



Certified Sexual Harassment Awareness Sample Material VS-1441

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1. INTRODUCTION TO SEXUAL HARASSMENT

Women are physically weak by nature which has resulted discrimination and crimes against women, in their parental house, matrimonial house, society and workplace. Secondly from ancient times the female has been considered an object of enjoyment or beauty. She has never been treated a human being equivalent to man. Woman herself has presented a token of delicacy, beauty, enjoyment and had never tried to serve and satisfy the man as per male-dominated society that is why the woman has been placed at the status of 'sub-ordinate' to man or human being of second class.

1.1. What is Sexual Harassment

Sexual harassment in the workplace is an unwelcome or unwanted attention of a sexual nature from someone at a work place that causes discomfort, humiliation, offence or distress, and / or interferes with the job. This includes all such actions and practices of a sexual nature by a person or a group of people directed at one or more workers.

According to The Supreme Court definition, sexual harassment is any unwelcome sexually determined behaviour, such as:-

- ✓ Physical contact
- ✓ A demand or request for sexual favours
- ✓ Sexually coloured remarks
- ✓ Showing pornography
- ✓ Any other physical, verbal or non-verbal conduct of a sexual nature

Sexual Harassment takes place if a person:

- ✓ Subjects another person to an unwelcome act of physical intimacy, like grabbing, brushing, touching, pinching etc.
- ✓ Makes an unwelcome demand or request (whether directly or by implication) for sexual favours from another person, and further makes it a condition for employment/payment of wages/increment/promotion etc.
- ✓ Makes an unwelcome remark with sexual connotations, like sexually explicit compliments/cracking inappropriate jokes with sexual connotations/ making sexist remarks etc.
- ✓ Shows a person any sexually explicit visual material, in the form of pictures/cartoons/pinups/calendars/screen savers on computers/any offensive written material/pornographic e-mails, etc.
- ✓ Engages in any other unwelcome conduct of a sexual nature, which could be verbal, or even non-verbal, like staring to make the other person uncomfortable, making offensive gesture kissing sounds, etc.

Harassers need not only be employers or colleagues, but can also include clients and customers. e.g. an incident where an employee receives harassing SMSes from another colleague or client is considered workplace harassment, even though those SMSes may not be sent at the physical workplace, or during working hours. Similarly, sexual harassment that occurs on a person's way to and from work, or during a client interaction or work-related dinner or function is also considered workplace sexual harassment.

Sexual harassment also takes place when supervisor request sexual favours from a junior in return for promotion or other benefits or threatens to sack for non-cooperation. It is also sexual harassment for a boss to make intrusive inquiries into the private lives of employees, or persistently ask them out. It is sexual harassment for a group of workers to joke and snigger amongst themselves about sexual conduct in an attempt to humiliate or embarrass another person.

It is important to ensure that the emphasis is on prevention rather than punitive action. This calls for widespread awareness on the Act among employers, managers and the workers themselves. Frequently, women workers may face sexual harassment but may not be aware that it is a breach of their rights and that there is something they can do about it. They need to know that they can do something about it. Then there are others, who may believe that it is a personal matter that needs to be resolved by the people involved. In order to change this order of things, it is urgent that measures are taken to change mind-sets and attitudes by creating awareness about what constitutes sexual harassment and the steps that can be taken to address it.

1.2. Evolving Phenomenon of Sexual Harassment and it's Forms

The word 'Sexual Harassment' of woman is very much in focus now-a-days. The conduct and behaviors it describes are centuries old but the word itself is said to have emerged in the mid-1970s in North America and consequently adopted in the U.K in the early 1980s.

If any person with an intention to insult the modesty of a woman uses any word or picture or gesture or sound, then he is said to have committed an offence of sexual harassment of the woman, punishable with imprisonment up to one year.⁴ Sexual harassment includes all forms of conduct designed to vex, annoy or bother person by means that falls short of serious injury or threat thereof.

