

Gender Discrimination: A Long Moving Pace Towards Progress

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ABSTRACT

Gender discrimination at the workplace remains a significant issue in India despite progress in gender equality. This paper provides an overview of gender discrimination at the workplace in India, including its prevalence, types, causes, and consequences. It analyses the legal framework and policies in place to address the issue, as well as the challenges faced in their implementation. The paper also examines the impact of gender discrimination on women's career opportunities, earnings, and mental health, as well as the broader economic and social implications of this issue. Finally, the paper concludes by suggesting ways to promote gender equality in the workplace and advocating for a cultural shift toward gender sensitivity and inclusivity. Keeping in mind, the study has focused on the analytical aspect and 285 women professionals were chosen to get to know their perception towards gender discrimination in various professions. The findings disclosed that still women face challenges and they are lagging behind in every possible manner. Therefore, there is a need to foster open thoughts and revolutionize the world in reducing the gender gap.

Keywords: gender discrimination, juggling work and family responsibilities, gender sensitivity, and inclusivity.

INTRODUCTION

The difficulties working women face around the world, such as balancing work and family obligations, sexism at work, unequal pay, unsafe working conditions, a lack of childcare and other amenities at work, etc., are at the root of the gender gap in the labour force. While all of these

issues must be addressed, it is also crucial to examine the situation from the perspective of the long-standing roles that women have held in society and the patriarchal mentalities that prevail in India. The Constitution of India was written in the aftermath of the country's struggle for independence from British colonial rule, which was marked by deep divisions and discrimination along various lines. The framers of the Constitution sought to create a society that was inclusive, egalitarian, and free from discrimination, and Article 15 was one of the key tools they used to achieve this.

Article 15 has been used by Indian courts to strike down laws and policies that discriminate against citizens on the grounds mentioned above. It has also been used to promote affirmative action policies aimed at redressing historical injustices and ensuring that all citizens are given equal opportunities for growth and development. Article 15 of the Indian Constitution is a crucial provision that guarantees equality and non-discrimination to all citizens of the country. It is a testament to India's commitment to building a just and inclusive society and has played a significant role in promoting social justice and equality over the years.

The McKinsey Global Institute Report ¹— The Power of Parity, on how gender inequality affects GDP and the economy of India, links, for the first time, gender equality in work with gender equality in society, saying that "The former is not possible without the latter". For as many nations as data of reasonable quality permit, GII reflects gender-based disadvantage in three areas: reproductive health, empowerment, and the labour market. It demonstrates how potential human development is lost as a result of the disparity between male and female achievements in these fields. The scale goes from 0, where men and women perform equally, to 1, where one gender performs as poorly as possible across the board. The association-sensitive inequality measure proposed by Seth (2009) is used to calculate GII values, which implies

¹ McKinsey & Company. (2018). Women in the Workplace 2018. Retrieved from <https://www.mckinsey.com/featured-insights/gender-equality/women-in-the-workplace-2018>

that the index is based on the general mean of general means of different orders. These means, calculated separately for women and men, are then aggregated using a harmonic mean across genders.

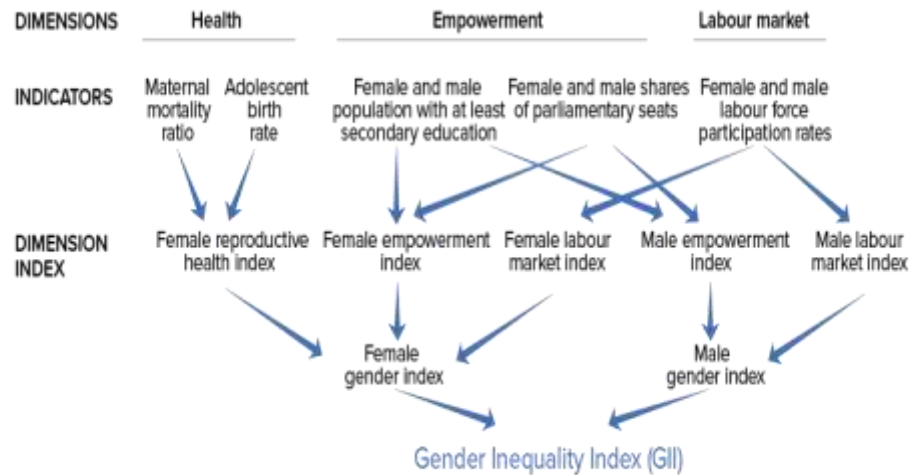


Figure 1: Source: UNICEF

The Vishaka case² refers to a landmark judgment by the Supreme Court of India in 1997 that addressed the issue of sexual harassment of women in the workplace. The case was initiated by a non-governmental organization called Vishaka and others, who filed a public interest litigation seeking to establish guidelines to prevent and address sexual harassment in the workplace. The case arose out of the gang-rape of a social worker in Rajasthan in 1992, which had led to widespread protests and calls for action to address sexual harassment at the workplace. The Supreme Court, recognizing the urgency and importance of the issue, took cognizance of the matter and set out to provide guidelines to safeguard the rights of working women.

