



A study on the approaches of organization towards the practices and preventive measures against harassment at work site

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ABSTRACT

Harassment at work site is one of the most threatening behaviors directed at an individual worker or a group of worker. This paper studies on practices and prevention of Harassment at work place. Recently harassment matters everywhere, because work stress is associated with aggressive behaviors at work place. In India Harassment is poorly attending issues by superior employees. This is also known by “Work place bullying”, Work place Aggression”. And “Work place abuse “The purpose of framing this paper is to know forms and types of Harassment at work place, and also analyses the prevention measures taken by the government. It has been

stated that Harassment will affect mental ability and productivity of harassed employees, it hostile the good working environment.

KEY WORDS

Harassment, Aggression, Threatening, Employees, Work site.

INTRODUCTION

The word Harass came from the old French word,"HERER". Harassment we can see everywhere and in all sectors of the economy. Harassment at work place is irrational, repeated behavior towards an employee. It is unwelcome and unlawful conduct demeans insult, offend an employee. Harassment at work place refers to, irritating, threatening insulting, misbehaving, with a particular individual or group of people. The equal Employment opportunity commission (EEOC) defined as," Harassment is unwelcome verbal or physical behavior that is based on area, color, religion, sex, gender, nationality, and age, physical or mental disability.

Mainly in Industrial Sector, between employees and between Employer and Employee. It has becoming one of the most diplomatic areas of effective worksite. Workers are facing Harassment not only in current period but also it exists from ancient period. In ancient period because of illiteracy people are not revealed the harassment but current period is not like that, due to more illiteracy, advance technology, quality in Education and Globalization people started fight against harassment. Harassment called by many names like, Molestation, Work place bullying etc. Harassment creates an unpleasant situation at work place and also leads unwanted disputes. It affects growth and productivity of individual. Harassment like hurting the people mentally or physically with respect to their life cycle. There are various acts implemented by

government to protect the dignity of employee. Like Prevention and protection against Harassment Act 2013(POSH act) in India. There are various types of Harassment mainly Sexual Harassment, Discriminating Harassment, Physical Harassment, and verbal Harassment. Harassment at work place target many group of people like women, men, physically disabled employee and migrants.

RESEARCH METHODOLOGY

The Research is basically depends on secondary data which is taken from reputed articles, Newspaper, Journal.

OBJECTIVES

1. To study on the Approaches and practices of Sexual Harassment and Discriminating Harassment.
2. To study on the Laws pertaining to prevention of Harassment.

1. TO STUDY ON THE APPROACHES AND PRACTICES OF SEXUAL HARASSMENT AND DISCRIMINATING HARASSMENT

There are mainly two types of Harassment.

1.1 Sexual Harassment.

1.2 Discriminating Harassment.

1.1 SEXUAL HARASSMENT

Sexual harassment refers to touching, garbing, or making other Physical contact with or without women consent. Sexual Harassment occurs in many different social settings such as, Schools, home, Churches, Colleges, and Organization. According to the EEOC, Sexual

Harassment defined as,” Unwelcome sexual advances, asking for sexual favors and other verbal or physical conduct of sexual nature. Mahatma Gandhi once said, “The day a Women can walk freely on the roads at night, that day we can say that India has achieved Independence”. In the present day scenario women being subjected to Sexual Harassment. Like Rape, Teasing, Eve Teasing, Domestic abuse etc... In the 2018 India has got world most dangerous country for women. This was existing in Mahabharata and Ramayana also. How Droupadhy had insulted in front of assembly. And Seethe kidnapped by Raavana. Because of Biological difference between Men and Women has named itself as dominion and oppression which has become prime reason for women oppression.

1.1.1 Forms of Sexual Harassment

- a) Making comments
- b) Asking for sexual favors.
- c) Leering and staring.
- d) Making sexual gestures.
- e) Cracking sexual jokes.
- f) Abnormal texting.etc

1.1.2 Types of Sexual Harassment.

1.1.2.1 Quid pro quo (This for that).

1.1.2.2 Hostile work environment.

1.1.2.1 Quid pro quo (this for that).

A person in a position of authority typically a supervisor/manager/authoritarian, demands sexual favor as condition to keeping a job. It is like a Favor for a Favor. According to POSH act Quid pro Quo defined as, “Sexual Harassment, which takes any forms of physical advance or demanding of sexual favors. Example: Kamani is the bright young team leader working in a call Centre known to be fortnight. One evening she stays back at work late evening with her colleague Ravi, to complete work for an important presentation. Ravi offers to kamini for dinner and later drops her home. After dinner Ravi proposes to Kamini to spend a night with Ravi. But Kamini refuses politely on that day. Next evening Ravi repeats the same, and threatens her if she does not accept for his proposal, he will tell to everyone that she made a pass at him.

