

WORKING WOMEN'S SAFETY IN INDIA: THE PRIME SOCIAL RESPONSIBILITY OF THE CORPORATE WORLD

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ABSTRACT

*There was a time when women would have to fight for their right to employment. Fortunately, today this fact stands as our past. Unfortunately, our present isn't any better either. The deplorable figures of [crime against women](#) in our country confirm the challenging and insecure lives women live even today. **Violence against women in the work place** takes place in all countries throughout the world and takes many forms, including sexual harassment and bullying. It affects all professions and sectors and particularly women living in poverty as they are more likely to be exposed to exploitation.*

If we take account of all the working women and then collectively see the scenario of sexual crimes against women, it can be easily seen that stringent laws alone cannot do much. What really needs to be done is the moral overhauling of the minds of the masses by means of education and awareness. Strong and stringent laws are definitely necessary as the existing laws have proved to be inefficient in ensuring swift justice and appropriate punishment to the guilty. But the actual need of the hour is a revolutionary change in the mindsets and conscience of Indian men so that they stop seeing women as the housekeepers.

The present paper endeavors the challenges faced by the working women at their workplaces, reasons for less women employment and the measures to improve the security for working women

Keywords: *Women, Employment, Violence, Indian society.*

INTRODUCTION

A workplace is a location at or from which an employee ordinarily performs the duties of his or her position and, in the case of an employee whose duties are of an itinerant nature, the actual building to which the employee returns to prepare and/or submit reports, etc., and where other administrative matters pertaining to the employee's employment are conducted. The workplace is located in a variety of settings including offices, manufacturing facilities or factories, stores, farms, out-of-doors, and in any location where work is performed.

WORKPLACE SAFETY

Workplace safety is about preventing injury and illness to employees and volunteers in the workplace. Therefore, it's about protecting the nonprofit's most valuable asset: its workers. Safety in the workplace also means having an environment free from injury and hazards. Instituting proper procedures and ensuring a safe environment will allow employees to work without worrying about their safety.

WOMEN SAFETY

Women's safety involves strategies and policies that take place before violence has occurred to prevent perpetration or victimization. This can happen by improving knowledge and attitudes that correspond to the origins of domestic or sexual violence, such as adherence to

societal norms supportive of violence, male superiority and male sexual entitlement. Furthermore, women's and girls' full participation in community life must be promoted, partnerships between local community organizations and local governments must be pursued, and including a full diversity of women and girls in local decision-making processes must be promoted. Prevention efforts involve strategic, long-term, comprehensive initiatives that address the risk and protective factors related to perpetration, victimization and bystander behavior

LITERATURE REVIEW

Several studies have been conducted from time to time in the area of Women safety at Workplace. A brief summary of these studies is presented below:

According to Mac Kinnons (1979) sexual harassment of working women is primarily a problem faced by women that men rarely face this problem and therefore it should be considered a form of sex discrimination (Sikri, 1999: 128).

According to Quinn (1977) defining sexual harassment means setting boundaries on the term and differentiating sexual harassment from expressions of sexual interest. Not all expressions of sexuality in the workplace could possibly be called sexual harassment. Men and women do meet dating partners and future spouses at work. Some people may even enjoy sexual jokes and flirting that can be ego enhancing and enrich their fantasy life.

(Hindu, Sept 16, 1998) National Commission for Women has laid down the code of conduct at work place to prevent sexual harassment of women, which has been sent to all Government offices, Ministries, and Universities with the hope that employers would become more sensitive towards women. The guidelines highlight that it shall be the duty of the employer to prevent or deter the commission of any act of sexual harassment at workplace would include unwelcome sexually determined behaviour by any person either individually or in association with other persons such as eve teasing, unsavoury remarks, jokes causing embarrassment, innuendo and taunts, gender based insults or sexist remarks and unwelcome sexual overtones in any manner, touching or brushing against any part of the body, molestation or displaying pornographic or other derogatory pictures or sayings

RESEARCH METHODOLOGY

To address the Safety of women workers in the context of the harassment and violence they are facing since years at the workplaces and on the way back to their homes from work the paper adopted a pre-dominantly review approach. The study has been conducted mainly on the basis of literature survey and secondary information. Various journals and research papers, diagnostic study and survey reports, newspaper articles and books have been surveyed in this study.