The court held that sexual harassment at the workplace violated the fundamental rights of women under the Indian Constitution and the international conventions ratified by India. It defined sexual harassment as any unwelcome sexually determined behavior, whether directly or indirectly, such as physical contact and advances, a demand or request for sexual favors, sexually colored remarks, or showing pornography. The court

² Vishaka and Others vs. State of Rajasthan and Others (1997) Court: Supreme Court of India Citation: AIR 1997 SC 3011; (1997) 6 SCC 241

further stated that the employer would be liable for the acts of sexual harassment committed by its employees and should take preventive measures to ensure that such acts do not occur. The court directed all workplaces to establish an internal complaints committee to deal with complaints of sexual harassment and mandated that such complaints must be dealt with promptly and confidentially. It also required employers to conduct workshops and awareness programs to sensitize employees about the issue of sexual harassment.

The Vishaka judgment was a landmark decision in the field of gender discrimination and sexual harassment in India. It was instrumental in setting the stage for the passage of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, which provides a comprehensive framework for addressing sexual harassment at the workplace. The Vishaka judgment has had a significant impact on the legal landscape in India, serving as a critical tool for protecting women's rights and promoting gender equality in the workplace.

Share of Participation at work across India

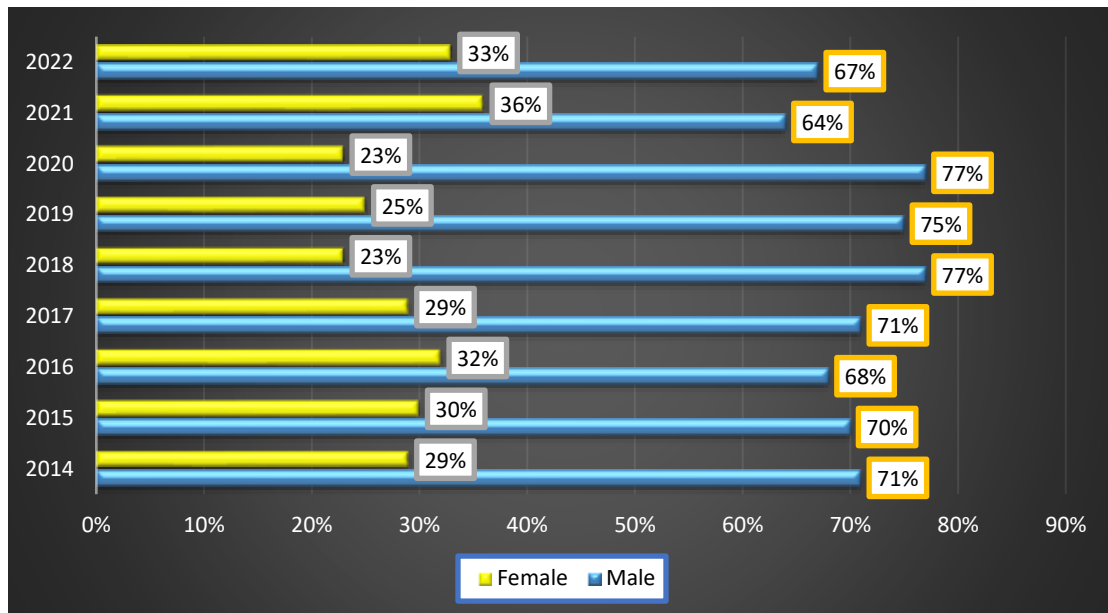
The data in table provide the participation trends from 2014 to 2022 depicting their contribution to the growth of the country.

