

GENDER DISCRIMINATION WITH FEMALE EMPLOYEES AT WORKPLACE: A MAJOR HURDLE

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Abstract: Gender Discrimination occurs when men and women are treated unequally. In other words Gender Discrimination is the situation when men receive preferential treatment over women. Many a time employer prefer men employee to give promotion and higher position than women. Such employer are violating anti-discrimination laws knowingly or unknowingly. Such gender discrimination, no matter victim is male or female, is illegal activity. To eliminate this kind of gender discrimination, there are some laws in India Constitution.

Key words: Female employee, Gender Discrimination, Legal Protection, Workplace

I. INTRODUCTION

There are many kinds of discriminations like age discriminations, workplace discriminations and employment discriminations amongst which gender discrimination is a constant problem everywhere in every country. No of women find different kinds of discrimination in their day to day life and at workplace.

Gender discrimination is the practice of giving unnecessary importance to the gender at the time of recruitment, promotion, demotions, transfer, payment of wages and other employment benefits. Way back before 1950s women were not much educated and so they were not there in employment and therefore there was no question of gender inequality at workplace but today women are there in almost all fields and so the question of gender discrimination arises at every corner of the organization. Of course, there are some laws against gender discrimination but still its actual application in real life position seems to be very much complicated.

II. NEED FOR THE STUDY

Gender discrimination at workplace is a matter of concern for any democratic and developing country. Equal opportunities and advancement to female workers is a requirement of time, therefore there are campaigns across the globe which which emphasis on women empowerment and women rights in all aspects including education, employment and advancement.

III. OBJECTIVES OF THE STUDY

1. To understand the concept of gender discrimination with female workers at workplace.
2. To study the reason of gender discrimination with female workers at workplace.
3. To suggest the solutions for eliminating gender based discrimination with female employee at workplace.

IV. WHAT IS GENDER DISCRIMINATION?

Gender discrimination is basically an unfair treatment based on sex/gender. Gender discrimination at workplace broadly includes career discrimination, assignment discrimination and performance evaluation discrimination. In most of the case of gender discrimination, the victims who are receiving an unfair treatment are women rather than man. For example, in bollywood both actor and actress is working still prevails disparities in the wages that they are getting. Undoubtedly actresses are getting less wages as compare to the actor. However, in some cases victims may be a men also.

V. FORMS OF GENDER DISCRIMINATION

Gender discrimination at workplace may prevail in different forms. Some of them are as under:

Gender Pay Gap:

Discrimination in payment is done on the basis of gender. Male are provided higher wages than female.

Gender Entry Gap:

Discrimination is there at the time of recruitment on the basis of gender. Males are given preference over female for higher or top level position in the organization.

Gender Advancement Gap:

Taking into consideration gender, discrimination is done in career advancement. In spite of talent, qualification and experience, women may not be allowed to progress in terms of career advancement.

Sexual Harassment:

Demand is made of sexual activities and favors in term of giving promotion or employment.

VI. GLASS CEILING PRACTICE

The term “GLASS CEILING” refers to the invisible barriers that limit women from achieving higher position at the workplace. Glass ceiling practice is nothing but to prevent or block women from achieving higher positions irrespective of their qualification and experience. For example, if principal in a college or school is to be appointed/ recruited, men will be considered stronger, faster and smarter to lead in comparison to women and so the HR Management recruiting a principal will give preference to male employee only regardless to their education, experience and qualification. Females have limitation to offer bribe. For this reason also employer prefers male employee rather than female at higher position in the company.

VII. REASONS OF GENDER DISCRIMINATION

Prime reasons responsible for Gender Discrimination at workplace are as under.

- There prevails favoritism for men in some organization while on the other hand unfair treatment is given to women.
- Gender discrimination at workplace may be to prevent women from becoming financially independent.
- There is uncertainty which also remains with women employee. For example, women's ability to get pregnant. Employer may consider this factor in giving advancement opportunities.
- Some women are very active in the organization and they are on higher position also. In the view of this, other organization's employer may feel insecurity that women employee may prove better than men in almost all aspects of operations.
- Many working women perform majority of household duties including taking care of in-laws, cleaning and childcare. In male dominant society, it is assumed that the income of women is supplementary income and not a prime income and that's why women should not be given promotion and high salary as basically they do not require.
- The other reason for gender discrimination is that men are not used to see women in more powerful position.
- Education gap may be considered as another main reason for gender discrimination. This was true before 80's. Now-a-days scenario is totally different. Women are also getting higher education and thereby this education gap is becoming narrow day by day.
- After acquiring adequate educational qualification, the other hindrance is of marriage – the Indian custom in which bride leave father's home from groom. No employer is ready to offer permanent job to unmarried female in this regard.

