

Workplace Sexual Harassment: An Analysis of Mechanism to Address Complaints in Punjab-Pakistan Nighat Yasmin* ,Dr. Sadia Jabeen**

Abstract

*In 2010s, policy makers in Pakistan paid attention to the problem of sexual harassment at workplaces. In 2010, the Protection against Harassment of Women at the Workplace Act, 2010 was passed. The year 2013 saw that, after eighteenth amendment, the law was adopted by the Punjab government with the name “The Punjab Protection against Harassment of Women at the Workplace Act, 2012”. The study makes its objective on the examination of status of implementation of the Act *ibid* in terms of received complaints and appeals, action taken against the culprits as well as the nature of complaints and appeals, jurisdiction of ombudsperson and application procedures. For the purpose convergent parallel mix methods study is conducted and secondary data analysis technique is used. Data available in official record in the office of Ombudsperson is utilized. Some case studies are also prepared. Results are reached through descriptive statistics and thematic investigation on case studies. From March 2013 to June 2022, data on 607 harassment applications was available which were processed being relevant. Further 68 appeals were received during the same period. In majority (53%) cases perpetrators were found convicted and punishments were given as per law. Impugning orders were upheld in (24%) appeals. It is analyzed from case studies that harassment exists at all levels but lower cadre females are facing severe level of harassment from higher ups. Law is being implemented in public sector but not in the private sector. Further studies are recommended to be conducted on primary data so that the actual status from the point of view of victims may also be ascertained.*

Keywords: *workplace sexual harassment, protection against harassment of women, harassment complaints, harassment appeals, perpetrators of harassment, mechanism to address harassment complaints*

Introduction

For the past decade, there is a growing concern nationally and globally about incidents and impact of harassment. According to Legal Information Institute, harassment is an unwanted physical, or non-physical (verbal, written)

act which degrades a person on grounds of their sex, race, color, ethnicity, religion, sex-orientation, age, service cadre, political bias, or disability or which demonstrates anger and hatred against them. Harassment makes work environment threatening, aggressive, or invasive. It is interference without a fair reason with the work performance of an employee. It also affects an employee's rewards or employment opportunity.

Workplace Sexual Harassment

Workplace sexual harassment, recognized as a worldwide problem, reigns in mostly in every occupation worldwide. (Gelfand et al., 2005). In 1976, Working Women United Institute used the term "Sexual Harassment" for the first time when Carmita Wood reported that her superiors had made sexual advances towards her. Subsequently she left her job due to this behavior of her superiors and received employment compensation (Paludi, 1991). Whereas males too are victims of sexual harassment, females are reported more as its preys. Individual sexual orientations expand range of sexual harassment among workers: man to man, man to woman, woman to man, woman to woman (Chiodo et al., 2009).

As stated by U.S. Equal Employment Opportunity Commission, minor sexual harassment acts encompass sexual comments and jokes while major harassment acts range from touching to sexual attack. It, in any form, intentionally creates a hostile environment for the victim. Apart from one-on-one interaction of sexual harassment, it may be caused by means of internet and/or textmessaging (Barak, 2005, & Ybarra, 2004).

Aim of these unbidden acts may comprise disregard of employees' self-esteem and that of their work environment by making it threatening, abusive, humiliating and/or aggressive (Swansea University Policy). This untoward act may degrade, insult and/or pressurize the victim and it may play with their nerves. Different circumstances may call for varied aims of the act, but they provide a basic argument to establish a law which may enable the victims file a lawsuit to prevent these happenings (Gerald & Kathleen, 2005).

Despite variations, sexual harassment prevails everywhere including workplaces. It persists due to gender bias and makes workplace environment unfair. Mahmood (2011) argues that sexual harassment is entrenched in patriarchal setups which are based on want of power. Men hold power to assert their superiority and this mindset may cause harassment of the weaker counterpart – women. A study, based in Lagos, Nigeria, found that less educated, single women working at low positions were more prone to workplace harassment. Although women can also be given higher positions, men hold authority (Aloka, 2009). Workplace sexual harassment affects the psychological health of victims which leads towards absenteeism and withdrawal behavior. The situation ultimately results in negative effects for the organizations. It leads to low productivity (Yasmin & Sadia, 2017).

