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SILENT SUFFERING: UNDERSTANDING WHY WOMEN HESITATE TO REPORT WORKPLACE HARASSMENT UNDER THE POSH ACT

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Abstract : Sexual harassment in the workplace is not merely a behavioral or legal violation—it is a manifestation of entrenched patriarchal structures and systemic gender inequality that continue to permeate professional environments. It reflects the normalization of power imbalances and the persistent marginalization of women and other vulnerable groups in spaces that should ideally foster merit, dignity, and mutual respect. The consequences of such harassment extend far beyond individual trauma; they serve to reinforce a culture of silence, fear, and exclusion, undermining both organizational integrity and the broader vision of social justice.

The POSH Act, while commendable in its legislative intent, represents only a foundational step in the long journey toward gender-equitable workplaces. Its true potential remains unrealized without a critical ideological shift—one that challenges existing norms, reconfigures institutional power relations, and cultivates a culture of accountability and respect. Strengthening the Act's implementation through sustained, transformative initiatives—such as compulsory and reflective gender sensitivity training, democratization of Internal Complaints Committees, and stringent penalties for institutional negligence—is not merely a legal necessity but a moral and ideological imperative. Only by confronting the deeper roots of workplace harassment can we begin to dismantle oppressive structures and build genuinely inclusive and egalitarian work environments.

I. INTRODUCTION

Sexual harassment is a widespread and significant issue in workplaces globally, affecting individuals across various industries and employment levels. It leads to numerous negative consequences, including fear, distress, and a diminished sense of safety for employees, often resulting in psychological, emotional, and career-related harm (Bauer & Kleiner, 1995). Workplace harassment, particularly against women, has long been a pervasive issue that transcends borders, industries, and social classes. It not only undermines individual dignity but also creates an environment of fear, inequality, and injustice, which hinders both personal and professional development.

In India, despite its tradition of striving to empower women, the growing number of harassment cases has underscored the urgent need for a robust legal framework to protect women in the workplace. The Prevention of Sexual Harassment (POSH) Act of 2013 marks a significant turning point in India's legal and social landscape, aimed at empowering women by ensuring a safe and equitable work environment.

Sexual harassment, as defined by the EEOC, includes unwelcome advances, requests for favors, and other sexual behaviors that contribute to an intimidating, hostile, or offensive work environment, including quid pro quo and hostile work environment harassment (Benya, 2018). A 2021 global study examining sexual harassment in newsrooms across 20 countries found that, on average, 41% of women media professionals had encountered verbal or physical sexual harassment at work. Alarmingly, only 20% of these women reported the incidents, highlighting a significant gap in addressing workplace harassment. In India, 83% of sexual harassment cases reported during the financial year 2022-23 within Sensex companies were concentrated in 11 firms from the IT and banking sectors, with the overall number of cases increasing by 13%.

II . POSH ACT

The POSH Act plays a pivotal role in the empowerment of women by establishing a well-defined and systematic framework for addressing workplace harassment. It offers women a legal recourse that not only holds offenders accountable but also encourages organizations to create a safer and more inclusive work environment (*Supreme Court of India. (1997)*). This empowerment operates on two levels: legal protection for women and broader societal acknowledgment that workplace harassment is a serious issue requiring immediate attention and action (*Ministry of Skill Development and Entrepreneurship*)

2.1 Key Features of the POSH Act

A central aspect of the Act is the requirement for each organization to establish an ICC, which must consist of a presiding officer (preferably a senior woman employee), two internal members, and one external member from an NGO or association familiar with sexual harassment issues. This committee is tasked with handling complaints confidentially, impartially, and within a specified timeframe.

The Act also provides a broad definition of sexual harassment, including unwelcome physical contact, sexually charged remarks, showing pornography, and any other unwelcome behavior of a sexual nature. This comprehensive definition recognizes the diverse and sometimes subtle forms that harassment can take, making it easier for victims to seek justice

III. Research Question

This review was driven by the key question: "What are the most common barriers that prevent women from reporting workplace harassment, even with the POSH Act in place?" This question served as the foundation for the analysis. Through this study, the scoping review helps to identify critical concepts, gaps, and sources of evidence that can inform future research on the topic.

IV. Prevalence of Sexual harassment

Accurately measuring the prevalence of sexual harassment is challenging due to the underreporting of incidents and the absence of comprehensive data. However, studies indicate that many women experience sexual harassment in the workplace, with estimates ranging from 30% to 80% (Kapila, 2017; Sue Y Yi et al., 2024; (Cuenca-Piqueras et al., 2023). The power dynamics within workplaces are often closely associated with the occurrence and impact of sexual harassment. It is commonly used as a means of asserting dominance and control, typically perpetrated by individuals in positions of authority or influence. Those most affected are often in lower-level roles or possess less power within the organization (Spiliopoulou & Witcomb, 2023);(Kheir et al., 2023).

