

How her sex works against her in the workplace

Gender bias at the workplace, whether it be the field or the office, is very much part of a working woman's daily grind. Will the recent Supreme Court directive on sexual harassment make a difference? **Sumita Paul and Vandana Agarwal find out**

What are you worried about. All you're not entitled to now is a chauffeur, but I'll see that you get that." She told him, she didn't want the chauffeur. She wanted the position, thank you.

And when you get to that position, it is always attributed to some godfather or the woman's "networking" abilities, seldom her capabilities, says Sonu Halan Bhasin of Tata Donnelley. "As much

as 40 per cent of your success is attributed to the way you carry yourself, the rest to skills," agrees Meera Juneja, of KLM Cargo.

Besides, a woman can never be a locker room pal. Most men would rather work with other men — the unstated sentiment being that women spoil the atmosphere. "Aside from the camaraderie angle, women are less apt to be *chamchas* or partners in crime," says Luthra scathingly.

If they are allowed into the exclusive club, it is only after they have proved themselves many times over. But there would still be doubting Thomases like this male passenger who threatened to get off the flight when he heard the captain was female.

Veteran advertising hand Tara Sinha says that while she never perceived an overt bias, there was always an invisible question mark when she entered a roomful of men. Is she a woman or is she a professional — that she could be both was only acknowledged after

she had proved herself as good, if not better than the next man. However, she concedes that the male attitude is largely influenced by the culture of the workplace.

Former British Airways stewardess Zaira Baig concurs: "A lot depends on the set-up you are with. In BA, senior managers are accessible and complaints remain confidential. The openness of the system acts as a deterrent against sexual harassment."

Predatory males are also deterred by position. "At my level they are very tactful; at the middle and floor level, the bias manifests itself in advances, both verbal and otherwise," says Juneja.

Floor level or grassroots. Here, it's gender bias at its basest.

Is there a way to curb the malaise? The recent Supreme Court ruling on sexual harassment raises hopes. The order came in response to a writ filed five years ago, after Bhanwari Devi, a social worker in Rajasthan was gangraped because she had tried to prevent a child marriage. One of the prayers was

that the court should frame guidelines for prevention of sexual harassment. "We thought this was necessary because the government has not done anything to update laws relating to violence against women," says Meenakshi Arora, a lawyer in the case.

The Supreme Court order has widened the definition of sexual harassment to include physical contact and advances; sexual favours; sexually coloured remarks; showing of pornography, and any other verbal or non-verbal conduct of a sexual nature that is unwelcome or humiliating to the woman. The court puts the onus on the employers to provide a safe working environment for their employees. This includes express prohibition of sexual harassment in the rules and standing orders; setting up a complaints committee comprising mostly women and a third party or an NGO, and time-bound disposal of complaints. In case of third party harassment or specific offences under the criminal law, the employer has to take appropriate action on behalf of the victim. This includes non-victimisation of the complainant and the witnesses.

"The court has done its job, now it is up to us, the women, to seek enforcement," says Arora. True, it might be misused to settle scores, but as Arora points out, this risk exists with other laws as well. Luthra believes the chances of misuse are about "one per cent in India, as the woman would put her reputation at stake".

Nor does Arora believe this will deter employers from hiring women. "They did make a fuss when maternity leave was introduced, but they continued to hire women. Employers too realise that women generally make better workers."

Brinda Karat welcomes the judgment, but with reservations. "The guidelines will help conscientise the general working population and serve as a deterrent," she says.

However, she feels the order leaves some basic issues unanswered. Such as addressing the plight of the unorganised sector. "Besides, who is going to monitor the implementation? The government, as the largest employer of women, should be setting up complaint cells in each of its offices. But none of the ministries concerned have even commented on the order, on which no time limit has been set."

Bhasin is equally skeptical. She cites a case in which the woman was cowed down by the employer's threat that "*main tumhara career dekh lunga*". "How many will speak out against their bosses? It depends on the organisation — if it's supportive it'll work, not otherwise."

However, Naina Kapoor of Sakshi believes this "novel initiative" has to be seen in a more positive light. "Before we criticise it, let's give it time — for creative implementation, for a mass information campaign to make people aware of a woman's right to be free from sexual harassment. Let's not forget it was the rape of a village social worker that fuelled this struggle."

YAAR, kya ... cheez hai.' Rukmini, a young stenographer in a government office, gets to hear the unprintable every day over lunch. Her room is shared by two male colleagues, both fans of Madhuri Dixit, whose anatomy they dissect with relish. "It's humiliating," says the soft-spoken Keralaite. "But I don't think these men even realise this." When she complains to her husband, he laughs it off, dismissing it as male talk.

A survey by Sakshi, a Delhi-based NGO, discovered that such sexual remarks were regarded as socially acceptable. And that a woman complaining was "over-reacting", was a "poor sport", and a "troublemaker".

Unfortunately, as women's activist Brinda Karat points out, it's the male majority that determines the ethos at the workplace. "Economic independence is a prerequisite for a woman in her quest for equality, but it is in this sphere that she is most discriminated against."

The bias is most evident in the unorganised sector which employs 93 per cent of the female workforce. A woman might spend eight backbreaking hours weeding a field, it would still be defined as "light work" and therefore deserving of lower wages. The *anganwadi* worker, whose duties stretch from keeping immunisation records to cooking and cleaning for the visiting doctor, has to be content with a measly honorarium.

The bias is less obvious in the air-conditioned environs of the new working woman — the pilot, the entrepreneur, the executive. But it exists. "In most government undertakings, there is opposition to women occupying senior positions. The fact that only one PSU has a woman head proves this," says Chandni Luthra of ITDC.

In promotions, the "woman factor" is invariably raised — that she doesn't have the right temperament, that she has domestic responsibilities, that she just doesn't fit the bill. As a sales manager in a private company confides: "The interviewer suggested that I go in for corporate communications instead of the sales job I had applied for. The reason: Females are better at PR."

On another occasion, the chief executive of a company told a female colleague seeking a promotion: "Let a man get the position.



Bhanwari Devi: the woman whose experience fuelled the struggle against sexual harassment