



SEXUAL HARASSMENT OF WORKING WOMEN IN TUMKUR

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ABSTRACT

Sexual harassment occurs in the workplace due to unwelcome, unwanted, uninvited, action or behaviour of a person that causes discomfort, humiliation, offence or distress to the other. Majority of such cases are directed towards women by men working at high position in an organization. Sexual harassment at a workplace is unwelcome behaviour as it affects not only the terms conditions of employment but also have huge bearing on the working environment of an organization. Therefore this problem has to be understood looking at this causes and possible remedies for its effective control.

KEYWORDS : Harassment, Humiliation, Vishaka Guidelines, Discrimination

Introduction:

Sexual harassment of working women is a form of gender based violence. It not only violates their esteem, self respect, and dignity but also takes away their basic human as well as constitutional rights. It cannot be termed as a new phenomenon but certainly, fast changing workplace equations have brought this dark underground reality to the surface. Due to the silence surrounding the issue, it is not often discussed, but its presence can be felt in almost every workplace where women have entered and which otherwise have been traditionally dominated by men. Sexual harassment is not what people commonly tend to think of it like verbal comments, inappropriate touching or sexual assault. It has myriad ways and forms. Moreover, its, new forums or variables are being introduced every other day in this dynamic technological era. It may also include derogatory looks, gesture, indecent proposals, writings or display of sexually graphic pictures, SMS or MMS, comments about one's dressing sense, body or behaviour and any other unwelcome or objectionable remark or inappropriate conduct. Like any other sex based crime, it is about power relationship, domination and control. The victim is often confused, embarrassed or scared. She may not know how to label her experience and with whom she should share. It appears to be mild but has severe consequences.

Sexual harassment is a clear form of gender discrimination based on sex, although this relates not so much to the actual biological differences between men and women, but to social roles attributed to men and perceptions about male and female sexuality in society. Sexual harassment is a clear manifestation of unequal power relations – it is not about deriving sexual pleasure out of the act, but about asserting power. In the workplace, harassers are usually in senior positions, wield decision-making authority or other influences that can affect career outcomes and /or desire to assert or exhibit power and control vis-a-vis the victim. The latter tends to have limited decision making authority, lack of self confidence, be in a vulnerable or insecure position or be socializing to suffer in silence.

Definition: UN Committee, "Sexual Harassment as including such unwelcome sexually determined behaviour as physical contact and advances, sexually coloured remarks, showing pornography and sexual demand, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem, it is discriminatory when the women has reasonable grounds to believe that her employment, including requirement or promotion or when it creates a hostile working environment".

International Labour Organization (2001) considers sexual harassment as a violation of fundamental rights of workers, declaring that it constitute a problem of safety and health, a problem of discrimination, an unacceptable working condition and a form of violence, usually against women workers.

The specific objectives are:

- To know the nature of Sexual harassment
- To examine the Sexual Harassment of Working Women in

Tumkur.

- **Methodology:** The primary information collected through interviewing the 100 working women both organized and unorganized sector. The secondary information collected from various books, journals, research articles etc.

Incidence of Sexual Harassment in India:

In 2004, there were 10,001 cases of sexual harassment according to Government of India. In 2006, there were 9966 cases of sexual harassment according to NCRB, India. Andhra Pradesh recorded highest cases of sexual harassment in the country. In India very few studies have been done in this area. Awag, a women action group, based at Ahmedabad reports on the basis of a survey that about 48 per cent of women experience sexually inappropriate behaviour at workplace. The nature of harassment include verbal, psychological and physical. The perpetrators of harassment are usually co-workers or immediate superior (Hindustan Times, 2004).

Srinivasan (1992), reports sexual harassment as one on the problems of the women working in the Banks faced. 50 per cent of the respondents complained of sexual harassment from their customers than colleagues. A study conducted by Lal Bahadur Shastri Institute in 2000 has found that 21.4 per cent of women civil servants feel sexual harassment is on the increase in premier Government jobs (Kumar, 2007). In a survey conducted by the National Commission reports that 46.5 per cent of women reports sexually harassment at workplace; only about 3.5 per cent report the matter to authorities; 1.4 per cent report it to the police (Srivatsava, 2004).

In 2001, a five state survey of working of working women has been conducted by Sakshi, a Delhi-based NGO. 80 per cent of per cent have encountered sexual harassment, 41 per cent have experienced sexual harassment, 53 per cent women and men do not have equal opportunities, 53 per cent are treated unfairly by supervisors, employers and co-workers, 58 per cent have not heard of the Supreme Court's directive of 1997 and only 20 per cent of the organizations have implemented the Vishaka guidelines (Dalal, 2003).

