

From Preparation to Implementation: A Training Programme on Gender Sensitization and Sexual Harassment at a PSU in India

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Abstract

This paper is based upon a training session conducted on Gender Sensitization and Prevention of Sexual Harassment in India's flagship national oil company. The Vishaka Guidelines as well as The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 have made it mandatory for all organisations to organise workshops and awareness programmes at regular intervals, to sensitise employees on the issues and implications of workplace sexual harassment and take initiatives towards organising orientation programmes for members of the Internal Complaints Committee. The paper discusses the entire process that took place for conducting a training programme at XYZ Unit of an Oil PSU from training need analysis to implementation and evaluation of the training programme. The training programme was conducted in four sessions in a day long training workshop for participants involving regional managers, department heads and location-in-charges. The key challenge faced by the author as a trainer was keeping the attention alive of the participants since such training is a mandatory requirement for all the employees and it is difficult to keep them motivated throughout the training as it also requires understanding of statutory compliances as well as judgements.

Keywords: *training, sexual harassment, gender sensitization, training need analysis*

Introduction:

Training on Gender Sensitization and Prevention of Sexual Harassment is one of the most important compliance training initiatives for all organisations in India. It helps in educating employees to raise awareness about sexual harassment at the workplace, which is one of the most common forms of misconduct, to ensure and develop a culture of respect for women in organisations.

The Supreme Court, in its landmark judgement of Vishaka & Ors v. State of Rajasthan & Ors in 1997, set some procedural guidelines for use in case of sexual harassment. These guidelines are popularly known as Vishaka Guidelines. The Vishaka Guidelines have made it mandatory for all companies to organise workshops and awareness programmes at regular intervals, to sensitise employees on the issues and implications of workplace sexual harassment and organise orientation programmes for members of the Internal Complaints Committee.

This paper is based on a training session conducted on *Gender Sensitization and Prevention of Sexual Harassment* in India's flagship national oil company, with a 33,000-strong workforce. It is the first among all Indian enterprises in the prestigious Fortune 'Global 500' listing for the year 2015.

Review of the Literature

Training helps employees in an organisation to identify the factors causing hindrance in employees' performance and improve the gaps to ensure their active contribution towards organisational objectives. Several authors have expressed their views and findings in examining the impact of training and development programmes on efficiency of employees.

Saxena (2012) suggested that despite training and development programmes being a costly investment, it is bound to give rich dividends to the organisation in future.

The study focused on identifying the impact of individual HR practices on employee productivity and found that training and development has a significant impact on productivity (Singh et al., 2012).

Kalaiselvan & Naachimuthu (2011), while suggesting a model on how organisations can address their learning and development needs in a logical manner, suggest that learning and application of what is learnt does not stop at the end of the programme with creation of an action plan, but it has to be put into practice.

Obisi (2011) developed a study to identify training administration, training objectives, training needs and training philosophy. The study concluded that training and development plays a vital role in enhancing employee performance.

Various practices of training programmes and their effectiveness in several banks, both private and public sector, based in South India were studied. The authors focused upon training inputs, quality of training programmes and their actual implementation (Kartikayen et. al., 2010).

Saks & Haccoun (2007) discussed the importance of the psychological states of trainees such as motivation, self-efficacy, perceived control and how other aspects of the organisation affect the results of actual training.

Another study assessed the effectiveness of several training programmes in the training centre of Tata Steel, India. Training effectiveness was measured on several parameters and outcomes from participants in the training programme, their supervisors and department heads (Srivastava et. al., 2001).

The study undertaken on 181 Korean workers showed that the relationship between perceived applicability (training utility) and perceived application (training transfer) decreased due to the increase in time between training and measurement. It was observed that immediate supervisors play a significant role in their subordinates' training and motivation (Morris, 2006; Facticeau et. al., 1995; Weiss et al., 1980).

Aminuddin (1997) found that training evaluation was not an easy process, but it must be attempted in order to improve the standard and effectiveness of the programme being offered.

Cohen (1990) found that with supervisors who are supportive and promote the effectiveness of training programmes, the trainees also tend to show similar traits of belief and usefulness for the training exercise.

