



The scenario of sexual harassment of women at work place in Tamil Nadu

R Senthamil Selvi¹, Dr. S Balamurugan²

¹ Ph.D. Research Scholar, Department of Political Science and Public Administration, Annamalai University, Chidambaram Tamil Nadu, India

² Assistant Professor, Periyar Arts Collage, Cuddalore, Tamil Nadu, India

Abstract

Sexual harassment of women in Tamil Nadu is prevalent from long time, but it is only recent times that the voices have been raised against it. Earlier it was considered as social taboo to talk about Sexual Harassment of women. The problem of sexual harassment at the workplace is a major occupational hazard affecting women all over in India. The situation is even more serious as 92 per cent of working women are in the informal. Sexual harassment of women at workplace is one of the important issues in present context. From the time immemorial the problem of sexual harassment has been facing by women in some form or the other unorganized sector where they don't get any statutory protection. Basically, Sexual harassment can occurs in a wide variety of forms including rape, pressure for sexual favours, sexual touching, suggestive looks or gestures, sexual joking or teasing, and the display of unwanted sexual material. The effects of sexual harassment vary from person to person and are dependent on the duration and severity of harassing behavior. However, in most instances, it leaves negative effects and psychological impacts of various forms in their life. So, to eliminate all forms of discrimination against women including sexual harassment, our criminal justice system has to be reformed. Apart from that an independent investigating agency with constitutional status should be constituted to investigate crime impartially, efficiently and speedily. In each district Fast-track courts has to be constituted for speedy trial against any type of crime. Again, regarding sexual harassment, NGO's should play proactive role and demand for judicial activism and efforts should be made to implement the Sexual Harassment of Women at Workplace. This article intends to analyze the Sexual Harassment and other related humiliations suffered by Women in Tamil Nadu.

Keywords: sexual harassment, sexual favours, sexual touching, harassing behavior

Introduction

Sexual harassment is bullying or cruelty of a sexual nature, or the unwelcome or inappropriate promise of rewards in exchange for sexual favors. In most modern legal contexts, sexual harassment is illegal. As defined by the Indian state legal commission equal employment opportunities commission, "It is unlawful to harass a person an applicant or employee because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. The legal definition of sexual harassment varies by jurisdiction. Sexual harassment is subject to a Directive union in the Indian union.

Although laws surrounding sexual harassment exist, they generally do not prohibit simple teasing, offhand comments, or minor isolated incidents that is, they do not impose a "general civility code" In the workplace, harassment may be considered illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision, such as the victim's demotion, firing or quitting. The legal and social understanding of sexual harassment, however, varies by culture. In the context of US employment, the harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer, and harassers or victims can be of any gender.

Sexual harassment is a gender-neutral offense, at least in theory. Men can sexually harass women, and women can sexually harass men. However, statistics shows that the overwhelming majority of sexual harassment claims and charges are brought by women claiming that they were sexually harassed by men. Most of the times working women are targeted for such disgraceful act by the men who consider them as lose women, with an immoral character and an object to be played around with by providing them money or extra employ privileges. Usually this kind of act takes place to influence and persuade the employee to get an extra concession or entitlement by having their morality and integrity satisfied by their employers. There is a series of physiological torment agony these women have to endure at workplace, education institutes and public transports due to these unwanted glances and glares, unethical offers, uncomfortable physical contacts and other kinds of sexual innuendos.

In the recent few years, as more and more Indian women are coming out of their houses to work, there has been an increase in the incidents of violence against them. A global study conducted by Thomson Reuters terms India as the "fourth most dangerous country" in the world for women. Violence against women in India which is too complex takes too many forms and intersects with too many other issues. The issue of sexual harassment with women is quite a burning one and the statistics also show an increase in violence and crime against

women. Even as in 12 Jun 2014 two minor girls were allegedly raped on a campus in Coimbatore district of Tamil Nadu and in the same month 20 of July a college student was gang raped by four men in Tamil Nadu. This evoked an unprecedented outrage throughout the State, complaining about sexual harassment and such cases is still considered a taboo in our country where majority of such incidents go unnoticed. Inadequate support system, delay in justice and the social stigma attached to the victim refrain women from reporting such cases to law enforcing agencies.

Objective

To study the prevailing conditions of sexually harassed women in Tamil Nadu at work places.

