underpins its success in creating a gender sensitive and inclusive work culture. Ultimately, the goal is to achieve gender equality.

What about Sexual Harassment?

Sexual harassment at the workplace has seen a steady rise in India. Though this has undoubtedly been the case for a while now, it is being reported more openly and bravely as opposed to a few years ago. This radical shift can primarily be attributed to the enactment of the recent law in India – Sexual Harassment of Women at the Workplace (Prevention, Prohibition & Redressal) Act, 2013. From a global standpoint, most countries have adopted some form of legislation at the national level that covers the issue of sexual harassment but a growing number of countries like India have adopted a specific legislation for the same. The International Labour Organization (ILO) also has standards and guidelines on prevention of sexual harassment at the workplace. So what exactly is Sexual Harassment? Sexual harassment is a manifestation of gender discrimination and is defined by the law as:

- Unwelcome acts or behaviour (whether directly or by implication) such as physical contact or advances,
- Requests for sexual favours and
- Any other verbal or physical conduct that is of a sexual nature.

The law mandates that every company that has 10 or employees is required to formulate a Prevention of Sexual Harassment policy in accordance with the Act, constitute an Internal Complaints Committee (ICC) to handle sexual harassment issues, sensitize its entire workforce on prevention, prohibition and redressal of sexual harassment of women in the workplace and handle any incidents of sexual harassment as per the inquiry procedure laid down by the law. Failure to do any of the above is a serious non-compliance and constitutes a violation of the law. There are serious penalties for the organization including cancellation of their business license apart from fines.

India Inc. is now in its sixth year of compliance with the Act. While there are a large number of companies that have implemented this law, there is still a long way to go before we can achieve total compliance. Larger corporations, both Indian and MNCs, are more pro-active and compliant than the small and medium sized organizations. Smaller companies have a tendency to think that the law does not apply to them and hence an alarmingly large number of such companies are non-compliant. Therefore, awareness is the need of the hour. Compliance to this law and subscribing to the philosophy of zero tolerance to sexual harassment at the workplace must be more vigorously advocated.

Although national forums and federations are broadly addressing gender sensitivity and sexual harassment issues, a greater thrust is warranted from all the stakeholders – the government, society, managements of companies and the workforce itself. Management personnel and employees must be made aware of the implications of sexual harassment, its impact on the individual(s) and the organization, identification of such behaviour, appropriate handling of sexual harassment issues/incidents and the manner of conducting oneself within the work environment.

It is time to recognize that women are an important and integral part of our workforce. Women bring in balance and diversity and more importantly emotional intelligence which is an essential element for corporate success. It is therefore important for every employee of every organization to be sensitive, respectful, watchful and inclusive. One must not be afraid and must speak up against any form of sexual harassment.

Despite the existence of an eclectic attitude and approach to sexual harassment in our country and although a lot more needs to be done in this sphere, sexual harassment free workplaces can become a reality. Pro-active, aware and empowered companies along with their employees can be agents of change and create a sexual harassment free workplace where both women and men are treated with dignity, equality and respect.
