

Workplace Discrimination against women in the formal sector Bias in the quality of work in the metropolitan cities of India

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Background

Sociocultural practices based on a platform of very strong patriarchal ideology in South Asia especially in India curtail women’s mobility. It often stops them from utilizing opportunities to develop as well as enhance their skills and capabilities. Women faces the double burden of household work as well as jobs in the labour market (Boyd, 1990). A huge percentage of women face backbreaking monotonous jobs which also do not pay them properly and are mostly informal in nature. Also they do not obtain any money income or payment for the household activities. The role played by women at home that is nurturing and bearing children, household maintenance and cooking are activities that fall outside the national accounting systems. Hence women’s roles have low status. An overwhelming number of women work in the agricultural sector in India.

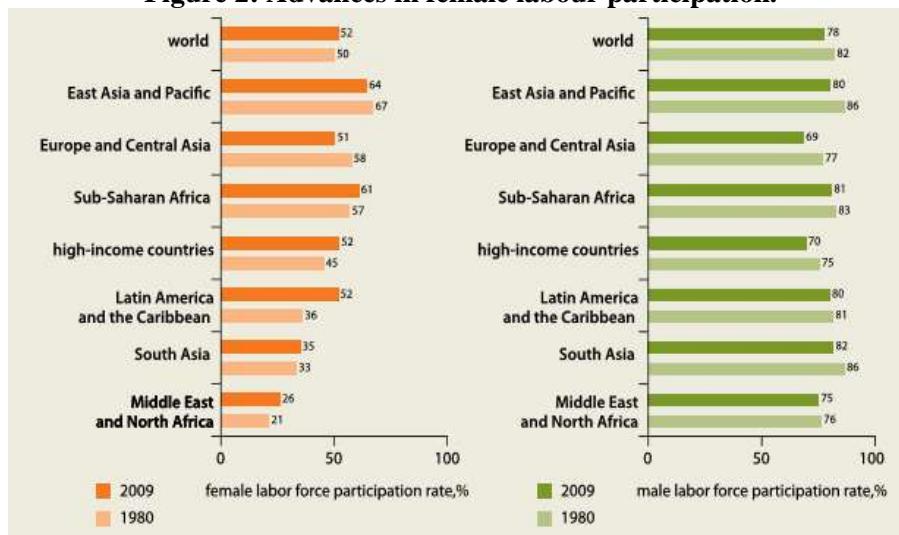
Figure 1: Sectoral Distribution of Labour force in India

Country	Percentage Labour Force in			Percentage of Female Workers
	Agriculture	Industry	Services	
India	62	11	27	32

Source: HDSA, 2000

Unless women earn and also have power over their earnings they will never be empowered enough to take their own decisions. Earning women spend most of their money on household, on their children for their nutrition and health in contrast to men who often spend their money for their personal gratification.

Figure 2: Advances in female labour participation.

