A Study on Employee Awareness on Anti-Sexual Harassment Policy Posh, In One of The Leading Educational Institute in Pune

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Abstract
Protection of Women from Sexual Harassment Act, 2013 is also known as PoSH Act. Supreme Court in its Vishaka Judgment has given the guidelines on Sexual Harassment at the workplace. It a is a historical case. This case deals with the offence of Sexual Harassment of women at her workplace, defines the ambit of Sexual Harassment, it also including an uninvited or unwelcome sexual favour or sexual gestures from one gender towards the other gender. On the basis of this judgement the PoSH Act has been implemented to prevent and protect women from sexual harassment at the workplace and to ensure a safe working environment for women. The PoSH Policy is one of the important aspects in any organization. The PoSH Act, as mandatory compliance, requires every company / organization having more than ten employees to constitute an Internal Complaints Committee (ICC) in the prescribed manner to receive and address the complaints of any sort of sexual harassment from women in a time-bound and extremely confidential manner. In this research paper we have tried to explore the aspect of awareness on anti-sexual harassment policy and the procedures in the workplace within the selected educational institute. A questionnaire was framed and circulated to the employees of that educational institute in order to study their extent of awareness on the policy. The expected outcome of this paper is the improvement in already existing policy and framing of new policies and increasing the rate of awareness through different modes.

Index Terms: PoSH Act, Vishaka Judgment, Sexual harassment, Educational Institute.

I. INTRODUCTION - VISHAKA JUDGMENT
In 1992, Bhanwari Devi, a dalit woman employed at rural development programme of the Government of Rajasthan was gang raped on account of her efforts to curb the practice of child marriage. This incident revealed the hazards that working women were exposed and the urgency for safeguards to be implemented in this regard. Women’s rights activists & lawyers filed a PIL in the Supreme Court. Supreme Court acknowledged the glaring legislative inadequacy & acknowledged workplace sexual harassment as a human rights violation. Supreme Court placed reliance by framing the Vishaka Guidelines on the Convention on Elimination of All Forms of Discrimination against Women, adopted by the General Assembly of the United Nations, in 1979, which India has both signed and ratified. As per the Vishaka Guidelines issued would have the effect of law & would have to be mandatorily followed by organizations, both in the private and government sector.

II. THE PROTECTION OF WOMEN FROM SEXUAL HARASSMENT ACT, 2013

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1992</td>
<td>Vishakha Judgement by SC.</td>
</tr>
<tr>
<td>2007</td>
<td>Draft Bill approved by the Union Cabinet.</td>
</tr>
<tr>
<td>2010</td>
<td>Bill introduced in the Lok Sabha</td>
</tr>
<tr>
<td>2012</td>
<td>The amended Bill - re-introduced in the Lok Sabha.</td>
</tr>
<tr>
<td>September 03, 2012</td>
<td>Bill, 2012 was passed by the Lok Sabha.</td>
</tr>
<tr>
<td>February 26, 2013</td>
<td>The Bill, 2012 was passed by the Rajya Sabha.</td>
</tr>
<tr>
<td>April 23, 2013</td>
<td>The Act received President’s assent. Published in the Gazette of India as Act No. 14 of 2013</td>
</tr>
<tr>
<td>December 09, 2013</td>
<td>The Indian Ministry of Women and Child Development notified</td>
</tr>
<tr>
<td>December 09, 2013</td>
<td>The effective date of the POSH Act and the POSH Rules.</td>
</tr>
</tbody>
</table>

So, the journey of the protection of women from sexual harassment is from the Vishakha Judgement to the effective date of PoSH Act are 21 long years on the important subject of the society.
III. Sexual harassment
Section 2(n) of the Protection of Women from Sexual Harassment Act, 2013 Definitions “sexual harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:
1. physical contact and advances; or
2. a demand or request for sexual favours; or
3. making sexually coloured remarks; or
4. showing pornography; or
5. any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

Thus, it can be any form of discrimination that includes unwelcome attention of sexual nature is considered sexual harassment. It involves a range of behaviours from, as defined in the definition, as stated above, seemingly mild transgressions and annoyances, to actual sexual abuse or sexual assault. Anyone from either gender can be a victim of sexual harassment, and anybody from either gender can be a perpetrator. Sexual harassment also includes the conduct of co-workers who engage in verbal or physically harassing behaviour which has the potential to humiliate or embarrass an employee or the company.

