

Women's Day



**A White Paper on Gender
Inclusivity at Workplace**

In collaboration with IFCCI

2024

Table of Contents

1.	Introduction	04
2.	Ms. Payal S. Kanwar Director General, Indo-French Chamber of Commerce & Industry (IFCCI) on Implementation of POSH in preventing sexual harassment	06
3.	A survey on Gender Inclusivity at Workplace	08
4.	Diversity and Gender Inclusivity at SSRANA	18



Introduction

POSH, the Prevention of Sexual Harassment at the Workplace Act, 2013 is a mechanism to institute physical and psychological safety of women in the workplace and foster DEI culture whilst promoting gender sensitivity in the workplace. Although companies claim to be tracking diversity metrics the effort remains tokenistic as there remains a disconnect between tracking and reporting and executive incentives raises the question as to whether these DEI efforts to improve women's workplace safety are structurally embedded or remain performative in nature.

Sexual harassment, discovered in the 1970s introduced a paradox, wherein women had been historically stereotyped for using their sexuality to their advantage in the workplace however it was found that in practice they were more hurt by sex in work. Alternatively, men who were perceived to be more interested in business affairs displayed sexual behaviors more often.

Sexual harassment is rooted in gender inequality with women, most often, being victims of unwanted sexual advances, attention and sexually explicit talk. These advances play a role in creation of a hostile working environment ultimately resulting in work withdrawal, physical and mental distress ending in resignation. Factors such as organizational tolerance for sexual harassment, culture created by senior leadership and gender ratio are all important determinants of the pervasiveness of sexual harassment within organizations. These factors also shape the likelihood of reporting and attaining redressal from sexual harassment complaints.

Socio-psychological analysis reveals that a primary determinant of sexual harassment can be explained by sex spillover theory which essentially explains that women are often viewed as sex objects and their sexuality takes precedence over their work role essentially expecting women to project sexuality through their behavior or dress, paradoxically if women step out of this gender stereotype and takes on more 'masculine' roles within the workplace they are subjected to increased instances of sexual harassment suggesting that women can either choose to project



themselves as a sexual object and remain ‘in line’ with gender norms or stray from the pack and risk facing sexual harassment.



Source: Based on survey conducted by UNHRD



Ms. Payal S. Kanwar Director General, Indo-French Chamber of Commerce & Industry (IFCCI) on Implementation of POSH in preventing sexual harassment or filing complaints



Ms. Payal S. Kanwar

Director General, Indo-French Chamber of Commerce & Industry (IFCCI)

Question: Do you think POSH (in its present form) has helped prevent sexual harassment or prevented filing of complaints?

Answer: As a woman and as a professional, I believe that the Prevention of Sexual Harassment (POSH) Act has played a significant role in raising awareness about sexual harassment in the workplace and providing a framework for addressing such issues. However, the effectiveness of the POSH Act in preventing sexual harassment varies from organization to organization based on several factors:

1. Awareness and Training:

Positive Impact: The POSH Act has led to increased awareness about sexual harassment and the rights of employees in the workplace. Employers are now required to conduct awareness programs and provide training on preventing sexual harassment.

Challenges: Despite mandatory training, some organizations may treat it as a compliance exercise rather than a genuine effort to foster a safe and respectful work environment.



2. Reporting Mechanisms:

Positive Impact: The POSH Act mandates the establishment of Internal Committees (ICs) in organizations to address complaints of sexual harassment. This provides employees with a formal mechanism to report incidents and seek redressal.

Challenges: Employees may hesitate to report incidents due to fear of retaliation, stigma, or lack of trust in the IC process. There have been concerns about ICs not always being impartial or effective in handling complaints.

3. Organizational Culture:

Positive Impact: The POSH Act has prompted organizations to review and strengthen their policies, procedures, and culture related to sexual harassment prevention. Many companies have adopted zero-tolerance policies and promoted gender equality and diversity.

Challenges: Despite policy changes, entrenched cultural norms and power dynamics within organizations may perpetuate harassment or inhibit meaningful change. A culture of silence or victim-blaming can undermine efforts to address sexual harassment effectively.

