



## SEXUAL HARASSMENT AT WORKPLACE

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### ABSTRACT :

This article integrates criminological theories of victimisation with organisational research on workplace dynamics to advance a comprehensive framework for understanding sexual harassment. While early conceptions framed sexual harassment primarily as the result of unwanted sexual advances driven by desire, contemporary scholarship reveals that gender harassment—rooted in hostility, contempt, and efforts to marginalise—constitutes the most prevalent form. Using routine activities theory, the article conceptualises how features of organisational structure influence both guardianship and proximity, which in turn shape target suitability and risk exposure. The authors further examine the role of individual characteristics—target attractiveness—in increasing vulnerability to harassment, controlling for organisational context. Drawing on empirical data from a national U.S. telephone company, the study finds that both organisational features and individual traits significantly predict sexual harassment victimisation. However, there is limited evidence of interaction between the two, challenging some expectations of the routine activities' framework. Beyond theoretical development and empirical testing, the article addresses key questions: What defines sexual harassment legally and behaviourally? How widespread is it in

organisational settings? What are its personal and institutional consequences? Which environmental and structural conditions elevate its likelihood? And what preventive strategies have shown promise or limitations? Together, these findings underscore the multifaceted nature of sexual harassment and point toward critical directions for future research, policy, and organisational intervention.

### INTRODUCTION

Workplace harassment is a grave and persistent issue with far-reaching consequences, both for individuals and society at large. It encompasses a wide range of behaviors that trouble, annoy, intimidate, or violate the dignity of a person. While sexual harassment remains the most prominently addressed form, it is essential to recognize that harassment at the workplace can also be psychological, emotional, verbal, or systemic. These behaviors often go unnoticed or are normalized, making them even more dangerous (POSH Act Review, 2013; Doctrinal Research, 2015). Sexual harassment, in particular, is not just a personal affront but a violation of fundamental human rights—especially the rights of women to equality (Article 14), dignity (Article 21), and the freedom to work in a safe environment (Article 19(1)(g)) (Indian Constitution, 1950; Gilligan et al., 2003). It deeply affects the

victim's mental health, job performance, and overall well-being, and reflects a culture of discrimination and power imbalance that is deeply entrenched in our society (Meta-analysis, 2023). The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, adopts a comprehensive three-pronged approach to address sexual harassment in professional settings—focusing on prevention, prohibition, and redressal. Under the prevention component, employers are obligated to take proactive measures to create a safe working environment. This includes organizing regular awareness programs and sensitization workshops, formulating clear workplace policies that explicitly condemn sexual harassment, and ensuring that procedures for filing complaints along with contact details of the Internal Committee are prominently displayed within the workplace (POSH Act Review, 2013). The prohibition element of the Act offers a clear and inclusive definition of sexual harassment. It encompasses a wide range of unwelcome behaviours such as physical contact and advances, sexually coloured remarks, inappropriate jokes, requests for sexual favors, display of sexually explicit content, and any verbal, non-verbal, or physical conduct of a sexual nature. By broadening the scope, the Act ensures that various forms of misconduct are legally recognized and not trivialized as insignificant or harmless (POSH Act Review, 2013; Indian Kanoon, 1997).

### DEFINITION

Sexual harassment is a complex issue that has been examined extensively by scholars and legal authorities alike. While definitions have evolved over time, the most widely accepted understanding—both in social science and law—recognizes it as unwelcome conduct of a sexual nature that causes the victim to feel offended, humiliated, or intimidated. This behaviour often reflects an abuse of power and results in a hostile or unsafe environment, significantly affecting the emotional, psychological, and professional well-being of individuals, especially in workplace settings. At its core, sexual harassment encompasses a range of behaviors, from verbal remarks and gestures to physical

advances and coercion. It disrupts not only the individual's sense of security but also the broader organizational climate. Importantly, harassment in the workplace is not limited to overtly sexual acts. It may include

repeated or even one-time comments, actions, or gestures that are demeaning, embarrassing, or otherwise inappropriate, especially when they are known—or should be known—to cause distress. These behaviors may or may not be of a sexual nature, but when they occur within a professional environment and affect a person's dignity or work performance, they constitute workplace harassment. Legally, the Indian Penal Code (IPC) does not provide a specific definition of "harassment," but it is generally interpreted to include any unwelcome conduct that leads to physical, emotional, or psychological harm. When this conduct takes on a sexual dimension, it falls within the legal domain of sexual harassment. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013) provides a more explicit definition. According to the Act, sexual harassment includes unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature that either creates an intimidating, hostile, or offensive work environment, or unreasonably interferes with an individual's ability to work. These definitions underscore that sexual harassment is not merely a behavioural issue but also a legal and ethical violation. The 2018 report by the National Academies of Sciences, Engineering, and Medicine (NASEM) reinforces this understanding, highlighting the pervasive and damaging effects of such misconduct. Ultimately, combating sexual and workplace harassment requires more than just legal compliance—it demands ongoing education, a culture of respect, and strong institutional accountability to uphold every individual's right to safety, dignity, and equality at work.

## LITERATURE REVIEW

Sexual harassment at the workplace has been recognised as a global violation of women's fundamental rights, cutting across cultures, professions, and social systems. Despite constitutional guarantees of equality, legislative frameworks, and internal conventions, women continue to face harassment and discrimination in both formal and informal sectors. Scholars and legal practitioners have highlighted that sexual harassment is not only a form of gender-based violence but also an abuse of power rooted in patriarchal structures (Gilligan et al., 2003).

The landmark case of *Vishaka v. State of Rajasthan* (1997) marked the first formal judicial acknowledgment of workplace sexual harassment in India. The Supreme Court of India issued comprehensive guidelines mandating preventive measures until specific legislation was enacted. These guidelines later formed the foundation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, commonly known as the POSH Act. While the Act was intended to safeguard women's dignity and ensure safe working environments, many scholars argue that it falls short of the progressive standards set by the *Vishaka* judgment, with persistent concerns over faulty clauses, lack of monitoring, and weak implementation (Indian Kanoon, 1997; POSH Act Review, 2013).