Noe (1986) found that trainees with higher training motivation will believe that subsequent knowledge gained through training will lead to valued outcomes. High motivation employees will be more attentive and will score better in both post training tests and actual performance in the organisation.

Flippo (1984) quoted that training is an act of increasing the knowledge and skill of an employee for doing a particular job. It is an organised procedure by which people gain knowledge and/or skills for a definitive purpose.

Kirkpatrick (1976) held that training evaluation was not just another element to the training programme, but must be incorporated within any training process in order to examine the effectiveness of the training programme.

Research Methodology

This is a narrative research which discusses the steps involved in designing and developing a training programme on sexual harassment and gender sensitization for managers in leadership roles in an organisation.

The Human Resources Department (HRD) of XYZ Unit of PSU/HRD of Corporate House of PSU identified the department heads and regional managers of the state office of three states falling under XYZ Unit of PSU as prospective participants for the workshop.

Training Need Analysis

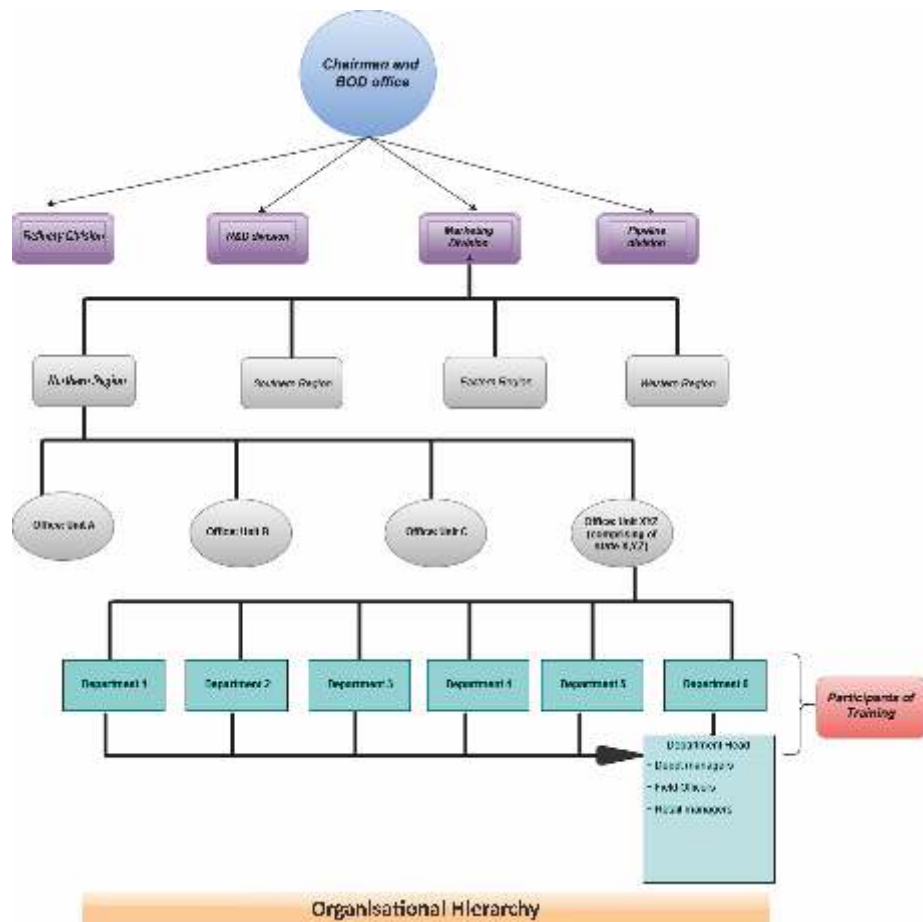
A Training Need Analysis (TNA) is defined as a prerequisite for improvement in the performance of the employees. A good training need analysis ensures that the resources of the training programme are used by those who actually need the training and make the trainees understand why the training will be useful to them and to the organisation. If trainees see training as relevant, they are more likely to be interested in attending and maintaining interest during the training.