IV. REASONS OF SEXUAL HARASSMENT AT WORKPLACE
There are many reasons for the sexual harassment at work place. Let us understand few of the important reasons one by one. They are as below:
• Poorly Managed Policies and Procedures: Employee handbooks contain legal jargon in order to remain compliant with the law, which can be hard for employees to fully understand. They also tend to be reviewed only once, during new hire orientation. When policies and procedures aren’t expressed clearly and spoken about frequently, the rules are more likely to be broken. Organizations need to have policies in place that explain proper behavior, have zero tolerance for inappropriate behavior, and contain a written code of conduct. Continually reinforcing company policies and educating employees will prevent a hostile work environment. The awareness should also be developed with the help of posters, pictures etc. which are easy and simple to understand and also communicate effectively.
• Not Understanding Harassment: Some employees don’t fully comprehend what counts as sexual harassment at their office. They might not realize that greeting a colleague with a kiss on the cheek or complimenting their appearance is grounds for a sexual harassment complaint. On the other hand, complaints also stem from employees who think they’re being harassed but technically are not according to company policies. By clearly defining sexual harassment, organizations can avoid these sticky situations. This can also be explained with the help of posters, pictures etc. which makes it easy and simple to understand and the meaning is communicate effectively.
• Excessive Stress: When under a lot of stress, an employee is likely to express their emotions towards others. Verbal abuse, physical altercations, and other stress-releasing actions create harassment situations in the heat of the moment. By creating a stress-free work environment and teaching employees how to cope with stress, employees will be less likely to act out against their colleagues irrationally.
• Power Differential: The top cause of sexual harassment complaints stems from the power dynamics at work. Many cases involve senior-level officers abusing their power to sexually harass and intimidate others. Victims are often coerced into sexual acts because they are offered professional favors or fear to lose their job if they refuse their superiors. Creating a culture of equality will help eliminate the fear of retaliation.
• A Culture that Implies Acceptance: In a relaxed work environment, there’s often a wink-wink culture that’s accepting of an employee’s quirky yet inappropriate behavior. Although some people may be comfortable in that environment, saying things like “Oh that’s just how he is,” others may be offended and feel uncomfortable which leads to sexual harassment complaints. All employees need to be held accountable for following the established code of conduct.

V. REMEDIES
As the PoSH Act says there should be awareness developed in the employees and stakeholders about the sexual harassment. In order to check sexual harassment, an organization should have clear cut policy to register complaints of such nature and procedure for taking disciplinary action. Such guidelines are already available through Supreme Court judgment, only its implementation that is required. In Maharashtra the Rules under the PoSH Act’s it is mandatory for the establishment to furnish Annual Returns. In the annual returns the establishment has to providing the details like number of training programmes, number of employees covered etc. about the awareness and training on the act along with the process, procedure on sexual harassment cases. Also, every organization should have an effective employee policy that should ensure well planned career paths based on merit to reduce the vulnerability of individuals and harassment by those who abuse their power and authority. To have better employment environment there should be awareness among the staff members about sexual harassment and the consequences they may face if they indulge in such an act. They should know their social responsibilities to prevent such incident in their organization.

VI. METHODOLOGY
The study was to study the employees of the selected educational institute and their awareness on the existence of the anti-sexual harassment committee in their institute. The research was decided to be done with exploratory research. It was done on 120 samples of the 700 population i.e., teaching staff, various employees and students, by using simple random sampling method. The sample size was based upon the Morgan’s data. Based on the study objective, the hypothesis a questionnaire was prepared in two parts. First part covered the demographic question while the second part covered the questions related to the awareness, which was the main aim, objective of the study. It had 20 questions.
VII. ANALYSIS

Chart -I Chart showing the demographic data of the respondents (Gender and Marital status)

The above chart-I shows evident that 58% of female employee and 42% of male employee has participated. About 34% of the employee who participated in the study are married and 66% are single.