In conclusion, while the POSH Act has undoubtedly raised awareness and provided a framework for addressing sexual harassment in the workplace, its effectiveness in preventing harassment depends on various factors, including organizational culture, enforcement mechanisms, and employee empowerment. To realize the full potential of the POSH Act, there is a need for continued efforts to promote gender equality, foster inclusive workplaces, and ensure robust implementation and enforcement of the law. Additionally, ongoing dialogue, education, and advocacy are essential to address the root causes of sexual harassment and create safer and more equitable work environments for all employees.



A survey on Gender Inclusivity at Workplace

The concept of “gender inclusivity” has gained momentum in the past few decades. The rise in awareness of gender rights coupled with growth in women empowerment, women education, and promotion of women rights through media has made gender rights- a focus of public attention.

To study this intrinsic limb of workplace culture, it becomes imperative that we adopt a pragmatic approach and hence, we conducted a survey at few workplaces and approached them with a questionnaire that would give an insight of gender inclusivity at their workplace.

We shared a brief survey with some of the top corporates and hence share their responses to the same.

We are very grateful to these corporates for volunteering and being extremely candid in their survey responses:

1. Reliance Jio Infocomm Limited
2. Special Technical Services LLC (STS), Oman
3. Bata
4. Catch Spices
5. Groupe SEB





Does your organization have mentorship and sponsorship opportunities to allow for career advancement of diverse identities?



Do you think that it is important to have a gender neutral Prevention of Sexual Harassment (POSH) policy?



Do you think that the internal POSH policies of organization must include gender based discrimination as part of their policy as well?

No, purpose of POSH is to prohibit sexual harassment and not gender-based discrimination.

01

Yes, as the line between gender-based harassment and sexual harassment is quite blurry.

02

03

Yes, as the line between gender-based harassment and sexual harassment is quite blurry.

04

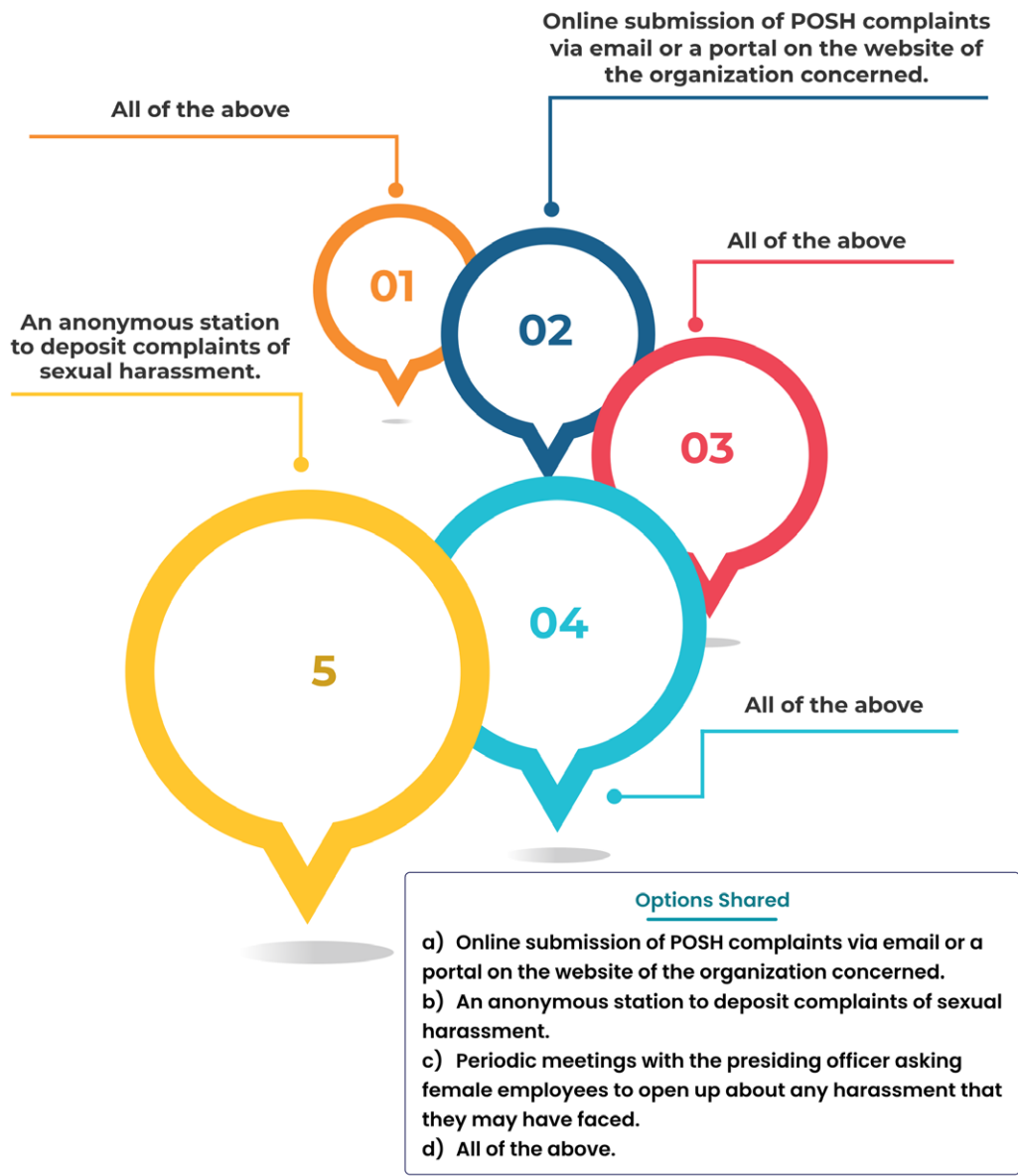
Yes, as the line between gender-based harassment and sexual harassment is quite blurry.