Sexual Harassment Different Connotations

The definition of harassment varies according to the different context in which it becomes offensive and a state of displeasure. It involves different kinds of disrespectful and inappropriate moves that are carried out by harassers up on the victims thus making them chafed and comfortless. Sexual harassment has come to be widely recognized as form of human rights violation. It is not only a barrier amongst many against women's right to work but it is also one of the most common forms of sexual violation faced by women. Women are sexually harassed in the offices, schools, streets, public transport, and corporate office and at other different workplaces. Sexual harassment occurs when a woman despite having clearly indicated her disinterest, is pressured into tolerating or accepting undesirable sexual advances by someone who is in a position of power over her and is able to harm her interests if she declines to tolerate these advances.

Sexual harassment is of different types including verbal, nonverbal, physical etc. It 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 makes it a condition for employment payment of wages increment promotion, makes an unwelcome remark with sexual connotations, like sexually explicit compliments cracking loud jokes with sexual connotations making sexist remarks etc., shows a person any sexually explicit visual material in the form of pictures cartoons pin-ups calendars screen savers on computers any offensive written material/pornographic e-mails, etc. or engages in any unwelcome conduct of a sexual nature, which could be verbal, or even non-verbal, like staring to make the other person uncomfortable, making offensive gestures, kissing sounds, etc.

Tackling Sexual Harassment and Abuses

It is quite important to address the issue of sexual harassment at workplaces as this may result into a number of problems both for the employer and the employee. If continued in the organization, sexual harassment can land up the employer in a big trouble. Sexual harassment can be traumatic to an employer in terms of low productivity, absenteeism, staff turnover, retraining, and litigation, damaged public image, investigations, financial strength, increased team conflict, decreased job satisfaction etc

Sexual harassment can do lot of damage to the harassed employee who may face emotional distress e.g. fear, anxiety, loss of Self-esteem, embarrassment, anger, illness e.g. ulcers, headaches, stress-related symptoms, exclusion from groups, loss of Income e.g. Increased absenteeism, loss of job, disrupts career etc. Thus it is quite crucial for the organizations and the employers to recognize sexual harassment in the workplace which takes away from the woman her right to live and work with dignity.

Women continue to face sexual harassment and gender bias at work places, yet rare cases of harassment has ever been filed in the police stations. Shame, fear of losing the job and possible backlash from society allow sexual harassment at work places go unreported. In many a cases, awareness is also seen as a reason for women's inaction. Education sector is not new to it sexual harassment, Getting a job is very difficult, not because of lack of opportunities, or that they are less educated, but only because they are women. And woman hardly complains if she gets harassed because of the fear that they could lose their job or be ashamed by the society. Sometimes they thought for going to report to the authorities, but where afraid. They thought they will blame them as they where new in the job,

Two years before, a 30 years old employee of bank from Vellore district committed suicide. She left a note in which she wrote about harassment by the Cluster Head of the Bank. The case is unresolved. As police awaits forensic report, the woman's frustration is stirring conversations among women about awareness, laws meant to protect women and the society's approach towards the issues. Harassment knows no occupational boundaries. Women experience it in different shades sexual, mental, and emotional. Speaking to the different police Station Officer's (SHO's) of women's police stations says, "Hardly rare cases of women harassment is registered in the police stations. But it is quite visible that these acts happen at workplaces. Girls have to complain, and then only we can act. The initiative has to be taken by them, if they won't speak, how can we know what is happening?"

State Women's Commission Chairperson, says that commission has addressed several cases of harassment at work places. "Most cases are of mental harassment and torture of women at work places." whenever such cases are reported to the commission, "we ensure speedy justice". Commission added that very few sexual harassment cases are reported from Tamil Nadu, as girls were scared how society will view them. Sexual and other forms of harassment occur in every sector. "But girls themselves have to raise an alarm. If any girl feels mentally, emotionally or sexually harassed, firstly report to police and then leave it to commission, we will act." "If this silence continues, it will prove dangerous for women, as these crimes will peak and girls will live in trauma for whole life. It is my request that girls know about their rights."

Women Harassment and Humiliations at Workstation

This study has focused women harassment at workplaces, certain observations and literature available determines its generic existence as "Alliance Against Sexual Harassment" (AASHA) has revealed that almost 93% of women confront different forms of sexual harassment in the workplace in both private and public sector organizations as cited in Act, 2013.

Along with that mutually understood definition of sexual harassment consider it an unwanted act, sexual in its nature, often physical, verbal or nonverbal and disgracing recipients within their working organizations Act, 2013.