For the training programme on Gender Sensitization and Sexual Harassment, the training need analysis was initiated first at the organisational level. The organisation has a vision of becoming a company of global admiration along with the development of all its stakeholders. Thus conducting compliance training on Prevention of Sexual Harassment ensures that the company values all its stakeholders, which includes employees of the organisation, the government and finally, the general public whose valuable money is invested in such public sector undertakings.

The approach of the organisation for this training need analysis may be categorised as 'Proactive TNA' because the company had not registered any case of Sexual Harassment till the time of conducting the training programme by the author. The HR Department of XYZ Unit/Corporate HRD felt the need for conducting a training workshop on Prevention of Sexual Harassment as it perceived problems of sexual harassment and gender insensitivity as a potential threat to the organisational growth and success.

The final list of participants for the training workshop included 25 participants who were the regional managers, department heads and location-in-charges of the organisation (see Figure 1). The reason for including people in leadership positions in the organisation for such training was due to the hierarchy based organisational culture, which was structured and respect driven, and such people in leadership positions would further disseminate the message of gender sensitization and creation of healthy workplace culture free from gender discrimination, which is also a mandate of the Supreme Court.

Figure 1: Organisational Hierarchy of the Oil PSU



Training Design

Developing Objectives

The broadest goal of a training programme is to contribute to the overall objectives of the organisation.

The objectives of the training programme were framed based on information received regarding the expectations of the HRD from the training workshop. The objectives of the training workshop were:

1. To impart knowledge about how stereotypes attached to genders get formed which later lead to gender discrimination.
2. To create an awareness of what acts/behaviour would constitute sexual harassment.
3. To make employees familiar with the legal aspects of sexual harassment through the awareness of Supreme Court judgement on Vishaka (known as Vishaka Guidelines).
4. To familiarise employees with The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013.
5. To familiarise employees about the necessary steps to be taken by the employer to assist the victim in terms of support and preventive action.
6. To create a discrimination-free, safe and healthy workplace environment where both male and female employees may contribute with equal zeal.

The participants of the training workshop were individuals from diverse backgrounds with different job profiles and responsibilities; this implied a difference in the learning style of the trainees. Different backgrounds, age, educational qualifications, work experience and job profile of trainees contributed to the difference in the preference for learning. A balanced approach was adopted to ensure that all facets of diversity are addressed during the training workshop.

Training Development

Training development plays an important role in converting training inputs into outputs. The formulation of instructional strategy begins the development phase for training. Its focus is upon the achievement of training objectives created in the design phase. Instructional strategy is a combination and mix of different elements of the training programme in the form of training modules that are provided to individual participants, timing, methods and materials used to achieve the objectives of the training programme.

Choosing instructional methods

The methods used for training were a combination of different tools which included real life case discussions, videos, research findings, etc. that facilitated learning in an integrated manner. The objective was to use the best method for imparting training; to ensure this, there was considerable focus on the placement of each tool to ensure maximum engagement and development of knowledge, skills and attitudes (KSAs) of the participants.

The sessions were so designed that the contents of each module were accompanied with videos, facts and research studies. The sessions were organised to start with a broad framework and then moved to specific issues/problems covering details in a sequential manner. Certain case analysis/experiential exercises were created to help the trainees to memorise the facts, details and possibilities. The exercises and case analysis were planned in between the presentations with utmost care to optimise the value delivery and keep participants motivated and engaged.

Trainees' Manual

One of the most important tools of learning is the trainees' manual. It has its origin in the instructional strategy that gives a framework of what is to be included in the manual. The training manual was designed very carefully to ensure that all relevant material facts could be traced by the trainees at the right time. It was in four parts to correspond to the different sessions of the training programme. Many of the exercises were created to ensure that the trainees used the trainee manual and applied their mind to solve real life problems related to sexual harassment and gender insensitivity within the workplace along with usage of Sexual Harassment Act and Supreme Court Guidelines. Certain information was held back to ensure that it could be revealed at the right time so that trainees do not get distracted.

