

COVER STORY



Sexual Harassment

behaviour — a crude gesture, an off-colour joke, innuendo — that creates a hostile work environment for women.

Take, for example, an incident narrated by Augustus S. Azariah, a senior HR professional with a leading multinational company. He says a male manager at the water cooler, seeing a junior colleague pass by in a red sari and sleeveless blouse, called her “sexy”. When questioned, he said he was complimenting her.

Nirmala Menon, founder of Interweave Consulting, which helps companies improve diversity and inclusion, says training helps address this inability to understand the difference between compliments and harassment. She says men sometimes ask during training sessions, “Why do women have to be so hyper-sensitive? How much can a compliment hurt someone?” She says many men believe that if there is no physical harm, the situation should be tolerated, and often do not understand the psychological trauma of harassment.

When the sexual harassment law was passed in December 2013, some alarmed reactions reflected the poor understanding of the issue. For example, Farooq Abdullah, National Conference chairperson and former chief minister of Jammu and Kashmir, said hiring a female personal secretary could land one in jail in case of a sexual harassment complaint, and added, “I don’t even want to keep a woman secretary.”

Menon says it is not only men who need training. Often, women cannot draw the line early enough to clarify what they will or won’t tolerate. Training can help them deal with situations before they become an issue.

With the goal of prevention, companies such as Jaipur-based GirnarSoft, which operates the classifieds web portal CarDekho, and Delhi-based marketing technology company Octane, require employees to undergo an e-training module on sexual harassment. Employees can

also freely access the modules on the company intranet. The sexual harassment law, however, does not specify the frequency of the training sessions. “Companies should do sessions and workshops to mitigate

their own liability,” says Veena Gopalakrishnan, senior member of law firm Nishith Desai Associates.

GirnarSoft exceeds legal requirements by sending out monthly newsletters with animated videos and quizzes that reinforce learning, and holding seminars led by third-party experts. For example, in March, it invited Mahesh Bisha, Deputy

Manager (law) with the Jaipur Metro Rail Corporation, to speak on policies and redressal mechanisms.

Mumbai-based Moldex Composites, which makes material handling systems, roped in Complykaro, a startup that helps companies comply with the sexual harassment law. Complykaro conducted workshops to sensitise employees, and created regional-language materials to communicate Moldex’s sexual harassment policies to its factory workers.

Menon of Interweave says, “E-learning modules are a great way to spread awareness. But managers and senior leaders, who carry liability individually and to the company, should undergo face-to-face workshops, as there are nuances they need to understand, and those become clear only in a discussion.” She adds that they should learn not to become over-zealous, as that would take the fun and camaraderie out of work.

Enabling People To Speak

In the Nimbuzz survey, 41 per cent of the women who participated said they feared speaking out against sexual harassment because they lacked confidence in the organisation. The TERI complainant, for example, said Pachauri’s advances began soon after she joined the organisation in September 2013, but did not complain until February 2015, possibly for fear of retaliation.

Kavita Krishnan, Secretary of the All India Progressive Women’s Association, says: “In offices, sexual harassment is often a form of power play. The perpetrator uses his senior position and power to extract sexual favours from junior members in exchange for career advancement, and punishes them in case of refusal.”

Genuine office affairs are a personal choice, and cannot be prohibited. But they can create problems for the organisation if one person turns against the other and alleges harassment. In such cases, it is generally the senior colleague who is in the dock. Take the example of iGate Corporation’s former President and CEO, Phaneesh Murthy, who was sacked in May 2013. A company investigation,



