

Workplace Discrimination and Its Impact on Women Employees

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Abstract-

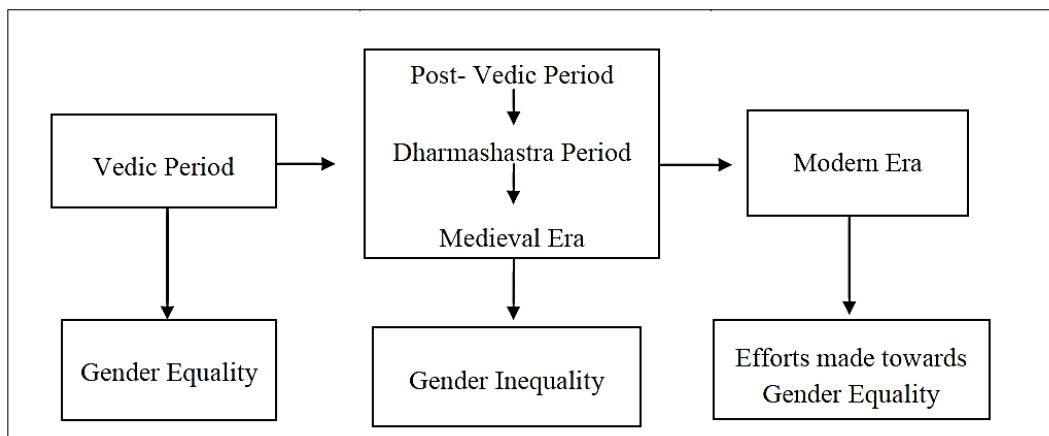
Through this study, the scholar has thrown light on the various forms of workplace discrimination faced by women employees and their consequent effect on a nation's socio-economic framework. In addition, an overview of the historical background of women's occupation as well as the emerging trends of the female labour force, with special reference to India, has been put forth.

Keywords- Workplace, Gender Discrimination, Work Life Balance, Female Labour Force.

"FEMINISM ISN'T ABOUT MAKING WOMEN STRONGER. WOMEN ARE ALREADY STRONG; IT'S ABOUT CHANGING THE WAY THE WORLD PERCEIVES THAT STRENGTH." - G.D. ANDERSON

Claudia Goldin, a name that gained popularity recently, became the 3rd woman to be awarded the **Nobel Prize in Economics** for her commendable research work on women's labour market participation outcomes. One of her most notable findings is a U-shaped curve (declining initially and then rising again) that describes women's participation in the labour market over time. She proposes that during the early stages of industrialization, women's participation in the labour market decreased, particularly among married women. This decline was due to the challenges of balancing work and family responsibilities in an industrial setting, as opposed to an agrarian one where work and family life were more integrated; but then the curve began to rise again in the 20th century, particularly with the growth of the service sector and increased levels of education among women. However, societal norms and legislation, such as "marriage bars," limited the full impact of these changes.

That being said, women have faced discrimination at different stages of their lives, whether in the primary or in the secondary setting and India is no exception to this inequality. Our country has undergone a transition regarding the status of women, particularly in occupation.



Model 1: Transition in the Status of Women

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During the Vedic times, women and men were considered equals, with women often holding higher positions. 'Griha Lakshmi', 'Devi', 'Dampati' were some of the words used to address women. Women excelled in the sphere of education, so much, that even the deity of learning was a female known as 'Saraswati'. Also, Gargi and Maitreyi were the leading philosophers of the time. From agricultural activities and warfare to 'Acharyas' and 'Upadhyayas' women were involved in almost all social, economic, and political spheres of daily life. However, in the post-Vedic period, the freedom and respect accorded to women slowly declined. The Smriti (Dharmashastra) era further deteriorated their condition; 'Manusmriti', 'Gautama Dharmashastra' being the evidence of it. 'Pati Parmeshwar', 'Patnidharma', 'Pativrata' was the new approach. While men had 16 Sanskaras, women only had 1 and that was marriage, i.e. to be fully devoted to her husband. A new ideology emerged that women should be under the surveillance of their father (childhood), husband (youth) and sons (old age). Additionally, Social evils like child marriage, dowry, objectification of women contributed to their discrimination during the medieval era.

Then came the reform period, during which many constitutional and legal provisions were enacted through the efforts of Raja Ram Mohan Roy (Prevention of Sati Act), Pandit Ishwara Chandra Vidya Sagar (Widow Remarriage Act), Har Villas Sharda (Child Marriage Restraint act), Dowry Prohibition Act, Protection of Women from Domestic Violence Act, Hindu Succession Act, etc. These laws indirectly empower women, providing them with freedom and opportunities to advance and break free from the societal prejudices. It is important to note that while feminists often refer to western societies as 'patriarchal', Indian society may be more aptly termed as 'patrifocal'. 'Patrifocality' refers to the kinship and family structures and ideology that give precedence to men over women and these strong patrifocal structures and ideology have been the primary barriers to women's education in India (Namrata Gupta & A.K. Sharma, 2003).

Emile Durkheim in his book "The Division of Labour in society" proposes that social evolution is related to the division of labour and social solidarity and that a mechanical society evolves in an organic society, with time. Due to this shift, many traditional values (marriage, family, religion etc.) breakdown, individual consciousness arises and along with it women also feel more liberated, with more choices in their hand they start showing their participation in the occupational organisations. However, no society can ever be free of its discriminatory tendencies, with the societal evolution, industrialization, and advancement of technology it is only going to make matters worse.

