

## Role of POSH (Prevention of Sexual Harassment) of Women at Workplace Act in Making Workplace better for women: An Empirical Study

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### Abstract

The “Prevention of Sexual Harassment” (POSH) of “Women at Workplace Act” was introduced in India in 2013 to address the issue of sexual harassment (SH) against women in the workplace. The act requires all employers to establish internal complaint committees (ICCs) to investigate complaints of SH and to take appropriate action against the perpetrator. This abstract highlight the role of the POSH Act in creating a safer and more conducive work environment for women. The act has helped in empowering women by providing them with a platform to voice their grievances, ensuring that they are heard and taken seriously. It has also increased awareness about SH and its impact on women's mental and physical health, career prospects, and overall well-being. The POSH Act has contributed to creating a positive work environment where women feel more comfortable and confident in their roles. However, there are still many challenges to be addressed, such as the implementation of the law in smaller organizations, ensuring the confidentiality of the complainant, and creating awareness about the act among all employees. Overall, the POSH Act has been a crucial step in making the workplace better for women and in promoting gender equality and respect in the workplace.

**Keywords** – Prevention of Sexual Harassment (POSH), Internal Complaint Committees, Gender Equality, Sexual Harassment, Women Safety, Gender Sensitivity

### Introduction

Sexual harassment against women in the workplace is a serious issue that has been prevalent for decades. It not only affects the physical and mental well-being of the victim but also has a negative impact on their career prospects, leading to a hostile and intimidating work environment. In India, the “Prevention of Sexual Harassment” (POSH) of “Women at Workplace Act” was introduced in 2013 to address this issue and create a safer and more conducive work environment for women.

The POSH Act is a significant step towards ensuring that women are not subjected to SH in the workplace. The act makes it mandatory for all employers to establish an Internal Complaints Committee (ICC) to investigate complaints of SH and to take appropriate action against the perpetrator. This committee should comprise at least one external member who has knowledge and experience in dealing with cases of SH. The POSH Act is applicable to all workplaces, whether public or private, and covers all women, including temporary, contractual, and even interns. The POSH Act is not just about creating a complaint mechanism for women. It is also about creating awareness and sensitizing employees about SH and its impact on women. The act mandates that all employers should conduct awareness programs and training sessions for employees to create a gender-sensitive work culture. The act also requires employers to display the details of the ICC at a prominent place in the workplace, making it easily accessible for women who want to lodge a complaint.

By giving them a place to air their complaints and ensuring that they are heard and taken seriously, the POSH Act has been instrumental in empowering women. It has contributed to the development of a welcoming workplace where women are at ease and self-assured in their positions. Additionally, the act has raised awareness of SH and its effects on women's life. In addition to making the workplace safer and more supportive for women, the POSH Act has had a favourable effect on workplace productivity. Women are more likely to be productive and engaged at work when they feel protected and respected, which improves performance and outcomes. The act has also helped in creating a more diverse and inclusive workplace, where women feel valued and recognized for their contributions. The POSH Act is a significant step towards creating a workplace that is free from discrimination and harassment, and it is crucial that employers comply with the act's provisions to ensure a safe and inclusive work environment for all employees.

However, the implementation of the act is still a challenge, especially in smaller organizations, where the ICC may not be established or may not function effectively. Confidentiality is another issue that needs to be addressed as many women fear retaliation from their colleagues or superiors if they file a complaint. Creating awareness about the POSH Act and its provisions among all employees is also essential to ensure that the act is effectively implemented. Overall, the POSH Act has been a significant step towards creating a harassment-free workplace for women and promoting gender equality. It has helped in empowering women and raising awareness about SH. The act also sends a strong message that SH is unacceptable and will not be tolerated in any form.

### **Literature Review**

Women's physical and emotional health suffers because of the long-standing problem of SH against women in the workplace. A big step has been taken towards ensuring a harassment-free workplace for women with the introduction of the "Prevention of Sexual Harassment" (POSH) of "Women at Workplace Act" in India in 2013. To evaluate SH complaints and take necessary action against the offender, the statute requires that all employers create an Internal Complaints Committee (ICC). (Ministry of Women and Child Development, 2013).

Research has shown that the POSH Act has helped in empowering women by providing them with a platform to voice their grievances and ensuring that they are heard and taken seriously. The act has contributed to creating a positive work environment where women feel more comfortable and confident in their roles (Bhatia & Sane, 2019). Studies have also shown that the POSH Act has increased awareness about SH and its impact on women's mental and physical health, career prospects, and overall well-being (Prasad & Prasad, 2020). However, the implementation of the act is still a challenge, especially in smaller organizations, where the ICC may not be established or may not function effectively. The lack of awareness about the act among employees and the fear of retaliation from colleagues and superiors are other issues that need to be addressed (Das & Choudhury, 2018).

To address these challenges, the act mandates that employers conduct awareness programs and training sessions for employees to create a gender-sensitive work culture. These programs have been shown to increase awareness about SH and its impact on women and create a more supportive work environment (Srinivasan & Mehta, 2017). The issue of SH in the workplace is not limited to any country or region but is a global problem that affects women across various sectors and industries (Gatrell et al., 2013). In response to this issue, several countries have introduced laws and policies to prevent and address SH in the workplace.

