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PREVENTION OF WORKPLACE HARASSMENT OF WOMEN ACT: AWARENESS AND IMPLEMENTATION A CASE OF HEIs of PAKISTAN

INTRODUCTION

Women constitute 49.6% of the world population (Economic, 2019). According to the press release of the Pakistan Bureau of Statistics, the population of men in the country stands at 106,449,322(51%) while there are 101,314,780(48.76%) women and the number of transgenders are 10,418(0.24%) in Pakistan (Statistics, 2017). Globalization has resulted in increasing the participation of women in the workforce. In global context, women inclusion and participation is considered as indicators in the development of the country as they are contributing towards the success of the country by their skills for which they are highly recognized (Sadruddin, 2013). Unfortunately, the number of incidences of violence against women and harassment at workplaces, barriers to social and economic well being are still high. Many public policies have been suggested to restrain the harassment at workplace and higher education institutions. At the advent of new millennium workplace harassment was not yet considered a legal issue. It was first legalized in 2010 by enforcing the Sexual Harassment Act 2010 the main challenge after enforcement was implementation of the act at various work places as well as higher education institutions (A. Jabbar & Imran, 2013). For that purpose, this study intends to study about the awareness and implementation of the Prevention against Harassment of Women at workplace Act (2010) in higher education institutions.

A research was conducted in Europe that estimates 50% of working women in European Union have experienced sexual harassment (Fitzgerald, 1995). The Philippines passed Anti-Sexual Harassment Act that stimulated zero tolerance for sexual harassment at workplace but sexual

harassment cases increased since the declaration of the act (Lopez, Hodson, & Roscigno, 2009). Similarly, Malaysia approved many bills to preclude sexual harassment at workplace and the sexual harassment cases have decreased. A Commission on Inquiry for Women in Pakistan report was formulated for the purpose of preventing sexual harassment at workplace (Pradhan-Malla, 2005). In Pakistan Alliance against Sexual Harassment (AASHA) was drafted to discard workplace sexual harassment which transformed into Protection against Harassment of Women at the workplace (PHWAW) Act 2010. Sexual harassment is more common in settings where there is large authority/power differences or unequal gender ratio for example in higher education institutions of Pakistan (Jabeen, Naeem, Umar, Yameen, & Azhar, 2017). In March 2010 an act was passed for the protection of women at workplace. After the enforcement of the act the main problem was awareness and implementation of the act at various workplaces as well as in higher education institution (A. & Jabbar, 2013). HEC obligated that all the workplace consisting of man and women will be free from any form of discrimination and all individuals must be given opportunity to live, study and work with freedom (Rizwana Yousaf, 2016). All deans, principals, administrators, managers, department chairs, directors of schools or programs and others in leadership positions or supervisory have the responsibility to be familiar with and to maintain the policy and its process and appoint Harassment Monitoring Officer (HMO) along with informing members of their staff about its existence (HEC, 2011).

The policy guidelines explained the sexual harassment a clear or subtle, and can range from gestures or visual signals to verbal abuse to physical contact with sign or hand language that show any sexual activity or sexual compliance are proposed to be exchanged for rewards in education or in job, continuous and undesirable flirt (HEC, 2011). The United Nations (UN) describes harassment as any type of activity or behavior that restricts work and creates offensive

environment for women at workplace. The unwanted behavior related to sex (Fitzgerald, 1995). Higher education commission (HEC) of Pakistan has initiated many public policies to protect woman at Higher Education Institutions (HEI). HEC issued policy guidelines against Sexual Harassment in higher education institutions in 2010, to raise awareness about the issue on university campuses. HEC make it clear that every HEI must ensure the right of every individual to live, study and work in an environment free of any discrimination and sexual harassment (Rizwana Yousaf, 2016).

Despite of an increased attention given by HEC regarding implementation and awareness very few studies have been conducted to see the implementation of the Act. There is the absence of any effective formal control in the form of sexual harassment Act implementation in higher education institutions that will not only promote sexual harassment and offensive behaviors rather such behaviors will go further unchecked. The Protection against Harassment of Women at Workplace (PHWAW) Bill was passed in 2010 in order to provide safe and free environment to the working women at workplace but transforming the bill into a law was a big step but unfortunately the law only served as a piece of paper.

The research will be focusing the working women and men at different hierarchal levels in higher education institutions to measure the awareness and to what extent harassment act has been implemented. The study will also focus on public and private sector institutions which are affiliated with HEC. So, this study will be significant for those unaware about this act and proper implementation. The study will be useful for higher education institutions to address and solve the problems relating to any unusual activity. Government is not only responsible for passing an act but also responsible to implement the policy in the respective sector.

Objectives:

1. To know about awareness level about sexual Harassment Act 2010 in public and private higher educational institute
2. To explore about whether this act is being implemented or not in public and private higher educational institute
3. What are the factors due to which the HEIs have failed to implement the law.

Research question:

What is the level of awareness and implementation of Sexual Harassment Act 2010 in higher education institution of public and private sector?

Significance:

The study is significant as it examines the prevalence of harassment at higher education institutions, the awareness and implementation of harassment act 2010 in public and private higher education institutions. The Pakistani society is male dominant, but women are contributing to join the workplace. Women prefer to work in education sector, so the study will focus on the women working in education institutes as the ratio of women in education sector is increasing as compare to men.

Women generally believe that any complaint by them regarding harassment will not be taken seriously resulting in failure in reporting of such incidences. The subsequent silence of such women results in increasing gender discrimination. It is because of unawareness and ineffective implementation of the act for the protection of women. Women in Pakistan were not encouraged to get education in past but now women are not only getting higher education but also contributing to the economy by joining the work place. Still a vast majority is uneducated and unaware about their rights (Subramaniam, Arumugam, & Akeel, 2013). So, this study will help to increase the awareness about harassment that will help the working women to know about their legal rights to respond to such type of activities. By exploring the reasons that why it is not implemented in the public and private higher education institutions it will help governing authorities to see through those reasons and make sure implementation of harassment act in all institutions.

It also helps researchers, students and academicians to make a comparison between public and private sectors education institutions in terms of prevalence of workplace sexual harassment its awareness and implementation of the Harassment act 2010. The study will be an eye opener for the policy makers to examine whether these policies and laws are being implemented in the institutes or not. Due to the unawareness and ineffective implementation many cases remain unchecked which provides the culprit with bravado to do it again. So, this study will capture the level of awareness and implementation of the act for the women protection. Understanding about the act and awareness about it will create a positive work environment for women and from its implementation women will feel protected and safe. It will encourage them to take part in the workforce and serve the community.

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