Policy Responses to Sexual Harassment

International Labor Organization (ILO)'s Indigenous and Tribal Peoples Convention, 1989 (No. 169) explicitly forbids sexual harassment. Article 20 of this convention specifically bars sexual harassment of tribal and indigenous women. Regulatory authorities of the ILO, the UN, and international fora have targeted and reproached sexual harassment and they stressed on detecting this offence with prevalent international tools developed for gender-based discrimination, human rights, violence against women, and professional security and health (Haspels et al., 2001).

The United Nations' Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) filed an appeal to the United Nations' Committee on the Elimination of all forms of Discrimination against Women which dealt with the issue. Nonbinding comprehensive guidelines were implemented by CEDAW Committee for the clarification of the application and scope of the convention and provision of guidance to state parties. General recommendation No.19 was adopted by it in 1992 regarding violence against females and states were called on by it to take steps for the protection of females from sexual harassment that was considered a practice of violence.

ILO's Committee of Experts on the Application and Recommendations of International Labor Conventions deals with sexual harassment under Convention No. 111 regarding discrimination in Occupation and employment.

The development of legislation and measures for workplace to highlight sexual harassment is relatively slow but many countries have made much development as the result of positive initiatives taken by different individuals, workers, employers and female organizations. All of them worked for elimination of the sexual harassment of working ladies. Many illustrations are provided by country studies regarding the catalytic role played by females' and workers' organizations to expose and to rectify the sexual harassment, and also the progress of the said committees and organizations in endorsing, campaigning and tracking protocols activated against sexual harassment.

To tackle the situation of harassment, different countries have drawn decisive measures due to ideals of favorable actions, equality, women liberation movements etc. Like, Philippines, in 1995, passed Anti-Sexual Harassment Act; in 1998, Thailand modified her Labor Code which started punishing for gender based crimes like harassment at workplaces. Japan in 1997, amended the Equal Employment Opportunity Law in an attempt to stop sexual harassment which resulted in an employer's duty to take measures to stop the said crime. New South Wales, in Australian continent, for stoppage of sexual harassment modified its Anti Discrimination Act. South Australia passed the Equal Opportunity (Sexual Harassment) Amendment Act in late 1997 (Haspels, 2001).

Situation in Pakistan

The Constitution of the Islamic Republic of Pakistan gives equal rights for both the genders; the reality shows the other side of the picture where men sweep the better off the women. Pakistan stands at 151 out of 153 under Global Gender Gap Index (World Economic Forum, 2020). Having other issues as well, women, in Pakistan, face workplace sexual harassment too. Mahmood (2011) undertook a study in Lahore where he interviewed 100 women from working class. His results give three kinds of sexual harassment against women: 1. Physical sexual harassment i.e. touching, ogling, discriminatory comments, whistling etc. 2. Verbal sexual harassment i.e. unwanted emails, text messages etc. 3. Psychological sexual harassment i.e. unnecessary meetings, unconventional timings, work rejection, exploitation through higher official hierarchy etc. In Karachi, Sadrudin in 2013 undertook an exploratory study and discovered that a larger part of working women undergo sexual harassment at their workplaces.

Statement of the Problem

In Pakistan, many gender-based issues surfaced. An independent department with the name of “Women Development Department” was instituted in the Punjab in 2012 and in the same year, Harassment at the Workplace Act was adopted by Punjab government, with minor adjustment in the Federal Act (2010). Concurrently with the act, office of Ombudsperson was established to receive the grievances of harassment. In 2013, newly elected government created a separate women’s ministry to take care of women’s affairs including harassment at workplaces. A number of NGOs like Aurat Foundation, Shirkatgah, Home Net etc. have appeared to better the scenario of harassment and other matters. They are doing it by promoting and endorsing women safety, their representation in social and working setups, and opportunities for their participation equal to menfolk.

Yasmin and Sadia (2017) carried out a research in Lahore, Pakistan and discovered that 247 women out of 300 dealt with workplace sexual harassment. Government, non-government and private sector workers were interviewed for data collection. The data depicted: 60% respondents faced harassment to a mild degree. 50% avoided; 49% ignored the situation; and only 27% reported sexual harassment. Among who reported the happening, 29 % said that no action was taken against the perpetrator. So, this study was planned to appraise the complaints received by the office of ombudsperson and the actions taken on those applications.