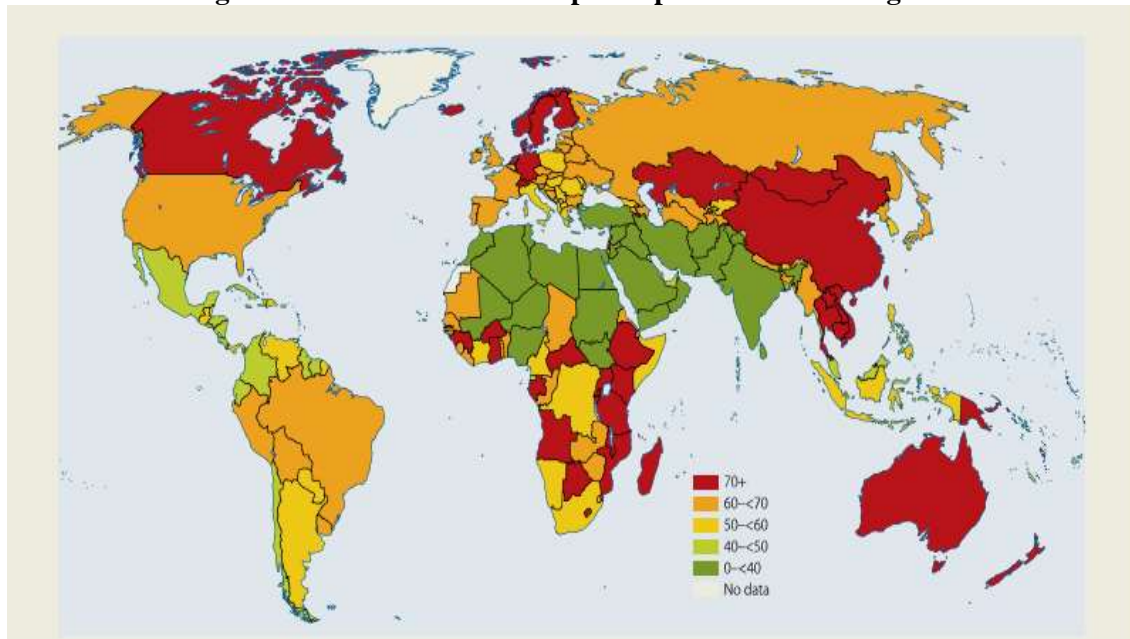


Source: World Development Indicators, 2011

The Beijing Plan of Action conveyed the message to the world the necessity to promote women’s economic independence. This includes employment too and ‘ensuring equal access for all women...to productive resources, opportunities and public services’. The Millennium Development Goals on gender equality and women’s empowerment adopted different indicators to chart out women’s empowerment. For women, their socially ascribed roles of unpaid care work, domestic workload influence their decision whether to stay at home or work. (N. Kabeer, 2012). According to The International Labour Organization’s decent work

agenda, not only jobs are promoted, but also, rights at work are guaranteed, social protection is extended and social dialogue is promoted. A major dimension of social protection is 'promoting labour protection which comprises decent conditions of work, including wages, working time and occupational safety and health, essential components of decent work (ILO, 2011). In India 10.4% are female workers working in the formal sector; whereas that for male workers are 18.4%.

Figure 3: Female labour force participation around the globe.



Source: International Labour Organization, 2010.

Introduction: The problem

In the declaration of Fundamental Principles and Rights at Work (International Labour Organization) it is said that The Asia and Pacific region still experiences traditional forms of discrimination such as gender based and keeps on facing newer forms of discrimination brought about by structural & economic reforms, increasing movement of people. In the global report of ILO (Equality at work, the continuing challenge, 2011), it is said that discrimination on various grounds is still persistent, "...is becoming the rule rather than the exception". It occurs for different reasons; employer's actions, national legislation, socio-cultural, socio-economic reasons etc. According to the report, women continue to suffer discrimination in terms of job availability, work remuneration, and work timings; terms of work say leaves and holidays, general working conditions, access to decision making positions. Also they are prone to sexual harassment at workplace. Even with legal protection discrimination is rampant. Say, in India, Article 15 of the constitution expressly forbids discrimination on the grounds of sex, caste, place of birth in any employment or office under the state. In the social sciences, there is no comprehensive measure of job quality; rather it is an issue which is addressed in different manners. Economists tend to give more emphasis on aspects of economic compensation say hours of working, wages, fringe benefits etc to measure a job's quality or desirability. Pay is taken to be a single most important issue where a job is concerned and wages are generally taken to be positively correlated with other favourable working conditions (Dahl, Nesheim and Olsen, 2007). There is sufficient evidence to show that the labour markets in developing countries are changed relatively faster; gender differentials where wage and employment are concerned are actually going down much swifter than they did in the industrialized nations. But quality of work is comprised of more than monetary remunerations. Skill, effort, personal discretion, wages and risk are some of the indicators of a job too.

Laws against workplace discrimination against women in India: Legal Review

"You can tell the condition of a nation by looking at the status of its women"
– Pt. Jawaharlal Nehru

India is the second most populated country of this globe and possibly most varied culture from all countries. India has many anti-discrimination laws but still Indian women are discriminated not in the workplace place but also in their home. Discrimination means a form of differentiating a person on a particular ground say caste, creed, and gender etc. According to a survey made by Team Lease, 48 % of Indians have faced some kind of discrimination or the other at the workplace. Surprisingly in the same report it has been seen that there are only 30% of company is only in India who has the clear policy against any form of discrimination in India.

There are main provisions in the constitution which deals with the discrimination in India amongst which the most important ones are **Article 14** guaranteeing equality before Law, **Article 15** prohibits state from discrimination on the grounds of religion, race, caste, sex and place of birth. Again, **Article 16** empowers the state to make reservations with respect to appointment for posts in favour of backward classes of citizens if in the opinion of state such classes are under-privileged. **Article-39** of DPSP¹ also speaks about the equality in the food, shelter, clothing and work and equal pay for equal work. However these articles of DPSP are only guidelines for the state and are not fixed provisions.

