
A COMPARATIVE STUDY TO MEASURE THE EFFECTIVENESS OF SEXUAL HARASSMENT POLICIES OF IT AND NON IT COMPANIES USING STATISTICAL TOOLS

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Abstract

Current study aims to measure the effectiveness of sexual harassment policies of IT and Non IT companies working in India. Researcher also made a comparison between IT and Non IT companies on the basis of effectiveness of their sexual harassment policies. The study is based on both the secondary and primary data. Secondary data was collected to study the sexual harassment policies of the companies, and primary data has been used to record the opinions of the employees towards the sexual harassment policies of their organization. The sample size of the study is 200. It was found from the study that there are mainly four factors which can be used to measure the effectiveness of the sexual harassment policies namely; content, timing, actions and complaints. It was also found from the study that the sexual harassment policies of IT companies are far better than Non IT companies. Researchers has also given some measures to improve the sexual harassment policies of the companies on the basis of existing sexual harassment policies of the surveyed companies and literature review.

Keywords: Sexual Harassment, Sexual Assault, Sexual Favors, Sexual Conduct, Non IT Company, India, Information Technology, and Counselling.

Introduction

Sexual harassment can be in many forms such as; eve teasing, leering, whistling, vulgar gestures, unwanted touching, stalking, comments, songs, demanding sexual favors, flashing or showing pornography to against the will of someone. Sexual harassment is when the behavior of a person or person's gaze makes someone

uncomfortable. Sexual harassment can be to offer someone employment benefits on condition of sexual favors, displaying sexually suggestive pictures, cartoons and posters, using derogatory jokes, slurs and comments.

There is no universally accepted definition of sexual harassment. The legal definition of sexual harassment varies among judiciary system of different countries. Countries have evolved their own legal definitions of sexual harassment as per the need of the hour and circumstances. The problem is that sexual harassment is usually taken as sexual harassment at workplace in broader sense. The concept of sexual harassment is ambiguous. There are different definitions of sexual harassment in different cultures and religions. These all reasons make it difficult for researchers to study and measure the sexual conducts.

According to the American Equal Opportunity Commission (1985), sexual harassment can be defined as any physical or verbal conduct of sexual nature, asking for sexual favors or unwanted sexual advances, made explicitly or implicitly on terms of employment, unreasonably interfere in someone's job or work performance or creating a hostile or offensive working environment.

Canada Labor Code (1985), defined sexual harassment as any comment, contact or gestures of a sexual nature that can lead to humiliation to an employee or setting as a condition for employment, promotions or training.

Supreme court of India first time gave a formal definition of sexual harassment after the verdict of Vishaka & others vs State of Rajasthan & others (1997), "Sexual harassment include unwanted sexually determined behavior such as; showing pornography, any physical, verbal or non-verbal conduct of sexual nature, sexual favors, physical contact or sexual remarks".

Researcher has used the following operational definition for measuring the effectiveness of the sexual harassment policies of the companies.

Sexual harassment can be defined as any unwanted, unwelcome sexual conduct, verbal, non-verbal, or physical conduct, with the purpose of asking sexual favors on terms of employment, promotions, transfers, or training, to interfere in someone's job, or for any other personal reasons.

Sexual harassment is an important and challenging issue before the employers for various reasons such as; to attract skilled and talented employees to their companies, to retain the skilled and talented staff members, to create a positive corporate image among its employees, to develop a feel of safe and secure working environment, to reduce the employees turnover/absenteeism due to sexual harassment issues. Thus, employers need to maintain a safe and secure working environment which is free from any type of sexual harassment, Pearce & DiLullo (2001). If an employer fails in providing sexual harassment free environment then it may lead to legal consequences, negative effects on productivity of the company, personal harm to the victim, and cost to legal implications as well (Erasmus & Klkenbeck, 2003, Bennet, 2002). The study of Pearce and

DiLullo (2001) expressly holds a serious warning for the companies for providing safe working environment and the liability of the employers attached with sexual harassment issues. It is the general duty of an employer to take care of its employees and provide a safe and secure environment where they can work without any fear, pressure or threat related to sexual nature or exploitation. In order to maintain a working environment free from sexual harassment, employers need to frame an effective sexual harassment policy and should communicate this policy to all the members of the organization. The policy should clearly mention that any type of sexual harassment will not be tolerated in the company and the consequences of failure in following the sexual harassment policy by any employee should also be communicated. There should be provision of counseling and education of employees related to sexual harassment policies. Decisive steps should be taken by the employers if such incidents happen in the company (Rycroft, Le Roux & Orleyn, 2005). If an employer found unable to meet these expectations, the employer will be liable for sexual harassment of an employee. In the case of Media 24 Ltd and Samuels vs Grobler (2005), it was found that the employer had not adequately address the issue of sexual harassment of his employee and have to pay substantial damages to the former employee.

