

# ETHICS, DISCRIMINATION AND HARASSMENT @ WORKPLACE

MOD 7

# DISCRIMINATION@WORKPLA

- A Sociological term
- Unjust/ unfair treatment based on nation gender, age, religion, color, disability etc
- Resulting in inequality of opportunity treatment
- Seen in all kinds of work settings.

# Types

- Age discrimination
- Gender
- Racial
- National origin and language
- Religious
- Sexual orientation- homo/hetero/bi-sexual
- Disability
- Pregnancy
- Pay

# Discrimination- for or against

- To some extent desirable
- When certain groups need a 'push' motivation
- Once grown up comfortably, the treatment can be withdrawn
- However, 3 arguments against discrimination: utility, rights and justice

# Utility

- Award jobs based on competency not on which category they belong to..
- Diff jobs need diff skills-diff ppl have diff skill/personality
- Choose the one who is most suitable

# Rights

- Discrimination violates a person's basic right
- Everyone must be treated as a free person equal to any other person
- i.e. one person/group can't be inferior to another

# Justice

- It violates principle of equal opportunity
- One cannot differentiate between people based on matters/characteristics that are not relevant to job they must be performing

# Discriminatory practices

- In recruitment- e/e referrals their own nepotism etc
- In screening- during interviews, tests language which they don't understand.
- In promotion- based on seniority, sex, race
- In employment contracts- unequal wages same work
- In retrenchment-based on race etc



# Workplace harassment

- A type of unwelcome action
- To an e/e
- That makes them difficult to perform task

# Types

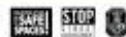
- Emotional
- Physical
- Sexual
- Verbal

# Impact (negative impact)

- Person:
  - stress and poor focus
  - Lose confidence
  - Psychological impacts & disorders
  - Insomnia
- Business:
  - Poor worker health
  - Poor relationships@work
  - Low efficiency
  - Bad reputation
  - Increased attrition
  - Poor morale
  - Increased costs

## Creating awareness..

- e/e-must b trained to act upon common gestures, manners etc that could lead to harassment
- Builds trustworthy relationship betn e/emp & mgt
- Ensure e/e know the laws, their rights, reporting procedures for reporting, their duties to promote an ideal and safe workplace.



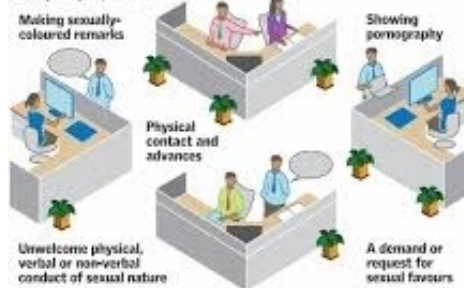
#### WHO IS AN EMPLOYER & WHO IS AN EMPLOYEE?

Employer is any person responsible for the management, supervision and control of the workplace.

Anyone employed on a regular, temporary, ad hoc or daily wage basis is an employee. The Act covers those working for a remuneration, on a voluntary basis, trainees and apprentices. The employee could have been hired either directly or through an agent.

#### WHAT IS SEXUAL HARASSMENT?

According to the Act, 'sexual harassment' includes the following, whether directly or by implication:



Unwelcome physical, verbal or non-verbal conduct of sexual nature

A demand or request for sexual favours

**APRIL IS SEXUAL ASSAULT AWARENESS MONTH**

**IT'S TIME TO TALK ABOUT SEXUAL ASSAULT**

4/1 **THE HUNTING GROUND FILM SCREENING**  
From Academy Award nominated screenwriting duo in feature THE HUNTING GROUND  
6 p.m., Screen Auditorium  
Sponsored by the Department of Justice and the Ontario Ministry of the Attorney General

4/8 **R.A.D. Self-Defense Training**  
6 to 8 p.m., Metro Business & Community Centre  
A free 90-minute, 1-hour self-defense class for the protection of women  
Reserve by: 416-393-8111

4/14 **Walk A Mile In Her Shoes**  
The International Walk to Stop Rape, Sexual Assault & Gender Violence  
March 14, 2014, 10 a.m. to 12 p.m.

4/17 **Denim Day**  
All Day  
Wear denim to raise awareness about sexual assault rights. Wear denim to show solidarity with survivors of sexual assault.  
Hosted by: CAPP and CAPPAT

4/20 **Brioso's Fundraiser**  
6 p.m. to 10 p.m.  
Site of Brioso's is located at 1000 Sheppard Avenue East, Suite 100  
Hosted by: J.T.O.

4/22 **Take Back the Night**  
7:30 p.m., Love Street 100  
Women in solidarity with survivors of sexual assault  
Hosted by: The Office of Women and Equity

For more information on these events, visit [www.ontario.ca/sexualassault](http://www.ontario.ca/sexualassault) or call 1-800-387-7293.



**NO MEANS NO**



# Ways of creating awareness

- Training- issues, policies and procedures
- Harassment policies to be known to educate (bulletins/ charts etc)
- Have effective complaint procedures
- Serious treatment of all reporting
- Enforce policies evenly

# Sexual harassment

- Harassment in subtle ways
- Inappropriate gestures and behaviors
- Leering, pinching, grabbing, hugging, patting, touching
- Illegal
- Violence in everyday life- not a good thing in the workplace

## Types (imp)

- Quid Pro Quo- exchanging sexual fav for return for some benefit to e/e- use of u influence: boss-peer, student-teacher, et





## Types.. contd

- Hostile envt- verbal non verbal visual physical conduct of peers in the work that interferes work perf.(passing comments, leering, showing pics, acting somewhat inappropriate)



## Effects

- Emotional- trauma, stress, feeling helpless
- Physical- fatigue, health
- Economic – denied pay raise/promotions, transfers, unemployment etc

## Vishaka Dutt vs State of Rajasthan (imp)

- 1992- Bhanwari devi
- A social worker- against child marriage
- 5 upper caste men gang raped her
- Thrashed her husband
- Village boycott Bhanwari's family- no justice
- Vishaka an NGO filed case against State of Rajasthan

- A landmark case- officially recognised the law for law
- The verdict defines sexual harassment, lays guidelines for prevention and action against a harassing person.
- Preventive steps by employers- express prohibitions, penalties, rules & regulations, appropriate conditions, etc
- Complaint mechanism- time bound, handling women officers etc
- Awareness of guidelines, third party harassment complaints committee etc

# Compulsory workplace guidelines (imp)

- 8 guidelines on e/rs
- To ensure women do not face s harassment@work
- Failure to obey- penalties on orgtn

- ICC- to have internal complaints committee in orgtn (> 10 e/e: ICC in each branch)
- Align anti-sexual harassment policy with legal provisions
- Legally bind e/es on harassment acts in emp. contracts
- Regular workshops & awareness programs
- Display of penal consequences
- Submit info on harassment to specified authorities- ex. District officers for sole-owners/partners etc
- Assist e/es in legal (say filing FIR etc) Criminal law
- Providing necessary f to ICC for dealing harassment cases- ve confidentiality, lo commu tools, etc