

Supreme Court Ruling

SEXUAL HARASSMENT AT THE WORKPLACE:

In 1997, the Supreme Court acknowledged and addressed the matter of sexual harassment at the workplace. The judgment formed mandatory sexual harassment prevention guiding principles for the workplace, applicable all over India. The understanding and information about it can lead to a workplace free of sexual harassment for all persons.

Sexual harassment injects the most humiliating sexual stereotypes into the common work settings and always represents a deliberate assault on a person's personal privacy.

WHAT CONSTITUTES SEXUAL HARASSMENT AND VIOLENCE AT THE WORKPLACE?

The Supreme Court's order states that sexual harassment is any unwelcome:

- Physical contact and advances.
- Demand or request for sexual favors
- Sexually colored remarks
- Display of pornography
- Any other unwelcome physical, verbal or nonverbal conduct of a sexual nature
- Violent conduct or treatment or unlawful use of force.

Harassment can take the appearance of banter i.e. teasing, mockery, joking, repartee, wit, chitchat, etc. or even take on the shape of unwelcome physical contact. At times, a boss may bring into play sexually tinged language with a colleague; order for a meeting after office hours for a relaxed and peaceful dinner for two, or threaten career options by means of sexual harassment. Basically it is any unwelcome word or actions of sexual temperament.

For example:

- Rebuff of payment or official endorsement in the absence of sexual favors.
Pornographic pictures/ messages displayed on desks, boards or sent by e-mail
- Comment made about personal appearance and dress
- Colored jokes shared in the office that make others feel uncomfortable.

Realize that sexual attention becomes harassment when it is "unwelcome". Whether the performer deliberately sexually harasses another is not the concern. How the critical because of the subjective characteristic of sexual harassment? It is vital to comprehend what distinguishes sexual harassment from "friendly" behavior. Friendly behavior is welcome and reciprocated.

Precautionary measures are sure to assist in building of a more industrious and focused work environment where employees are comfortable and secure. Knowing and understanding that sexual harassment is about exercising power and control by embarrassing and by embarrassing and by pressuring will help in understanding and dealing with complexities of this concern.

WHETHER THE SUPREME COURT GUIDELINES APPLY TO OUR CAMPUS?

All government and private sector organizations, hospitals, universities and unorganized sector come under the purview of these guidelines. Women, who either draw a regular salary, receive an honorarium or work in a voluntary capacity will in particular benefit from these guidelines. The lady students, whether a student of any school or a research fellow, are covered under this.