Table 1: Share of Participation

Year	Male	Female
2014	71%	29%
2015	70%	30%
2016	68%	32%
2017	71%	29%
2018	77%	23%
2019	75%	25%
2020	77%	23%
2021	64%	36%
2022	67%	33%

Source: World Economic Forum

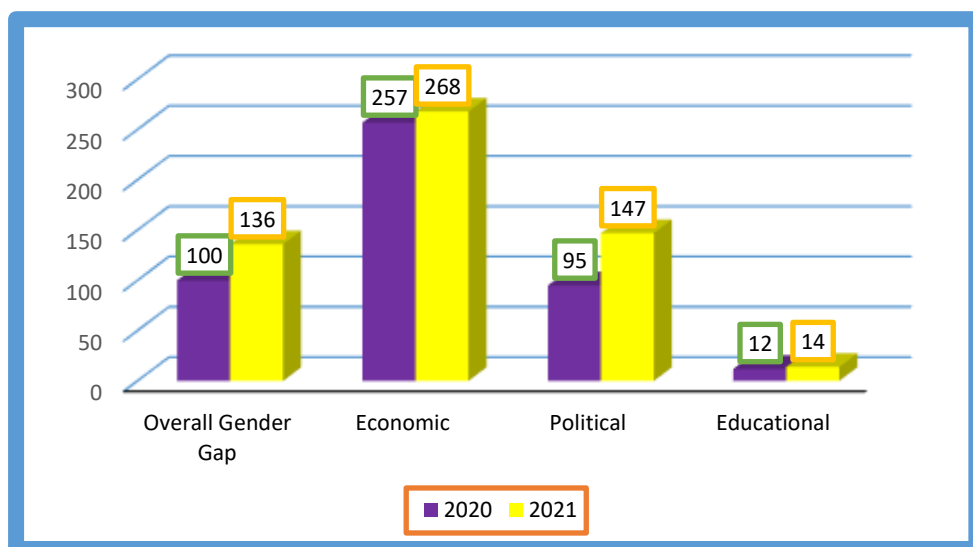
Figure 2: Share of Participation of Workforce



It is stated that in 2018 female participation dropped from 29% to 23% over the previous year and also in 2020 it was again 23% of female participation compared to male. In 2021 and 2022 it slightly increased to 36% and 33% respectively. Hence, still there is a gap in gender participation due to bearing liabilities of the family, and children.

The graph reflects the years to catch up the gender gap in various areas such as; economics, politics, education, etc. This group is based on the current trends (in years) based on the calculation using data from 107 countries:

Figure 3: Moving backward on the Long Road to Gender Equality



Source: World Economic Forum

It can be said that a long way is ahead to fill the gender gap and this gap is increased in 2021 over the previous year 2020 due to COVID-19 as very big happenings and changes are observed in worldwide economies. In 2020 it was 100 years left to fill the gender gap but in 2021 it was increased to 136 years. It means 36 years have been increased due to the crisis. In the same way, in 2020, it was 257 years to close to the gender gap but in 2021 it increased to 268 years. Same as in the political arena, in 2020 it was 95 years but it increased to 147 in 2021. Very less years to close to the gender gap in education, in 2020 it was 12 years and increased to 2021 to 14 years. As education has expanded and now female is getting an education equal to male.

LITERATURE REVIEWS

Gender discrimination at the workplace is a critical issue in India, and several research studies have been conducted to understand the problem and its extent. Dasgupta (2018)³ examined the roles of employer and employee characteristics in gender discrimination and found that women were more likely to face discrimination if they were young, less educated, and employed in non-managerial roles. Chaudhary and Rana (2017)⁴ conducted a study on women employees and found that they faced discrimination in terms of promotions, salaries, and job assignments. Kumar and Singh (2019)⁵ found that gender discrimination was prevalent in Indian organizations, and women were more likely to face harassment and unequal

³ Dasgupta, S. D. (2018). Gender discrimination in India: Examining the roles of employer and employee characteristics. *International Journal of Business and Management*, 13(3), 191-201.

⁴ Chaudhary, S., & Rana, N. (2017). Gender discrimination at workplace: A study of women employees in India. *International Journal of Management and Social Sciences Research*, 6(5), 51-56.

⁵ Kumar, A. and Singh, P. (2019). Gender Discrimination in Indian Organizations: An Empirical Study. *Journal of Business Ethics*, 156(2), 321-336.

treatment. Jena (2020)⁶ conducted an empirical study on Indian industries and found that gender discrimination was more prevalent in male-dominated industries such as manufacturing and construction. In addition, the review highlights the importance of organizational culture in preventing gender discrimination. The review cites a study by Fine and Sheridan (2018)⁷, which found that organizations that prioritize diversity and inclusion are less likely to experience gender discrimination. Overall, the review by Castillo and Aguilar (2020)⁸ emphasizes the need for organizations to take proactive steps to address gender discrimination and promote a culture of equality and respect in the workplace. The review suggests that interventions such as diversity training, mentoring programs, and policy changes can be effective in reducing discrimination and creating a more inclusive workplace culture. In conclusion, gender discrimination at the workplace is a serious issue that can have significant negative effects on employees and organizations. Overall, the research studies suggest that gender discrimination is a widespread issue in Indian workplaces and affects women in various forms. Employers and policymakers need to take measures to address the problem and ensure gender equality at the workplace.