Individuals as earlier ones are often male, competitive, and hard driving and with low levels of self monitoring behaviour and later ones are usually female, young, single or divorced and with relatively low levels of education, moreover women harassment at workplaces takes place where there is an unequal sex ratio; where there are large power differentials between women and men. Keeping in view the exploration regarding existence of women harassment at workplaces, this study asked questions from respondents to attain objectives of this study and result shows clear majority of 55% respondents accepting women harassment at their medium offices. However, among those 55% there were large majority of female respondents as 85% who accepted existence of women harassment in their offices and indirectly this acceptance can be taken as female respondent's personal experiences which they were possibly reluctant to state with their own references. A female respondent told that harassment is not only confined to any physical attempt but it is extended to staring at women in disgusting manner, using them as sex symbol and passing remarks about their appearances, all these activities can eventually disturb them psychologically

And can affect the productivity of work. Another female respondent gave her opinion that at workplaces women should be very vigilant to ensure their security from harassment acts. A woman respondent accepted harassment in her organization as so many tactics have been used by her male counterpart to harass female office members. Another female respondent told her personal experience of being harassed by a male on a managerial position. However, 40% of respondents with large majority of male respondents rejected any harassment act within their organization but they accepted its presence in society at large. A woman interviewee considered harassment as uninvited comments but harassment acts have become so lesser to observe in large organization because of increased awareness among women, but a male respondent contradicted with previous statement that women always have to face harassment at their jobs however it does not happen in his channel. A male respondent expressed that only sexual harassment should be considered as harassment and other acts as gazing women have been accepted as normal act in our society, but that respondent denied any evidence of harassment in his channel. Identifying harassment in society and rejecting it in own organizations indicate respondent's hesitancy towards existence of harassment in their office, in order to avoid associating bad label with their organizations.

Scenario in Tamil Nadu

In Tamil Nadu, though actual number of cases has not been reported in the state, yet a total of 8,466 rape cases had been registered in the state since 2010. However, only few persons had been convicted of the crime so far during the last five years. Bulk of the rape cases are under investigation. Overall crime record against women against women has been on the rise in Tamil Nadu with 59,200 cases involving rape, molestation, kidnapping and abduction of women and girls registered since 2015. As per the statistics given by the State

Government in the Legislative Council in December 2017, 18763 cases were registered in 2015, 19,230 in 2016 and 21,341 in 2017. Around 59134 cases were registered in various district of the state during 2015-17. These cases include rape, gang rape, kidnapping, molestation, eve teasing, dowry death, abetment to suicide, cruelty by husband and suppression of immoral trafficking.

Tamil Nadu ranks the highest among the southern states as far as instances "Earlier they would get beaten up and stay quiet about it. But now because they are coming forward with complaints, we are able to provide help and compensation to them. This is a sign of empowerment. According to a member of the Commission, who spoke to TNM on the condition of anonymity, the body receives close to 240 applications from across the state in just one day. Of these at least half are immediately addressed, matter resolved and application disposed, he says. The other applications are then scanned and the necessary district authority is informed about the matter. The Commission claims to have a 30-day window to resolve the issues. If there is no action taken within a month, a reminder is sent to the district authority.

L Murugan, Vice Chairman of the National Scheduled Caste Commission expressed worry about the number of applications received but said there is a silver lining to it. "This shows that people from Schedules Castes have become more aware of their rights and are willing to fight for it, a news briefing in Coimbatore just few months before, it was found that at least 95% of the cases that have come have been resolved.

To curb incidents of eve-teasing and sexual harassment in and around government departments and public places in Tamil Nadu, the government has constituted a committee to deal with all cases of sexual harassment and eve teasing at the workplace and public places. An 80-member State Mission Authority for Empowerment of Women has also been constituted by the government to ensure among other things elimination of violence against women and promoting health and educational activities for their betterment.

Unfortunately, there is lack of vision to address the problem of violence faced by women in public spaces in its totality. As such, women do not come forward for reporting the incidents of sexual harassment due to social stigma, family pressure, police attitude, prolonged court trial, faulty law implementation and various corrupt practices, embarrassment and humiliation.

It is quite important for us to address the issue of sexual harassment as our society needs peaceful co-existence between genders and thus the recognition of sexual harassment as a legal wrong is an important step in securing human rights for women. In India, women's presence in police stations is frowned upon and is considered a hostile environment for women to visit. Hence, the issue of access to the police stations vis-à-vis women is to be addressed. The political leadership of the state and the senior police officials has a constitutional duty to ensure that the entire police force is responsive to the needs of all the sections of the society, irrespective of their caste, creed, color or sex. Number of women police personnel in the police throughout the country is very low and there should be an increase in it.

One of the important measures in this regard can be the

education, training and sensitization of more and more people, both men and women, about sexual harassment. Workshops and training programmes need to be organized to address the issue. The society needs to be sensitized with regard to women's complainants. It also needs to be trained in public relations so that a better rapport can be established between police officials and complainants. Education and awareness can play a big role in preventing sexual harassment. Besides, it is also important to educate women who should resist sexual harassment at workplace and should not be silent sufferers to such incidents. Education can bring about lot of change among women who can develop self-confidence and mental strength to face the onslaught of adverse situations both by active and passive means.