OBJECTIVES

The main objective of the paper is to focus on the Safety of women workers and the problems relating thereto. The specific objectives are:

1. To find out the types of abuses at the workplace.
2. To discover out types of people involved in harassing women at workplace.

3. To state the extent of application of women harassment by case studies in different regions of the country.
4. To enumerate the initiatives that must be taken by the organizations for the safety of women at the workplaces and on the way to back homes.

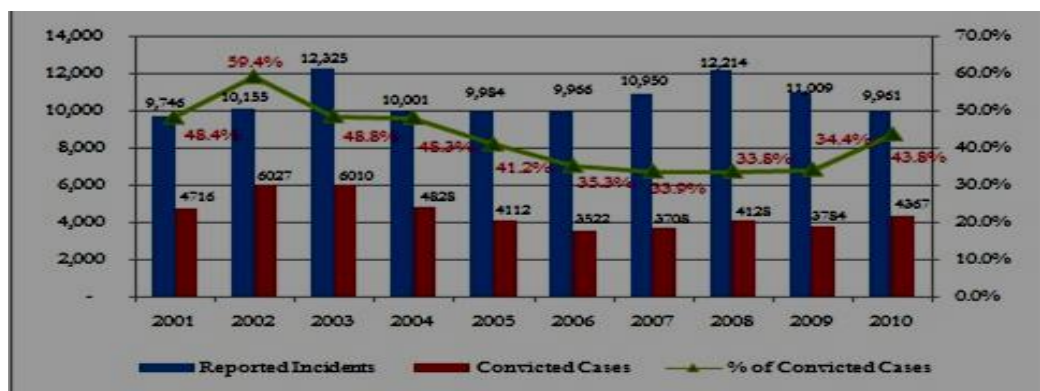
TYPES OF WOMEN ABUSE AT WORKPLACE

It includes physical or mental mistreatment and any improper use of power meant to frighten, threaten, intimidate, and gain control over females. Violence is any behavior or treatment that causes harm or threatens to cause harm. Violence can be emotional, financial, spiritual, psychological, sexual or physical.

Below are mentioned the types of abuses at workplace.

- **Bullying** in the workplace is a form of harassment and violence in the workplace. Bullying is any behavior that is intended to cause, or should be known to cause, fear, intimidation, humiliation, distress or other forms of harm to another person's body, feelings, self-esteem, reputation or property. Bullying can be direct or indirect, and can take place by written, verbal, physical or electronic means, or any other form of expression.
- **Harassment** in the workplace is any unwelcome action or comment by any person that humiliates, insults, or degrades a woman. It can come from the employer, a representative of the employer, a co-worker, or a visitor to the employer's home. "Unwelcome" or "unwanted" action is any action that the harasser knows or ought reasonably to know is not wanted.
- **Sexual harassment** in the workplace is any unwanted sexual activity or sexual contact. It ranges from unwanted touching to forcing someone to have sex. Sexual abuse also includes harassment directed at women because they are women and/or because of their sexual orientation or gender identity/expression. The act does not have to result in any physical injury. If someone makes a female do something sexual by using force, threats, intimidation, or coercion, it is sexual assault. Sexual harassment can include but is not limited to:
 - degrading words, pictures, objects, or gestures;
 - physical contact;
 - sexual demands;
 - unwanted kissing or touching of a sexual nature; and

