SEXUAL HARASSMENT AT WORKPLACE

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ABSTRACT

Economies across the globe have witnessed development, and contemporary times call for all-inclusive, sustainable growth. However, despite a stupendous increase in the literacy rate over time, societies continue to harbour gender biases, with the patriarchal mindset still influencing behaviours and attitudes, be it homes or workplaces. In addition, the constitution has provided for gender equality in its preamble, but sadly, the reality speaks otherwise. There is ample literary evidence to endorse that women experience sexual harassment at workplaces, which may assume myriad forms ranging from derogatory remarks to demanding sexual favours. The present paper explores the literature to understand the intricate landscape of workplace sexual bias/harassment, their varied forms, impact and their redressal by women experiencing them. With evidence from the insurance sector, the authors trace the change in mindset over time with respect to addressing cases of sexual bias/harassment at workplaces.

***Keywords:** Sexual Harassment/Bias, Gender Bias, Sexual Harassment Redressal.*

Introduction

Every working woman has an inherent right to a safe, dignified workplace which is free from gender prejudices and biases. However, sexual harassment emerges as a flagrant violation of this entitlement. It transgresses both the human rights and constitutional rights of women, compromising their right to equality and dignity. The pervasive nature of this issue is further compounded by underreporting, as indicated by extant literature revealing that approximately one in every two working women encounters some form of sexual harassment throughout her professional trajectory. It assumes myriad forms, including but not limited to sexual coercion, unwanted attention, and explicit sexual harassment (Cortina, Araguin 2021). Empirical evidence suggests that the roots of such harassment can be traced to the patriarchal fabric of our societies, wherein men perceive themselves as superior to women. This mindset permeates the workplace, manifesting in the harassment of women as a means to assert dominance and superiority. Studies underscore that workplace sexual harassment functions as an expression of authority and power wielded by men, aimed at reinforcing the prevailing gender-based social hierarchy (Berdahl, 2007a). The prevalence of workplace sexual harassment is not confined to a specific geographic locale. Even in highly developed nations like the United States of America, estimates suggest that 40-75% of women experience such misconduct in their professional environments

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(Aggarwal and Gupta, 2000). Sexual harassment/bias at the workplace continues to exist despite being perceived by the recipient as offensive, abusive, degrading, hostile, intimidating, exclusionary, and detrimental to their well-being (Fitzgerald et al., 1997b; Thornton, 2002; Zippel, 2006; Berdahl, 2007a), thereby reducing their motivation and morale. The hierarchical power dynamics within organisational structures, with men holding power positions, are further responsible for higher incidents of such discrimination, eventually contravening the overarching goals of the institution.

With this background, the authors attempt to understand, with evidence from the insurance sector, the transformation in perspective to address cases of sexual harassment/bias. Prompted by findings from the literature that victims normally refrain from reporting due to varied reasons, the present paper explores the opinion of the target population on how to address cases of sexual harassment/bias.

Review of Literature

An adroit analysis of the extant literature is crucial to conceptualise sexual harassment/bias in workplaces. This section of the paper, therefore, explores the literature with respect to the factors which are culpable for such incidents, the detrimental effect they have on the recipient and finally, a detailed analysis of the legal framework available with a special focus on approaches resorted to by women experiencing it at their workplaces.

The extant literature highlights the prevailing organisational culture as a substantial contributor to the perpetuation of sexual harassment. The studies by Hulin et al.1996, Ilies et al.2003 and Pryor et al.1993, all blame the organisational culture as a key determinant in predicting the frequency of such incidents. A critical analysis of organisational attitudes toward sexual harassment reveals a direct relation between the organisational climate and the frequency of such incidents. If the institutional framework conveys the perception that disclosing instances of sexual harassment may entail risks, may not be perceived seriously, or fail to yield repercussions for the perpetrator, it has the potential to dissuade the victim from reporting such incidents and may concurrently empower the harasser to persist in their actions with impunity(Hulin et al. 1996, Fitzgerald et al. 1997a). Thus, contrary to the intuitive attribution of responsibility to individual perpetrators, the extant literature has evidence to assign the blame to organisational culture. An additional factor quoted by the extant literature is the strong patriarchal mindset, which ascribes men to a superior status in society. With organisations predominantly headed by men in leadership positions, the prevalence of sexual harassment/bias at workplaces not only becomes common but also slows the pace of redressal and, at times, even suppresses reporting (Berdahl 2007b; Fitzgerald et al. 1997a; Kabat-Farr & Cortina 2014; McLaughlin et al. 2012; Schultz 2003, 2018; Willness et al. 2007).

