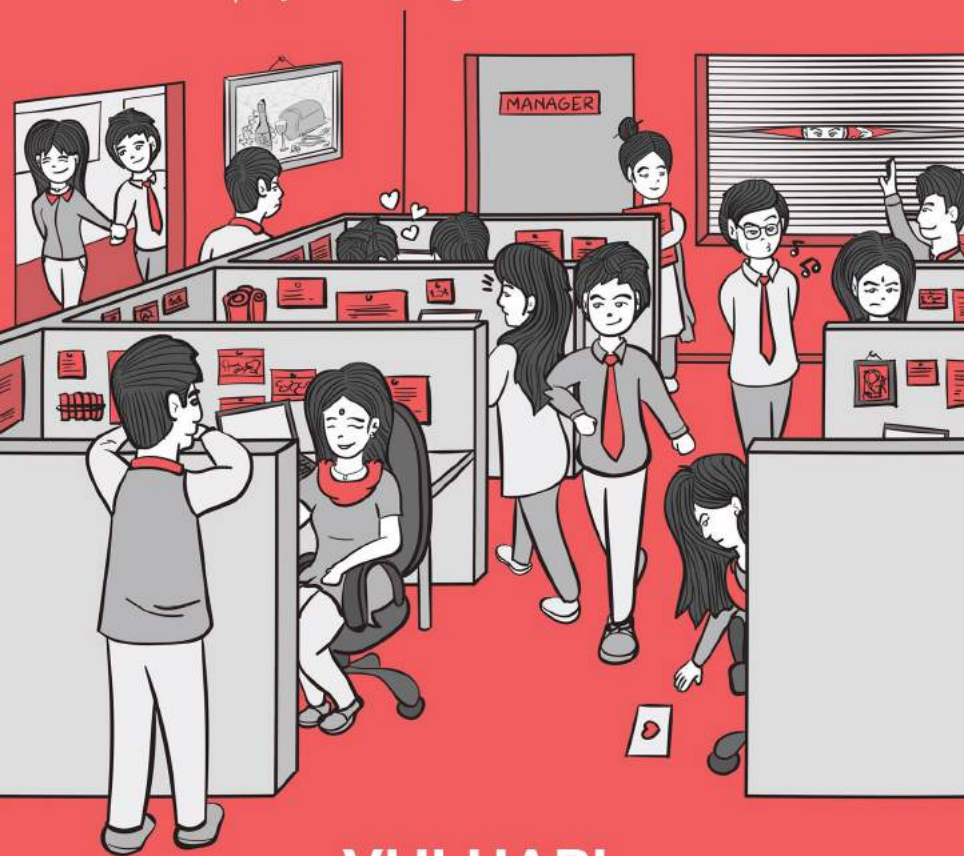


How to Deal with **Sexual Harassment** at the Workplace

# BCC

## Behind Closed Cubicles

For Employees, Managers and HR Professionals



VIJI HARI



## **Notion Press**

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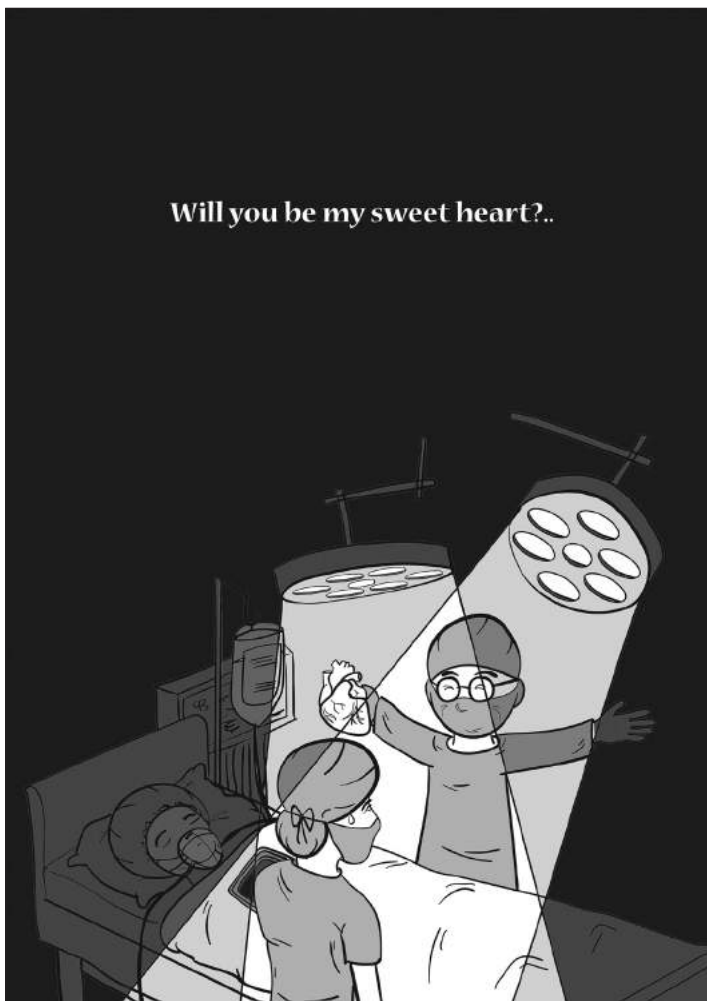
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Chapter 1