It was in the year 1999, for the very first time, the Supreme Court of India had discussed about the discrimination that is sexual discrimination in Workplace in Vishaka & others VS. State of Rajasthan². The Supreme Court had provided certain guidelines for the sexual discrimination. Recently, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is the by-product of these guidelines. The Maternity Benefits Act 1961, The Equal Remuneration Act 1976 or The National Rural Employment Guarantee Act 2005 tackles different issues of discrimination in workplace against women but these acts are fails to capture the qualitative bias in the work given to women.

All these laws talk about discrimination on different forms but there is not a single provision in Indian law which deals with the workplace discrimination in quality of work provided to the women. Women are discriminated for a very long time now; there are normal prejudices in the minds of Indian men or one can say society as a whole that women are weak and they are not good with the decision making and handling the pressure especially in the formal sectors. The quality of work which is provided to them is of low grade or inferior to men. The opportunity to get promotion is also less to them because of the quality of work provided to them. The equal remuneration act 1976 is the most important act in this regard but it also talks in respect to recruitment, wages, and work-transfers and promotion, the Indian law makers have never thought about the discrimination where quality of work provided to men and women is concerned, which is the very root cause of the discrimination in formal sectors and especially in the metropolitan cities. There is hardly any woman in the Board of Governors list of a company. The most pathetic part is that the women are even more neglected when they are pregnant. It has been generally seen that the women have to work on back-office jobs and men will lead in the fields; be it the legal field or media, the picture is same in most of the cases. For example, in the legal field, woman has the duty to draft the petition but presentation of the case in the court room is concerned before the judge then mostly it is done by men. Despite the presence of this central legislation in the country, we can't deny that there are more to think on the discrimination matter and this time with a new concept that is the discrimination in the quality of work because there are no such provisions which talk about the quality of work. One more relevant point of attraction is that these provisions only protect in the public sector not in the private sector. The companies also on receiving any complaint on discrimination conduct an internal grievance investigation to safeguard the goodwill of the company. This lessens the gravity of the complaint and many alterations can also be done at this time regarding the matter with the evidence which finally loosens the credibility of the female workers. These types of investigations always are kept classified which is not right at any point of time.

Objective

The objective of the paper is to show that there is discrimination at the workplace against women beyond sexual discrimination or other sort of discrimination in the form of bias in the quality of work that is given out to them in comparison to the same being given out to their male colleagues. The paper seeks to show the extent of damage it has created by using the analysis from a sample survey carried out in the metropolitan cities of India. It shows that this kind of bias also hinders a woman, especially married ones with a family, from going upward in the upward and taking part in the decision making process. Also the paper upholds the fact that there is very little literature available and because of the subtle nature of the issue it remains largely neglected.