Training Implementation

At this phase, the actual implementation of instructional strategies is carried out. The inputs for this phase come from the

development and design phase. The actual training exercise was divided into four different sessions that touched upon the different aspects of the sensitive issue of sexual harassment and related aspects. The sessions were scheduled in a manner to first take the participants through the broad aspects of psychology that influences such discriminating behaviour among individuals and then through details of the Vishaka Guidelines, which are the foundation for the Sexual Harassment Act of 2013.

Session 1: Gender Sensitization and Sexual Harassment at Workplace: An Overview

An icebreaker session was organised to start the training workshop. The trainees were given 2 minutes in the beginning to share their individual views upon their understanding of what is sexual harassment and which acts constitute sexual harassment in the organisation. It helped the trainees to get involved in a constructive talk about the topic.

The discussion thus gave a plot to make participants understand the gravity of the problem of sexual harassment faced by women in society and corporates. It was validated by the findings of research studies of some well-known research firms and authentic sources such as Oxfam India, International labour organisations and many others which showed that: A woman is sexually harassed every 12 minutes in India; more than 50% of working females in the early stages of career had experienced sexual harassment; in 2012 alone, more than 20% of surveyed working women experienced sexual harassment at the workplace.

The definition of sexual harassment in Section 2(n) of the Sexual Harassment Act 2013 along with 354A(1) of the Indian Penal Code (as amended by Criminal Law Amendment Act, 2013), is in consonance with the Supreme Court's definition in the Vishaka Judgment and includes any unwelcome sexually determined behaviour (whether directly or by implication) such as physical contact and advances, demand or request for sexual favours, sexually coloured remarks, showing pornography, or any other unwelcome physical verbal or non-verbal conduct of sexual nature.

Sexual harassment may be understood as behaviour with a sexual connotation that is abusive, injurious and unwelcome. It places the victim in an atmosphere of intimidation, humiliation or hostility. It may be constituted by many acts or a single act and the intention of the harasser may carry no relevance. There is a whole range of behaviour and activities, which may not fall squarely within the definition above, but still may constitute or amount to sexual harassment. The following are some illustrations of such behaviour and any of these may be perceived as sexual harassment:

- (i) A sexual comment or sexually determined behaviour such as leering at another's body and/or sexually suggestive gesturing.
- (ii) Advances such as making favourable remarks about looks of a woman, unwanted comments on intelligence of a woman or the way she dresses up.
- (iii) Displaying sexually visual material such as pin ups, cartoons, graffiti, computer programmes and catalogues of a sexual nature.
- (iv) Calling a woman employee late at night with a request to have dinner with her repeatedly, which she does not like and which makes her uncomfortable.
- (v) Making sweeping statements while delivering lectures on advertising; for example, women are the best models to sell a product; that body of the car should be sleek and sexy like women, etc.
- (vi) Any other verbal or non-verbal conduct that is sexual in nature.

The existing structure, values and beliefs of the society and the perceived domination, subordination and biological characteristics of men and women are major contributors to this increasing problem of harassment. Different psychological attributes and concepts were linked to the domination of males over the female counterpart to ensure that participants get to know some factors that contribute to this ever-increasing problem.

The participants were then shown a skit which presented some instances of acts of sexual harassment and left them with a situation where they discussed and shared proactive and reactive measures that need to be undertaken to prevent such a situation. It developed a ground for upcoming topics of discussion.

The legal definition of sexual harassment as defined by the Supreme Court was discussed in-depth with the participants. All aspects of verbal, non-verbal, physical and visual acts that are implicated to be an act of sexual harassment were discussed in detail. Some real life cases which made participants learn about the developments in cases of reported sexual harassment along with some other cases where the judiciary made some critical comments upon the existing policies and structure of sexual harassment incidents in corporates were discussed.

Finally, 15 minutes were dedicated to further discussions and any further clarity on the topic. Many topics were raised, which were to be covered in the later part of the workshop; these were dealt with in a subtle way to ensure that participants remain curious for better understanding while keeping in mind that they are satisfied with the answer provided.

Session 2: Gender Sensitization and Gender Stereotypes

After a break, Session 2 was started. This session focused on making the trainees aware about the psychological issues related to gender sensitization including gender stereotyping. This part of the training session included short films/videos on gender stereotyping and how it develops.