Significance of the study

This research is very important as it adds to and amplifies the already available knowledge of the problem of workplace sexual harassment. Its importance doubles when it comes to knowledge that the mass of researches on the matter is very small. Further, it sheds light on available mechanism which is not very efficiently sought for. This mechanism is intended to fight sexual harassment in general and at workplaces. The application requirements and

procedures are analyzed and the flaws have been identified. One can know the number of complaints registered in the specific time duration and how these have been handled. It can also be seen as a performance evaluator of the responsible institution of the state in terms of responding to complaints and appeals. On the other hand, this case study will highlight the overall situation and nature of complaints and actions taken against perpetrators. It provides a way forward for further researches in this particular area.

Objectives

1. To examine the implementation status of the “The Punjab Protection against Harassment of Women at the Workplace Act, 2012” in terms of number of complaints and appeals lodged in the office of ombudsperson and their status.
2. To scrutinize the jurisdiction of the ombudsperson, application requirements, and application and appeal process as per law.
3. To analyze the nature of complaints or appeals, and addressing of complaints or appeals as per law.

Methodology

In Pakistan, workplace sexual harassment is one of the problems that women face. In 2001, the issue was formally recognized and the Alliance against Sexual Harassment at Workplace (AASHA) was constituted. It was the initiative of six organizations: Pakistan Institute of Labor Education and Research, Bedari, Interactive Resource Center, Action Aid, Mehargarh, and Hawwa Associates. It was due to the efforts of AASHA in December 2001, Government of Pakistan considered it a problem and agreed for policy response to the issue. Research studies were conducted to analyze the situation that became the basis of a countering strategy for workplace sexual harassment in Pakistan. Starting with the formal sector, “The Protection against Harassment of Women at the Workplace Act, 2010” was approved by the legislature. In 2013, after eighteenth amendment, the law was adopted by the government of the Punjab with the name “The Punjab Protection against Harassment of Women at the Workplace Act, 2012.”

The objective of the research is to examine the implementation status of the Act in terms of complaints or appeals lodged in the office of ombudsperson. In the study, the jurisdiction of the ombudsperson, application requirements, application and appeal process as per act *ibid* is also discussed. For the purpose, convergent parallel mixed method study is conducted. Complaints or appeals lodged in the office of ombudsperson for the period March 2013 – June 2022 is examined. The study examined the number and nature of complaints or appeals, and addressing of complaints or appeals as per law. Two case studies are also prepared. For the purpose, secondary data analysis technique is used and data available in the official records of the office of Ombudsperson during the period of February 2013 – June 2022 is utilized. However, the jurisdiction of the ombudsperson, application requirements, application and appeal process are analyzed as per details available at the website of the office of ombudsperson. Since its establishment in March 2013 till June 2022, the office of ombudsperson

received around 6000 harassment complaints out of which 1402 were found relevant. Out of these 1402 complaints, 795 complaints were filed and not processed due to miscellaneous reasons like no follow-up by the applicant, missing contact details of the applicant that the applicant cannot be traced, already lodged a complaint in departmental harassment committees or on other forums etc.

First, data was coded for applications and appeals. The coding details are given below in table 1 and table 2. Descriptive statistics are used to analyze the applications, appeals and their status and are presented in frequencies and percentages. However, thematic analysis is performed on case studies. Ethical principles have been followed in the study. There is anonymity in the case studies. Names, contact details etc. are not included in the case studies so that no one can trace out the applicants.