Several studies underscore the universality of the problem. An exploratory study conducted among 135 women health workers in Kolkata revealed alarming incidents of verbal, psychological, and physical harassment. Women reported experiences of offensive remarks, unwanted touch, sexual gestures, and exposure, yet most refrained from filing complaints due to fear of losing employment or being stigmatised (Exploratory Study, 2005–2006). These findings demonstrate that power imbalances and gender norms create strong barriers for women in seeking justice, reflecting the need for stronger institutional mechanisms.

Similarly, research focusing on women managers highlighted how professional women often struggle to balance their personal dignity with organizational expectations. This study explored organizational policies and found that, while some progressive workplaces adopt gender-sensitive practices, many continue to lack effective redressal systems (Systematic Review, 2023). The persistence of harassment, even after the enactment of laws, points towards the gap between policy and practice.

Meta-analytical research has also examined the global prevalence of workplace sexual violence. A systematic review of 129 studies, covering 333,649 female participants, estimated that nearly 26% of women worldwide face workplace sexual harassment. The prevalence was found highest in Africa (38%), followed by North America (34%), and Asia (30%). Occupationally, security personnel and healthcare workers were at higher risk. These findings emphasize that sexual harassment is not confined to any one region or profession but remains a universal issue that requires context-specific interventions (Meta-analysis, 2023).

Other scholars have examined the issue through cultural and gendered lenses. For instance, Basham (1954) observed that while Indian culture traditionally elevated women to the status of deities, patriarchal practices like dowry harassment, family violence, and workplace harassment continue to undermine women's dignity. Studies on women civil servants in India further revealed how professional women reconcile societal perceptions of their roles with their identities as competent administrators, highlighting how cultural biases and patriarchal power dynamics normalize harassment and silence women (Gilligan et al., 2003).

The role of constitutional safeguards and penal provisions has also been analyzed in various works. The Indian Constitution guarantees the Right to Equality (Articles 14 and 15) and the Right to Life and Dignity (Article 21). In addition, Section 354A of the Indian Penal Code criminalizes sexual harassment. Yet, scholars point out that legal protections are often undermined by lack of awareness, weak monitoring systems, and societal stigma. Despite the existence of Internal Complaints Committees (ICCs) mandated by the POSH Act, many organizations either fail to establish them or treat them as a mere formality (POSH Act Review, 2013).

Recent doctrinal studies emphasize that while the legislative framework has made significant progress, women in India—particularly in the unorganized sector—remain highly vulnerable. Gendered conditions and structural discrimination continue to push women into subordinate

positions, limiting their economic empowerment and participation in the workforce. The decline in women's labor participation rates in India has been linked to unsafe workplaces and inadequate support systems for victims of harassment. Scholars argue that comprehensive awareness programs, gender sensitization, and strict enforcement of the law are critical in addressing these challenges (Doctrinal Research, 2015).

Overall, the literature consistently highlights that workplace sexual harassment is a multidimensional issue—legal, cultural, social, and organizational. While the POSH Act, 2013, and related regulations provide a strong legal framework, their effectiveness depends on robust implementation, continuous awareness, and organizational accountability. Comparative research across regions further shows that the issue transcends borders, requiring both global solidarity and local action. Thus, the existing body of literature not only traces the historical and legal evolution of workplace sexual harassment but also underscores the urgent need for systemic reforms, proactive organizational policies, and cultural change to ensure safe and equitable workplaces for women (Gilligan et al., 2003; POSH Act Review, 2013; Doctrinal Research, 2015; Meta-analysis, 2023).

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## CAUSES OF SEXUAL HARASSMENT

### 1. Power Imbalance

Sexual harassment often occurs when one person has more authority or influence than another. This imbalance can lead to abuse, as the victim may feel pressured to comply or stay silent. Workplaces, schools, and organizations with hierarchical structures are particularly vulnerable. Power dynamics can make reporting incidents difficult due to fear of retaliation.

### 2. Lack of Awareness

Many people do not fully understand what constitutes sexual harassment. Misconceptions and ignorance about boundaries or consent can lead to inappropriate behavior. Without proper awareness programs, individuals may unintentionally harass others. This also contributes to underreporting, as victims may not realize their experience is a violation.

### 3. Cultural and Social Norms

Societal attitudes that objectify or demean women and marginalized groups contribute to harassment. Patriarchal mindsets or gender stereotypes can normalize unwanted behavior. In some cultures, victims are blamed, which discourages reporting. These social norms reinforce harassment as an accepted behavior in certain settings.

### 4. Inadequate Legal Enforcement

Weak implementation of laws and policies can embolden perpetrators. Even when laws exist, slow legal processes or lack of awareness about rights can prevent justice. Organizations that fail to enforce strict policies indirectly allow harassment to continue. Victims may feel helpless, thinking reporting will not bring any real change.

### 5. Workplace or Educational Environment

Environments lacking proper supervision, grievance mechanisms, or ethical guidelines increase the risk of harassment. Overcrowded or informal workplaces, lack of HR support, and poor monitoring create opportunities for misconduct. A hostile or insensitive environment can exacerbate the problem, leaving victims vulnerable and unsupported.

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## IMPACT OF SEXUAL HARASSMENT AT WORKPLACE:

### 1. Psychological and Emotional Consequences

Sexual harassment has profound psychological impacts on victims. Research consistently links such experiences to heightened levels of anxiety, depression, and symptoms associated with post-traumatic stress disorder (PTSD). Victims often report feelings of shame, anger, humiliation, and fear, which can result in lowered self-esteem, emotional withdrawal, and difficulty concentrating. Even low-frequency incidents of harassment can severely impact general psychological well-being, particularly when they persist over time or occur in unsupportive work environments.

### 2. Physical Health Implications

The stress associated with sexual harassment often manifests physically. Studies have documented a wide range of somatic symptoms among victims, including headaches, sleep disturbances, gastrointestinal issues, fatigue, nausea, and fluctuations in weight. Chronic

exposure may also lead to cardiovascular stress, high blood pressure, and musculoskeletal pain. Notably, a University of Pittsburgh study found that women who experienced sexual harassment had nearly three times the risk of developing depressive symptoms, along with persistent stress-related health problems.