05

Yes, purpose of POSH is upliftment of women and gender-based discrimination runs contrary to that goal



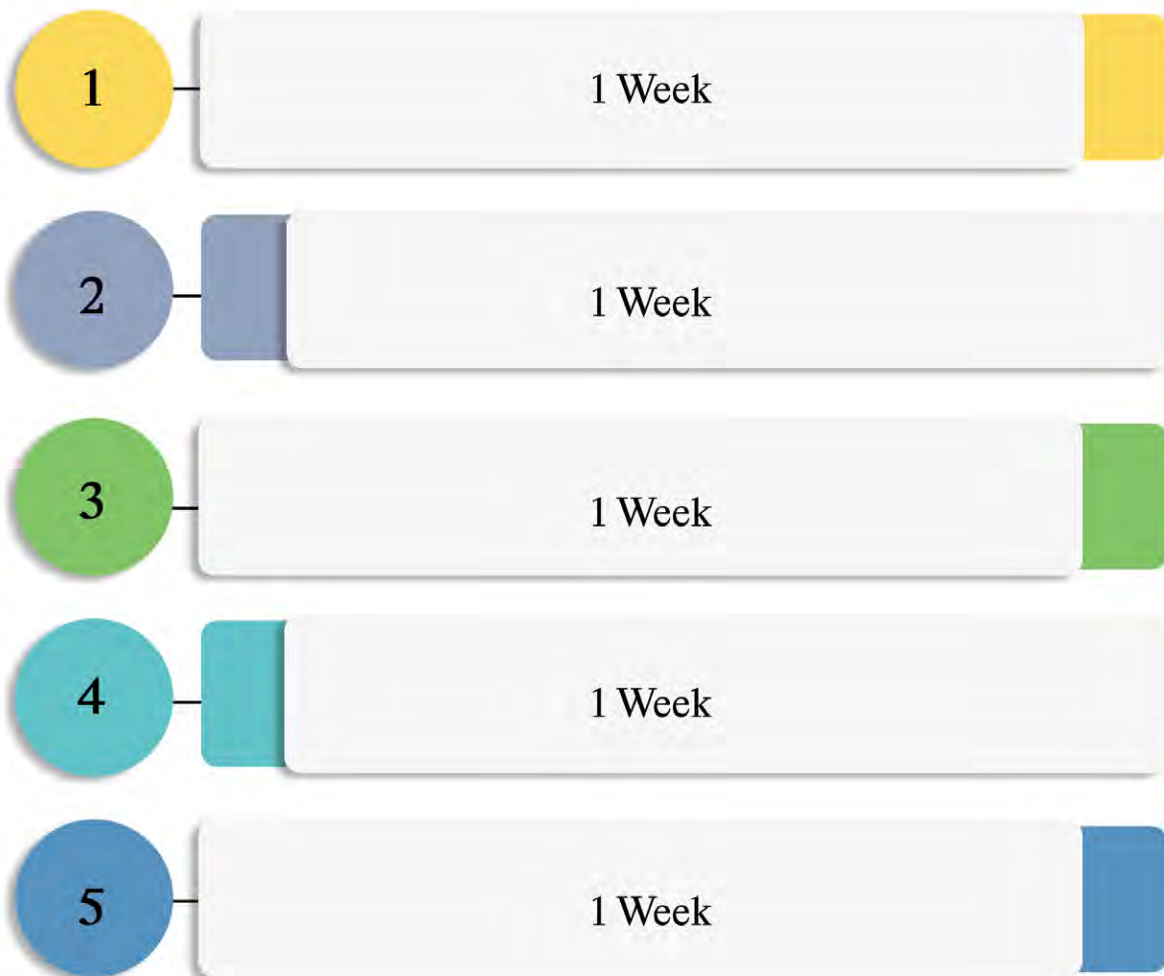
Which of the following options do you believe are the most necessary in an internal POSH policy to ensure that women feel comfortable approaching the POSH committee?