The literature is loaded with the profound and far-reaching consequences of workplace sexual harassment. Victims experience detrimental effects on mental health, leading to conditions such as depression, anxiety, and a pervasive sense of insecurity (Schneider et al., 1997; Fitzgerald et al., 1997a; Wasti et al., 2000; Harned & Fitzgerald, 2002; Ho et al., 2012; Reed et al., 2016; Clancy et al., 2017; Vargas et al., 2020; Lim & Cortina, 2005; Lonsway et al., 2013). The ramifications extend beyond psychological well-being to encompass reduced job satisfaction, absenteeism, distraction, lack of concentration, and ultimately, women leaving their jobs, thereby compromising their financial empowerment (O'Connell & Korabik, 2000; Shupe et al., 2002; Vargas et al., 2020; Lim & Cortina, 2005; Schneider et al., 1997). Additionally, the physical health of victims may be adversely affected (Bergman &Drasgow, 2003; Fitzgerald et al., 1997a; Lim & Cortina, 2005), and the extended forms of harassment may precipitate conflicts within teams, further undermining the overall work environment (Barling et al., 2001; Raver & Gelfand, 2005).

Acknowledging workplace sexual harassment as a violation of human rights, numerous countries, including India, have enacted laws to prevent and address this issue by initiating a robust and dependable system for redressal and justice. However, besides the legal framework, the organisational culture is also expected to exhibit sensitivity towards such issues, which foster an environment wherein employees cultivate trust and mutual respect irrespective of gender. This would require organisations to adopt a multifaceted approach organisation encompassing anti-harassment policies, bias-free and transparent reporting systems, and gender sensitivity training to address sexual harassment/bias.

Notwithstanding the legislative measures, incidents persist unabated. Even more agonising is the notable gap that exists between actual incidents of harassment and reported cases. It has been seen that only between 5% and 30% of the victims make formal complaints, and less than 1% go for legal action (Fitzgerald et al. 1995; Wayte et al. 2002). Literature has evidence that those who opt for

formal complaints often encounter challenges, leading to the abandonment of complaints or, in severe cases, even jeopardising their employment (Conaghan, 2004). As a result, victims often refrain from formal complaints due to fear of retaliation, loss of job, reputation, and/or lack of knowledge of rights contribute to the underreporting phenomenon (Firestone and Harris, 2003; Dziech and Hawkins, 1998; Fielden et al., 2010; Hayes, 2004; Wear et al., 2007). Small organisational setups, where the perpetrator may be the owner, present additional challenges to reporting (Knapp et al., 1997). The available research suggests that individuals confronted with workplace issues often choose non-confrontational approaches, such as ignoring or tolerating the problem, seeking support from peers, or addressing it in isolation. This approach allows the misbehaviour to persist without any opposition or scrutiny.

Moreover, when victims abstain from disclosing their experiences, even when cognizant of them, organisational leaders also find themselves incapacitated to implement corrective or punitive measures. Consequently, the adverse conduct endures without impediment. The passivity exhibited by these individuals contributes to the perpetuation of the harassment, fostering an environment wherein workplace culture experiences continuous degradation (Clancy et al., 2020).

The extant literature, thus, underscores the multifaceted nature of workplace sexual harassment, examining its manifestations, consequences, and organisational responses. By delineating the intricate interplay between organisational culture, societal norms, and reporting mechanisms, the literature has highlighted the urgent need for transformative measures encompassing legal frameworks and organisational policies to address this all-pervasive issue with more vigour than ever before. This shall not only help mitigate the issue but shall also contribute to safeguarding the well-being and empowerment of individuals, irrespective of gender, within the professional sphere.

Methodology and Analysis

Sample and Data Collection

The present study is focused on studying workplace sexual harassment in the insurance sector in India. The extant literature has primarily focussed on the banking sector (Anderloni, L., Moro, O., & Tanda, A. 2020), and fewer studies are dedicated to the insurance sector. Although a general study on the financial sector can be useful, conducting a study focused on a particular sector is equally critical, as the results can extend a better understanding (Adams & Jiang, 2016)

The data for this study was gathered from employees working in the insurance sector in India, primarily life insurance companies, general insurance companies, and insurance broking companies (identities remain undisclosed due to confidentiality agreements with the HR heads). To ensure a wide range of opinions on the perceptions of individuals vis-a-vis the prevalence of sexual harassment in workplaces, the sample included all employees from the middle management to the board level, irrespective of their functional areas and gender. The study adhered to ethical guidelines, including voluntary participation, confidentiality and anonymity of the respondents to ensure accurate and truthful responses.