In the current scenario, it is observed that women not only work outside the home but also shoulder family responsibilities which can be exhausting at times. Richard Welford (2008) in his survey conducted on "work balance" quotes that there is an alarmingly high pressure on working women, which not only causes health problems but also a stress on mind and body of working women. On top of that they are not treated well, their actions are not recognized, and they face discrimination at the workplace (Namrata Gupta & A.K. Sharma, 2003; Aakanksha Sharma, 2022; Narotam Kumar, 2017). Many factors can affect the type of discrimination a woman may experience in the workplace, depending on her place of work, location, and other identifying characteristics of herself and her co-workers. Some Examples include prejudiced treatment in hiring or firing processes, being passed over for a promotion, getting paid less than a male employee who works the same job, being given less paid sick leave or denied employee benefits, being the subject of derogatory language or slurs, being subject to unwanted sexual advances, requests for sexual favours, or other forms of sexual harassment etc. (Florin & Roebig, 2020). As also pointed out by a renowned feminist, Bina Agarwal in her book "A Field of One's Own: Gender and Land Rights in South Asia, 1994", economic discrimination remains a major cause of gender-based disparities.

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Neuman Sandra (2013)	Violence against women is the negative aspect of modernization.
Vijaya Mani (2013)	Lack of recognition, organizational politics, gender discrimination-influences the Work Life Balance of Women professionals in India
Thomas & Ganster (1995)	Work-Life Balance Programs (WLBPs) developed by employee friendly organizations can be a good solution to solve the problems of work-life balance.
Namrata Gupta & A.K. Sharma (2003)	Found gender biasness in appointments, promotions, in the allocation of tasks & resources, in the assessment of performance, the dynamics of informal interaction etc.

Table 1: Various Studies Related to Workplace Gender Discrimination

Reports show that: (Source: UNESCO – Global Education Monitoring Report)

- Women consistently earn less than men in OECD (Organization for Economic Cooperation and Development) countries, even where the gender gap in secondary attainment favours women.
- Only 28% of employed women worldwide are likely to receive cash maternity benefits.
- Women in many countries do at least twice as much unpaid work than men

Emerging Trends in India:

- The road to India's 8% GDP growth by 2030 passes through the precondition of increasing the female workforce and by improving labour productivity, says a recent **Barclays report**.
- Data from the **Periodic Labour Force Survey (2022-23)** indicates that FLFPR is at 37 percent, an increase of 4.2 percentage points from the last survey (2021-22).
- State of Working India Report 2023:
 1. The report shows that older women with lower levels of education are exiting the workforce. At the same time, younger women with higher levels of education are entering it.
 2. The number of women in salaried employment is increasing, while women in informal wage work are decreasing.
 3. The share of women working in agriculture is decreasing. The proportion of women entering the services sector is increasing.
- The **World Economic Forum's** release of the **Global Gender Gap Index 2024** data highlighted a concerning trend for India, as the nation saw a drop of two positions, now ranking 129th out of 146 countries in the index. A stark statistic emerged indicating that Indian women earn only Rs 40 for every Rs 100 earned by men, reflecting a significant gender pay gap.
- As per **Census 2011**, the female literacy rate stands at 64.60%, while the male literacy rate stands at 80.90%. Sex ratio at 943 females per 1000 males.

Now as for why should women work at all, its advantages are very much in link with a nation's economy and social performance. In order to address these advantages, governments all over the

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world are trying to implement and have implemented various laws and schemes to increase the quantity and quality of the female labour force.

With reference to India, some of the main provisions are as follows:

• **Constitutional-**

Article 14	Equality before law and equal protection of laws to every person within the territory of India
Article 15	Prohibition of discrimination only on grounds of religion, race, caste, sex or place of birth
Article 16	Equality of opportunity in matters of public employment
Article 21	Right of woman to be treated with decency and dignity
Article 39 (d)	Equal pay for equal work for men and women
Article 42	To make provision for just and humane condition of work and maternity leave
Article 243 D (3) & (4)	(3)- Reserving not less than 1/3 rd seats for women in panchayats (including women belonging to SC/ST) for which direct election are held (4)-Reserving not less than 1/3 rd seats of the total no. of presidential posts at all the levels of panchayat systems.
Article 243 T (3) & (4)	Same as above but in town municipalities

Table 3: Constitutional Provisions

• **Legal-**

1. The Equal Remuneration Act, 1976
2. The Maternity Benefit Act, 1961
3. The Minimum Wages Act, 1948
4. The Factories (Amendment) Act, 1976
5. The Employees State Insurance Act, 1948
6. The Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal Act, 2013
7. The Indecent Representation of Women (Prohibition) Act, 1986

• **Various Programmes and Schemes-**

1. STEP- Programme of support to training-cum-employment for women
2. CSWB- Central Social Welfare Board
3. National Crèche Scheme
4. Pradhan Mantri Matru Vandana Yojana

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• **Other-**

1. National Commission for Women (Set up on 31st January 1992)
2. Women's Empowerment Year in India- 2001
3. Vishaka Guidelines, 2013

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