Figure- 1: Sexual Harassment Incidents



The above table shows that the number of reported incidents in 2001 is 9746, in 2002 - 10,155, 2003- 12,325, in 2004-10,001, in 2005-9,984, in 2006-9,966, in 2007-10,950, in 2008- 12,214, in 2009-11,009 and in 2010-9,961. Out of the reported incidents, number of convicted cases in 2001-4716, 2002-6027, 2003- 6010, 2004- 4828, 2005-4112, 2006-3522, 2007-3708, 2009-3784 and 2010-4367 cases. The percentage of convicted cases in 2001 is 48.4%, in 2002-59.4%, in 2003-48.8%, in 2004-48.3%, in 2005- 41.2%, in 2006-35.3%, in 2007-33.9%, in 2008-33.8%, in 2009- 34.4% and in 2010-43.8%. The downfall in convicted cases was observed since 2002 to 2008. A marginal increase in percentage was seen in the year 2009 and a good rise in percentage in convicted incidence was observed in 2010. Though the reported cases in India are less because of social reasons but still the convicted cases are quite less.

Figure -2: Complaints filed against employees at workplace.

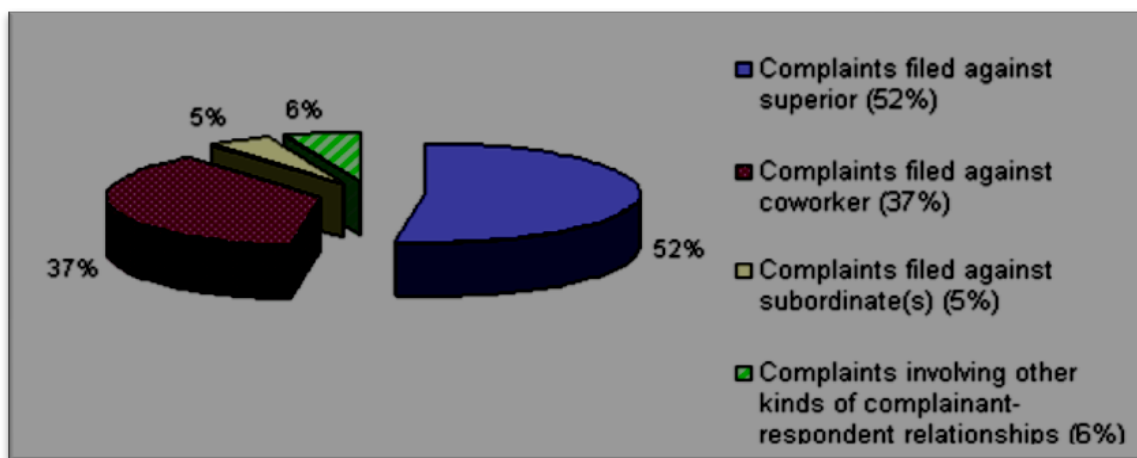


Table-1: Cases of Women Harassment in India

S.NO	Harassment by whom	Case No.	Case
1.	Seniors	1.	The case examines the controversy surrounding the charges of sexual harassment and unlawful termination made by an employee against Infosys, leading Indian Software Company, during 2001-03. Phaneesh Murthy, a top level executive and a director on the company board, was accused of sexually harassing and unlawfully firing his subordinate, Reka Maximovitch.
		2.	In 2009, Captain Poonam Kaur, a woman army officer levelled charges of physical and mental harassment on her superiors. She alleged that three officers including the commanding officer had been harassing her, besides confining her in her house at the army unit.

