

The Low Level of Awareness and Impact of Intervention about Sexual Harassment

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Abstract: Sexual Harassment has become a part and partial of life for every woman, in today's era as most of the women step outside from their home every day either to earn for the survival of family or for carrier. Most of the women have also accepted it as part of their lives, as being women. Even if there are provisions of various Acts and defense mechanisms to protect women against sexual harassment, very little portion of women are aware of this. A country like India, where more than 60% of women work in informal sector, it creates more vulnerability for them. The paper shows that even in the case of the educated women, there seems very little awareness on various Acts and defense mechanisms related to sexual harassment. The study also highlights the importance of dissemination of information through some kind of intervention. At least in the short term perspective, the qualitative analysis reveals the change better than the quantitative analysis.

Keywords: Acts, informal sector, intervention, qualitative analysis, sexual harassment.

1. INTRODUCTION

The preamble of constitution of India includes an expression "ensuring the dignity of individual". Unfortunately this expression is not given as much of importance as the group factors such as social justice. Sadly, the psychologists who should have been talked about the individuals have not taken any initiative in trying to explain what is this dignity all about?? An individual is equal to another individual in showing his/ her uniqueness, differences and individuality. While all these are easily stated for someone who is educated is assured of a square meal of a day and protection of some sort, but for those working all alone in a male-dominated society, with no security of food and struggling for survival, the expression called 'dignity' becomes meaningless. This in itself challenges the hallowed expressions of dignity of individual enshrined in the preamble of the constitution.

Definition of Sexual Harassment:

While perceptions on what constitutes sexual harassment vary among and within societies, depending on whether individuals are born and socialized as men or women in a specific socio-economic class in a society and on their position in the work hierarchy, universal consensus exists on the key characteristics of definitions on sexual harassment. Generally speaking, definitions used in laws, codes, policies, court decisions and collective agreements throughout the world may differ in details, but contain the following key elements:

- a) conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men, which is unwelcome, unreasonable, and offensive to the recipient
- b) a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job
- c) Conduct, that creates an intimidating, hostile or humiliating working environment for the recipient.

Forms of Sexual Harassment:

The two principal types of sexual harassment in the workplace included in the definition of the European Communities are ‘**quid pro quo**’ harassment and **the creation of a hostile working environment**, both of which need to be included in any definition to provide adequate coverage. Quid pro quo (meaning ‘this for that’) harassment refers to a demand by a person in authority, such as a supervisor, for sexual favours in order to obtain or maintain certain job benefits, be it a wage increase, a promotion, training opportunity, a transfer, or the job itself. It forces an employee to choose between giving in to sexual demands or losing job benefits. Because quid pro quo harassment can only be committed by someone with the power to give or take away an employment benefit, this form of sexual harassment constitutes an abuse of authority by the employer or by the employer’s agent to whom authority over terms and conditions is delegated. This type of sexual harassment is also referred to as ‘sexual blackmail’. Sexual blackmail is widely regarded as particularly reprehensible, since it represents a breach of trust and an abuse of power. Legally, the establishment of economic loss does not have to be shown – it must however bear some effect on the job or be intended to do so. It may also be the abuse of a position that makes the conduct actionable as this form is usually restricted to the conduct of a superior over a worker.

Sexual assault and rape, and sexual blackmail at work are the most severe forms of sexual harassment. However, other types of sexual harassment can also poison the work atmosphere and limit the adequate performance of workers. Therefore, the creation of a hostile working environment is usually included in definitions of sexual harassment in laws and policies against the practice around the world. A hostile working environment refers to unwelcome sexual advances, requests for sexual favours or other verbal, non-verbal or physical conduct of a sexual nature which interferes with an individual’s work performance or creates an intimidating, hostile, abusive, offensive or poisoned work environment.

Definitions of sexual harassment are usually accompanied by a list of forms or examples of sexual harassment. These broadly cover the following forms: sexual assault and rape at work

- i. physical harassment: including kissing, patting, pinching or touching in a sexual manner
- ii. verbal harassment: such as unwelcome comments about a person’s appearance, private life or body, insult and put-downs based on a person’s sex
- iii. gestural harassment: sexually suggestive gestures such as winks, nods, gestures with hands, legs or fingers, licking of lips
- iv. written or graphic harassment: display of pornographic material, harassment via letters, email and other modes of communication
- v. Emotional harassment: behavior which isolates is discriminatory towards or excludes a person on the ground of his or her sex (adapted from *Reinhart, 1999*).

