

"I QUIT": CONSEQUENCES FOR SEXUAL HARASSMENT COMPLAINANTS

COMMITTEE FOR MANAGING GENDER ISSUES

*BOL, KE LAB AAZAAD HAIN TERE
BOL, ZUBAAN AB TAK TERI HAI
SPEAK OUT!
YOUR WORDS ARE FREE.
SPEAK UP!
YOUR TONGUE IS STILL YOUR
OWN.*

Faiz Ahmed Faiz



The social consequences of filing a sexual harassment complaint along with long tedious procedures and inaccessible mechanisms make it a costly affair for women in terms of both mental and monetary resources. The famous revolutionary poet's Faiz's empowering words always come as assuring and encouraging to speak out, but what happened to the women who actually spoke? What happened to the women who spoke against their harassers and actively took action by filing complaints against them? Take a guess. How do you think the careers or lives of these women have progressed, especially those who have filed complaints against men in powerful positions?

"I decided to quit Asian Age," says Wahab, another survivor who came out against MJ Akbar along with Priya Ramani. Long before she quit, in the absence of due mechanisms back then, she took the issue to the chief editor, a woman only to be told that Akbar's behaviour is not surprising but did not involve herself in any manner. It took a lot for her to even quit, she said in another article because she was afraid her parents might not allow her to continue working in a city if she quit this job. She felt this was her only chance to make a mark in her career. Wahab, however, is not alone in such experiences. In fact, according to a survey of 6,047 respondents by the Indian Bar Association (2017), 70% women said they did not report sexual harassment by superiors because they feared repercussions. Considering how it is already difficult for women to reach certain positions in their careers owing to social, economic and cultural factors, their silence often becomes a trade off, especially when the harasser is a superior or in a position of power- as is often the case.

These fears of not being heard, being penalised at work and in career, being stigmatised, and so on by survivors are not without essence. In a research article, Angela Dionisi (2018) documents evidence that those filing sexual harassment complaints (at work specifically) are often re-victimised with largely two kinds of retaliation¹, namely work retaliation (demotions, involuntary transfers, poor performance appraisals, etc.) which negatively alter aspects of survivor's job, and social retaliation (less tangible but serious social reprisals like name-calling, ostracism, threats, etc.) which often take both verbal and non-verbal forms, intimidating and harming the survivor's interpersonal relationships. More often than not, colleagues feel compelled to distance themselves or delegitimise the survivor in fear of similar punishments for supporting a "trouble-maker". For instance, a friend of the survivor who accused Tarun Tejpal, editor in chief of Tehelka magazine, of sexual harassment reveals that efforts were made to slander the victim to the extent that even those who were initially sympathetic started doubting her and questions were also raised about her professional abilities. All of these responses both formal and informal act as deterrents to survivors filing complaints of sexual harassment at workplace and there exist many more women who gathered up the courage to file complaints only to face similar experiences and eventually had to end up halting their careers. In fact, a survey of around 2000 women by law firm Slater & Gordon in 2018 has revealed that one in eight have left jobs because of workplace harassment and the following discomfort. These implications and consequences only compound the organisational difficulties women have traditionally faced in speaking up against harassment.

A director at KPMG's Mumbai chartered accountancy practice filed a sexual harassment complaint against her boss in 2006. To her dismay, she was unfairly terminated on grounds of being low on the company's "core values" despite her receiving positive appraisals till then. After a long fight of almost a decade, her case came to an end in 2015 in which through an RTI, she found that pages and criminal forensic lab reports from her file were missing and the court could not proceed any further.

In 2015, a researcher resigned from the organisation stating that she was mistreated by the organisation and that the environment was hostile superseding her complaint of sexual harassment against RK Pachauri, director general of climate policy think tank The Energy and Resources Institute (TERI) and a recipient of the Nobel Peace Prize on behalf of the United Nation's Intergovernmental Panel on Climate Change in 2007. The ICC claims that various officials visited their homes at odd times even to persuade them against reporting Pachauri as guilty. It later came to light that the head of TERI's internal complaints committee had also resigned from her position four months after her team reported that Pachauri was guilty of misconduct because of the pressure to report otherwise. In another instance, Ridhima Chopra who was working with a non-profit in New Delhi said she ended up leaving her fellowship incomplete in 2017 because her complaint against her manager was not taken up seriously and in turn was blamed for it. Before she left, the HR manager sought a written exit interview and despite her mentioning the harassment, her complaint was not taken up. "The programme manager's career, however, soared high", she said.

¹ Cortina, L. M., & Magley, V. J. (2003). Raising voice, risking retaliation: Events following interpersonal mistreatment in the workplace. *Journal of Occupational Health Psychology*, 8(4), 247-265;

Bergman, M. E., Langhout, R. D., Palmieri, P. A., Cortina, L. M., & Fitzgerald, L. F. (2002). The (un) reasonableness of reporting: Antecedents and consequences of reporting sexual harassment. *Journal of Applied Psychology*, 87(2), 230-242.

Rehg, M. T., Miceli, M. P., Near, J. P., & Van Scotter, J. R. (2008). Antecedents and outcomes of retaliation against whistleblowers: Gender differences and power relationships. *Organization Science*, 19(2), 221-240

Anagha Sarpotdar, a researcher who works on sexual harassment at workplace and an external member appointed to monitor such trials by Mumbai city, opines that employers often discourage reporting in order to protect their image. She also adds that often, women go to committees believing them to be independent only to find that they are actually puppets in the hands of their superiors.

Multimedia, i.e., movies and series on OTT platforms are also beginning to highlight such issues, especially the implications of complaints of sexual harassment on a woman's career. For instance, take 'Bombay Bhegums', a critically acclaimed series on Netflix which revolves around four working women from different social locations and their ordeals with work and at workplace. The series also follows the storyline of one of the women filing a sexual harassment complaint in the company and the implications. Attempts are made at manipulating to make it look like an affair which the complainant deliberately initiated to make progress with her career. Such ideas of women being 'trouble-makers' if hired are not new and are being long fought against. Nine to Five (1980), North Country (2005), Monotony (2018), Bombshell (2019), and The Assistant (2020) are a few other critically acclaimed films on the topic.

Independent Internal Complaint Committees that comply with the Vishaka Guidelines (1997) and PoSH act (2013) involving external members are one of the most important components which can work towards guaranteeing confidentiality and protection from re-victimization. At IIMA, we are fortunate that faculty and staff members who constitute the Committee for Managing Gender Issues are tenured and that we always strive to have one truly independent external member who is passionate about the cause and is best suited for the role. The details of the members constituting the committee are on the website along with their contact details.

If the readers did watch any of the above mentioned films or do watch, please do share your thoughts, in addition to instances and stories you have witnessed or have heard about such issues. You can write back to us to the same email address. Readers always welcome to write back with any thoughts, feedback or just comments about this or any of our previous newsletters. We aim to set in motion discussions around the various topics and issues we have focused and hope to focus on in the future. Readers are also welcome to suggest topics they would like to read about or have discussions on and the committee can look into organising them. We also strongly encourage that readers initiate conversations around these themes and issues within their classrooms and amongst peers.



Write back to us:
cmginewsletter@iima.ac.in