



# CRIME AGAINST WOMEN WORKERS

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Employees' personal, financial, and professional development may all benefit from a good work environment. Sexual assault occurs across all social classes. Racism, sexism, classism, heterosexism, ableism, and ageism are all forms of oppression that may make it harder for victims of sexual abuse to seek help. Sexual assault is influenced in the same manner; nonetheless, sexual violence may have tremendous repercussions on a person's career regardless of when or where the occurrence happened. Sexual assault does not have to occur in the workplace or be committed by a colleague to damage the survivor's employment. Employees may experience feelings of intimidation, harassment, and insecurity when sexual assault happens on the job. Some of the expenses that businesses incur as a consequence of sexual assault include employee absenteeism, decreased productivity, and the departure of skilled workers.

## **Types of Crimes against Women Workers**

Crimes against working women encompass a wide range of illegal acts and offenses that target women in the workplace. These crimes not only affect women's physical safety but also their psychological well-being and professional development. Key forms of such crimes include:

### **1. Sexual Harassment:**

Sexual harassment involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. It can occur at any level within an organization, and both superiors and colleagues can be perpetrators.

### **Case Law:**

**Vishaka v. State of Rajasthan (1997)** – This landmark case in India laid down guidelines for preventing sexual harassment in the workplace. The Vishaka Guidelines emphasized the need for companies to create an internal complaints committee and develop policies to prevent sexual harassment.

## 2. Workplace Discrimination:

Workplace discrimination refers to unequal treatment based on gender, which can manifest in hiring, promotions, pay disparities, and job assignments. Women often face structural bias, being overlooked for leadership positions and denied opportunities for growth.

### Case Law:

**Ledbetter v. Goodyear Tire & Rubber Co. (2007)** – In the United States, Lilly Ledbetter sued her employer, Goodyear, for gender pay discrimination. The case resulted in the **Lilly Ledbetter Fair Pay Act (2009)**, which allows workers to file complaints of pay discrimination within 180 days of receiving any discriminatory paycheck.

## 3. Assault and Physical Violence:

Physical assault in the workplace includes any form of physical harm or threat of harm against a woman, whether by a colleague, supervisor, or client. These attacks may include sexual violence, physical assault, or other forms of intimidation.

### Case Law:

**State of Maharashtra v. Madhukar Narayan Mardikar (1991)** – The Supreme Court of India ruled that a woman, even if she is of "easy virtue," has the right to privacy, and no one can violate it. This case emphasized that a woman's professional status should not influence the legal response to crimes committed against her.

## 4. Hostile Work Environment:

A hostile work environment involves a pattern of harassment or discriminatory behavior that creates an intimidating, offensive, or abusive workplace for women. This can include sexist remarks, exclusion from important projects, or being treated unfairly compared to male colleagues.

### Case Law:

**Faragher v. City of Boca Raton (1998)** – In this U.S. Supreme Court case, Beth Ann Faragher sued her employer for creating a hostile work environment through sexual harassment. The Court ruled in her favor, establishing that employers can be held liable for a hostile work environment created by supervisors.

## 5. Workplace Bullying:

Workplace bullying includes repeated, health-harming mistreatment of an employee, whether through verbal abuse, offensive conduct, or work sabotage. Women are often targeted by superiors or coworkers seeking to undermine their performance and self-esteem.

### Case Law:

**Caplin v. University of Canberra (2013)** – This Australian case involved workplace bullying where a woman was bullied by a male colleague. The Court awarded significant compensation, highlighting the legal implications of bullying.

**Harassment :**

Harassment of a sexual nature is unacceptable and may be unpleasant, embarrassing, or threatening. It may be written, verbal or physical, and can happen in person or online. Sexual harassment may affect everyone, regardless of gender. Sex discrimination may occur in the workplace, the classroom, or the military. These actions constitute sexual harassment:

1. Touching, grabbing, or initiating physical contact without consent
2. Making sexually suggestive comments
3. Requesting sex or sexual favors
4. Leering and staring
5. Displaying offensive material for others to see
6. Engaging in suggestive body movements or gestures
7. Sharing sexual jokes and remarks in your presence
8. Inquiring about your personal sex life
9. Insulting with sexual comments
10. Committing criminal offenses like obscene phone calls, indecent exposure, or sexual assault

Violence against women is exacerbated by the fact that men and women earn different wages. In our culture, most of women being economically inactive, are depending upon their spouses for financial assistance in whichever way they are treated. When women are economically dependent on their husbands, they are more likely to be abused by their partners. All economic institutions are controlled by males, the vast majority of property is owned by men, and men drive economic activity both within and outside the home.

Women who are illiterate and/or low-income are more likely to experience discrimination, exploitation, and other forms of oppression. It aggravates and prolongs their reliance and subordination by blocking them off from involvement in change. Women's economic dependence is mostly due to illiteracy.<sup>1</sup>

**Constitutional and legislative provisions :**

In India, the Constitution provides several provisions to safeguard women workers, ensuring equality and protection from exploitation. Article 14 guarantees equality before the law, while Article 15 prohibits discrimination on the grounds of sex. Article 16 ensures equal opportunity in matters of public employment, reinforcing gender equality in workplaces. Additionally, Article 39(a) directs the State to ensure that men and women have an equal right to an adequate means of livelihood, and Article 42 mandates the provision of just and humane conditions of work and maternity relief. These constitutional safeguards form the foundation for the protection of women workers against exploitation and crime in industrial settings.

Legislative provisions further strengthen these constitutional guarantees. The **\*\*Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013\*\*** is a crucial law aimed at preventing and addressing sexual harassment of women in workplaces, including industrial sectors. The **\*\*Factories Act, 1948\*\*** contains provisions for the safety, health, and welfare of women workers, including restrictions on night shifts. The **\*\*Equal Remuneration Act, 1976\*\*** ensures that women workers are paid equally for the same work as their male counterparts, preventing economic exploitation. These laws, along with the **\*\*Indian Penal Code (IPC)\*\***

<sup>1</sup>Rajni, K.Rajni, Sexual Harassment of women at work places a socio legal study,2005, pp4-8.

provisions related to assault and harassment, provide a legal framework for protecting women workers from crimes and promoting gender equality in the industrial workforce.

## Conclusion

Crime against working women is a growing concern globally, encompassing a range of issues such as sexual harassment, discrimination, physical assault, and exploitation. These crimes not only occur in public spaces but also within workplaces, making it difficult for women to perform their duties in safe and secure environments. Sexual harassment, both verbal and physical, remains one of the most common forms of workplace abuse, often going underreported due to fear of retaliation or job loss. In addition, women face structural violence in the form of unequal pay, denial of promotions, and biased work conditions, which further exacerbates their vulnerability.

The impact of these crimes extends beyond immediate physical or emotional harm. They limit women's professional growth, hinder economic independence, and contribute to long-term psychological distress. Workplace cultures often lack adequate policies or enforcement mechanisms to protect women, perpetuating environments where crimes can thrive unchecked. As more women enter the workforce, addressing these issues becomes critical to ensuring gender equality, promoting safer work environments, and empowering women economically and socially. Legal reforms, awareness programs, and stronger workplace policies are essential steps toward reducing the prevalence of crimes against working women.