According to the Employment Equity Act (South Africa), 1998, an employer will not be held responsible for any sexual harassment if he has followed all the reasonable practices in the organization to prevent its employees from being sexually harassed. Thus, the employer needs to frame an effective and comprehensive policy related to sexual harassment, then this policy should be properly implemented in the organization at all levels and the communication of the policy to all the employees is also important for the successful implementation of policy. The organizational system and structure should support the sexual harassment policy, (Guiding principles on sexual harassment policies under Labour Relations Act, 1995).

Researchers have worked on the cases related to sexual harassment at workplace, reasons for sexual harassment, liabilities of employer and various other issues related to sexual harassment. But there is a lack of studies conducted to measure the effectiveness of the sexual harassment policies of the companies. Wilken and Badenhorst (2003) stated in their research that the content covered by the sexual harassment policies are not adequate and the implementation of these policies also suffer from deficiencies on the part of employer and employee both. According to Gouws and Kritzinger (2007) highlighted the fact that organizations are following the sexual harassment policies but how effectively these policies are working is matter of concern and still questionable? The current study will be an attempt in this direction and researcher will measure the effectiveness of sexual harassment policies of IT and Non IT companies functioning in India from employees' view point.

Review of Literature

Sexual harassment is a vicarious liability for an employer which shows his inability to prevent one employee from getting sexually harassed by another employee of his organization. Under the vicarious liability employers are held responsible for what they did not do means the preventive measures and the reaction against the sexual harassment that they did not take for sexual harassment. Thus, the need of effective sexual harassment policy was felt in the organization. Employers are not responsible for the incidents which were not in his knowledge, thus employees should immediately inform the employer if anything happens to them which they seem as sexual harassment, Anon(2004). Employer can take action against any harasser only when the incident is reported to the employer. As a precaution employer can discourage the employees for involving in any sexual harassment activity and the strict and timely actions should be taken against the person who found guilty of doing sexual harassment, Grogan (2004).

Employer can be relieved from the liability if he has taken reasonable steps to prevent the sexual harassment in the organization. Thus implementation and maintenance of an effective sexual harassment policy is required by the employer (Gomes & Morgan, 2004). The responsibility of employer does not by making and implementation of sexual harassment policy, but to check its effectiveness as well in order to get ensured that it is working well. The effectiveness of a sexual harassment policies can be measured using various factors such as; content of the policy, regular evaluation, monitoring of policy by management, Wilken and Badenhorst (2003). Aalberts and Seideman (1996) stressed on the monitoring and appropriateness of the sexual harassment policy to measure its effectiveness. Timmerman and Bajema (2000), stated that the sexual harassment policy should be clear, easy to understand, and emphatic and should lead to prompt and timely feedback.

Caudron (1995) stated that the sexual harassment policy should not discriminate the employees on the basis of gender, designation or departments. It should be applied on all the gender, designation and departments. Stockdale (1996), reported that it is almost impossible to frame a perfect sexual harassment policy which can be applied in all the organizations. Organizations have different mission, vision statements, objectives, nature of products and services, thus requires different type of employees to work in the organizations. One single policy for sexual harassment can work in one organization well but the same policy may not be considered as best in the other organization. Rowe (1996) argued that whatever type of sexual harassment policy is used it must define harassment, process of filing a complaints, options available to deal with harassment cases, counselling procedure and consequences of sexual harassment etc. Thus it can be said that the existence of sexual harassment policy in an organization does not ensure that everything is going well in that organization, as it is also important to know that the sexual harassment policy is working effectively in the

organization. Keeping in view, the importance of measuring the effectiveness of the sexual harassment policies of an organization, the current study will add knowledge to this field, by making a comparative study on measuring the effectiveness of IT and Non IT companies.