An act of sexual harassment of woman at workplace only because of her being an opposite sex may be held tortuous act as it causes headache, sleeplessness, anxious restlessness and fatigue in the woman employee. Every woman has constitutional right to participate in public employment and this right is denied in the process of sexual harassment which compels her to keep away from such employment. Besides, the working capacity of a woman is considerably reduced on being regularly harassed sexually. In many cases they become sick and leave jobs. Along with denying the constitutional right to privacy and live with dignity are also invaded. It is also a case of exclusion of women from the areas which were traditionally occupied by women. Sexual harassment is a complex issue involving women, their perceptions and behaviour, and the social norms of the society. It may be an expression of power or desire or both. It is the policy of all work places that all employees will enjoy a work environment free from all kinds of discrimination, including sexual harassment. In order to understand the issue of sexual harassment at the workplace, attention must be paid to prevalent socio-cultural issues, of gender and sexuality, and how it impacts upon the status of women.

Sexual harassment, an insidious form of violence against women, is common to all cultures. The stories are strikingly similar from country to country; only the names and the places change. Women in workplaces around the world are routinely subjected to hostile and demeaning work conditions and are forced to endure discrimination, humiliation, sexual assault, sexual blackmail, and in the most extreme cases, rape.

Sexual harassment may take diverse and varied forms. It is not limited to demands for sexual favours made under threats of adverse job consequences should the recipient refuse to comply with such demands. Victims of sexual harassment need not establish that they were not hired, were denied a promotion or dismissed from service as a result of their refusal to participate in sexual activity. “This form of harassment, in which the victim suffers concrete economic loss for failing to submit to sexual demands, is simply one manifestation of sexual harassment, albeit a particularly blatant and ugly one. Sexual harassment also encompasses situations in which sexual demands are groping, propositions, and inappropriate comments, but where no tangible economic rewards are attached to involvement in the behavior”.

It is also for the recipient to decide what conduct is acceptable or offensive to her, and from whom.

Women work in offices serve as teachers, performs operations as surgeons, treat patients as doctors, defend the nation as member of armed forces, adjudicate upon cases as judicial officers and so on. But despite all this, they have to face sexual harassment and exploitation at their workplace. We are to go a long way before we can attain perfect equality between man and women in the male dominated society of traditional India. It's important to understand harassment in the workplace, because it can affect you, and impact your career, in different ways. Knowing what constitutes harassment will help know how to handle it if it happens to you, or, even better, help you prevent it from happening.

The term ‘sexual harassment was first defined in a formal legal sense in the year 1997 by, the Supreme Court in Vishaka’s case. The Supreme Court has given two landmark judgments – Vishaka vs. State of Rajasthan and Apparel Export Promotion Council vs. A K Chopra in which it laid down certain guidelines and measures to ensure the prevention of sexual harassment of women at work place. In India, recently ‘The Sexual Harassment of Women at Workplace (Prevention, Protection and Redressal) Act 2013’ has been forced for the protection of women against such violence. It is considered to be a form of sex discrimination which degrades the woman and is often regarded as having lesser ability to perform well at work in comparison to the male employees.

Vishaka guidelines apply to both organized and unorganized work sectors and to all women whether working part time, on contract or in voluntary/honorary capacity. The guidelines are a broad framework which put a lot of emphasis on prevention and within which all appropriate preventive measures can be adapted. One very important preventive measure is to adopt a sexual harassment policy, which expressly prohibits sexual harassment at work place and provides effective grievance procedure, which has provisions clearly laid down for prevention and for training the personnel at all levels of employment.

As India’s economy continues to grow, helping millions of people live better and healthier lives, one could be forgiven for thinking that the old problems that affected our parents and grandparents generations are being left behind. You would expect to find this to be especially true in the modern and dynamic workplaces of call centers and IT parks that are employing millions and helping drive Indian economic growth. Unfortunately, while we have new industries and economic progress, old problems have yet to be left behind.

1.3. Types of Harassers

While behaviour and motives vary between individuals, we can probably divide harassers into six broad groups:

- ✓ **Mr. Macho** - This is usually linked to the bravado, when groups of men embarrass women with comments, unwanted compliments or even physical evaluation, lewd jokes or gestures, and display of sexually distasteful posters. All these can create a hostile environment, and even if it goes no further than verbal and visual harassment, most women experience this as humiliating and disturbing.
- ✓ **The Great Gallant** - This mostly verbal harassment occurs when the “gallant” pays excessive compliments and makes personal comments that are out of place or embarrass the recipient. While most men and women appreciate recognition and genuine compliments, comments focused on the appearance and the sex of a worker – rather than her competence or her contribution – are usually unwelcome. While the giver of compliments may see himself in a different light, the recipient usually experiences him as patronising or annoying, or both.
- ✓ **The Opportunist** - This kind of harasser is usually fairly promiscuous in his attentions to female staff, suppliers or clients. Whenever the opportunity presents itself – in the elevator, when working late, on a business trip, at the office party, when alone in an office or a car with a female colleague- the harasser likes to take advantage of the situation. If confronted, he will insist that the women like and enjoy his attentions.
- ✓ **The Power-player** - Here harassment is a power game, where the man insists on sexual favours in exchange for benefits he can dispense because of his position: getting or keeping a job, promotion, orders, bank overdrafts, a drivers' licence, and so on. This can be described as "quid pro quo" harassment, and is closely allied to blackmail. Besides the effect on the victims, this form of harassment is an abuse of power and trust. It can lead to bad business decisions, and can cost the company dearly in terms of effectiveness, the cost of special favours, and company image.
- ✓ **The Serial Harasser** - The most difficult type of harasser to identify, and the most difficult to deal with, is the one labeled as the serial harasser. This person is compulsive and often has serious psychological problems. He carefully builds up an image so that people will find it hard to believe ill of him, plans his approaches carefully, and strikes in private where it is his word against that of a subordinate. He can do a lot of damage before he is found out. Although serial harassers are in the minority, managers and personnel professionals should be aware of this possibility. This person's aberrant behaviour is often a call for help, rather than deliberate harassment – as is usually the case in the above four types. In this case counselling is probably more important than mere disciplinary action.
- ✓ **The Situational Harasser** - The trigger to this person's behaviour is usually psychological, but more situational than compulsive. Incidents are often linked to specific life situations or emotional or medical problems, such as divorce, wife's illness, impotence, hormonal imbalance, prostate disease, or psychiatric or systemic disturbances that suppress the higher brain functions. If the situation changes or the disease is brought under control, the harassment usually stops – but by then both victim and harasser have been harmed.

1.4. Causes of Sexual Harassment

The main reason of sexual offence in corporations is the severe imbalance of power in between supervisors and subordinates. The positions and the power give the supervisor the capacity to reward and coerce subordinates, also evaluate their performance, make recommendations for salary adjustments and promotions and even decide whether or not an employee retains his/ her job. On the other hand, subordinates want favourable performance reviews, salary increases and the like. On the contrary, supervisors control resources that most subordinates consider important and scarce. In some cases, top managers occupying high -status roles believe that sexually harassed female subordinates are merely an extension of their right to make demands on lower status individuals.” The difficulty with allegations of sexual harassment is proof. These allegations often become one person’s word against another. As a result, it is believed that most offences go unreported to company officials or government agencies.

So, sexual harassment is the victim’s word against her boss. The harassed suffers from difficulty and suppresses it in the cost of civil right. Most of the women do not want to litigate them. The reason of suppressing harassment is the fear of economic insecurity and social isolation. Because of the supervisor’s control over resources, the harassed are afraid of speaking out for fear of retaliation by the supervisors.

The co-workers having no position and power can also influence the sexually harassed peers. The coworkers also exercise some sort of power in order to sexually abuse female co-worker in the organization. This power is developed by providing or withholding information, cooperation and support. Work in organization is a team and hence performance of jobs requires interaction and support from co-workers.

Women in positions of power can be subjected to sexual harassment from males who occupy less powerful positions within the organization. This is usually achieved by the subordinates by devaluing the women through highlighting traditional gender stereotype that reflect negatively on the women in power.

Social Factors

Multiple factors are responsible for the problem. First the foremost factor is status of second class human being ever treated by the male dominated society since centuries, feeble bodily power in women is another cause, centuries old conception that woman is an object of enjoyment only and is created to serve the man. Social set up which includes customs are also in this favour to the woman. The social attitude had ever been passive to the female problems rather it had been suggested that for the sake of prestige of woman as well as her family, the crimes against women should be suppressed. Women themselves are also responsible for the problem because they do not unite and support the female victim. Down grading of moral standards, deteriorating law and order situation, unwillingness to be a witness against such incident, fast life in which there is a shortage of time to initiate any legal action, unemployment which advises the victim to be silent against any harassment because the hunger is more painful than the harassments are several elements which do maintain the problem. In action of the police or other authority is another considerable factor. Lastly, reported cases compromised due to political, social, bureaucratic and family pressures which are the ultimate death of a ray of hope.