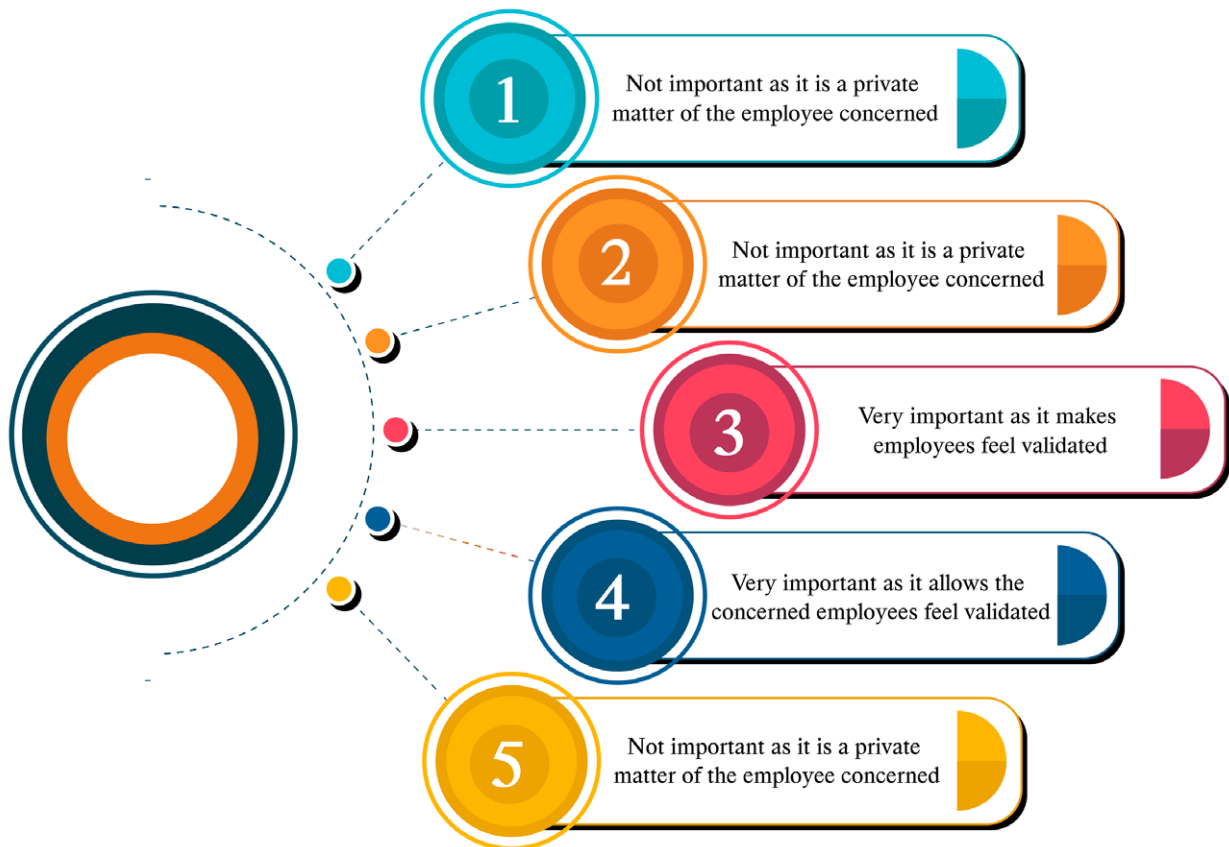
Do you think that it must be prohibited in the terms and policies of a company policy to ask or encourage a woman to work during the maternity leave period?