Objectives

Current study aims to achieve the following objectives:

- To make a comparison of sexual harassment policies of IT and Non IT companies.
- To measure the effectiveness of sexual harassment policies of IT and Non IT companies.
- To give suggestions for the improvement in sexual harassment policies of companies.

Research Methodology

Current study is based on the primary data and secondary data both. Secondary data has been collected in order to study the sexual harassment policies of the companies and primary data has been collected to measure the opinions of the employees towards the sexual harassment policies of the companies. The sample size of the study is 200 employees out of which 100 employees are from the IT companies and 100 employees from Non IT companies. Total number of companies surveyed during the study is ten, five each from IT and Non IT sector. The detailed list of the companies has been given in the annexure 1. Primary data has been collected with the help of questionnaire developed by the researcher in order to measure the opinions of employees towards the effectiveness of sexual harassment policies of the companies. All the responses have been measured using five point Likert's scale where 5 means very good, 4 means good, 3 means average, 2 means poor and 1 means very poor. Hypothesis which has been formulated and tested during the study are as follows:

Null Hypothesis

There is no significant difference between the sexual harassment policies of IT and Non IT companies.

Researcher has used the factor analysis, t-test, ANOVA, and multiple regression analysis for the purpose of data analysis using SPSS 20.0.

Data Analysis

This section deals with the analysis of primary data collected with the help of self-developed questionnaire. Table 1 shows the factor loadings of all the items along with the Cronbach alpha value.

Table 1: Factor Loadings and Cronbach Alpha

Items	Factor Loadings	Cronbach Alpha
Coverage		0.892
Content covered under sexual harassment policy	0.789	
Departments covered under sexual harassment policy	0.762	
Gender of employees covered under sexual harassment policy	0.683	
Designation of employees covered under sexual harassment policy	0.624	
Timings		0.902
Complaints recording process time	0.843	
Counselling time	0.781	
Feedback time	0.702	
Action time	0.682	0.873
Actions against sexual harassment		
Counselling	0.904	
Fine/Compensation	0.882	
Termination	0.793	0.924
Complaints		
Types of Complaints handled	0.783	
Complaints handling process	0.714	
Authorities involved in complaints handling process	0.684	
Transparency in sexual harassment policies	0.632	
Confidentiality in sexual harassment policies	0.569	

Interpretation

Table 1 shows the results of factor analysis and reliability analysis. The value of Cronbach alpha for whole questionnaire is found to be 0.904, which shows that the questionnaire is reliable and can be used for further analysis. Cronbach alpha for each factor has been calculated separately. Factor 1 is 'coverage', which includes the opinions of the employees towards the content of the sexual harassment policy, gender of employees covered under policy, departments covered under policy and designation of employees covered under sexual harassment policy of the companies. The Cronbach alpha of first factor is found to be 0.892, shows the higher reliability of items covered under this factor. Factor 2 is 'Timings', which includes the opinions of the employees towards the time consumed in filing a complaint, counselling, providing feedback or taking final action against the culprits. The Cronbach alpha of second factor is found to be 0.902, shows the higher reliability of items covered under this factor. Factor 3 is 'Actions against sexual harassment', which includes the opinions of the employees towards the actions that are sort to be taken by the sexual harassment

committees such as; counselling, fine or compensation or termination of employees. The Cronbach alpha of third factor is found to be 0.873, shows the higher reliability of items covered under this factor. Factor 4 is 'Complaints' which includes various types of complaints that can be filed, complaints handling process, authorities involved, transparency and confidentiality in the sexual harassment policies. The Cronbach alpha of fourth factor is found to be 0.924, shows the higher reliability of items covered under this factor. Thus, it can be said that the complete questionnaire along with the various factors are reliable.

Factor analysis has been performed to measure the factor loadings. Kaiser-Meyer-Olkin value has been measured to know the homogeneity of variables. The higher value of KMO shows the usefulness of data for performing factor analysis. the value of KMO is found to be 0.894 which is high and close to one thus, the questionnaire is adequate to use factor analysis test (Ref:294). Similarly, the correlation between variables has been measured using Bartlett's test of sphericity. According to the results of Bartlett's sphericity test the value of Chi square is 272.86, found to be significant at 1 percent level of significance. The value of factor loadings are found to be more than 0.45, therefore all the items have been found adequate and suitable which can be used to measure the effectiveness of sexual harassment policies of IT and Non-IT companies.