Other Factors

Sexual harassment is issues that affect all of us at the workplace, when it occurs many individuals who experience sexual harassment suffer physically and psychologically from harassment. Many are forced to quit their jobs or take sick leave to escape from the harassment. Not only is the individual harmed, but all of her co-workers are harmed either by the pervasive feeling that one cannot get ahead in the workplace without giving sexual favours or by creating an environment where co-workers are forced to tolerate offensive conduct and their works suffers.

Reported sexual harassment greatly represents the extent of the difficulty because most individuals are afraid to report the harassment. The very fear of retaliation or being labeled a troublemaker keeps many individuals from reporting such an incident. Added to it is the fear of offending the harasser, who is either a boss or a colleague. This keeps a great majority of both men and women from directly confronting the harasser.

The cases of sexual harassment of woman at work place are alarmingly increasing because of several factors including:

- ✓ Increasing number of working woman.
- ✓ Poor knowledge of human relations and values.
- ✓ Fast deterioration of social and moral standards of people.
- ✓ Poor and polluted family atmosphere.
- ✓ More talks on feminism and masculine's than on humanism.
- ✓ Poor sense of wrong and right in the people.
- ✓ Poor law and order position in the society
- ✓ No adequate provisions of law to deal with the subject efficiently.
- ✓ What we eat, what we see and what our parents do or have been doing are very important in this connection, as such things directly or indirectly affect our thinking and in turn actions.

1.5. Impact of Sexual Harassment

The impact of sexual harassment in the workplace cannot be overlooked. Sexual harassment causes damages to both the victim and the workplace itself. Symptoms that victims experience include decreased job satisfaction, lowered organizational commitment, ill physical and mental health, and even signs of post-traumatic stress disorder. The presence of sexual harassment in the workplace makes it difficult for employees to focus on their work, and indirectly impacts their work performance, such as increased absenteeism and turnover rate, and decreased morale

Impact on the Victim

Physical and Psychological Effects - Victims of sexual harassment may suffer from stress, anxiety, fatigue and depression. The harassed persons suffer from emotional and psychological injuries which can lead to loss of self-worth, self-confidence and self-esteem. Research has found the feelings of annoyance, upset, shock, threatened, uncomfortable, anxiety, disgust, tense, angry, embarrassment, isolation, resentment, intimidated, furious, frightened, guilty, worried, frustrated, nervousness and vulnerability. Other research has identified additional feelings of humiliation, self-blame, loss of self-confidence, decreased self-esteem, decreased morale, damage to interpersonal relations at work.

Thus sexual harassment affects the mental health of the victim and leads to depression and other attitudinal changes which in turn leads to different perceptions of the person harassed towards the colleagues and superiors in particular and society in general. In some cases it can even lead to suicide by the person harassed.

Health Effects - Victim may suffer from following

- ✓ Weight loss/gain.
- ✓ Loss of appetite.
- ✓ Sleep disturbance.
- ✓ Headaches.
- ✓ Post-traumatic stress disorder.

Financial Effects - Sexual harassment adversely affects the victims earning capacity by forcing them out of the employment. Women are compelled to leave their jobs as a result of sexual harassment. There may be other financial effects such as:

- ✓ Decreased work performance.
- ✓ In order to avoid harassment absence from duty or due to illness from the stress remaining on leave with pay/without pay.
- ✓ In case of complaint against offender as retaliation victim may be terminated from employment.
- ✓ Trying for another job.
- ✓ If victim does not find another job then it may result in-
 - ✓ Loss of earning forever.
 - ✓ Loss of career.

Social Effects - Besides the above sexual harassment may result in following social effects:

- ✓ In case victim complaint sexual harassment then danger or retaliation from the harasser or colleagues/friends of the harasser.
- ✓ The victim may be subject of criticism because of and blamed for instigating the offence of sexual harassment.
- ✓ Victim may suffer humiliation in the society.
- ✓ Defamation of character and reputation.
- ✓ If she comes in open to challenge, it may affect her relationship in the society.
- ✓ The colleagues, friends, and even family may distance themselves from her.