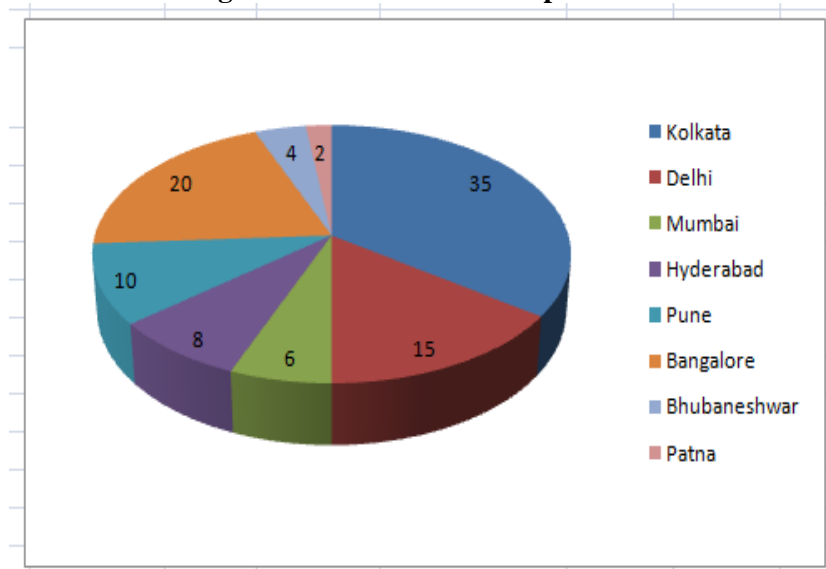
Sample Survey

A sample of 100 women working in the middle to upper level of varying sectors (IT, media, analytics, public relations, advertising, teaching, insurance, legal firms, banking etc) in the formal sector (private companies) was questioned with a questionnaire comprising of 45 questions (18 main questions) pertaining to their education, skills, family background and work experiences etc. The respondents were in the age group of 25-55 with at least three years of work experience. The respondents were selected randomly, but these two criterions were kept as constant factors, that is, the age factor and minimum work experience factor. There were both married and unmarried women amongst the respondents. The entire survey was carried out in March to April 2016 in different important cities as Kolkata, Delhi, Mumbai, Chennai, Hyderabad, Pune, Bangalore, Bhubaneswar and Patna. The survey was conducted in two ways; the first one was done face to face with the respondents. This was conducted only in Kolkata. Where the other respondents of other metropolitan cities are concerned, questionnaires were mailed to them and were given a stipulated time period to complete the same and mail back.

Sample Survey: General Results

The first issue is the distribution of the respondents in different metropolitan cities of India. It shows the background of the respondents, where they work actually coming from different places. The place of work may or may not be same as the place of birth of the respondents.

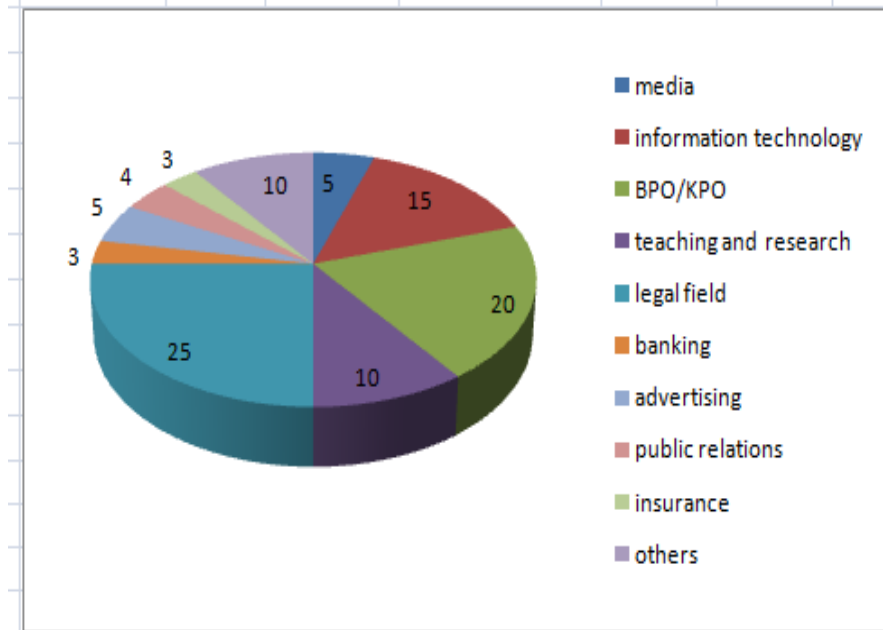
Figure 4: Distribution of respondents



Source: Primary Survey

The next general result is to show the distribution of the industries or sectors in which the respondents work. It varies from BPO/KPO, legal field, teaching and research, banking and insurance etc. The following figure portrays this distribution.

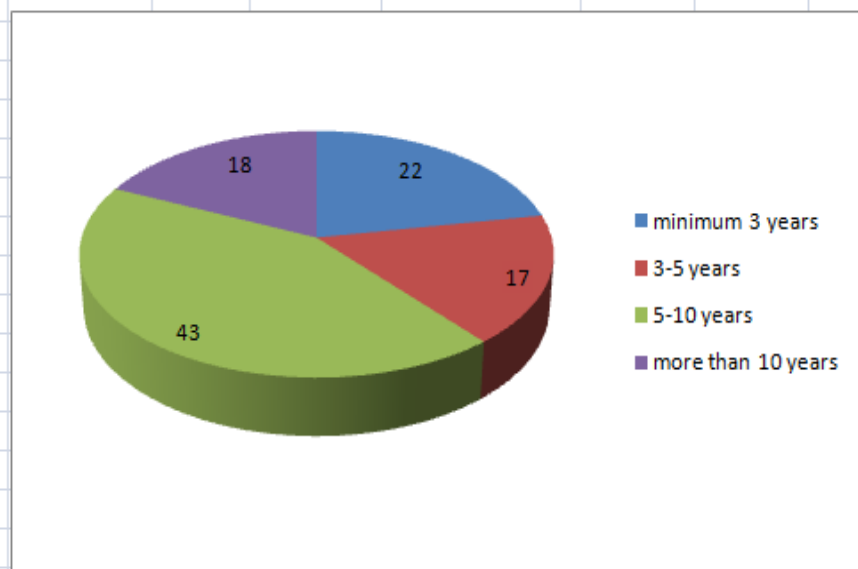
Figure 5: Distribution of the respondents according to the sectors or the industries they work in.