Table 1

Coding of Applications

Nature of Applications	Codes
All the applications in which allegations were proved against the accused and penalty was imposed.	Convicted
All the applications in which allegations were not proved against the accused	Exonerated
All the applications that were not processed by the applicants after sometime of lodging the complaints due to reconciliation or other reasons.	Withdrawn/Reconciled
All the applications that were being processed and no action was taken till then.	Under process

Table 2

Coding of Appeals

Nature of Appeals	Codes
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All the appeals in which the findings of appellate authority were same as the order issuing authority and allegations were proved against the accused and penalty of order issuing authority was asked to impose on perpetrator.	Impugning order upheld
All the appeals in which the penalties imposed by the order	Impugning order modified
issuing authority were modified either by increasing or decreasing of penalties.	
All the appeals in which the findings of appellate authority were different from the order issuing authority and allegations were not proved against the accused.	Impugning order set aside
All the appeals wherein the appellant did not follow up and no action was taken.	Filed
All the appeals that were being processed.	Under process

Results

As far as results section is concerned, the secondary data is analyzed regarding the complaints and appeals lodged in the office of Ombudsperson. Before going directly to the complaints and appeals, the researcher would like to discuss the jurisdiction of Ombudsperson, application procedure, and complaint/appeal process.

Jurisdiction of Ombudsperson

“The Punjab Protection against Harassment of Women at the Workplace Act, 2012” is applicable in entire Punjab. The employees working in different organizations can lodge a complaint of harassment under this act.

The office of Ombudsperson was established in 2013 and since then, it is receiving complaints of workplace sexual harassment even from class IV employees. People working on managerial positions in government and private sector also filed complaints. It shows that such type of quasi-judicial forum is mandatory to listen and redress the complaints of harassment and redress the grievances (Office of Ombudsperson, Government of the Punjab, n.d.a).

Process to Lodge a Complaint

Women can submit a complaint in person or they can post it. After that their application is analyzed and the members of the core team hear the complainants at preliminary stage to see whether the complaint falls under the jurisdiction of ombudsperson or not. Ombudsperson can also hear the complainant at this preliminary stage. At intake stage, application is decided to be addressed or not. After this decision, the case is processed and heard at length. The accused and the complainant both are given chances to present evidences or witnesses that are examined and scrutinized for the purpose of decision making. After that decision is announced (Office of Ombudsperson, Government of the Punjab, n.d.b).

Application Requirements

The application received in the office of ombudsperson either directly or through post should have a chronological order of incidence that should be presented in detail. The application should include the personal information including name, designation, department, contact number and official and residential address of the applicant. It should also contain the details including name, designation, department, address (residential or official) of accused and, if possible, their contact number. The application must be accompanied by copy of CNIC and appointment letter (Office of Ombudsperson, Government of the Punjab, n.d.b).

Missing Details

If some of the details mentioned above are missing in the application, the complainant is contacted by an officer and guided about writing the application. If necessary, complainant can visit the office and has a meeting with staff, registrar and ombudsperson for the purpose of guidance to write an application (Office of Ombudsperson, Government of the Punjab, n.d.b).

Certificates Required

When the applicant is admitted to address her grievances, she is further asked to submit various certificates. These certificates may include the following:

- Certificate for Adjustment (either transfer or suspension of the accused)

- Certificate of Retaliation
- Application cum Certificate that the inquiry regarding sexual harassment is not pending at any other forum and the complainant wants to be heard at the office of the Ombudsperson.

After fulfilling all the above requirements the applicant is formally registered with the office of Ombudsperson and the application is processed according to the clause 4 and 5 of the Protection Against Harassment of Women at the Workplace Rules, 2010 (Office of Ombudsperson, Government of the Punjab, n.d.b).

Number of Complaints, Appeals and Their Status

Table 3

Number of Complaints and Their Status

Status	F	%
Convicted	321	53
Exonerated	74	12
Withdrawn	102	17
Under process	110	18
Total	607	100

As per table 3, out of 607 processed complaints, Majority almost 53% complaints were found correct and the accused were convicted as per law. Almost 17% complainants withdrew their applications; 12%, exonerated because the applicant could not prove the allegations. 18% were under process and no action was taken against those applications till then.

Table 4

Number of Appeals and Their Status

Status	F	%
Impugning order upheld	16	24
Impugning order modified	20	29
Impugning order set aside	17	25
Filed	5	7
Under process	10	15
Total	68	100

Ombudsperson is also an appellate authority against decisions of antiharassment committees that are formed in each office for the protection of women. As per table 4, total 68 appeals were received during the said period i.e. March 2013 - June 2022. Out of 68 appeals, almost 24% orders were upheld being right and in almost 29% cases modifications were made in the impugning orders. However, 25% orders were set aside, 7% appeals were filed and 15% were under process.

