

Work From Home – Still Sexual Harassment cases be made/heard?

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India is experiencing the epidemic and as per the directives of various Departments and Governments, around 30~35% of workforce around the Industries are working from home. It is majorly by MNC's, IT and ITES organizations who can afford to such arrangements. It is observed that, in few organizations who cannot afford to Laptops, due to various factors, Employers had requested their staff to take the Desktop (which they were using in the office) to their homes and work.

I was just having a chat with one of my HR colleague, who was relatively relaxed enough, as he is working from home. During our discussion, he just came with shocking query – may be a real or hypothetical – “what an employer or Internal Committee needs to do if they receive a sexual harassment complaint, from a woman employee who is working from home?”

Yes.... I do was flabbergasted, like you, when I heard this from him.... A Sexual Harassment complaint? When employees are working from home?

I further enquired, how this incident has happened?

During a daily Video conferencing call, a male employee commented on a dress the Female Team member wearing (while she is @ home and attending the call). She felt harassed and preferred a Sexual Harassment complaint on her team member.

This is an eye-opener for employers, who are subjecting their employees to work-from-home and organizing such daily calls.

The Project Lead or Managers who are responsible for organizing such discussions should take full accountability of such meetings.

Such incidents shall not be encouraged in any organization.

Notwithstanding, the employers shall device specific clause under code on ethics, while employees are performing duties from home.

Besides, any messages or pictures or information shared to fellow women employees through official infrastructure (social messages through official mobiles or emails using official infrastructure) if, it is with sexual content, shall be treated as a misconduct under the PoSH Act.

The above shall be treated as Sexual Harassment, as such arrangement of working from home, was decided by the employer and shall be defined as “Workplace”.

Internal Committee shall treat this alleged incident as complaint under the PoSH Act and inquiry can be proceeded.

This is an enlightenment to every employer.

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