Does your organization provide paid paternity leave to its employees?



If your organization has a medical insurance policy, how necessary do you think it would be for this policy to ensure the inclusion of “Sex Reassignment surgeries” under the purview of this insurance?





Options Shared

- a) Ensure the encryption of biometric data of the employees with special regard to the disabled employee.
- b) Ensure that the biodata of a disabled employee is kept on a strict need to know basis.
- c) Protect extensively against data breaches of the personal biodata of the employees.
- d) Conduct awareness programs on the importance of the protection of biodata of disabled people.
- e) Ensure the safe storage of data concerning the biodata of the disabled person concerned.
- f) All of the above.



Diversity and Gender Inclusivity at SSRANA

Diversity and gender inclusivity lies at the heart of SSRANA. Since its very beginning in 1989, the Firm has consistently endeavored towards its core values of women empowerment and diversity and has evolved as a Firm that is pre-dominantly led by women.

It is commendable to mention here that the top Management as well as the Departments of the Firm majorly comprise of women. Moreover, we have several women employees who have instilled their Trust in the Firm and have a part of its journey for more than a decade now and Firm takes pride in the fact that it has supported their journey throughout and have also empowered them through various changes in their lives. It is noteworthy to mention here that the Firm has a mandate of having 50% women employees.

While our non- legal teams have a strength of 32% female employees, our legal teams have a commendable strength of 61% female employees for last 3 years.



Diversity Equity & Inclusion

The Firm takes a holistic view of diversity and inclusion that looks beyond the usual measurements: a view that includes the varied perspectives of our lawyers as well as paralegals and support staff, and anyone who aspires to have a future in the legal profession. The Firm



gives equal opportunity to its lawyers and non-legal department to run initiatives and take leadership position.

From our founding, the Firm has been working in this direction and its aim is to consistently evolve itself in the different spheres such as gender, age, sexual / gender orientation, disability, and social, economic and cultural background, amongst others.

LGBTQIA+ Inclusivity

At the firm, we respect a person's choices and continually strive to ensure that diversity and inclusion efforts include all members, with an aim to make the workplace a safe space, devoid of any discrimination or harassment. We celebrate our members and their life choices with pride.

The firm supports the cause by way of awareness and sensitization sessions and contributions to the community on a regular basis.

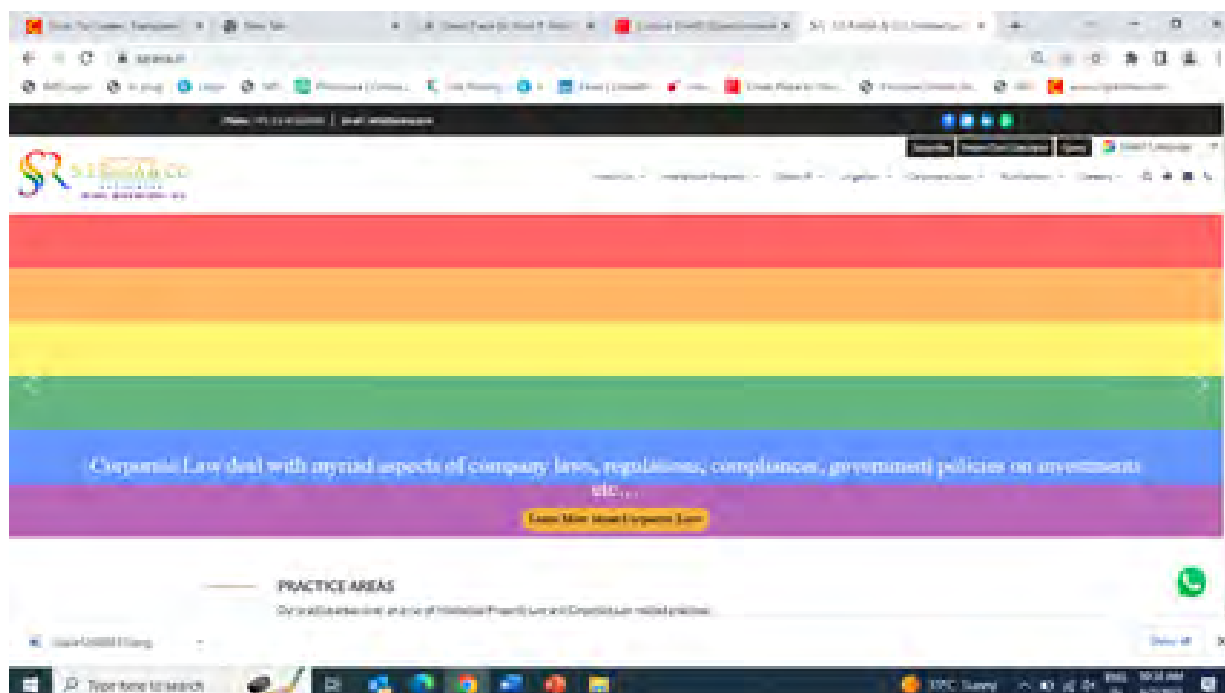
Celebrating with the Transgender Community