1.1.2.2 Hostile the work Environment.

It creates Abnormal Working Environment by Touching brushing against any part of the body and displaying Derogatory pictures. This type of sexual harassment wontedly and Purposefully created by the superior/coworker to get benefit of sex, this creates intimidating or offensive work environment..ex: Getting too close, touching and pinching.etc.Prakruhi by name working in a BPO center. Very intelligent, beautiful and efficient worker. Her vision is to become a good entrepreneur. Rakesh was the Supervisor with very arrogant behavior. He liked Prakruhi very much and he proposes also. Prakruhi rejected his proposal. Because of arrogant behavior of Rakesh he spoiled her vision by posting her abused images in social media created by Rakesh. Due to this Prakrthi’s vision was not comes true.

1.2 DISCRIMINATION HARASSMENT

Discriminating Harassment means, Being Treated differently or unfairly. It is a type of Harassment at work place regarding, color, status, religion, power, Authority, caste, National, Education. Etc. This type of Harassments we are seeing everywhere, and all institutions, it will hurts the employee and affect relationship between employees.

Areas of Discrimination:

Color: In organization people judge the employee by color of their skin. Somewhere it will hurt the employees.

Religion: In organization people treat different/unfavorably because of religious beliefs (Hindu, Muslim, Christian).

Power: By using their power, superiors treat badly of their operational level coworkers.

2. A STUDY ON THE LAWS PERTAINING TO PREVENTION OF HARASSMENT

Where there is Human, there is a system of code of conduct. Because where there is advantage there is a disadvantage. By using advantage of power and authority, in work places people misbehave with others. This type of act exists not only in current period but it was there from ancient period. Some cases are revealed some are not .when people got educate, due to emergence of advance technology and globalization Harassment word people started hearing everywhere. Then Government has started to take serious action. There are various laws, acts introduced by the government to vanish Harassment at the Work place.

1. Civil Right Act of 1964. (USA)

2. ADEA Act 1964. (USA)

3. POSH Act 2013. (INDIA)

4. Air India v/s Nargesh Meerza.

- 2.1** Civil Right Act of 1964: The civil rights act of 1964 makes it illegal to discriminate against someone on the basis of Race, color, religion, national origin or sex. This Law also protects employee against retaliation for going forward with a claim regarding discrimination between men and women who performs equal work in the same work place.
- 2.2** ADEA (Age Discrimination in Employment Act): This act, Protect employees and senior employees who are aged 40years. The ADEA Prevents age Discrimination and provides equal employment opportunity. It was signed into law by President Lyndon B Johnson.
- 2.3** POSH ACT: The act along with its rule is collectively called the POSH law. The act came into being because of a tragedy of Bhandari Devi, a social worker in Rajasthan government was brutally gang raped in 1992 when she stopped a child marriage in the village where she was working. In 1997 the Supreme Court has gave a judgmenton “Vishaka Guidelines”, making it mandatory for organization whether it working in private or public sector. The Vishaka Guidelines includes, “Those who are Hazard at work place these entire incidence they have to reveal”, and the duty of an employer, to protect the safety of their employees.
- 2.4** Air India v/s Nargesh Meerza: Gender discrimination is one of the evils of most of the civilized society. This case study is one of the land mark of Supreme CourtJudgment against Air India Employees Service Regulation to air hostesses. According to this regulation, Air hostess would be terminate at age 35 years, She may terminate if she gets marry within 4 years of service, She may terminate of her first pregnancy. Supreme

Court has decided whatever rules and regulation is not a justice to Air Hostess. Indian Constitution article 15, 16, and 14 lays down that discrimination should not be done make only of the gender. Supreme Court said it is open insult to the women and it is unfair. Because of company objective to earn maximum profit that's why women should not get pregnant. Supreme Court said motherhood is the right of every woman. So, judgment given by honorable Supreme Court Air India Service Regulation clause was volatile of the fundamental rights of women.

SUGESIONS

1. Management has to provide safe working environment.
2. Keep Sign boards about “No Harassment” in an organization.
3. Employer has to conduct workshop regarding Harassment.
4. Every organization has to create “Internal Harassment Committee” to employees can register complaint against Harassment. Committees have to investigate harassment complaints promptly.
5. Maintain secrete camera, in an organization to avoid harassment.
6. Educate the Employees regarding code of conduct of employees.
7. The organization has to create work environment that ensures each employee is treated with dignity and respect.
8. Harassed employees disclose the situation of Harassment with higher authority.
9. Organization must be give training about self-defense.
10. There should be separate cabin for Men and Women.

ACKNOWLEDGMENTS

The authors are highly thankful to Mr Prakash Reddy T, MA Economics, and M.Phil, Principal Vishwa Chethana Degree College, Secretary Bharath Education Trust – Anekal .

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