		3.	<p>The case of Squadron Leader Anjali Gupta of the Indian Air Force (IAF) was the first case of dismissal from service in a sexual harassment. In 2005, Gupta, who was posted in Bangalore, charged her senior Air vice Marshal Anil Chopra of making sexual remarks at her. She was later sacked from service for indiscipline. Chopra went on to become an Air Marshal before retiring. Gupta committed suicide in Bhopal in 2011.</p>
		4.	<p>In 2013, Amrita Akolekar, a woman constable alleged that she was sexual harassed by three of her seniors, following which one of them was suspended. She was reportedly suspended after she allegedly misbehaved with another senior. Later, she attempted suicide in the Vidhan Bhavan after she was unable to meet the chief minister and home minister.</p>
		5.	<p>Dr. Rina Mukherji faced the worst possible sexual and professional harassment that anyone can think of. The experience left her demoralized, and in need of medical counseling and treatment. In the absence of any Sexual Harassment Complaints Committee at The Statesman, there was no one to redress her plight. A verbal complaint results in termination of her job. Even though the Network of Women in Media tried to persuade the management to investigate into my complaint, and see that justice was done, nothing came of it.</p> <p>However, the public pressure on The Statesman resulted in a Committee being set up. Yet, repeated requests by the West Bengal Commission for Women to investigate the complaint went unheeded. Thus, the Committee proved ornamental, to say the least. A complaint of illegal termination lodged with the Labour Commissioner saw conciliation proceedings take effect. But The Statesman's intransigence saw the dispute move into the Industrial Tribunal.</p> <p>As a journalist, Rina Mukherji, who knows India most intimately, had never wanted the battle to get into court, and end up as another legal suit which shall languish for years together. But The Statesman clearly did not care. That was how the case entered the industrial tribunal in 2004.</p>

		6. Misc •	Some noteworthy complaints of harassment at workplaces that came into the national limelight were filed by: <ul style="list-style-type: none">• Rupan Deo Bajaj, an IAS officer in Chandigarh, against 'super cop' K P S Gill.• An activist from the All India Democratic Women's Association, against the environment minister in Dehra Dun.• An IAS officer in Thiruvananthapuram, against the state minister.
2. Colleagues	1.	A core faculty member at the Indian Institute of Management (IIM) in Ranchi has been accused by a woman colleague of sexual harassment. The victim claimed that she lodged an FIR with Kotwali police station and also lodged a complaint with IIM Ranchi management	
	2.	<p>A woman employee of a nationalized bank lodged a case of sexual harassment against the bank's assistant general manager (AGM) under various sections of the IPC. Acting on the complaint, police have launched an investigation.</p> <p>A case has been lodged by a woman staffer of the bank against the AGM under Section 354 (outraging the modesty of a woman), 506 (criminal intimidation) and Section 509 (making gesture intended to insult the modesty of a woman) of IPC with the Collector ganj police station</p> <p>The victim, a manager, alleged that the AGM contacted her on phone and asked her to reach the office. On reaching there, he misbehaved with her in front of a customer.</p>	
	3.	<p>Tehelka founder and former editor Tarun Tejpal was charged by Goa police with rape, sexual harassment and outraging modesty of a woman journalist in a lift of a five-star hotel.</p> <p>Investigating officer Sunita Sawant charged Tejpal under sections 354, 354-A (sexual harassment), 341 and 342 (wrongful restrain), 376 (rape), 376(2)(f) and 376 (2)(k) (takes advantage of his official position and commits rape on a woman in his custody).</p> <p>The 2,684-page charge sheet filed before Chief Judicial Magistrate Anuja Prabhudesai examined 152 witnesses including the victim, staff of Tehelka magazine and the investigating officer in the case. The charge sheet mentions that there were enough statements on record to prove that Tejpal has admitted the commission of rape, sexual harassment and outraging the modesty of the victim.</p> <p>A woman professor at IIM Indore filed a complaint with the college authorities against a fellow professor who allegedly demanded sexual favours from her during official tours. Her complaint was investigated by the gender sensitivity committee of</p>	

			the institute which was reconstituted on her request.
3.	Professional Friends	1.	<p>The reports and complaints have not yet been come into notice of women harassment by the professional friends. But, yes, the harassment by the professional friends can be observed in many organizations. It is just the victims do not come in the limelight and do not want to be blamed for not choosing the reliable, trustworthy and genuine friends at the workplaces.</p> <p>Harassment are committed by the professional friends in many ways for example, dropping the female workers to home during late hours with whom females feel secure and safe to travel but can be assaulted by them.</p>
4.	Fourth Class Employess	1.	Anwar Khan Dadamiyan, a 35-year-old employee of the Aurangabad Municipal Corporation outraged the modesty of a woman employee. He used to make unwanted moves towards her in the office premises. The accused worked as a peon in the same office where the complainant worked as a typist-cum-clerk.