The firm has always exhibited respect towards the transgender community and as a token of appreciation, the Firm invites them in the Firm during the festivals of Holi and Diwali and offer them a token of love and best wishes for the Festivities.



Pride Month

The Firm every year celebrated Pride Month in the month of June. To signify the pride month, the Home page of the firm's website displays the Pride flag for the entire month of June:



Championing POSH and Safety at Workplace

The Firm has in place an active POSH (Prevention of Sexual Harassment at work) Committee and Policy, for the benefit of its women members, which is fairly reconstituted annually. The firm also conducts trainings for its members on a regular basis. We are now transitioning to a gender-neutral policy.

POSH Training programs are conducted for all the employees of the Firm at regular intervals, and it is mandatory for each and every employee at all levels to attend the trainings. Hence, the Firm has a zero-tolerance policy towards cases of sexual harassment at workplace and it ensures that every employee of the Firm is well-versed with the existing laws, policies and legal implications.

In conformation to the provisions of the POSH Act, the Firm also has an Internal Complaints Committee. An atmosphere is created in the Firm, whereby employees, either men or women can approach the relevant authority without the fear of any discrimination or retaliation.



Adequate care and support is also provided for a safe travelling experience of women employees. In exceptional circumstances, if an employee leaves office premises after 7 PM then door-step drop facility is provided and the Managing Partners of the Firm personally enquire about the safety of such an employee.



SSRANA recognized as India's Best Workplaces™ for Women 2023 by Great Place to Work

The Firm has also been bestowed with the prestigious India's Best Workplaces for Women (Mid-size) as one of the Top 50 companies. The Award reaffirms our core values of diversity and inclusion and our commitment to provide a workplace where women can thrive, excel, and reach exemplary heights in their careers.

POSH Department at SSRANA

We at S.S Rana & Co believe that the POSH Law is an Act that through its many iterations aims to create a safe working space for all women. The legal mandate as specified under this law is to provide a respectful and inclusive workplace both for the employees as well as employers. We have a very strong POSH Department which is actively helping Corporates as well as individuals to promote a safe working place which includes physical as well as psychological safety.

In pursuance of the same, we also released a Report on Women Safety at Workplace in collaboration with FICCI in May 2023. We also conduct POSH awareness and sensitization programs at organizations as well as at colleges and Universities across the nation. The awareness programs primarily aim at making the attendees aware about the POSH law, rights of victims, obligations of the employer, filing of POSH complaints, etc.

While recognizing the vulnerable nature of rights in view of this unprecedented advancement of technological processes, we have also organized webinars that focus on the psychological



impact of deepfakes and the law revolving around it. We recently also organized a webinar on completion of 10 years of the POSH Law in January 2023. Along with recognizing the menace of the fakes in gender violence and promoting gender inequity.



Acknowledgement

We would like to express our heartfelt gratitude to IFCCI for facilitating the conduct of the survey and giving us the opportunity to talk about the very important aspect of every women’s work life.

References:

1. <https://escholarship.org/uc/item/1rn1s820>)
2. Chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://sites.lsa.umich.edu/liliacortina-lab/wp-content/uploads/sites/970/2021/12/Cortina-Areguin-2021-Annual-Review.pdf
3. https://digitalcommons.odu.edu/psychology_etds/157/





SR ESTD: 1989
S.S.RANA & CO.
ADVOCATES
ISO 9001 : 2015 & ISO 27001 : 2013

CELEBRATING
34
1989-2024
GLORIOUS YEARS

2024