Impact on the Organisation

Sexual harassment at the work place not only affects the victim but also affects the employer. The impact of sexual harassment on the employer may be as mentioned below:

Effects on Productivity and Profitability: As the sexual harassment affects the efficiency and productivity of the workers because of the stressful environment, it has a direct negative impact on the organization. When the employees are less motivated or take time off work, they cannot

perform according to their capabilities and thus it affects the quality and quantity of their work which in turn affects the productivity and profitability of the enterprise.

Effects on organizational culture and team work: As sexual harassment develops feelings of annoyance and distrust towards the fellow beings and superiors, so it has a direct negative impact on the professional relationships at the workplace. Because sexual harassment affects not only the individual victims but also their co-workers, supervisors and others with whom they interact at work, the overall work productivity of the whole group or team is lowered. Moreover people may shirk to work in groups and hence it may jeopardize the team work.

Effects on Public Image: Sexual harassment has adverse effect on the public image of the enterprise. If the harassment is perpetrated by the employers or the supervisors or they do not make any efforts to prevent sexual harassment at workplace, they may be considered as conspirators and hence this adverse publicity gives a bad name to the organization. The employees who witness sexual harassment and inaction on the part of organization forms negative assumption about organizational norms and behaviors.

Effects on potential workforce: Sexual harassment leads to resignation and dismissal of employees who may be the potential workers and hence this in turn leads to loss of efficient, effective and valued workforce. Many potential and desiring persons are discouraged from joining the organizations and hence the enterprise is devoid of potential workforce.

Effects on the Financial Position: As sexual harassment affects the productivity, profitability and efficiency of the workers on the one hand and absenteeism, sick pay, medical expenditure on the employees, resignation, training of new employees on the other hand cast a great financial loss to the enterprise. Even the constitution of committees to examine the complaints of sexual harassment, expensive lawsuits and awarding of huge compensation to the victim cause a great economic loss to the organization.

Certifications

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- Certified GST Professional
- Certified AML- KYC Compliance Officer
- Certified Business Accountant
- Certified BASEL III Professional
- Certified GAAP Accounting Standards Professional
- Certified Treasury Markets Professional

► Big Data

- Certified Hadoop and Mapreduce Professional

► Cloud Computing

- Certified Cloud Computing Professional

► Design

- Certified Interior Designer

► Digital Media

- Certified Social Media Marketing Professional
- Certified Inbound Marketing Professional
- Certified Digital Marketing Professional

► Foreign Trade

- Certified Export Import (Foreign Trade) Professional

► Health, Nutrition and Well Being

- Certified Fitness Instructor

► Hospitality

- Certified Restaurant Team Member (Hospitality)

► Human Resources

- Certified HR Compensation Manager
- Certified HR Staffing Manager
- Certified Human Resources Manager
- Certified Performance Appraisal Manager

► Office Skills

- Certified Data Entry Operator
- Certified Office Administrator

► Project Management

- Certified Master in Project Management
- Certified Scrum Specialist

► Real Estate

- Certified Real Estate Consultant

► Marketing

- Certified Marketing Manager

► Quality

- Certified Six Sigma Green Belt Professional
- Certified Six Sigma Black Belt Professional
- Certified TQM Professional

► Logistics & Supply Chain Management

- Certified International Logistics Professional
- Certified Logistics & SCM Professional
- Certified Supply Chain Management Professional

► Legal

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- Certified Labour Law Analyst
- Certified Business Law Analyst
- Certified Corporate Law Analyst

► Information Technology

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- Certified Basic Network Support Professional
- Certified Business Intelligence Professional
- Certified Core Java Developer
- Certified E-commerce Professional
- Certified IT Support Professional
- Certified PHP Professional
- Certified Selenium Professional

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- Certified iPhone Apps Developer

► Security

- Certified Ethical Hacking and Security Professional
- Certified Network Security Professional

► Management

- Certified Corporate Governance Professional
- Certified Corporate Social Responsibility Professional
- Certified Leadership Skills Professional

► Life Skills

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- Certified Public Relations Officer

► Media

- Certified Advertising Manager
- Certified Advertising Sales Professional

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