### 3. Negative Impacts on Work Performance

Sexual harassment significantly undermines workplace performance. Victims frequently experience decreased motivation, absenteeism, tardiness, and difficulty concentrating on work tasks. This disengagement often leads to lower productivity, project neglect, and poor job performance. Studies show that nearly 75% of harassed women believe their job performance was adversely affected, citing mental distraction and emotional exhaustion. Such outcomes are not limited to individual productivity—they ripple through teams and departments, impacting overall output.

### 4. Organizational Withdrawal and Turnover

One of the most common behavioral outcomes of workplace sexual harassment is organizational withdrawal. Victims may remain employed but begin to disengage from their roles, or they may leave the organization entirely. Research has found harassed women to be significantly more likely to change jobs than their non-harassed counterparts. In one longitudinal study of military personnel, those who experienced harassment were more likely to exit the military. High turnover due to harassment not only disrupts organizational continuity but also drives up recruitment and training costs.

### 5. Effects on Bystanders and Workplace Culture

The impact of sexual harassment extends beyond direct victims. Witnesses often experience “bystander stress,” characterized by decreased job satisfaction, reduced psychological well-being, and heightened fear of becoming future targets. Research shows that ambient harassment—harassment not directed at the observer but occurring in their work environment—can lower morale, reduce team cohesion, and increase conflict. Such environments foster mistrust and disengagement, contributing to a toxic workplace culture.

### 6. Variations Across Genders and Harassment Types

While women are more frequently targeted and often report more severe consequences, men also suffer from sexual harassment, with similar outcomes in terms of mental and physical health. Some studies even suggest stronger effects for men in specific contexts, such as elevated depression and anxiety. Moreover, research has debunked the assumption that gender harassment (i.e., sexist hostility without sexual overtones) is less harmful.

Frequent, low-intensity forms of harassment can be as psychologically damaging as more overt, coercive behaviors. Furthermore, victims often suffer harm regardless of whether they label their experiences as “harassment.”

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## TYPES OF SEXUAL HARASSMENT

### 1. Verbal Harassment

Involves inappropriate comments, jokes, or remarks about a person’s body, appearance, or sexuality. Examples include catcalling, suggestive jokes, or offensive teasing. Verbal harassment can create discomfort and fear even without physical contact.

### 2. Non-Verbal or Visual Harassment

Includes gestures, staring, leering, or displaying offensive materials like pictures or messages. Sending inappropriate emails, texts, or images also falls under this type. Such behavior can make the victim feel unsafe and violated.

### 3. Physical Harassment

Involves unwelcome physical contact, such as touching, pinching, patting, or assault. It is the most direct and severe form of harassment and can cause both physical and psychological trauma.

### 4. Psychological or Emotional Harassment

Includes intimidation, threats, or constant unwanted attention that affects the victim’s mental health. Examples are stalking, coercion, or pressuring someone for sexual favors. This type often leads to stress, anxiety, and fear.

### 5. Online or Cyber Harassment

Sexual harassment via social media, email, or messaging apps. Examples include sending inappropriate images, stalking online, or making sexual comments on digital platforms. This type is increasingly common and can follow the victim anywhere.

## OBJECTIVES OF SEXUAL HARASSEMENT

### 1. Provide Protection and Redressal

To protect individuals from sexual harassment at the workplace or educational institutions and ensure proper mechanisms for complaint redressal. This objective emphasizes giving victims a clear way to report incidents and seek justice. It also ensures that complaints are taken seriously and resolved fairly to prevent further harm.

### 2. Ensure Safe Work Environment with Dignity

To create a safe environment free from harassment, abuse, and intimidation, allowing individuals to work or study with dignity. A safe environment promotes mental well-being and productivity. It helps build trust among employees or students and encourages equal participation in all activities.

### 3. Develop Prevention Framework in Institutions

To build frameworks that help organizations and institutions prevent harassment by addressing its causes, impacts, and interventions. Preventive strategies may include awareness campaigns, policies, and reporting structures. This objective focuses on proactively stopping harassment before it occurs rather than just reacting afterward.

### 4. Promote Gender Equality

To eliminate harassment as a form of discrimination and promote equal participation and opportunities for all genders. Gender equality ensures that everyone can contribute without fear of bias or intimidation. It also strengthens the overall culture of respect and fairness within organizations and society.

### 5. Establish Grievance Redressal Mechanisms

To implement structured systems for receiving, investigating, and resolving complaints in a fair and timely manner. Grievance mechanisms create accountability and discourage potential offenders. They also reassure victims that their concerns are valid and that appropriate actions will be taken.

### 6. Raise Awareness and Provide Training

To educate individuals about what constitutes sexual harassment and conduct training programs to prevent misconduct. Awareness programs help clarify the behaviors that are unacceptable and the consequences involved. Training also empowers everyone to recognize harassment and take steps to stop it, fostering a safer environment.

#### Pros:-

1. Largely overlooked until the 1970s, sexual harassment in the workplace is now internally condemned as a form of sex discrimination and a violation of human rights.
2. More than 140 countries have legislation prohibiting workplace sexual harassment.
3. Legislation varies by country and includes protection against workplace sexual harassment under both civil and criminal law.
4. Like workers at risk of injury or death, those at risk of sexual harassment receive a pay premium.
5. Bans on confidential settlements show promise by incentivizing firms to deter harassment in order to avoid reputational damage.

#### Cons:-

1. Sexual harassment is difficult to define, measure, and monitor, and estimates of prevalence range widely.
2. Sexual harassment is costly to its targets and to the organizations in which it occurs.
3. There is limited empirical evidence on the efficacy of legislative and workplace policies in reducing workplace sexual harassment.
4. Sexual harassment is underreported, which reduces the efficacy of legislation and workplace policies prohibiting it, as these policies depend on reporting to discourage harassment.
5. Costs to organizations may be too low for deterrence due to confidential settlements, low caps on damages awards, and insurer coverage of damages awards.