Researcher has measured the contribution of different factors who make a sexual harassment policy effective. Table 2 shows the results of multiple regression analysis in detail, where the effectiveness has been taken as dependent variable and various factors as independent variables such as; coverage, timings, actions against sexual harassment and complaints.

$$Y = a + b_1X_1 + b_2X_2 + b_3X_3 + b_4X_4 + \epsilon$$

Y = Dependent variable (Effectiveness), b1, b2, b3, b4 are the regression coefficients while X1 (Coverage), X2 (Timings), X3 (Actions against sexual harassment) and X4 (Complaints).

Table 2: Results of Regression Analysis

R	R Square	Adjusted R Square	Std. Error of the Estimate
.802	.643	.639	.804

Table 2 shows the results of regression analysis, the value of R square is found to be 0.802 while the R square value is 0.643, which shows that around 65 percent of the total variation in the value of dependent variable is explained by the independent variables and rest of the 35 percent variation can be due to other factors.

Table 3: Regression Coefficients

Model		Beta	Std. Error	t
1	(Constant)	-8.121	.227	-35.833*
	X1	.459	.040	23.166*
	X2	.442	.052	23.731*
	X3	.282	.052	13.930*
	X4	.220	.047	11.902**

*1 percent level of significance and **5 percent level of significance.

Table 3 shows the value of regression coefficients, the beta value of X1 (Coverage) is found to be 0.459, X2 (Timing) is 0.442, X3 (Actions against sexual harassment) is 0.282 and X4 is found to be 0.220. All the regression coefficients have been found significant at one and five percent level of significance. As per the value of regression coefficients it can be said that highest impactful factor of which can be useful for measuring the effectiveness of sexual harassment policy is coverage. The content of the sexual harassment policy means the rules, regulations, terms, and conditions, employees from different departments and designations with different gender can file complaint against sexual harassment, these are all important for measuring whether the sexual harassment policy is effective or not? While the least important factor is complaints, types of complaints, authorities involved in sexual harassment policies, transparency, confidentiality and complaint handling process.

Table 4: Results of ANOVA Test

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	7.420	1	7.420	4.0949	.049
	Residual	358.777	198	1.812		
	Total	366.197	199			

Table 4 shows the results of ANOVA analysis, the value of $F = 4.0949$ is found to be significant at 5 percent level of significance which shows that a significant model has emerged. Thus, all the four factors are found to be significant in measuring the effectiveness of the sexual harassment policies of IT and Non-IT companies.

An attempt has been made by the researcher to measure the difference in sexual harassment policies of IT and Non-IT companies. The results of t-test have been given in detail in table 5 below:

Table 5: Results of t-test

Items	IT Companies		Non IT Companies		t-value	Hypothesis
	Mean	S.D	Mean	S.D		
Coverage						
Content covered under sexual harassment policy	4.34	0.86	2.14	0.88	1.29*	Reject
Departments covered under sexual	3.69	1.02	2.05	0.83	19.41	Accept

harassment policy					(NS)	
Gender of employees covered under sexual harassment policy	3.72	1.29	3.48	1.28	11.06 (NS)	Accept
Designation of employees covered under sexual harassment policy	4.09	1.11	3.68	1.28	9.36 (NS)	Accept
Timings						
Complaints recording process time	3.97	0.94	2.48	1.30	2.87*	Reject
Counselling time	3.99	0.78	2.24	1.33	3.89*	Reject
Feedback time	4.14	0.94	2.30	0.90	3.42*	Reject
Action time	4.15	1.01	1.88	1.02	2.45*	Reject
Actions against sexual harassment						
Counselling	4.09	0.66	2.37	0.74	1.26*	Reject
Fine/Compensation	4.19	0.73	3.94	1.01	2.63*	Reject
Termination	2.05	0.93	4.11	0.69	3.67*	Reject
Complaints						
Types of Complaints handled	4.21	1.06	2.65	0.71	1.95*	Reject
Complaints handling process	3.87	0.77	2.25	0.82	3.57*	Reject
Authorities involved in complaints handling process	3.70	0.68	3.84	0.65	21.96 (NS)	Accept
Transparency in sexual harassment policies	4.03	0.79	3.96	0.79	12.54 (NS)	Accept
Confidentiality in sexual harassment policies	3.80	0.84	3.91	0.80	15.28 (NS)	Accept