Post-pandemic online questionnaires have been the most favoured tool to collect data. Hence, a Google form was administered to 200 individuals using convenience sampling. Based on an adroit literature review, the researchers decided to include 8 elementary questions in their survey to cover the four major dimensions endorsed by the literature review A three-point Likert scale was used (1 = agree, 2 = neutral, 3 = disagree, 4).

A total of 136 responses were received from the target population of 200 respondents. However, during data cleaning, two responses were deleted as they had responded to a 3 for all the questions. In all, therefore, 134 valid responses were used for further analysis (a response rate of 67%), which included 51 responses from females and 83 from men. The ages of participants ranged from 27 years to 54 years.

Reliability and Validity

The survey results were subjected to a Reliability Test, a statistical tool that helps measure the consistency of responses over time. The most commonly used measure to assess internal consistency is Cronbach Alpha. A higher alpha value (0.7 or higher) indicates better reliability. The Cronbach Alpha of all the eight variables using IBM SPSS 22. As all the values are higher than the threshold limit of 0.7, it indicates that the data has good internal consistency.

Table 1: Result Analysis (Using Percentage Method)

S. No	Statement	Agree	Neutral	Disagree
1	In case of Gender Discrimination, women should keep quiet and tolerate.	1.9	7.7	90.4
1a	In case of gender bias, a woman should stay quiet, as speaking up could harm her career prospects	7.7	7.7	84.6
1b	In case of gender discrimination/sexual harassment, women should avoid reporting to higher authorities as it won't be worth it.	3.8	9.6	86.5
1c	In case of gender bias, a woman should avoid reporting as experience shows that no corrective action will be taken by authorities.	5.7	11.5	82.7
1d	In case of harassment, a woman should avoid reporting it as it may harm her reputation.	0	9.6	90.4
2	In case of bias/harassment, women should ignore the incident/pretend it didn't happen	3.8	11.5	84.6
3	In case of Gender discrimination, a woman should report to higher authorities.	90.4	5.8	9.6
4	In case of gender bias/sexual harassment, women should switch jobs if it gets too frequent.	15.4	17.3	67.4

The results of the present survey present a very positive attitude to solving the issue. With literature loaded with reasons for women not standing up for themselves or reporting incidents due to varied reasons, the results show that a whopping 90.4 per cent of the respondents disagree with the fact that women should keep quiet and tolerate in case of gender discrimination. A deeper dig into the probable reasons why women fear reporting reveals that the target population feels otherwise, as cited in extant literature. The survey solicited opinions on the four most cited reasons why women should avoid reporting in cases of gender bias/discrimination. The respondents expressed disagreement that in case of gender bias, a woman should stay quiet as speaking up could harm her career prospects and her reputation. An equally large percentage of the respondents reported disagreement that reporting should be avoided as no corrective action shall be taken by higher authorities. Therefore, it is not worth the effort. These results are not consistent with the reasons cited in the literature. The authors believe that it could either be due to the sample chosen or may be attributed to the fact that, over time, societies have progressed on gender issues and are ready to act more wisely in cases of gender bias or discrimination. Across genders, the respondents are no longer comfortable with the idea of a woman keeping silent, which is clearly evident as 90.4 per cent of the respondents expressed agreement with women reporting to higher authorities.

The extant literature has evidence to support that in case of gender bias, women should ignore it and pretend it didn't happen, and when the frequency of such harassment increases, they should switch jobs. However, the results of the present survey do not support such solutions to the problem. Responses such as these clearly indicate a sweeping shift in the approach to sexual harassment is addressed.

Conclusion

In conclusion, despite the strides made in gender equality, sexual discrimination and bias persist in workplaces, often fueled by deep-rooted patriarchal mindsets. The journey to combat this phenomenon remains arduous, with organisational inertia and cultural myths hindering progress. However, transformative shifts in organisational culture are imperative to mitigate such occurrences effectively. This necessitates proactive measures such as employee education through anti-harassment initiatives to foster supportive and respectful work environments. By addressing these issues, head-on, organisations can create spaces where harassment is not tolerated, empowering victims to report incidents without fear of reprisal and ultimately fostering a more equitable and inclusive workplace for all.

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