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## LEGAL PROVISIONS AND POLICIES

### 1. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Commonly called the POSH Act, it provides a framework to prevent and address sexual harassment at workplaces. It mandates the formation of an Internal Complaints Committee (ICC) in organizations to investigate complaints. Employers are responsible for creating a safe work environment and conducting awareness programs.

### 2. Indian Penal Code (IPC) Sections

Section 354: Assault or criminal force to women with intent to outrage modesty

Section 354A: Sexual harassment and punishment

Section 509: Word, gesture, or act intended to insult a woman's modesty

These sections provide legal remedies and punishments for harassment acts outside the workplace.

### 3. Company and Institutional Policies

Organizations are required to have clear policies prohibiting sexual harassment. Policies typically include complaint procedures, disciplinary actions, and preventive training sessions. Effective policies help in creating awareness and ensuring accountability.

### 4. Preventive Measures under Law

Mandatory workshops, sensitization programs, and grievance redressal mechanisms help in reducing harassment. Legal provisions ensure that repeated offenders face strict penalties, fostering a safer environment.

### 5. Role of Government and Regulatory Bodies

Government agencies monitor compliance, conduct awareness campaigns, and issue guidelines for schools, colleges, and workplaces. These initiatives reinforce legal measures and promote a culture of respect and equality.

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## PREVENTIVE MEASURES

### 1. Awareness and Education

Conduct workshops, seminars, and campaigns to educate employees, students, and the public about sexual harassment, consent, and rights. Awareness helps people recognize inappropriate behavior and respond effectively.

### 2. Clear Policies and Guidelines

Organizations should have strict anti-harassment policies, clearly defining what constitutes sexual harassment. Policies should include reporting procedures, disciplinary actions, and confidentiality measures.

### 3. Grievance Redressal Mechanism

Establish Internal Complaints Committees (ICCs) or grievance cells in workplaces and institutions. Ensure complaints are addressed promptly, fairly, and confidentially.

### 4. Safe Work and Learning Environment

Ensure proper supervision, secure facilities, and gender-sensitive practices. Encourage open communication so victims feel safe reporting incidents.

### 5. Monitoring and Accountability

Regular audits, feedback mechanisms, and monitoring help track compliance with policies. Holding offenders accountable reinforces a zero-tolerance approach.

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## ROLE OF AWARENESS PROGRAMS

### 1. Educating People

Awareness programs help individuals understand what constitutes sexual harassment, including subtle forms like verbal or non-verbal harassment. This knowledge empowers people to recognize and respond to inappropriate behavior.

### 2. Promoting Reporting

By informing victims about their rights and complaint procedures, awareness programs encourage reporting. This ensures that harassment cases are addressed promptly and effectively.

### 3. Changing Mindsets

Sensitivity sessions and workshops challenge gender stereotypes and promote respectful behavior. They help create a culture of equality and reduce tolerance for harassment.

### 4. Preventing Future Incidents

Educated and aware individuals are less likely to engage in harassment. Awareness programs act as a preventive tool by fostering a safe and supportive environment in workplaces, schools, and public spaces.

### 5. Supporting Policy Implementation

Programs help reinforce organizational policies and legal provisions. They ensure that rules are not just on paper but actively practiced and respected by everyone.

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## SUPPORT SYSTEMS FOR VICTIMS

### 1. Counseling Services

Professional counseling provides emotional and psychological support to victims, helping them cope with trauma, stress, and anxiety caused by harassment.

### 2. Internal Complaints Committees (ICCs)

Organizations and institutions form ICCs to receive and investigate complaints confidentially. ICCs ensure that victims have a formal channel for justice and protection.

### 3. Legal Assistance

Victims can access legal aid, guidance, and representation to pursue cases under the law. Legal support empowers them to claim their rights without fear.

### 4. Helplines and NGOs

Various helplines, NGOs, and support groups offer immediate assistance, counseling, and guidance. They also help in connecting victims with medical, legal, and social services.

### 5. Peer and Family Support

Emotional support from friends, colleagues, and family is crucial in helping victims recover. A supportive environment reduces isolation and encourages victims to speak up.

### 6. Government Schemes and Initiatives

Schemes such as women's welfare programs, financial aid, and skill development initiatives provide long-term recovery support.

### 7. Medical Assistance

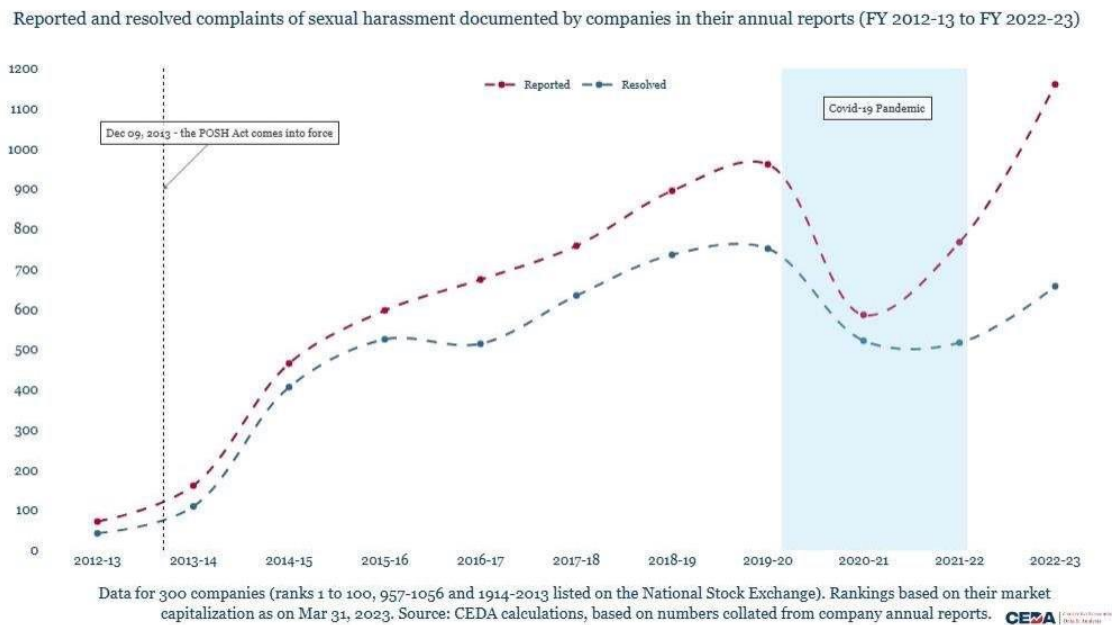
Access to healthcare services ensures victims receive necessary physical treatment and mental health care after harassment incidents.