The last 30 minutes of the session were dedicated to an exercise which covered caselets of female sufferers at the workplace due to such stereotyped attitude of people. Discussions were initiated to figure out how the harassed/victim could have approached the problem/issue/challenge in a better way.

Session 3: Vishaka Guidelines and Other Landmark Judgements

Trainees were found to be motivated and involved in the training workshop. After the lunch break, the author discussed in-depth the legal aspects of sexual harassment at the workplace.

The session started with the landmark case of Vishaka and Others vs. State of Rajasthan and Others. The discussion was then followed by a video.

The discussion was carried forward with the focus on the Vishaka Guidelines framed by the Supreme Court for employers, workers and other responsible persons in the workplace to prevent such acts of sexual harassment so that a safe working environment could be provided to the female employees in the organisation.

The Vishaka Guidelines in the form of preventive steps, criminal proceedings, inter disciplinary proceedings and complaint mechanisms were discussed in detail to ensure that the participants were clear on these guidelines. Many other landmark judgements of the Supreme Court and High Courts were also discussed.

The session was concluded with some questions by the participants about the cases and law points and guidelines on sexual harassment provided by the courts.

Session 4: The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013

The session focused on interactive discussions based on the Sexual Harassment Act, 2013. The most important of all was the method by which the complaint could be registered with the internal complaints committee of the organisation. The provision of conciliation, interim reliefs, report submission, appeal and compensation determination along with penalties was discussed in great detail.

Finally, the session was concluded with a video which covered the aspects in brief and asked the participants to spread the word about women empowerment at the workplace.

Training Evaluation

Training evaluation is an integral part of the training exercise which helps in identifying the KSAs deficiencies in employees and provides a basis to building upon the skills necessary through the gaps identified. The corrective steps are taken on the basis of data gathered through various means. It ensures that the objectives of the exercise are not going “off-track”.

This training programme, from its inception, was designed in a manner to test the trainees on their abilities to identify sexual harassment, their knowledge on the rights and duties in the organisation, knowledge of the Sexual harassment Act, 2013, the grievance redressal mechanism and other preventive measures to be taken in such case. The evaluation was conducted in two parts - pre-test and post-test.

The pre-test evaluation showed minimum awareness of the leaders regarding laws and regulations related to sexual harassment in organisations. However, there was a significant improvement in test scores of leaders when the test was conducted after completion of the training programme.

Managerial Applications of the Case

The case discusses how an organisation can go about strategizing, planning and implementing a mandatory training and development programme. It may go ahead with leadership training which may further go back to the organisation and train other staff and sensitize them on the issues regarding gender discrimination and sexual harassment at the workplace.

The most effective weapon and tool available against sexual harassment is prevention of any such incident in the organisation. There exists a moral responsibility on the employer to free the workplace from sexual harassment. More than moral obligations, the law of the land also binds the employer to conduct such training workshops at regular intervals.

Also, most of the participants were working in leadership positions in various roles but appeared ignorant with the laws, rules and regulations relating to sexual harassment.

Organisations may proceed with a similar strategy for other training programmes as well, especially those aimed at sensitizing the entire workforce.

Conclusion

As the saying goes, "Prevention is better than cure." Trainings which are based on organisational analysis are meant for employees of the entire organisation at all levels and departments. Such training workshops on gender sensitization and sexual harassment at the workplace may go a long way towards empowerment of women and building a healthy, safe and discrimination-free organisational culture. However, in such workshops which are mandatory in nature as well as highly useful for the organisations, the major challenge lies in maintaining the motivation level of the participants.

Limitations of the Research and Potential for Future Research

This research is focussed on a limited number of leaders and as such, the sample size may be considered as too small to draw valid inferences regarding policy guidelines. However, such case studies and their narrative may be useful in looking at problems like sexual harassment which calls for a discrimination-free environment and which needs to be handled at the organisation level with leaders in various positions and roles requiring proactive roles in the process. Also, there may be further research studies on strategies to find out how leaders in organisations may be motivated to sensitize others in making the work environment free from discrimination.

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Case

Vishaka & Ors v. State of Rajasthan & Ors [(1997) 6 SCC 241]

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