Case Studies

Case Study I

The complainant NK was a sanitary worker in District Jail, where she had to perform her duties in female barrack but she was assigned the duty to work at the residence of the Superintendent Jail, JAQ, in Jail. The superintendent himself

ordered her for that duty to work from 7:00 a.m. to 11:00 p.m. The superintendent used to bolt the door and ask her to massage his body, on return from his office, while lying on the bed, briefly clad. She was verbally abused on her refusal and was sent to male barrack where she was harassed by men, not only mentally but physically as well. As she was Christian, she was being ridiculed by them for her religion, and her leave for Sunday prayers was always rejected. On the contrary, other Christian employees were sanctioned leaves for religious purposes. For a long period of time, she didn't get her salary paid because she was shown absent. That was the result of her refusal for evil practices that were demanded from her. When she obeyed the superintendent in the way he wanted, the absent days were converted into medical leave. One day, the superintendent called her in his bed room and threw her on the bed, but on making a noise by her, he rushed out of the room and threatened her not to tell this incident to anyone. The Inspector General (Prisons) visited Jail on 29.11.2014 and she tried to appear in front of him but she was not able to do so because administration didn't allow for that. Furthermore, she was terminated from her service after issuing a show-cause notice from the superintendent.

After that a complaint was lodged by her, in the office of Ombudsperson and the perpetrator was awarded the following penalties:

- Minor penalty: Withholding of promotion for five years to be counted from the date when a person junior to him is considered for promotion and is promoted on regular basis for the first time.
- Major penalty: Reduction to the minimum stage in time scale.

Case Study II

The complainant TK joined Rescue 1122 on 01.09.2006 as an officer of grade 17 as Emergency Officer and her transfer was made to District S in September, 2010. The complainant and her grandfather were invited by the accused MS District Emergency Officer BS-18 for a family dinner where he tried to convince her grandfather that the job was not suitable for ladies. She was discouraged with such type of conversation but she continued the job. Meanwhile, the accused adopted different ways to harass the lady like: once she was invited by him to his house in absence of his wife but she refused to join him. On another occasion, Mr. MS asked her about the date of her menstrual cycle through a text message but she did not answer that question. Furthermore, once she was called by him to go to S Tehsil to attend a meeting on a Sunday in civil dress but when she came to know that there was no meeting, she refused. Once, after a dinner of officers in Ramzan 2011, the accused insisted for giving her a lift in his car and on the way back, he indulged in indecent conversation with her. Further, one night she received an emergency call from police lines and she approached there in official duty vehicle where Mr. MS asked her for taking pictures of the site by going on his vehicle with his driver but when she sat, he came and started driving

the vehicle himself; when she was busy in the work, some vulgar messages were sent to her in-laws, her family and the Director General. The cellular phone was traced which disclosed that it was issued to the Naib Qasid of the accused's office, whereas he (the Naib Qasid) did not even have a cellular phone and did not know how to use a mobile phone; after her complaint about the messages, no action was taken by the accused that confirmed his involvement in the matter. Further, many false stories about her character were told to the staff and she was assigned junior-to-her-grade duty so she was discouraged from working hard. As the result of her complaint to the departmental authorities, the accused was proven guilty and they both received transfer orders so they left the place. Later, the complainant again transferred back to that district in September 2013 and Mr. MS was also transferred back there after some days and he again started harassing her by making difficulties in her duty. After her rejoining, the electricity meter of her official residence was disconnected and she was asked to vacate her residence. Further, she was transferred to a sub-station on 21.09.2013 and there she had to share an office with another official junior to her rank. Once she requested Mr. MS on 24.09.2013 to provide an official vehicle but she was degraded by him in front of members of the staff and he compelled her to use a truck, and that also with the permission of her junior.

At last, a complaint was lodged in the office of Ombudsperson and the major penalty of Reduction to the Minimum Stage in Time-Scale under Section 4(ii)(a) of the Act was imposed on the perpetrator.

Thematic Analysis of Case Studies

Theme 1: Designation of the Applicants and Perpetrators.