### 8. Community Awareness Programs

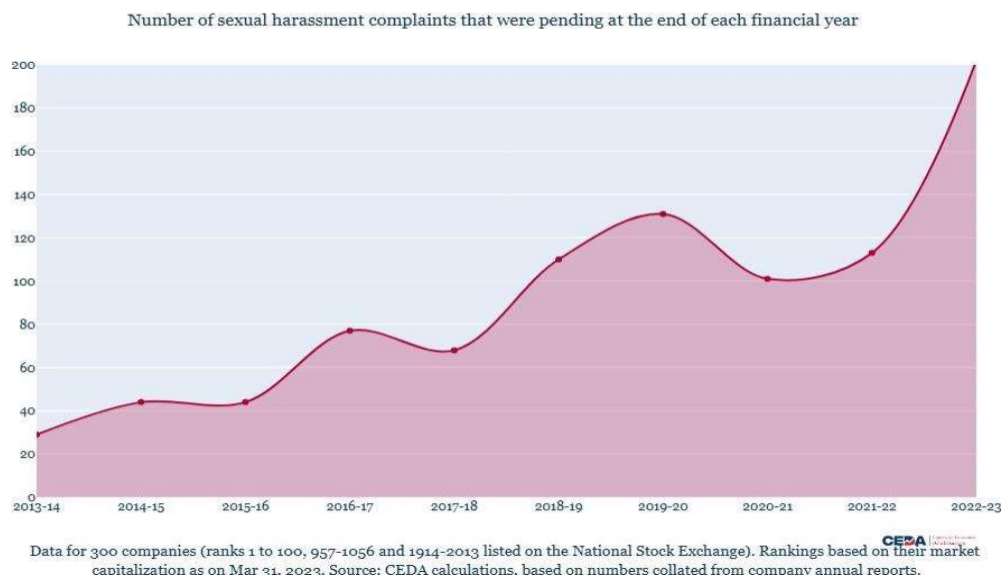
Local community campaigns and awareness drives reduce stigma, encourage solidarity, and make victims feel supported at the social level.

## FINDINGS

The findings section presents the key outcomes observed from the study on sexual harassment. It highlights the patterns, challenges, and realities identified through data analysis, surveys, graphs, and charts. This section reflects how sexual harassment continues to affect individuals despite existing legal frameworks and preventive measures. By examining awareness levels, reporting patterns, workplace practices, and support systems, the findings provide a clear understanding of the current situation and underline the areas that require urgent attention.



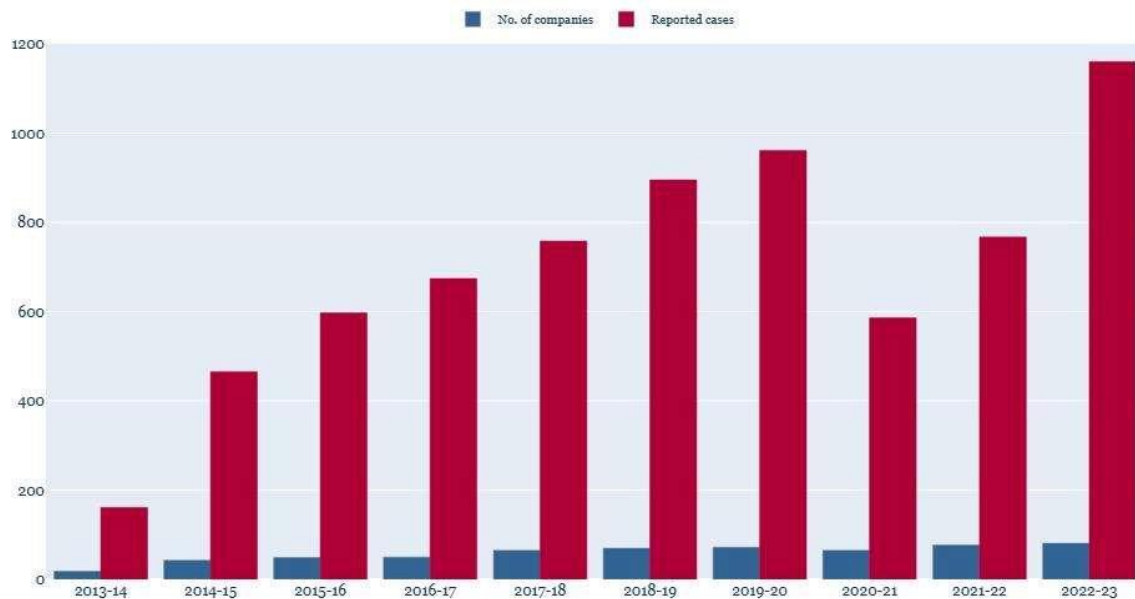
The graph, which tracks reported and resolved sexual harassment complaints in 300 selected NSE-listed companies from FY 2012-13 to FY 2022-23, reveals a strong correlation between legislative change and complaint volume. Following the implementation of the POSH Act (The Sexual Harassment of Women at Workplace Act) in December 2013, both reported and resolved cases saw a sharp and sustained increase, peaking in FY 2019-20 at approximately 970 reported and 760 resolved complaints. This trend was significantly disrupted during the COVID-19 Pandemic (FY 2020-21 to FY 2021-22), which saw a steep drop in reports to a low of about 600, likely reflecting the shift to remote work and workplace closures. However, in the most recent period, FY 2022-23, both metrics surged to their highest levels recorded on the graph, with reported complaints reaching nearly 1,170 and resolved complaints rising about 660. Across the entire period, the number of reported complaints consistently exceeds