GEOGRAPHICAL CASE STUDY- Delhi:

The majority of workers in the garment industry, BPO, hospitals, MNC's, etc are women, who are particularly vulnerable to abuse. They are frequently subjected to humiliating searches, verbal and physical abuse and sexual harassment in the workplace, as well as fearing assault and rape on the way home from the workplaces late at night. Crimes committed against women on their way back home from the workplace – such as rape, sexual harassment, kidnapping, and trafficking – rose during the past five years from 9.2 per cent in 2009 to 11.2 per cent in 2013, according to the National Crime Records Bureau. Last year Delhi's women reported 657 cases of molestation, and another 162 of sexual harassment

DELHI UBER CAB RAPE CASE, 2014

The rape of a 27-year-old executive at night in New Delhi by Uber cabs driver Shiv Kumar Yadav (32) has highlighted the fancy claims and promises that the radio and mobile taxis are

making over the safety and security of their clients. While a dedicated page on Uber website has been devoted to safety, promising ‘Safest rides on the road’, its legal terms and conditions are in stark contrast.

The incident, which has received only [limited coverage](#), occurred the same week as the devastating [gang-rape](#) of a 23-year-old woman on board a bus in New Delhi, India. The woman, who was raped by six men over the course of an hour, died two weeks later as result of her injuries. Many have been quick to attribute the New Delhi rape to India’s rape culture. Yet the alleged Uber incident is just one of an [estimated 200,000 cases of rape and sexual assault](#) that take place each year in the U.S., a shocking statistic that exposes the scale of our own rape culture.

Table-2: City-Wise Harassment Cases against Women

CITY	CASES OF CRIME AGAINST WOMEN	RAPES	ABDUCTIONS	MOLESTATIONS
DELHI	3,886	414	1,422	550
MUMBAI	1,409	194	146	475
HYDERABAD	1,964	45	41	171
BANGALORE	1,570	65	29	308
CHENNAI	420	47	30	45

Source: NCRB-Crime in India report for 2010.

The above table states that the crime against women (working and household) in Delhi hits the top rank i.e 3,886 cases. Crime includes rapes, abductions and molestations. The number of cases depicts the data up to 2010 and number of cases has been increasing year by year.

FINDINGS

Working women feel insecure, especially during night shifts in all major hubs of economic activity across the country. Most of them are employed in the BPO/ITeS, hospitality, civil aviation, medical and textile space. The concern of working women is that safety norms set up by their respective organizations are not adequate and the increase in crime, their insecurities and fears are only going up.

According to the Assocham Social Development Foundation (ASDF), an assessment was carried out revealing that 48% of women who are engaged in the small-scale sector are extremely worried about their safety and nearly 26% in the medium sector and 23% in the large-scale establishments are scared to step out after the sun sets. .

Women stay silent and because of the lack of a support system from family and employers, many don’t report cases of sexual advances,” Only one in every 100 women in the capital report cases of sexual harassment at workplaces. In 2013 with the Sexual Harassment of Women at Workplace Act, it was made mandatory that all organizations working with more than 10 employees are supposed to have an internal complaints committee which would look after such grievances. But surprisingly many organizations do not follow the guidelines stated under this act.

SUGGESTIONS

Following are the initiatives that must be taken by the organization for the safety of women at the workplaces and on the way to back homes. The initiatives are further categorized under four main heads- Physical, Environmental, Organizational and educational aspects.

1. **Physical Security:** This focuses on the physical security of women employees in an organization. It ascertains the safety of female employees, whilst they are on the job/ inside office premises – the workplace needs to be secured and women assured of basic safety on the job and in office.