Chart -II Chart showing the demographic data of the respondents (Department & Experience)

The above chart-II shows that three departments that include insurance, admin and paramedical has participated in the study. In this study, the employee who has less than 1 year work experience (28%) has participated more when compared to 1-3 years (33%) and 3-5 years (25%) experienced and above 5 years (13%)
Chart III: Chart showing the respondent’s opinion on “How far you are satisfied with your organisation’s training and awareness program on POSH?”

From the chart – III, it is interpreted that majority (52%) of the employees are satisfied with POSH training, 25% are somewhat satisfied, 23% are neutral and none of them are dissatisfied.

Table 1: Difference between the marital status and sexual harassment in workplace

<table>
<thead>
<tr>
<th>Satisfaction</th>
<th>Sum of Squares</th>
<th>Df</th>
<th>Mean Square</th>
<th>F</th>
<th>Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between Groups</td>
<td>1.143</td>
<td>1</td>
<td>1.143</td>
<td>1.052</td>
<td>.309</td>
</tr>
<tr>
<td>Within Groups</td>
<td>63.040</td>
<td>58</td>
<td>1.087</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>64.183</td>
<td>59</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the following interpretation, H0 denotes “null Hypothesis”

H0: There is no difference between the marital status and sexual harassment in workplace

H1: There is difference between the marital status and sexual harassment in workplace

From the Table 1 interprets the results of significant difference between marital status and sexual harassment in workplace. As the significant value is .309, which is greater than 0.05, we have to accept H0. Therefore, it is proved that there is no difference between marital status and sexual harassment in workplace.

VIII. MAJOR FINDINGS & RECOMMENDATIONS

➢ It is evident from above Chart - 3 that 51% of the employee are satisfied with the POSH related training and there by the respondents are well aware about the sexual harassment at workplace.

➢ Majority, 66% of the respondents are married and only about 34% are single. This shows that married people are more interested to claim their opinion on anti-sexual harassment committee than single.

The recommendations include

❖ Management of the educational institute should ensure and make all employees comfortable at the work place and should assure them safety. Members of the educational institute i.e., Student, faculty members, other staff and admin people should assume responsibility for promoting safe working environment and respect full education, training and work safe working conditions and setting up and confronting those whose behaviours and policy for actions on those creating sexual harassing environments.

❖ The education institution should support for reporting sexual harassment cases and ensure by recognizing it as an honourable and courageous action. Awareness and development of system about awareness and reporting system, action plan etc. by the educational institution. This can be possible by proper awareness, systematic drafted policies, ICC etc. and a systematic accessing support service developed and put in place.

❖ The awareness can be developed through the posters describing the policies of anti-sexual harassment, details of the committee etc. can be displayed in the important places like the main areas of the educational institute so that necessary awareness can be created among the employee, faculty and students.

IX. CONCLUSION

One can understand the change in perception of the society and the competitors due to the damage of image resulted due to the enforcement of sexual harassment acts in the organizations if such organizations do not follow the provisions of the PoSH Act. Good management know that it is in the long-term interest of that enterprise to ensure that their employees should be treated with dignity. Less productivity and low motivation of affected women will result in improper work performance. Costs of recruiting and training new people may also emerge as additional costs, especially where an employer has failed to undertake any effective invention. Hence, a harassment free work environment must be provided for the employee in order to retain them and to get the performance to the fullest. The management can make the employee feel that they are very much important to the organisation and
that in turn will help the organisation to come to know about the harassment taking place in the organisation and can be prevented. One of the important provisions of the PoSH Act is developing the awareness among stakeholders about the sexual harassment and remedies that are available in such cases.

REFERENCES
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