The provided line graph charts the **\*\*Number of sexual harassment complaints that were pending at the end of each financial year\*\*** for 300 major Indian companies from FY 2013-14 to FY 2022-23. The trend shows a substantial, overall increase in the backlog of unresolved cases over the decade. Starting at approximately **\*\*30\*\*** pending complaints in FY 2013-14, the figure rose steadily, reaching a pre-pandemic peak of around **\*\*132\*\*** in FY 2019-20. The onset of the COVID-19 pandemic saw a temporary dip in pending cases to about **\*\*102\*\*** in FY 2020-21, likely reflecting the overall reduction in reported cases that year. However, the backlog rapidly resumed its upward climb in the following years, culminating in an extremely sharp surge to a record high of **\*\*200\*\*** pending complaints in the final year, FY 2022-23. This final data point represents a more than six-fold increase in the outstanding complaints since the period immediately following the enforcement of the POSH Act, highlighting a growing challenge for companies in resolving these matters in a timely manner.

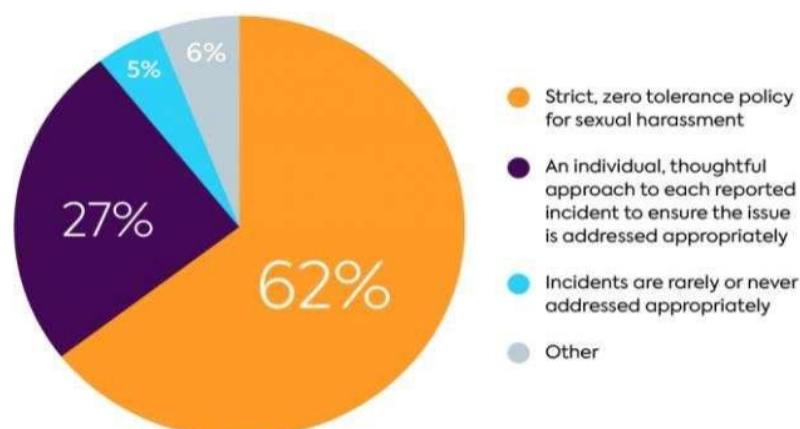
**Total number of sexual harassment complaints reported by companies and the number of companies that reported any complaint in each financial year**



Data for 300 companies (ranks 1 to 100, 957-1056 and 1914-2013 listed on the National Stock Exchange). Rankings based on their market capitalization as on Mar 31, 2023. Source: CEDA calculations, based on numbers collated from company annual reports.

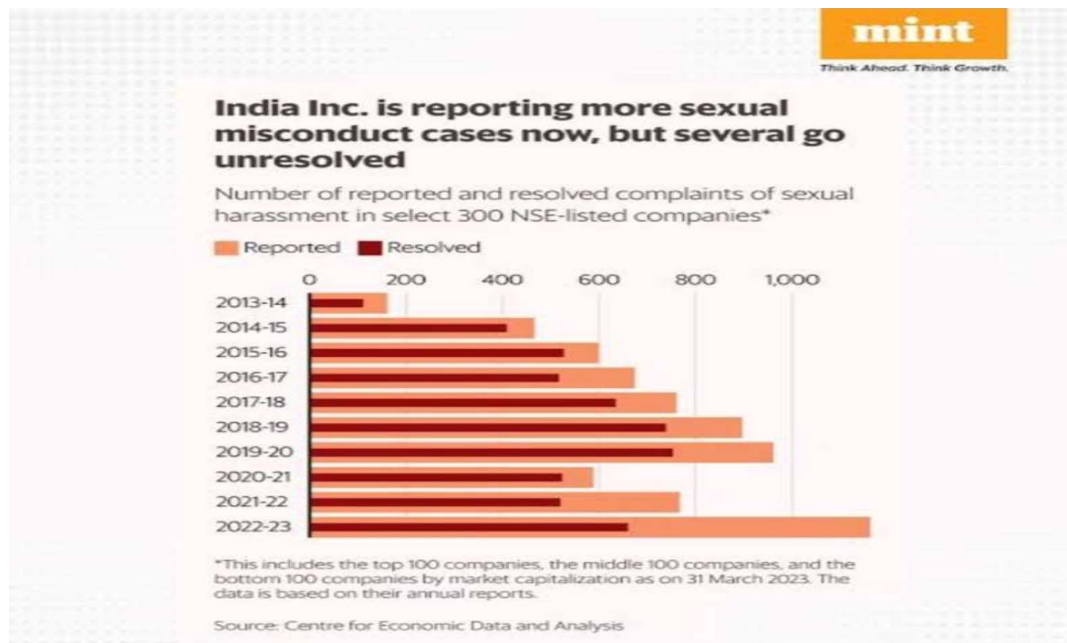
The bar chart compares the **\*\*Total number of sexual harassment complaints reported by companies\*\*** (red bars) against the **\*\*number of companies that reported any complaint\*\*** (blue bars) across 300 selected NSE-listed firms from FY 2013-14 to FY 2022-23. The data reveals that while the number of reported cases has increased dramatically, the reports originate from a consistently small and slow-growing subset of companies. Total reported cases rose sharply from under **\*\*200\*\*** in FY 2013-14 to a peak near **\*\*1,170\*\*** in FY 2022-23, representing a significant jump, especially after the COVID-19 dip in FY 2020-21. Crucially, the number of companies reporting any case at all has remained low, increasing only marginally from around **\*\*40\*\*** in the initial years (FY 2013-14) to approximately **\*\*70-80\*\*** in the later years (e.g., around 77 in FY 2021-22 and about 81 in FY 2022-23). This stark disparity indicates that the bulk of sexual harassment reports across the 300-company sample is concentrated within a **\*\*small fraction of organizations\*\***, suggesting that a large majority of the companies either experienced genuinely zero cases or are failing to disclose or adequately facilitate the reporting of complaints as mandated by law.