Gender-basis of sexual harassment:

The majority of sexual harassment studies have focused on male harassers and female targets (Marks and Nelson, 1993; Pryor and McKinnery, 1995). Although male to female is the most common form of sexual harassment, other forms do occur. Men are also targets of sexual harassment, as evidenced by the fact that 12 per cent (1,843) of the claims filed with the Equal Employment Opportunity Commission (EEOC) have to harassment and the number of complaints and legal actions brought by them have increased in recent years. It has been suggested that the most vulnerable groups in the labour force target young men, gay men, members of ethnic or racial minorities and men working in female dominated work groups (Rubenstein, 1992).

Studies have found that female harassers are viewed more positively than male harassers than male harassers (Baird et. Al., 1995; Gutek et. Al., 1983). Other studies have found no difference between male and female harassers in a wider variety of sexual behaviours (e.g. sexual coercion).

Perception of Sexual Harassment:

Different research studies have tried to focus on perceptions of men and women on the concept of a sexual harassment. Gutek (1995); Lengnick-Hall (1995) mention that male and female often differed in their perceptions of what is and what is not sexual harassment. Stockdale et.al. (1995) conclude that harassed women are almost four times likely to acknowledge their experiences as sexual harassment than men. Gutek and O’Connor (1995) conclude that women as compared to men are generally more liberal, broad and inclusive in their definition of sexual harassment. Women perceive a broader range of behaviour as offensive (Rotundo et. Al., 2001) and report harassment at higher level than men (Magley et. Al., 1992). Although some researchers have shown that women and men experience sexual harassment equally (Rospenda et. Al., 2000).

A few researchers state that the perceptions of men and women not only differed but women’s perceptions of sexual harassment also varied with age. Older women find physical touch unacceptable while the younger women are less formal in their social interactions with male colleagues. Concerns voiced by women in China included younger women being coerced or encouraged to subtly exploit their looks, for example, to clinch a deal or enable hotel guests to have a good time (The Lawyers’ Collective, 2001 and Tang, 2000). In another study it is indicated that while older women tend to put up with sexual harassment practices because of increased awareness and the need to assert a sense of self-dignity (Wijayatilake and Zackariya, 2000).

Table 1.1

Age of the Respondents

Sl.No.	Age	No. Of Respondents	Percentage
1	20-30 yrs	49	49%
2	31-40 yrs	32	32%
3	41-50 yrs	11	11%
4	51and above	5	5%
	Total	100	100%

The present study focused on 'Sexual Harassment on women at Workplace'. For quantitative analysis only those women were included in the sample, who working in the private sector. It was assumed that in private sector the legislative enforcement is less and job insecurity is more, therefore, chances of harassment are likely to be more. Age plays a significant role in determining the status of individual. It is necessary to ascertain the age groups of the respondents. Since, the study followed random sampling method; age of the women was grouped into 4 different categories. Majority of the women were of 20-30 years of age, which are the most productive years in a person's life, and only 5% women were of 51 years of age and above.

1.2 Marital status of the Respondents

Sl.No.	Marital Status	No.of Respondents	Percentage
1	Married	56	60%
2	Unmarried	40	40%
	Other	08	08%
	Total	100	100%

Results indicate that majority of the respondents in the study were married. Table 1.2 shows that 60 percent of the respondents were married and 40 percent respondents were unmarried. There were -8 percent of the respondents who were once married, but presently were single which includes widows, divorced or separated women. Such results indicate that a large number of working women in the

present study belonged to dual earner household. When a housewife takes the working role, she not only finds a change in her status within the family and outside it, but takes upon herself increasing pressure to reconcile the dual burden of two roles located in different sectors of the society; in house and workplace.

1.3 Field of the employment of the respondents

Sl. No.	Region	No. Of Respondents	Percentage
1	Government	64	64%
2	Private	36	36%
	Total	100	100%

Occupation is a variable which influences style of living as well as decision-making of an individual. Different occupations are associated with different economic returns, prestige and authority. Findings highlight the majority of the respondents were in government service, i.e. 64 per cent followed by 36 percent in the private sector. For the present study, purposive sample of 100 women working in government and private sector has been taken. Distribution of the data in the present study also highlights the fact that majority of the women were concentrated in Government sector. The results show that the respondents reported that they had permanent job. Remaining of them was in temporary job. It included daily wagers, construction workers, waiters, sweepers, maids, Nurses, sales girls, women working as receptionists and in the many offices.