Minimum Requirements

- Identification documents (driving license, photo ID, address proof, Finger prints) to be collected from drivers, security guards and all casual staff.
- 24x7 operational CCTV (Closed Circuit Television) cameras at vital locations or places, such as entry/ exit, common passages, etc in the factories and industries. However, this should not impinge the modesty and privacy of the employees
- Where CCTV is not possible, manned entries/ gates and security deployment at the site/ office/ location 24x7 or depending upon the kind of working hours

2. **Environmental Safety:** The environmental aspect complements the physical aspect of security and helps maintain a safe and secure standard in any premises. This plays a vital role in ensuring the basic yet critical aspects of safety of employees.

Minimum Requirement

- Clearly displayed emergency contact numbers and a designated officer(s) available round the clock to be contacted in emergency.
- Well lit work areas, staircases and parking lots till the last woman employee leaves the site.
- Separate and secure toilets for women close to their work station.
- Strict surveillance of visitors. Details of all the visitors such as name, organization, address, purpose of visit, person visited, time in and time out to be recorded in a register. This should apply not only to the visitors coming for business purposes but also to courier staff, delivery boys etc.
- Provision of company transport for women working in night shifts both to and from the workplace.
- Hiring of cabs/ transport vehicles on a regular basis only from established agencies.

3. **Organization Atmosphere:** It is for the employer to create a positive atmosphere at the workplace where a woman is encouraged to come to work, secure in the knowledge that she will be treated with dignity, respect and will be protected from harassment.

Minimum Requirement:

- At the time of orientation, women in organizations to be made aware of their rights, facilities and actions that they can initiate regarding sexual harassment.
- To have a Code of Conduct agreement in place - to be affirmed annually by employees and vendors with clear defining behavioural norms especially for males with female employees.
- Internal compliance measurement on the awareness of the policy.

- Payment of salaries directly into bank accounts to avoid any kind of harassment by supervisory staff over subordinate women employees/casual women employees.
 - Setting up of a sexual harassment committee reporting to the Managing Director or a senior member of the management and headed by a woman.
4. **Educational Aspect:** The awareness of women employees of their company policies on sexual harassment and gender discrimination and the more they are encouraged to report all instances of discrimination without fear, the greater would be their feeling of security and empowerment.

Minimum Requirement

- Awareness and training on security and safety. Dos & Don'ts while traveling by company cabs, Emergency contacts, Police help lines, company contact points.
- Awareness of the company policy on sexual harassment, on gender discrimination or gender biased approach and the complaint process.
- Sensitization of male employees through training sessions.
- Training of all women staff on staying alert and being better prepared.
- Training of supervisors and other staff on how to respond to complaints of sexual harassment/gender discrimination.

CONCLUSION

Sexual harassment at the workplace is a universal problem. The problem of sexual harassment has assumed serious proportions, with a meteoric rise in the number of cases. Surprisingly, however, in most cases women do not report the matter to the concerned authorities. Women are reluctant to complain and prefer silence due to lack of sensitivity on the part of Indian society. There is a need to gender-sensitize our society so that the victim does not feel guilty and is encouraged to report any form of harassment. The victim's privacy must be protected. The police and the judiciary, in particular, also need to be gender-sensitized. There should be speedy redressal and an increase in the conviction rate. Women themselves should be made aware of their right to a safe and harassment-free work environment. The concept and definition of sexual harassment should be clearly laid down, and the redressal mechanism made known to women in each and every sector of the economy. Structures and mechanisms should also be created for women in the unorganized/informal sector to combat SHW. Despite bold judgments by the Supreme Court, there is no sexual harassment complaints committee at most workplaces, even in the government sector. The apex court must direct the various workplaces to form sexual harassment committees within a stipulated time frame. To effectively prevent SHW we need both a top-down initiative by the state and employers and civil society initiatives from citizens' groups, women's organizations and trade unions.

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