LEARNING & DEVELOPMENT OF THE FUTURE

Pallavi Jha
LS Murthy
Dr. Prashant Rao
Rajan Sinha
Rakesh Seth
Sharad Mishra
Dr. Partha S. Raut
Dr. Naresh N. Mehta
Harassment @ workplace

Psychological harassment & bullying has a negative impact on an employee’s psychological safety & well-being. Unaddressed aggression or unresolved conflicts among co-workers have the potential to escalate into a crisis in the workplace. An article by Dr. Aparna Sharma

Sexual Harassment of women- Different snapshots

Against sexual harassment, law has provided two windows to women to seek relief. One is under POSH Act and another is in Criminal law. An article by P. Soma Raju

CASE STUDY

Simmering under water

CASE ANALYSIS

1. Leader should foresee the impact of his move - Mihir Gosalia
2. Management should not have overreacted - Dr. Aditi Kaushal
3. Hurdle with hurried hit - Pramod K Tripathi

BOOK LEARNING

1. Commentaries on Employee’s Compensation Act, 1923
2. Handbook of Employees’ Provident Funds And Miscellaneous Provisions Act, 1952
3. Labour Law Digest 2018
4. Energick Healing

EVENT REPORT

Fourth vikram sarabhai memorial centenary oration held at SVVV, Indore
All of us are aware of different types of workplace harassment, however, I learnt that Harassment at Workplace can be categorized into 11 types as below:

   - Racial
   - Gender
   - Religious
   - Disability-Based
   - Sexual Orientation-Based
   - Age-Based
10. Third Party 11. Verbal

I will focus on “Psychological Harassment at Workplace” for 2 reasons.
First being, I recently met a young fellow HR professional at an event. While we were chatting up, he shared with me that he had moved out of his last regular corporate job due to excessive harassment by his boss over an extended period due to which he developed a medical condition & later had to be operated since medicines could not contain his deteriorating state. He had just returned from an ashram after staying there for 2 months, where he was working on leading a normal life. I was shocked to hear all that he shared. Second being, I too have been a victim of the same in varying degrees. Memories of the past instances in my experiences, flashed in front of my eyes as I heard him speak. I was determined that day to write about it, so that the readers can
avoid any suffering on this account.

**Psychological harassment**

In everyday language, to “harass” someone means to constantly attack someone. So you might assume that if these attacks affect the person psychologically, it’s “psychological harassment.” But, it’s much more complex than that.

For there to be psychological harassment, the behaviour must:
- be vexatious and repeated, or vexatious and serious
- be hostile or unwanted by the employee
- affect the dignity or physical or psychological integrity of the employee
- create a harmful work environment

Psychological harassment & bullying has a negative impact on an employee's psychological safety & well-being. Unaddressed aggression or unresolved conflicts among co-workers have the potential to escalate into a crisis in the workplace.

Victims of psychological harassment often feel put down and belittled on a personal level, professional level or both.

The damage to a victim's psychological well-being often creates a domino effect, impacting their physical health, social life and work life.

To be considered vexatious, the behaviour must be abusive, humiliating or offensive for the person experiencing it. This is measured objectively, which means a reasonable person in the same situation would also find the behaviour bothersome.

The behaviour or things said must occur repeatedly. It is not necessarily harassment just because a colleague is in a bad mood one day and says something mean.

**Examples of Psychological Harassment**

Psychological harassment in the workplace might look like:
- Isolating or denying the victim's presence
- Belittling or trivializing the victim's thoughts
- Discrediting or spreading rumours about the victim
- Opposing or challenging everything the victim says.

**Who is affected?**

Many different people could be involved in a situation of psychological harassment. For example:
- work colleagues
- employers - employees
- clients - employees
- suppliers - employees

**Prevention**

The employer must take steps to prevent psychological harassment. For example, the employer must put into place a policy to prevent psychological harassment and an internal procedure for handling complaints of psychological harassment.

In my experience, this is usually a part of the Code of Conduct. The employer can also name a resource person/people responsible for dealing with/helping resolve these problems.

**Setting problem situations**

The employer must do more than take preventive measures. They must also help resolve problems brought to their attention. For example, they can listen to their employees, put a stop to unacceptable behaviour or impose penalties for inappropriate behaviour.

The employer doesn’t have to guarantee the complete absence of psychological harassment in their workplace, but they must take steps to prevent harassment and resolve problem situations.

One common grudge between boss & subordinate is during the performance appraisal evaluation. For example, if the boss has said that the employee needs to improve his/her performance at work, please note that if the employee does not agree with him, it does not amount to psychological harassment by the boss. Do not cry foul.

The employer (boss) has the right to tell the employee (subordinate) what they expect from the employee and to evaluate their performance at work.

It is important not to confuse stressful situations in the workplace with psychological harassment.

The following are not psychological harassment:
- The employer's right to manage their staff. For example, Sapna's employer calls her into her office to tell that she needs to cook the Vadas longer, because the restaurant's customers have complained.
- A work conflict. For example, Rahul does not like working with Shailaja because she does not accept his suggestions for improving the company's procedures.
- A normal behaviour that is misinterpreted by a sensitive person. For example, Jose works in a factory. His colleagues whistle while working. Jose can't live with this whistling.

A word of caution here! If the employer uses their managerial powers improperly, this could be psychological harassment. For example, Sapna's employer often yells at her in front of everyone, shouting that she is stupid because she does not know how to cook Vadas. She jokes about Sapna with the restaurant's customers.

**What to do?**

If you think you have been a victim of psychological harassment, you can:
- try to resolve the problem on your own
- follow the complaint procedure in your workplace's policy or Code of Conduct to prevent psychological harassment
- consult the resource person/people in your company
- talk to your employer/higher authority/HR
- file a complaint for psychological harassment with the grievance committee.

**Organizations need to**

- Lay down a clear conflict resolution process.
- Develop a policy on Workplace Harassment separately or include it in the Code of Conduct.
- Review the policy regularly to ensure that the policy remains relevant.
- Communicate the policy and key messages to all employees, including senior personnel.
- Provide a copy of the policy to all new employees upon hiring or transfer.
- HR to get acknowledgment in writing or by e-mail from all employees that they have received and read the policy and any amendments.
- Post the policy, with any amendments, prominently in a place where all employees will see it and have regular access to it.
- Instruct all managers about what is expected of them in carrying out the policy, including documenting objective observations of possible harassment or bullying and the comments of employees involved.
- Annual discussion between managers and their staff about this particular policy.
- Integrate training on bullying & harassment prevention into induction sessions & also leadership development programs.