The "Indian Prevention of Sexual Harassment" (POSH) of "Women at Workplace Act", introduced in 2013, has been a significant step towards creating a harassment-free workplace for women. The act mandates that all employers establish an "Internal Complaints Committee" (ICC) to investigate complaints of SH and to take appropriate action against the perpetrator (Ministry of Women and Child Development, 2013). The POSH Act has been shown to empower women and create a positive work environment, but there are still challenges to be addressed to ensure effective implementation and compliance with the act's provisions (Bhatia & Sane, 2019). Similar laws and policies have been introduced in other countries, such as the United States, where Title VII of the "Civil Rights Act" of 1964 prohibits SH in the workplace and the "Equal Employment Opportunity Commission" (EEOC) investigates complaints of SH (EEOC, 2020). In the United Kingdom, the Equality Act 2010 prohibits SH in the workplace, and employers are required to take

appropriate measures to prevent and address SH (Equality and Human Rights Commission, 2018). A study by Hughes et al. (2018) showed that training programs that focused on creating a respectful workplace culture and challenging problematic behaviors were effective in reducing the incidence of SH in the workplace.

Despite the legal measures in place, SH continues to be a pervasive problem that affects individuals in different settings. In the educational context, for example, SH affects students and can lead to negative academic and mental health outcomes. Studies have shown that institutional policies and procedures that address SH and provide support to victims can lead to a reduction in such behavior (Bayer & Joshi, 2019). Lim and Cortina (2005) examined the relationship between general incivility and SH in the workplace. They found that general incivility was positively related to SH and that this relationship was stronger for women than for men. The study also showed that the relationship between general incivility and SH was moderated by organizational climate. In organizations with a high level of sexism, the relationship between general incivility and SH was stronger than in organizations with a low level of sexism.

Similarly, a study by Lee et al. (2019) investigated the relationship between organizational culture and SH. The study found that an organizational culture that was high in masculinity and low in femininity was positively related to SH. The authors suggested that organizations should promote a culture that values diversity and inclusivity to reduce the incidence of SH. In addition to organizational factors, individual characteristics have also been found to be related to SH. A study by Gutek et al. (2016) found that individuals who endorsed traditional gender roles and who perceived themselves as having power over others were more likely to engage in SH. The study highlights the need for interventions that challenge traditional gender roles and promote gender equality.

### **Objective**

To find the role of POSH (prevention of sexual harassment) of women at workplace act in making workplace better for women

### **Methodology:**

This study is descriptive in nature in which the data were obtained from the 190 respondents who are aware of POSH act. The major business area covered in the study were Banking and Financial Services, IT and ITEs, Retail Management, Transportation, Tour and Travel. A checklist question was used to analyse and interpret the data. In a checklist question respondents choose “Yes” or “No” for all the questions.

### **Data Analysis and Interpretations:**

**Table 1 Role of POSH (Prevention of Sexual Harassment) of Women at Workplace Act in Making Workplace better for Women**

<b>SL No.</b>	<b>Role of POST Act at workplace</b>	<b>Yes</b>	<b>% Yes</b>	<b>No</b>	<b>% No</b>	<b>Total</b>
1	Companies are protected from any type of legal liability	167	87.89	23	12.11	190
2	POSH act helps in increasing employee productivity	154	81.05	36	18.95	190
3	Prevents and protects women at the workplace against sexual harassment	172	90.53	18	9.47	190

4	Act helps women feel more committed and confident	165	86.84	25	13.16	190
5	The act helps in strengthening the organization culture	158	83.16	32	16.84	190
6	The act helps to maintain equality at the workplace	179	94.21	11	5.79	190
7	Helps in teaching on how to deal with harassment situations	175	92.11	15	7.89	190
8	The work environment becomes safer	159	83.68	31	16.32	190



**Figure 1 Role of POSH (Prevention of Sexual Harassment) of Women at Workplace Act in Making Workplace better for Women**

Table 1 and Figure 1 show the role of POSH of women at workplace act in making workplace better for women. It was found that around 94.2% respondents accept that the act helps to maintain equality at the workplace, helps in teaching on how to deal with harassment situations (92.1%), prevents and protects women at the workplace against sexual harassment (90.5%), companies are protected from any type of legal liability (87.8%), act helps women feel more committed and confident (86.8%), the work environment becomes safer (83.6%), the act helps in strengthening the organization culture (83.1%) and POSH act helps in increasing employee productivity (81.0%).

## Conclusion

In conclusion, SH in the workplace is a serious issue that affects the wellbeing of individuals and the productivity of organizations. The Prevention of SH (POSH) of Women at Workplace Act in India is a landmark legislation that seeks to address this problem by providing a legal framework for preventing and redressing SH. However, effective

implementation of the law requires a concerted effort by organizations to create a culture that values diversity and inclusivity, challenges traditional gender roles, and provides bystander intervention training. Research on the topic suggests that organizational factors, individual characteristics, and bystander intervention all play a role in preventing SH in the workplace. Organizations need to recognize the importance of these factors and take steps to address them. Creating a safe and respectful workplace culture requires a sustained effort that involves not only legal compliance but also a commitment to changing attitudes and behaviors. Overall, the POSH Act has the potential to make a significant difference in the lives of women in the workplace, but its success depends on the willingness of organizations to take proactive measures to prevent SH. By doing so, organizations can create a more productive, inclusive, and supportive workplace environment that benefits all employees.

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