**What is management's position on sexual harassment in the workplace?**



Source: The State of Sexual Harassment Training at Work – TalentLMS & The Purple Campaign

The pie chart, sourced from “The State of Sexual Harassment Training at Work – TalentLMS & The Purple Campaign,” illustrates survey data on management’s position on sexual harassment in the workplace. The overwhelming majority of responses, at 62%, indicate that management adopts a Strict, zero tolerance policy for sexual harassment. A significant minority, 27%, report that management uses An individual, though approach to each reported incident to ensure the issue is addressed appropriately. Conversely, only a small percentage of respondents believe that management is ineffective: 5% state that Incidents are rarely or never addressed appropriately, while another 6% categorize management’s position as Other. This data suggests that most workplaces claim to have, or are perceived to have, strong and decisive policies against sexual harassment, although a notable portion still prefers or employs a case-by-case, nuanced approach.



The graph from Mint, based on data from the Centre for Economic Data and Analysis, highlights the trend of sexual harassment complaints reported and resolved in 300 NSE-listed companies between 2013–14 and 2022–23. The data shows a clear rise in the number of reported cases over the years, reflecting growing awareness, stricter legal requirements, and greater willingness among victims to come forward. In 2013–14, the reported cases were relatively low, under 200, with fewer than 100 resolved. However, by 2018–19, the numbers rose sharply, with nearly 700 complaints reported and around 500 resolved. The peak in reporting came in 2019–20, when cases crossed 800, yet the number of resolved cases remained significantly lower, showing a persistent gap between reporting and resolution. After a slight dip in 2020–21, possibly due to the pandemic and remote work reducing workplace interactions, the trend picked up again in 2021–22 and reached its highest in 2022–23 with nearly 1,000 reported cases. Despite this rise, the number of resolved complaints continues to lag, underscoring systemic challenges in redressal mechanisms. This pattern suggests that while awareness and reporting have improved, corporate India still faces significant gaps in ensuring timely and fair resolution of sexual harassment cases.

## SUGGESTIONS FOR PREVENTING SEXUAL HARASSMENT OF WOMEN AT WORKPLACES IN INDIA

Sexual harassment at the workplace is not only a violation of women’s dignity and human rights but also a major barrier to gender equality and inclusive development. Despite strong legal frameworks such as the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (PoSH Act), the Vishakha Guidelines, and constitutional protections, many cases remain unreported due to socio-cultural barriers, fear of retaliation, and lack of awareness. To ensure safe and respectful workplaces, the following preventive measures are recommended:

### 1. Awareness and Training

- Conduct regular seminars, workshops, orientation programmes, and mock drills to sensitize employees about what constitutes sexual harassment, its legal implications, and reporting mechanisms.
- Organize special training sessions for members of Internal Committees to handle cases effectively and sensitively.
- Display clear information about penal consequences and grievance mechanisms at prominent places in the organization.

### 2. Effective Redressal Mechanisms

- Establish Internal Complaints Committees (ICC) in every workplace as mandated by law, and ensure that employees are well aware of its functioning.
- Create grievance cells and gender policy frameworks to address complaints quickly and fairly.
- Treat sexual harassment as misconduct under service rules and ensure strict disciplinary action against

offenders.

### 3. Support Systems for Victims

- Encourage victims to maintain a diary/log of incidents for legal and managerial follow-up.
- Promote women's support networks within organizations to provide strength, solidarity, and responsible channels for change.
- Provide counseling and support services for victims—both women and men—since male victims, though rare, also face stigma and silence.

### 4. Organizational Responsibility

- Ensure a safe working environment, including protection from third parties such as clients, customers, or outsiders.
- Promote gender-sensitive HR policies by reserving equal opportunities in jobs and promotions to reduce vulnerabilities faced by women.
- Enforce gender policies and zero-tolerance codes of conduct, especially in private and unorganized sectors where harassment is reported higher.

### 5. Constitutional and Legal Safeguards

- The Constitution of India guarantees equality (Articles 14, 15, 16), protection of women's dignity (Article 21), maternity relief (Article 42), and directs citizens to renounce practices derogatory to women (Article 51-A).
- India has ratified CEDAW (1993), reinforcing its commitment to eliminate all forms of discrimination against women.
- Strict enforcement of the PoSH Act, 2013 and Vishakha Guidelines is essential to protect women's rights to equality, dignity, and safe employment.

### 6. Government and Policy Measures

- Policymakers must focus on effective monitoring, reporting mechanisms, and periodic reviews of workplace compliance.
- Encourage public-private partnerships to create safe working models, especially in unorganized sectors where women are most vulnerable.
- Promote large-scale awareness campaigns to challenge socio-cultural barriers that silence victims.

### 7. Technology-Based Solutions

- ☐ Develop and promote mobile apps and online portals for anonymous reporting of sexual harassment, ensuring quick redressal without fear of retaliation.
- ☐ Use workplace surveillance tools, grievance-tracking dashboards, and digital feedback systems to strengthen accountability and transparency.

### 8. Regular Audits and Independent Monitoring

- ☐ Conduct periodic third-party audits of workplace policies, employee feedback, and complaint-handling processes to ensure impartiality.
- ☐ Encourage independent monitoring bodies to evaluate compliance with the PoSH Act and recommend corrections where gaps are identified.

## CONCLUSION

Sexual harassment of women at the workplace is not merely a legal or organizational issue, but a deep-rooted management, leadership, and societal challenge. In India, despite the constitutional guarantee of equality and the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the problem persists due to entrenched patriarchal mindsets, lack of awareness, weak enforcement, and organizational silences. While laws and policies provide a strong framework, the true success lies in developing a workplace culture that practices zero tolerance, ensures awareness, empowers women to speak up without fear, and sensitizes men to view women as equal participants in professional and social life. Employers must go beyond compliance and actively commit to building safe, respectful, and inclusive environments that foster dignity, productivity, and equal opportunity. On a global scale, sexual harassment remains a pervasive issue that cuts across industries, geographies, and cultures. No sector is untouched by its damaging consequences on victims' psychological health, career growth, and economic independence, nor on organizations' reputation, efficiency, and talent retention. Despite differences in laws across countries, one common truth stands out: sexual harassment is a violation of human rights and an obstacle to gender equality. International bodies such as the ILO and UN Women stress that prevention, strong grievance redressal systems, leadership accountability, and cultural transformation are the cornerstones of eliminating workplace harassment.