VIII. SOLUTION OF GENDER DISCRIMINATION

The phenomenon "Gender Discrimination at workplace is no longer in Indian context only rather it has become global issue. If preventive measures are not taken against Gender Discrimination, in a long run it may result in to:

1. Increased employee turnover
2. Decreased productivity of the employees
3. Higher Absenteeism
4. Lower employee morale
5. Hostile work atmosphere

Looking the above points, it is very important for any employer to take proactive measure to control Gender Discrimination at workplace. It jointly a responsibility of Human Resource Department and the personnel recruiting employees to figure out the way in which they can manage gender equality in the organizations. Organizations have proper understanding about gender discrimination and HR Personnel should always be alert regarding gender discrimination in the organization as it not only harms the prestige of the company but also it is illegal activity. Below are some solutions which can be applied in the organization and gender discrimination at workplace can be minimized.

1. At the time of appointment, clear criteria for evaluation should be established and HR Personnel should stick to it irrespective of gender of employee. Transparency must be maintained while hiring, promoting or demoting employees in the firm.

2. Gender based payment disparities should not be entertained in the organization, rather real payment system must be based on the quality and quantity of production or actual hours of work.
3. Those women who are victim of gender discrimination must come forward and report it to the concern authority. Women themselves should try to know and to be aware about gender discrimination. In this way there should be awareness among women employees
4. Anti-discrimination training program should be made compulsory and training should be given and worker should be motivated to inform their boss about gender discrimination either against themselves or against others.
5. Employer should obtain complete information about discrimination laws which are applicable to their firm/company. A board/committee should be established to implement anti-discrimination policy. Committee should clearly rectify each class of discrimination like color, gender, seniority, productivity and religion.
6. One antidiscrimination cell should be created and it should investigate about the complaints as soon as possible without any delay. Not only this, but necessary actions must be taken wherever necessary.
7. There should be continuous assessment of employee needs in the organization. Feedback should be obtained from employees in informal ways about their day to day activities. If employees are satisfied, they considered that the management takes care of them. Their morale will boost, productivity will increase and company will be benefited. For example, sexual harassment is also a form of gender discrimination. Management must be concern to know if any men employee working in the company is making a women employee feel uncomfortable.
8. Several state and federal laws can also prohibit gender discrimination. The civil Right Act prohibits discrimination based on gender. The Equal Pay Act can also promote equality between men and women. (Scottie Sherrie)
9. Various errors in education system of India points out towards gender discrimination. It should be redesigned.
10. Syllabus at primary school level should include life lessons and success stories of women like Kiran Bedi, Kalpna Chavala and Pratibha Patil. In this way, new generation can be inspired and gender discrimination can be eliminated.

IX. LEGAL PROTECTION

The Constitution of India has several provisions which grant certain fundamental rights to its citizen, which includes right to equality.

- Article 14 guarantees Equality before Law.
- Article 15 prohibits state from discrimination on the grounds of religion, race, caste, sex and place of birth.
- Article 16 empowers the state to make reservations with respect to appointment for posts in favor of backward classes of citizens if in the opinion of state such classes are under-privileged.

However, these protections can only be opted when the discrimination has been made by the State or any Governmental bodies, including Government offices of both Central and State Governments. In case of discrimination on any of the grounds mentioned in Article 15, ie, religion, race, caste, sex and place of birth by the Government through its policies, or

regulations, or otherwise, including recruitment, promotions, transfers, demotions and removals, the affected person can file a writ before the concerned High Court of the State or the Supreme Court. (<http://blog.ipleaders.in/types-of-discrimination-in-workplace-and-their-legal-protection-in-india/>)

CONCLUSION

Number of women like Kiran Bedi, First Indian Lady IPS Officer, Kalpna Chavala of NASA and Pratibha Patil, first women president of India have achieved great heights. While number of women are still striving and are not able to come up with their potential in this male dominant society. Proper framework with constructive planning is required at this juncture to make the women free from gender discrimination at workplace.

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