



Prevention of Sexual Harassment of Women at Workplace

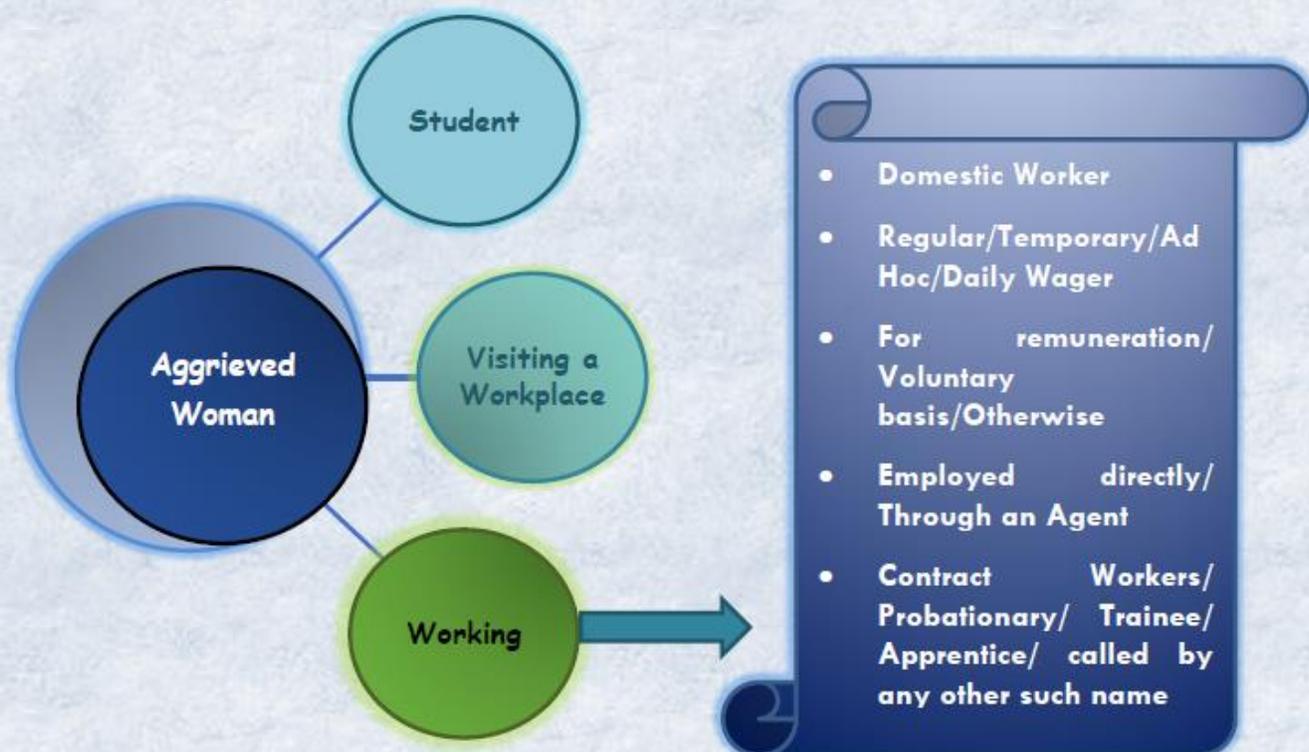
Weekly Educational Series

Important Definitions

WHO IS AN AGGRIEVED WOMAN?

Section 2 (a) of the Act, defines an aggrieved woman. The Act recognizes the right of every woman to a safe and secure workplace environment irrespective of her age or employment/work status. Hence, the right of all women working or visiting any workplace whether in the capacity of regular, temporary, adhoc, or daily wages basis is protected under the Act. It includes all women whether engaged directly or through an agent including a contractor, with or without the knowledge of the principal employer. They may be working for remuneration, on a voluntary basis or otherwise. Their terms of employment can be express or implied.

The Act also covers a woman, who is working in a dwelling place or house.



WHAT IS “SEXUAL HARASSMENT”?

Section 2 (n) of the Act, defines Sexual Harassment.

Sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication), namely:

- i. Physical contact and advances, or
- ii. A demand or request for sexual favours, or
- iii. Making sexually coloured remarks, or
- iv. Showing pornography, or
- v. Any other unwelcome physical, verbal, nonverbal conduct of sexual nature.

Section 3 (2) of the Act further elaborates that if any of the following circumstances occurs or is present in relation to or connected with any act or behavior of sexual harassment among other circumstances, it may amount to sexual harassment:

- ii. Implied or explicit promise of preferential treatment in her employment, or
Implied or explicit threat of detrimental treatment in her employment, or
- iii. Implied or explicit threat about her present or future employment status, or
- iv. Interference with her work or creating an intimidating or offensive or hostile work environment for her, or
- v. Humiliating treatment likely to affect her health or safety.

WHAT IS ‘WORKPLACE’?

Section 2 (o) of the Act defines workplace. A workplace is defined as “any place visited by the employee arising out of or during the course of employment, including transportation provided by the employer for undertaking such a journey.”

As per this definition, a workplace covers both the organised and un-organised sectors.

It also includes all workplaces whether owned by Indian or foreign company having a place of work in India.