4.1 Fear of Retaliation:

Foster, Barnetson, and Matsunaga-Turnbull (2018) found that a significant number of workers fear retaliation when trying to voice their concerns in the workplace. These employees, often in more vulnerable positions, are also more likely to encounter safety hazards, suggesting the presence of poor working conditions. This fear of retaliation notably affects their willingness to report issues or incidents. The implications of these findings are relevant for researchers in other regions, as the high levels of worker fear observed in a jurisdiction with relatively robust employment protections may indicate even greater prevalence in areas with weaker legal safeguards. Similarly, Malik and Pichler (2023) highlight that a stressful work environment can generate anger and fear among employees, contributing to both offline and online bullying in the workplace. Since these two forms of bullying are conceptually similar and frequently occur together, an integrated approach may be more effective in preventing and addressing both types of bullying. Furthermore, intervention programs could achieve greater impact and synergy by incorporating strategies that target both individual employees and organizational structures.

4.2 Stigma and Shame

The stigma and shame tied to sexual harassment can significantly affect victims, often resulting in emotional turmoil, anxiety, and depression. Victims may isolate themselves due to concerns about judgment, leading to strained relationships and professional setbacks. Research by Pijlman et al. (2024) indicates that various

barriers, including individual feelings of shame, practical challenges like the cost of help, fear of negative social reactions, and the normalization of such experiences, can hinder help-seeking behavior. Conversely, individual experiences and social support can facilitate this process, highlighting the complexity of seeking assistance. Campbell et al. (2015) identified three distinct patterns of disclosure and pathways to help-seeking among victims. The first pattern, voluntary disclosure, involves victims sharing their experiences with friends, who then encourage and assist them in seeking help from adults, allowing the survivors to control the process. In the second pattern, involuntary disclosure, victims disclose to friends, but those friends inform adults without the survivors' consent, leading to forced help-seeking. The third pattern, situational disclosure, occurs when victims are unconscious during the assault, prompting friends to disclose and seek help on their behalf.

4.3 Lack of Awareness

Organizations are increasingly acknowledging the necessity of transforming their cultures to address sexual harassment effectively. This transformation includes educating employees about what constitutes sexual harassment, establishing clear boundaries, and implementing consequences for unacceptable behaviors. Creating an environment where such conduct is not tolerated and where victims feel supported is crucial (O'Leary-Kelly et al., 2009). Prevention programs should be flexible, user-friendly, culturally competent, and sustainable. Furthermore, these initiatives must encompass a wide range of gender-based violence, including gender-related harassment, while being informed by principles of trauma and equity (Crusto, Hooper, & Arora, 2024). Education and training are vital for both preventing and addressing sexual harassment. In addition to tackling the root causes of harassment, these programs should be comprehensive, evidence-based, and culturally sensitive (Crusto, Hooper, & Arora, 2024; Ridenour et al., 2017).

4.4 Economic Dependence

women may feel financially dependent on their jobs, leading to concerns that reporting harassment could threaten their employment. This sense of economic vulnerability is particularly heightened in situations where job opportunities are scarce, or women are already facing financial difficulties. Sexual harassment is a global issue with profound social and health consequences for individuals, as well as negative effects on the economic growth of nations. While movements like “#MeToo” and “Time’s Up” have raised awareness about sexual harassment, many of these protests have been concentrated in high-income countries (HICs) and urban areas of low- and middle-income countries (LMICs) (Sen et al., 2018). Sexual harassment includes a range of unwelcome behaviors, including verbal actions (e.g., sexual remarks or requests for favors), nonverbal actions (e.g., exhibitionism, sexual gestures, or staring), and physical actions (e.g., unwanted physical contact or assault) (Ranganathan et al., 2021). Though it is especially common in workplaces and educational institutions, harassment also occurs in public spaces, with women being disproportionately affected (Sen et al., 2018). The International Labour Organization (2018) classifies workplace sexual harassment into two types: “quid pro quo” and “hostile work environment.” Quid pro quo occurs when an employee is asked for a sexual favor, and their response influences their employment status. Hostile work environment refers to behaviors that make the workplace intimidating, hostile, or humiliating for the individual. Perpetrators can

range from supervisors, colleagues, and clients to community members and students (Chaudhuri, 2007; Worke et al., 2021).

V. Conclusion

To effectively implement the POSH Act and encourage women to report harassment, it is essential to address key barriers. Organizations should focus on creating supportive work environments, providing comprehensive training, ensuring the proper functioning of Internal Complaints Committees (ICCs), and raising awareness about rights and protections under the Act. Overcoming these challenges is vital to fostering a safer, more equitable workplace for all employees.

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