In case study I, applicant was working as sanitary worker in BS-1 and the perpetrator was working as a Superintendent Jail BS-18. While in case study II, applicant was an Emergency Officer in BS-17 and the perpetrator was a District Emergency Officer in BS-18. In both the cases perpetrators were working at higher level than the applicants and were their bosses.

Theme 2: Nature of Harassment.

While reading the both case studies, nature of harassment is analyzed. In case study I, the applicant's duty was assigned at the residence of the perpetrator/boss instead of his office. The perpetrator asked the applicant to give him a massage while closing the door of his room. On another event she was thrown on the bed and it was a try to sexually assault her.

In case study II, the perpetrator invited the applicant at his residence in the absence of his wife. Once he asked her about her menstrual cycle through text messages. He also called the applicant on Sundays in the name of meetings. He

talked in indecent manner many times. He used to drop her at her residence and managed to talk to her in this way.

Theme 3: Consequences for Refusal of Requests for Sexual Harassment.

In both the cases, applicants bore the consequences for refusal of indulging in sex related behavior with the perpetrator. In first case, the applicant was transferred to the male barrack where she was further harassed by males. She was not allowed to perform her religious rituals and her religious beliefs were ridiculed as she was a Christian. She was not granted leaves even on Sundays. Her salary was also stopped and she was terminated by the Superintendent being the competent authority in this case while showing her absent from duty.

The other applicant in second case faced different types of negative consequences. She was assigned duties that were lower to her rank. She also faced character assassination. The perpetrator managed to send text messages and do phone calls to her in-laws, family members, higher ups, colleagues and lower staff implying that she had a bad character. Electricity of her official residence was disconnected. She was asked to leave the official residence. When she lodged a complaint against the perpetrator to higher ups, they transferred both the applicant and the perpetrator. After some time, both were retransferred back to same positions where the perpetrator continued harassing her. She was even confined to her home by her family due to those indecent incidents.

Theme 4: Action Taken Against the Perpetrators.

In both cases perpetrators were convicted. In first case, a combination of minor and major penalties was imposed to the perpetrator. His promotion was withheld for five years as minor penalty. However, he was reduced to minimum stage at time scale as the major penalty. In second case, major penalty of reduction to the minimum stage in time scale was imposed on the perpetrator.

Discussion

In the jurisdiction of the Ombudsperson, it is mentioned that they can hear the complaints from both sectors i.e. government and private sector. In reality, private organizations do not fulfill the criteria of the law. In practice it is not being fully implemented in private sector. Lacunas exist at both private organizational level and the government level. The private organizations have not constituted harassment committees at their offices. They do not follow the procedures of the Act *ibid* and code of conduct in this regard. Even this lacuna exists in NGO sector that had played a part in the development and approval of the Act *ibid* from the legislature. On the other hand, the government department i.e. Women Development Department that is responsible for the implementation of the law does not have checks and balances on these organizations. They are focusing their

efforts to implement it in government offices and less attention is paid to the private sector.

The procedure to lodge a complaint in the office of Ombudsperson seems a little complicated. The application requirements e.g., name, address, phone number etc. are mandatory for lodging a complaint. It is quite okay because in government sector, a unanimous application cannot be processed. Moreover, in the case of sexual harassment, it is very important to know the details of applicant and harasser. Process cannot be started without knowing the details of both parties. As far as detail of certificates is concerned, it seems somehow ambiguous because the certificates such as adjustment, retaliation etc. cannot be known by the applicants until they are informed/trained about the meaning and nature of such certificates. Moreover, it is found that without fulfilling the requirements, the application cannot be registered officially. This is not justifiable because when the application has been submitted, it should be registered and it should not be ignored.

One significant factor is that in the case of missing details, the staff will call the applicant and guide about the procedure of lodging complaint and a meeting with the ombudsperson or registrar will be arranged. It is a very good aspect of this procedure if it is followed in its true spirit.

From the statistics of applications and appeals presented, an emerging trend of reporting sexual harassment in the office of Ombudsperson is shown. It shows that women know the mechanism available for addressing such type of complaints, but it is still on lower side. It negates the study findings of Yasmin (2018) who conducted a study in 2015 that was published in 2018 that women are not willing to report the event of sexual harassment. The reasons may be the different for the sample or population that was selected to study.