The objective of the Study

To study the perception of women professionals towards gender discrimination at the workplace.

RESEARCH METHODOLOGY

The study is descriptive in nature. For the analysis 285 women professionals from Indore, Bhopal, and Gwalior were selected on a random basis. They were Academicians, Lawyers, and Consultants and some of them were in Corporates. Through a self-constructed questionnaire, they were asked about the treatment that

⁶ Jena, S. K. (2020). Gender discrimination at workplace: An empirical study on Indian industries. *International Journal of Management and Humanities*, 4(1), 6-14.

⁷ Fine, E., & Sheridan, J. (2018). Diversity and inclusion in organizations: A review and critique. *Journal of Management*, 44(6), 2474-2515.

⁸ Castillo, J. C., & Aguilar, E. M. (2020). Gender discrimination in the workplace: A call to action for organizations. *Journal of Business and Psychology*, 35(2), 231-245.

was received by them at their workplace. The questionnaire is consisted of 15 statements related to various aspects based on Likert Scale ranging from Agreement to Disagreement.

RESULTS:

Table 2: Profile of Women Professionals

Demographics	Category	Frequency	Percentage
Age	Up to 30 years	115	40.4%
	31-40 years	105	36.8%
	41-50 years	40	14.0%
	Above 50 years	25	8.8%
	Total	285	100.0
Profession	Academicians	95	33.3%
	Lawyers	45	15.8%
	Consultants	45	15.8%
	Corporates	100	35.1%
	Total	285	100.0
Working Experience	Less than 5 years	90	31.6%
	5.1-8 years	105	36.8%
	8.1-10 years	60	21.1%
	More than 10 years	30	10.5%
	Total	285	100.0

Regarding the demographics of women professionals, it is stated that the majority of them are up to 30 years and for those who are above 50 years, their frequency is less. As profession is concerned, it can be said that among them majority are incorporates and academics. Most of women have 5.1 to 8years of experience so they are well-known about the working system in their organizations.

Reliability Test

Table 3: Reliability Statistics

Cronbach's Alpha	N of Items
.877	12

Table no. reflects the reliability value of 12 statements is .877 greater than .70 indicating the scale is very good and may carry out for further analysis.

Table 4: Mean Value on Gender Discrimination

	STATEMENTS	MEAN	SD	STD. ERROR
1	My organization has a fair remuneration policy	3.09	.0796	1.344
2	My organization has a policy or practice to close any gender pay gap in the workplace.	3.21	.0830	1.401
3	My organization abides by the country's Maternity and Paternity Leave policy	2.99	.0830	1.401
4	My Organization offers flexible working hours	3.03	.0789	1.333
5	My Organization offers flexible work locations	2.90	.0795	1.342
6	My organization has a training policy that includes all employees irrespective of their gender	3.15	.0783	1.322
7	Global or MNC, are opportunities given for cross-border work assignments for women	3.18	.0759	1.282
8	My organization has an Equal Opportunity Policy to ensure non-discrimination against women and minority groups	3.57	.0728	1.229
9	My organization has an anti-sexual harassment, anti-gender violence policy or equivalent	2.89	.0693	1.170
10	My organization has an employee health and safety policy	3.02	.0744	1.257
11	My organization has a human rights policy	3.36	.0744	1.257
12	My organization has women representation involved in the grievance-handling process	3.29	.0735	1.240

Source: Compiled by researcher based on primary data

The table shows the mean value of the parameters on gender discrimination in organizations. For the parameter on the organization having a fair remuneration policy (3.09) as it is stated that women somewhat agreed but they are not well satisfied with the remuneration system in their organization. The parameter 'Organization offers flexible work locations' have mean value (2.90) also very less so it can be inferred that they are not given any freedom to choose their work locations and on this basis,

they are discriminated. The statement 'My organization has an anti-sexual harassment, anti-gender violence policy or equivalent' have also less mean value (2.89) hence, it is concluded that this policy is only in paper but fail in implementation. On the 'organization have women representation involved on the grievance handling process' and 'organization has an Equal Opportunity Policy to ensure non-discrimination against women and minority groups' women professionals are agreed to their participation. Regarding human rights policy, most of them are agreed. It is concluded that given parameters have less than 4 mean score so there is a need to reduce the gap and provide fair treatment to them.