From the last one decade, protection of women has become a prime focus of public attention and concern in Tamil Nadu. Sexual Harassment is any improper and unwelcome conduct that might sensibly be estimated or be perceived to cause offence or humiliation to another person. Sexual Harassment generally takes place when there is power or authority difference among persons involved Student Teacher, Employee/Supervisor, Junior Teacher Senior Teacher, and Research Supervisee Supervisor. This also involves treating others unequally on the basis of gender in work-related or academic duties or programs and not providing female students with the same academic opportunities as male students or vice versa; this is also applicable to same sex harassment male and male, female and female. In institutions of higher 'education, both the offender and the offenders Supervisors, Chairperson, Directors, Institutional Heads can be held liable for acts of sexual harassment. The right to education is now a fundamental right. A study of school girls in one south Indian state also documented girls' vulnerability to harassment. There are no clear statistics on the number of child abuse cases in India, primarily because of the low reporting of such crimes. The new report from HRW said such abuse is disturbingly common, government responses are falling short in protecting children and in treating victims.

Concluding inferences

The investigation of women harassment in Tamil Nadu at work places is the main objective of this research and according to the responses of female interviewees at lower level harassment refers to staring at female colleagues during office timings, touching their fingers while giving files, papers or telephone receiver, commenting on their physical appearance, patting on shoulder, trying to shake hand with women colleagues, offering for date and trying to touch women working on computer and giving impression that they are instructing women about something very important. More over staring is the simplest form of harassment mostly practiced in offices and sexual abuse in major organizations as a type of harassment is common at workplaces in Tamil Nadu and the situation is very serious.

In order to create a safe and sound environment for the people, eradication of all the indecent and offensive sexual exertions and acts is exorbitantly important. The felons and wrongdoers must not be pardoned. They must be punished and penalized in such a way that it becomes an example and warning for the other people having criminal tendencies and guts. The young

and confident girls must be protected by the state from any kind of sexual harassment or aggravation that would endanger and jeopardize their careers, life, confidence and self-esteem. The infliction and misfortune that has already been caused should not continue and shattered souls must be cured by building up a society free from sexual frustration and noxiousness.

References

1. Sexual Harassment at workplace and in educational institutions: A case study of Vellore District, in Tamil Nadu, by Dr S Rajan, International NGO Journal. 9(4),
2. Sexual Harassment and Mental Health by OP Rajoura Delhi psychiatry journal. 2012; 15(1).
3. Sexual Harassment Violence against Women at work and in Schools by Phoebe Morgan and James E. Gruber.
4. Policy Guidelines against Sexual Harassment in Institute of Higher Learner by Higher Education Commission, Govt. of India.
5. Addressing Sexual Harassment in Educational Institutions by Justice Sujata Manohar Former Judge, Supreme Court of India, 2012.
6. Sexual Harassment by A. Srinivasan, Indian Journal of Gender Studies. 1998; 5(1):115-125.
7. National Crime Record Bureau, Ministry of Home Affairs, India Annual Report, 2012-2013.
8. World Health Organization, Global and Regional Estimates of Violence against Women, <http://www.unwomen.org>
9. Ending Child Marriage: Progress and Prospects, <http://www.unicef.org>
10. Hidden in Plain Sight: A Statistical Analysis of Violence against Children (UNICEF) <http://www.unwomen.org>
11. Directorate-General for Employment, Industrial Relations and Social Affairs, Sexual harassment at the workplace in the European Union, p. iii, Brussels, European Commission. Cited in UN General Assembly, 2006,
12. Based on a nationally representative study among female and male students in grades 8 through 11. American Association of University Women, 2001, "Hostile Hallways: Bullying, Teasing, and Sexual Harassment in School.
13. Patel V. A brief history of the battle against sexual harassment at the workplace, 2014.
14. Rajadhyaksha M. Maharashtra's shame: Conviction in only 5% of sexual harassment cases, 2011.
15. Ramanu. Sexual Harassment in India's educational institutions and how to stop it, 2015.
16. Rashid S. The Globe: The battle for Female Talent in Emerging Markets, 2010.
17. Sarpotdar A. Sexual Harassment of women at workplace: Glimpses of practices within the organised sector in Mumbai, 2015.
18. Sharma R. Pulse of the Nation. Nimbuzz, 2014.
19. Singh A. 4 myths about workplace Harassment, 2012. www.womensweb.in.