1.4 Harassment at workplace

Sl. No.	Harassment at workplace	No. Of Respondents	Percentage
1	Yes	9	09%
2	No	64	64%
3	Can't say	27	27%
	Total	100	100%

People who commit sexualized harassment often do so because they think or know they will be able to get away with it. If we shift the culture around violence to be intolerant of all kinds of harassment, then harassers will be less able to “get away with it” and target people who they feel have less power or have no ability to respond or react.

There are ways that we can all take action, individually, in groups and in our communities. Individual actions could include intervening or saying something when you see someone harassing another person (if you feel safe to do so), sharing your experience of being harassed, or talking about why harassment is violent with someone you know. Community action could include asking people in your community what kinds of harassment they have witnessed and experienced and what they feel needs to be done about it, making a film or writing a song about it, or organizing an event to create awareness and change.

1.5 Type of harassment

Sl. No.	Type of harassment at work place	No. Of Respondents	Percentage
1	Verbal	8	8%
2	Physical	01	01%
	Total	09	09%

What can employer do when such cases find out: Equality in employment can be seriously impaired when women are subjected to gender specific violence, such as sexual harassment in the workplace?

Sexual harassment includes such unwelcome sexually determined behaviour as physical contacts and advance, sexually coloured remarks, showing pornography and sexual demands, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the women has reasonable grounds to believe that her objection would

disadvantage her in connection with her employment, including recruiting or promotion, or when it creates a hostile working environment. Effective complaints procedures and remedies, including compensation, should be provided. States should include in their reports information about sexual harassment, and on measures to protect women from sexual harassment and other forms of violence or coercion in the workplace.

1.6 Reaction of the respondents

Sl. No.	Reaction for harassment	No. Of Respondents	Percentage
1	Reacted	07	07%
2	Not reacted	02	02%
	Total	09	09%

If you are experiencing sexualized harassment, it is not your fault. Nothing you have done or could do entitles another person to harass you. Documenting the harassment is important; carefully record dates, times and details. One way of dealing with a harassing situation is to tell the harasser what it is that you find offensive and ask that the behaviour stop. However, it may be difficult or unsafe to confront someone directly with concerns, particularly in situations involving a power difference. Do not feel that you have to handle the situation yourself before approaching someone for help. Since modern women are aware of different kinds of harassments, 7 per cent of women have reacted when they have been harassed. Only negligible per cent of respondents has not reacted for the harassment.

1.7 Whom do you approach in case of complaints?

Sl. No.	Approach in case of complaints	No. Of Respondents	Percentage
1	Employer	35	35%
2	Husband	25	25%
3	Friend	17	17%
4	Ignored	23	23%
	Total	100	100%

Since the society is male dominated, most of the women do not come out with the harassments problem with anyone. In this study, the results available is 35 per cent of the total women approached their employer, a good number of ladies said they approached their husband, 17 per cent approached their friend and 23 per cent ignored the situation.

Results indicate that majority of the respondents faced sexual harassment at the workplace. It becomes essential to know how these harassed women tried to solve their problem. Different researchers have indicated that fear of losing jobs discouraged victims to take any action against their perpetrators (Coles, 1986; Sandroff, 1992; Srivastava, 2004; Terpstra & Cook, 1985). Srivastava (2004) has given some main causes of non-reporting of sexual harassment, i.e. fear of losing job, fear of not getting promotions, fear of victimization by the employer, fear of being neglected by her family members and among others, slow to improve the situation.

Conclusion:

Since law is an effective weapon for bringing about socio-economic justice and Constitution has been so devised so as to archive this objective, Parliament must enact a comprehensive law to prevent sexual harassment of women at workplaces. Most women hesitate to complain about sexual harassment from employers because of the fear of losing their jobs. So the new legislation must incorporate provisions to protect their jobs when complaints are made. A termination or resignation after a complaint should also be considered as sexual harassment.

The best way to prevent sexual harassment is that employers need to set up a redressal mechanism/complaints committee. The aim is to ensure that sexual harassment does not occur and, where it occurs, to ensure that adequate procedures are readily available to

deal with the problem and prevent its recurrence. The central and the state governments and also the public at large should take the Apex Court's judgment seriously and initiate measures to end the menace of mounting sexual harassment. A deterrent punishment to the culprits appears to be the only solution to the serious problem of sexual harassment whether at the workplace or outside. The ultimate solution to this social problem lies in massive awareness determined community action.

Law alone is not enough to root out this social evil. Society has to change its attitude so that women can come out and participate in public life without feeling threatened. What needs to be inculcated is a sense of mutual respect between men and women. There is a divinity in each of us. The recognition of this divinity will automatically bring forth mutual self-respect and that alone will be source of liberation and empowerment of women.

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