CONCLUSION

Gender discrimination at the workplace is still a significant issue despite numerous efforts to eradicate it. Women often face gender bias in recruitment, pay, promotion, and other workplace practices. Discriminatory behavior against women is a global phenomenon and affects not only the economy but also society's development. In this article, we will examine gender discrimination at the workplace and its consequences, supported by research studies. Gender discrimination has many consequences, both for individuals and for society as a whole. When women are discriminated against in the workplace, they may feel undervalued and experience low morale, leading to decreased job satisfaction and performance. Discrimination against women also limits their career opportunities, which can result in a loss of talent and experience in the workforce. Moreover, gender discrimination perpetuates gender inequality, which is harmful to the progress of society.

SUGGESTIONS

Gender discrimination is a serious issue that affects the workplace in India. Here are some suggestions to help reduce gender discrimination in the workplace:

Promote Diversity and Inclusion: Employers should create a diverse and inclusive workplace culture by promoting the recruitment and retention of women employees. This can be achieved by setting diversity goals, adopting flexible work policies, and providing training and

support to managers to create an inclusive work environment.

Provide Equal Pay: Employers should provide equal pay for equal work, regardless of gender. It is essential to conduct regular salary audits and ensure that there are no discrepancies in salaries between men and women performing the same job.

Offer Equal Opportunities for Growth: Employers should provide equal opportunities for career growth, training, and development. This includes offering promotions, mentoring, and sponsorship to female employees to help them advance in their careers.

Develop Anti-Discrimination Policies: Employers should develop anti-discrimination policies that prohibit gender-based discrimination and harassment in the workplace. These policies should be communicated clearly to all employees and enforced consistently.

Encourage Reporting of Discrimination: Employers should encourage employees to report any instances of gender-based discrimination or harassment. This can be achieved by creating a confidential reporting system and providing training to employees on how to recognize and report discrimination.

Educate Employees: Employers should provide training to employees on gender sensitivity and awareness. This can help employees recognize and address gender-based discrimination and create a more inclusive workplace culture.

Foster a Supportive Environment: Employers should foster a supportive environment for women employees by providing them with resources and support networks, such as employee resource groups, to help them navigate the workplace and overcome any challenges they may face.

By implementing these suggestions, employers can help reduce gender discrimination in the workplace and create a more equitable and inclusive workplace culture in India.

IMPLICATIONS OF THE STUDY

Gender discrimination at the workplace in India has significant implications, both for individual workers and for the broader society. Some of the key implications are:

Economic Impact: Gender discrimination can have a significant economic impact. When women are paid less or denied equal opportunities, they have fewer resources to support themselves and their families. This can lead to increased poverty and economic instability.

Workforce Participation: Discrimination can discourage women from participating in the workforce, which can have long-term effects on the economy. Women's labor force participation in India is already low compared to men, and discrimination can further reduce the number of women in the workforce.

Health and Well-being: Gender discrimination can negatively affect the health and well-being of women. Discrimination can lead to stress, anxiety, and depression, which can affect both physical and mental health.

Legal Implications: Gender discrimination is illegal under Indian law, and companies found guilty of discrimination can face legal action. Discrimination can also damage a company's reputation, leading to loss of business and negative publicity.

Societal Implications: Gender discrimination can reinforce harmful societal attitudes towards women, which can perpetuate discrimination and inequality in other areas of life. By promoting gender equality at work, we can help to create a more equal and just society.

It is essential to address gender discrimination in the workplace to promote gender equality, enhance economic growth, and improve social outcomes. Employers must ensure that their policies and practices promote gender equality, and women must have access to opportunities, training, and education to help them overcome discrimination and succeed in their careers.

About The authors

Dr. Santosh Choubey is currently working as an Associate Professor. School of Law, G.H. Rasoni University, Amravati. She has vast experience more than 19 years in teaching law students at various graduate and postgraduate levels. Her research papers are published in various reputed journals, newspapers, seminars etc. She holds a Ph.D. in law, and she has also cleared her NET examinations. Besides this, she holds the degree of [B.A. & M.A. (Public Administration & History), M.B.A. (Executive)]. She can be reached at “drsantoshlaw@gmail.com” and Santosh.choubey@ghru.edu.in.