The Sexual Harassment Of Women At Workplace (Prevention, Prohibition And Redressal) Act, 2013 In India:

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is a legislative act in India, that seeks to protect women from sexual harassment at their place of work. It was passed by the Lok Sabha (the lower house of the Indian Parliament) on 3 September 2012. It was passed by the Rajya Sabha (the upper house of the Indian Parliament) on 26 February 2013. The Bill got the assent of the President on 23 April 2013. The Act came into force from 9 December 2013. It has been two years since the enactment, but the overall awareness has not been very high and when it comes to actually effecting a change in the lives of women in work place, there is much to be looked into. Thus, the study is an attempt towards this.

2. METHODS OF STUDY

Sixty students from a college participated in the study. They were in the age range of 20-30 years. Base line study was done through a simple questionnaire. Then intervention plan was to tell them about different Acts and the provision they could use. There was also discussion and clearance of doubts. 30 days later, the non-obtrusive methods for indicating a change was for further analysis.

3. ANALYSIS OF THE STUDY

It was expected that less intensive, more group interaction type intervention could yield a change. But what was surprising and shocked that, even in the educated mass, regarding knowledge about Immoral Trafficking Prevention Act, their reaction to the question “What do you know about Immoral Trafficking Prevention Act”, one responded that, “People disobey traffic rules”. Another one responded that, “Traffic rules that, like at the time of driving one should use helmet, driving license, number plate which is readable clearly, horn and a person must obey the traffic signal etc.”

When the researcher asked about ‘*whether they know about Acts related to Sexual Harassment*’, then only 56% of the students could answer it while 34% said as they do not know and 10% didn’t answer the question.

Regarding the *knowledge on Immoral Traffic Prevention Act*, Only 20% of the students could answer it while 18% answered it wrongly as e.g, obeying traffic rule 52% students do not know about it and 10% didn’t answer the question.

Answering to the question that *whether they have faced any sexual harassment in life*, only 6% agreed as ‘yes’ while 38% said simple ‘no’ whereas, the remained 56% of students remained silent by not answering the question.

Likewise, answering to the question that *whether they are aware about redress mechanisms in this regard*, then only 16% of the students could answer this.

Majority of the questions which straight forward asked about their knowledge about various Acts, were simply left unanswered. This stands in contrast to a response to ‘No’ to some other enactments. It is very much pertinent to say that the so-called advanced students who should have been aware of all these enactments, at least the women whom the Acts seek to protect showed a very low level of knowledge. The less ones say about understanding and using it for their own protection and the better.

Impact Of Intervention To The Educated Women:

With the above background, a one day intervention program informing them about the different Acts, its provisions and how to use it with the help of legal personnel was done. Every Act was briefly explained; case study presented and left opened for discussion. In the end participants were thanked for their presence and participation.

After a gap of 30 days, the same students were asked about the Act. They not only responded positively, but also gave some reactions in the direction indicated below:

Some students asked for whom to contact for emergency response in this regard? Posing questions for providing some solution about 40% of students asked for the different kinds of defense mechanisms in this regard. Some other students recognized that, these are very useful for them and will help in future.

The very fact that the researcher contacting them twice and is related to some way would have created a demand characteristic. This would have resulted in a significant difference which would be more like a social desirability effect than a real change in behavior. With an impact of this, some even cite case studies seeking intervention and asking for contact number. Some students became interested to create some kind of help desk in this regard by them in the organization.

This could be taken as simply being polite but the amount of pressure that is put on a woman to keep silent. It would be all that they need privacy to take remedial measures.

4. CONCLUSION

This shows that even if being educated there was lack of awareness about various Acts to safeguard against sexual harassment. Intervention created impact up to a greater extent. The non-obtrusive method is contended to be more powerful and less subjected to the effects of test response. Therefore a change is indicated.

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