Therefore, the way forward—both in India and globally—demands a multi-level approach: strict enforcement of laws, continuous education and awareness, gender-sensitive leadership, and empowerment of women to resist exploitation. As Pandit Jawaharlal Nehru once said, "You can tell the state of a nation by looking at the condition of the women there." True empowerment and safety of women at work is not just about protecting one gender; it is about uplifting society as a whole. Until women are treated as equal contributors with dignity, no society can claim to be progressive, just, or developed. Sexual harassment of women at the workplace is both a management and societal problem that continues to undermine dignity, equality, and human rights despite years of legal reforms and awareness efforts. In India, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 was a landmark step to safeguard women, yet its effectiveness depends on strict enforcement, organizational commitment to zero tolerance, and cultural change that dismantles patriarchal attitudes. Women need empowerment through awareness, training, financial independence, and supportive grievance redressal systems, while employers must create safe, inclusive

environments that respect gender equality. Globally too, sexual harassment remains widespread across sectors and nations, harming victims' health, confidence, and career prospects, while costing organizations their productivity and reputation.

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## REFERENCES

1. Basham, A. L. (1954). The wonder that was India. Sidgwick & Jackson.
2. Centre for Economic Data and Analysis. (2023). Reported and resolved sexual harassment complaints in NSE-listed companies. Mint. Retrieved from <https://www.livemint.com/companies/people/centre-for-economic-data-and-analysis-sexual-harassment-complaints-in-indian-companies-11672369784506.html>
3. Exploratory Study. (2005–2006). Sexual harassment among women health workers in Kolkata. Retrieved from [https://www.researchgate.net/publication/267758272\\_Sexual\\_Harassment\\_among\\_Women\\_Health\\_Workers\\_in\\_Kolkata](https://www.researchgate.net/publication/267758272_Sexual_Harassment_among_Women_Health_Workers_in_Kolkata)
4. Gilligan, C., Lyons, N., & Hammer, E. (2003). Women civil servants and societal perceptions of professional roles in India. Harvard University Press.
5. Indian Kanoon. (1997). Vishaka v. State of Rajasthan. Supreme Court of India. Retrieved from <https://indiankanoon.org/doc/1958663/>
6. National Academies of Sciences, Engineering, and Medicine (NASEM). (2018). Sexual harassment of women: Climate, culture, and consequences in academic sciences, engineering, and medicine. The National Academies Press. <https://doi.org/10.17226/24994>
7. POSH Act Review. (2013). Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Government of India. Retrieved from <https://www.indiacode.nic.in/handle/123456789/2104>
8. Doctrinal Research. (2015). Gendered conditions and structural discrimination in Indian workplaces. Retrieved from [https://www.researchgate.net/publication/275314586\\_Gendered\\_Conditions\\_and\\_Structural\\_Discrimination\\_in\\_Indian\\_Workplaces](https://www.researchgate.net/publication/275314586_Gendered_Conditions_and_Structural_Discrimination_in_Indian_Workplaces)
9. Systematic Review. (2023). Organizational policies and women managers in India. Retrieved from [https://www.researchgate.net/publication/357073456\\_Organizational\\_Policies\\_and\\_Women\\_Managers\\_in\\_India](https://www.researchgate.net/publication/357073456_Organizational_Policies_and_Women_Managers_in_India)
10. Meta-analysis. (2023). Global prevalence of workplace sexual harassment. Retrieved from <https://journals.sagepub.com/doi/full/10.1177/21582440211030822>
11. Ministry of Law and Justice, Government of India. (2013). The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act. Retrieved from <https://www.indiacode.nic.in/handle/123456789/2104>
12. Indian Penal Code (IPC), 1860. Sections 354, 354A, 509. Government of India. Retrieved from <https://www.indiacode.nic.in/repealedfileopen?filename=A1860-45.pdf>
13. TalentLMS & The Purple Campaign. (2023). State of sexual harassment training at work: Survey data. Retrieved from <https://www.talentlms.com/blog/state-of-sexual-harassment-training-at-work>
14. Vishakha Guidelines. (1997). Supreme Court of India guidelines on sexual harassment at workplace. Retrieved from <https://www.indiankanoon.org/doc/1958663/>
15. Department of Higher Education, Haryana. (2015). Handbook on Sexual Harassment of Women at Workplace. Retrieved from <https://www.highereduhry.ac.in/ActsRules/HandbookOnSHWW.pdf>
16. Exploratory Study, Kolkata. (2005–2006). Verbal, psychological, and physical harassment incidents. Retrieved from [https://www.researchgate.net/publication/267758272\\_Sexual\\_Harassment\\_among\\_Women\\_Health\\_Workers\\_in\\_Kolkata](https://www.researchgate.net/publication/267758272_Sexual_Harassment_among_Women_Health_Workers_in_Kolkata)
17. United Nations. (1993). Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Retrieved from <https://www.un.org/womenwatch/daw/cedaw/>
18. Indian Constitution. (1950). Articles 14, 15, 16, 19(1)(g), 21, 42, 51-A. Retrieved from <https://www.constitutionofindia.net/>
19. Mint Research Reports. (2023). Sexual harassment complaints reported and resolved in Indian companies 2013–2023. Retrieved from <https://www.livemint.com/companies/people/centre-for-economic-data-and-analysis-sexual-harassment-complaints-in-indian-companies-11672369784506.html>
20. Doctrinal Research. (2015). Comprehensive awareness programs, gender sensitization, and enforcement of laws in India. Retrieved from [https://www.researchgate.net/publication/275314586\\_Gendered\\_Conditions\\_and\\_Structural\\_Discrimination\\_in\\_Indian\\_Workplaces](https://www.researchgate.net/publication/275314586_Gendered_Conditions_and_Structural_Discrimination_in_Indian_Workplaces)