* one percent level of significance and NS = not significant

Interpretation: Table 5 shows the results of t-test, it can be interpreted that there is a significant difference in the sexual harassment policies of IT and Non IT companies related to the timing for counselling, feedback and complaints recording. There is a significant difference in the actions taken by IT and Non IT companies against the sexual harassment policies such as; counselling, fine/compensation and termination. There is no significant difference in the transparency and confidentiality related to sexual harassment policies of IT and Non IT companies. There is a significant difference in the types of complaints covered, complaints handling process of IT and Non IT companies. No significant difference has been found in the gender covered under sexual harassment policy, designation covered, department covered under sexual harassment policies of IT and Non IT companies while the content covered under the sexual harassment policies of IT and Non IT companies are significantly different.

The comparative study on effectiveness of sexual harassment policies of IT and Non IT companies shows that as far as the timing and actions against sexual harassment is concerned IT companies are far better than Non IT companies. IT companies take timely decision, takes timely actions and shows strict actions against the sexual harassment. The mean value of IT companies are higher than Non IT companies almost for each of the factor related to sexual harassment policy. Thus, it can be said that sexual harassment policies of IT companies are more effective than Non IT companies.

Suggestions for Improvement in Sexual Harassment Policies

Researcher has suggested various measures on the basis of review of literature, review of companies' sexual harassment policies and data analysis, for improving the sexual harassment policies in order to make the sexual harassment policies more effective. These suggestions are as follows:

- Complaints handling process related to sexual harassment policies, should be flexible, easy to understand and easy to implement in the organization.
- Sexual harassment policy should be transparent without any hidden norms and the confidentiality of the employees involved in the case should be maintained.
- Authorities involved in the sexual harassment policy should include people from top, middle and lower level management people in order to have an unbiased approach.
- Sexual harassment policy should be comprehensive in nature, means should cover each and every aspect related to sexual harassment.
- The process of filing complaints under Sexual harassment shouldn't be lengthy or time consuming.
- There should be a women cell in every company to resolve and understand the nature of conduct happened with female employees and for counselling also.
- Sexual harassment policy should be communicated to all the employees of the company in written form to make people aware about the rules, regulations, consequences of sexual harassment etc.
- There should be two different committees, one to investigate and other one to judge the cases related to sexual harassment. Both the committees should have freedom of doing their work independently.

All the above suggestions has been given on the basis of studying the sexual harassment policies of the surveyed companies and on the basis of review of literature on sexual harassment.

Conclusion

It can be concluded from the current study that sexual harassment policies of IT companies are more effective than Non IT companies. The comparative study on effectiveness of sexual harassment policies of IT and Non IT companies shows that as far as the timing and actions against sexual harassment is concerned IT companies are far better than Non IT companies. IT companies take timely decision, takes timely actions and shows strict actions against the sexual harassment. Coverage, timings, actions against sexual harassment and complaints are found to be significant factors for measuring the effectiveness of the sexual harassment policies of the companies. Highest impactful factor for measuring the effectiveness of sexual harassment policy is coverage. The content of the sexual harassment policy means the rules, regulations, terms, and conditions, employees from different departments and designations with

different gender can file complaint against sexual harassment, these are all important for measuring whether the sexual harassment policy is effective or not? While the least important factor is complaints, types of complaints, authorities involved in sexual harassment policies, transparency, confidentiality and complaint handling process.

Managerial Implications

The current study is beneficial for the managers, strategist and authorities involved in sexual harassment policies of the companies. The four factors extracted from the study for measuring the effectiveness of sexual harassment policies should be focused by the management. Sexual harassment policies can be made more effective if the management will focus on these four factors. The actions, timings, content and coverage of sexual harassment policies need to be improved in Non IT companies. Study has highlighted the areas where the Non IT companies need to improve for being equal to the benchmark practices related to sexual harassment policies.

Limitations of the Study

The sample size of the study is 200 which is very small and the number of companies surveyed during the current study is ten which is very small sample. Primary data has been used in the study which may suffers from personal biases of the respondents.

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Annexure 1 List of Companies

S.No.	IT Companies	Non IT Companies
1	Dell	HUL
2	Wipro	ITC
3	HCL	L & T
4	Infosys	Bajaj
5	IBM	Airtel