Women's Safety and Dignity in Workplace
Useful information
on
Sexual Harassment of Women at Workplace and Legal Remedies

Sexual harassment against women can take place anywhere - at home or in public places. When such conduct takes place in the workplace, it is termed as 'sexual harassment of women at the workplace' (in short, SHWWP). It is a gender based violence on women and violates her fundamental and legal rights in a workplace. SHWWP is used as a tool which reinforces patriarchal controls on women and breeds inequality in workplaces. It takes place within a gendered power framework.

SHWWP includes any sexually oriented practice or behaviour that endangers a woman's continued employment, negatively affects her work performance and undermines her sense of personal dignity and liberty. It results in considerable losses to individuals and institutions in terms of work performance as well as professional and personal growth. It reduces women's work participation in workforce, thereby having an adverse effect on national economy.

SHWWP can be physical , psychological and more. It can involve verbal and non-verbal conduct with sexual connotations. It can also lead to extreme behaviour such as attempted rape and rape.

In 2013, the Sexual Harassment of Women atWorkplace (Prevention, Prohibition and Redressal) Act (in short, the SH Act) was enacted by Government of India. This civil law was

lumpsum based on income or financial status of the respondent/ offender for

- Mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
- Loss in career opportunity;
- Medical expenses incurred by the aggrieved woman for medical or psychiatric treatment;

What other legal provisions can be used to address sexual harassment of women at the workplace?

An aggrieved woman can use IPC provisions mentioned below, if the conduct she faces amounts to any of these offences.

Section 294- singing obscene songs or performing obscene acts in public place

Section 354 and 509- outraging/insulting modesty of a woman by using criminal force/assault

Section 354 B- forcing the woman to disrobe

Section 354 - voyeurism, which includes watching or filming a woman when she is conducting a private act such as using the toilet, etc. and disseminates such images.

Section 354 D- stalking, which includes following a woman or trying to communicate with a woman physically or electronically even if she objects, monitoring a woman's movement, email, internet, etc.

Section 375- rape and/attempts to rape, which includes all non-consensual penetrative acts.

An aggrieved woman can initiate proceedings under the IPC sections and SH Act simultaneously.

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