The harasser in both cases was working at higher level of employment while the one applicant was a sweeper and the other was working in BPS-17. Kanter (1977) related it to power and to the structure of the organization. In simpler terms, the one sits at a higher perch and enjoys the power and resources in the organization is in a position to harass the low stander. Females are recruited at positions of shorter authority. That's a reason they are prone to harassment. In history, cultural norms allow men for their physical, economic and political powers to dominate females globally (Dey, 2013). In the same fashion, Cleveland et al. (2014) & Whaley (2001) described women at lower employment cadres with smaller pay-checks are having larger chances of victimization of harassment and perpetrators are the people with higher ranks.

As far as, nature of the applications and appeals is concerned, we can easily analyze that the nature of sexual harassment varies from moderate to severe

level. The first case study shows severe level of workplace harassment because throwing on bed means that the perpetrator wanted to rape the applicant.

Similarly, the case study II indicates severe level of harassment as asking the women to meet in the house in the absence of other members of family shows that the harasser was in the intension to have physical sexual relationship with the complainant.

The females have to bear the brunt of refusing such type of requests that are sexual in nature. These consequences range from degrading work assignments to character assassination, and/or to transfer of victim etc. Study findings of Sadruddin (2013) support the results. He said that respondents were transferred while reporting the harassment. On the other hand, our society is contributing to these negative consequences for females. In second case study, the female was confined to her residence by her family. Yasmin conducted a study in 2015 and found that females avoid to discuss the event of harassment with members of their families because they fear that they will be asked to leave their jobs due to concept of *ghairat* in Pakistani society.

Research study conducted by Hamlin & Hoffman (2002) shows that no appropriate action is taken against the culprits which leads towards further harassment. But the statistics and case studies of this research indicate that majority cases were found convicted and punishments were given as per law. In Case Study I, minor and major penalties under section 4 of the Act were imposed on the perpetrator. Minor penalty of withholding of promotion for five years to be counted from the date when a person junior to him is considered for promotion and is promoted on regular basis for the first time; and major penalty of reduction to the minimum stage in time scale were imposed. While in the second case study, the major penalty of Reduction to the Minimum Stage in Time-Scale under Section 4 (ii) (a) of the Act was imposed on the perpetrator.

Conclusion and Recommendations

From above statistics of complaints, appeals and case studies, it can be concluded that the act *ibid* is being implemented in government sector. The authorities know the procedures and are committed to perform as per law. It is concluded that all the complaints are from government sector. Private sector also comes under the orbit of the Act *ibid*, but the Act is not being implemented in its true spirit in private sector. The sexual harassment exists at all levels from BPS1 to BPS-18 and above. However lower level is facing more and severe nature of harassment.

It is recommended that private and non-government sectors including welfare agencies should also play their role in the implementation of the said law. They should follow law, rules and code of conduct in their offices. Women Development Department should take a leading role for proper implementation

of the Act *ibid* in the private and non-governmental sector. It should ensure checks and balances on both public and private sectors and should ensure that the harassment committees are constituted as per law in both sectors. It should collect quarterly or half yearly reports from all the government and private organizations that can be published.

Academic institutions should teach their students the Act *ibid*, its rules and code of conduct because today's students will be the officers of tomorrows in government, private, and non-governmental agencies. It will raise awareness about what sexual harassment is, and about all actions that come under the umbrella of sexual harassment. This knowledge will make them more knowledgeable about this type of crime and they will not commit it unknowingly as it may happen with many young people. In this way, male students will be aware of the fact that a mechanism to address the complaints of sexual harassment is available and severe punishments are defined under the law. Moreover, female students will be aware about the procedure of lodging complaints and other formalities. This all will result in the harassment free environment at the academic institutions and their future workplaces.

Further researches are recommended to be conducted in welfare institutions and agencies to know the nature and extent of the sexual harassment which will lead to the sensitization about the issue in particular field area. It is also recommended that further studies may be conducted while using primary data so that the actual status from the victims' point of view may also be ascertained.

Limitations

1. Data is collected from the record available in the office of Ombudsperson. Because of time constraints, all-over data is collected. However, the year-wise data can also be collected and analyzed.
2. The included case studies are prepared from the records available in the office of the Ombudsperson instead of collecting primary data.

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