Source: Primary Survey

It is important to show diagrammatically, the work experience of the respondents and it is very important for the analysis. The following figure the distribution of the work experience in number of years. It is being divided into four categories; minimum 3 years, 3-5 years, 5-10 years and more than 10 years. The highest percentage of the respondents falls in the third cadre, that is, 43% of the respondents have work experience of 5-10 years.

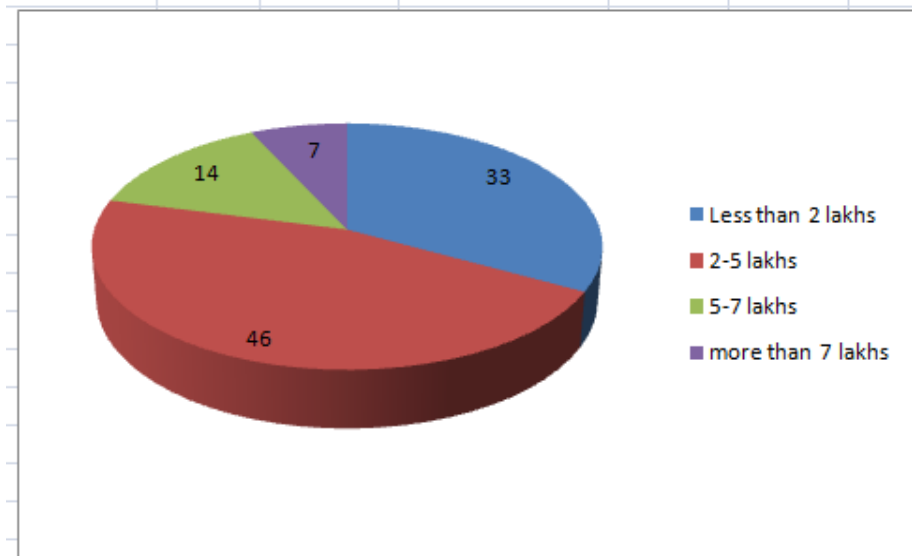
Figure 6: Work experience in number of years.



Source: Primary Survey

Income is a very important factor where the satisfaction of the employees is concerned. Traditionally in all research, income or wage or pay have been given utmost importance and often taken as an indicator of job satisfaction. The following figure shows the income distribution of the respondents for the present analysis. Four income brackets were fixed; less than 2 lakhs, 2-5 lakhs, 5-7 lakhs and more than 7 lakhs. 46% of the respondents earn in the income bracket of 2-5 lakhs of rupees.

Figure 7: Income distribution of the respondents.



Source: Primary Survey

After this, the next important issue is the distribution of the respondents where their designation is concerned. The following figure shows this distribution and helps the reader understand the composition of the occupation of the respondents.

Conclusion

We are miles behind achieving the socio-economic equality which the preamble of Indian constitution talks about. There is also need to change the mentality of our male dominating society, which think that the women’s are subordinate to them and create different hurdles to subjugate the women. The need of this hour is to educate male and sensitizes them on the issues of women and develop a feelings of togetherness for the females and this has to start from our home only, where we empower our female member and provide them equal opportunity of health, education, nutrition and decision making without any type of discrimination from male member of the society.

Quality of work is directly related with extrinsic as well as intrinsic rewards; while the first deals with letters of appreciation, promotions and other rewards from the company etc, the intrinsic one deals with satisfaction and happiness derived by working on something, that is, when one feels that his skills and education have been properly utilized for something. It is hence such a concept that has to be addressed from different ends. Only pay, job security etc aspects of a job are not enough to ensure that women are not discriminated against where quality of work is concerned. The endeavour taken in writing this paper will be successful when sufficient measures will be taken in reality giving women justice that they deserve.