# MEDICAL MUSINGS

**Will you be my sweet heart?..**



Standing on top of the world, the view from Burj Khalifa was breath taking. Anna's childhood ambition was fulfilled today, now that she'd reached this place. She had to break free from everything holding her back, and vault over many an obstacle to achieve her dreams. Gazing out at the world at her feet, she reflected on the happenings a year ago.

Anna was a beautiful young girl from a village in Kerala. Her life's ambition was to follow in her Aunt's footsteps and become a nurse in a leading hospital. As a child, she impatiently waited all year to meet her aunt when the latter came home for her annual visit. Every time she met her aunt, her obsession with Dubai and working there grew stronger. Visiting the tallest tower in the world, the Burj Khalifa, seemed symbolic of achieving her larger goal.

Anna was raised along the serene back waters of Kerala, and was educated in a small government school. She took out a bank loan to finish her nursing course from a college in Cochin. Every rupee of the loan was well spent, as Anna graduated with high merits and was placed soon after in a leading hospital in South India. The institution was renowned for its chain of hospitals in different countries that promoted medical tourism to India.

To Anna's joy, two of her friends from college were also hired by the same hospital. Anna was assigned to the smart, young Doctor Vivek. Vivek had a way with his patients and his surgical skills were a treasure trove

for beginners to learn from. Anna considered herself lucky to be working with the talented Doctor Vivek.

More than 3 months into her work, Anna was satisfied that she'd picked up most of the nuances of her role. She was working in post-operative patient care and was quick to impress all the patients, who provided great feedback about her. Anna's good work did not go unnoticed by Dr Vivek. With every sign of progress, Dr Vivek would be generous with praise, and would reinforce his words with a small pat on her shoulder. She was recommended to be trained in the surgical department and was moved to assist Dr Vivek in his surgeries. Now that Anna was in constant close proximity with Dr Vivek during the surgeries; intrusion of her personal space began. Insidiously, what began as innocent pats on the shoulder moved to her bottom, and sometimes accompanied by a "massage" on her lower back, post surgeries.

Anna was utterly uncomfortable with this and yet she was afraid to move away or put up a resistance. She was learning so much under his tutelage and was making great progress in her work. Her meagre income went towards repaying her student loan and supporting her family back home. Any rash moves on her part could jeopardize everything she worked so hard for.

With the passing of time, the frequency of inappropriate touching increased. On one occasion, Dr Vivek pulled Anna to stand very close to him, during a surgery, in full view of the other staff in the

operating theatre! She was in tears. What could she do? She wondered if moving to another team under a different lady doctor, would solve the problem. Anna decided to confide in a fellow nurse about her problem. Her colleague discouraged her from this recourse, as it was a question of her career and she predicted Vivek would not approve her release.

Emboldened by her silence, Dr Vivek took things a step further. Bringing Anna into his cabin on the pretext of work, he pulled her into a long embrace, ostensibly to congratulate her for a job well done. Anna was now too scared to raise a complaint with the hospital's anti-harassment committee. In fact, she had begun to feel guilty and ashamed to talk about it as though the fault was hers.

Veena Mimani was a 75-year-old widow who lived alone, having two daughters settled in faraway USA. Veena made bi-weekly visits to the hospital for kidney dialysis and was grateful to Anna for her gentle, efficient ministrations. The older lady observed one day that the usually cheerful Anna had lost her smile and quirkiness.

*"What's the matter, dear?"* she probed the young nurse, gently.

*"Just home sick, Mrs. Mimani,"* Anna replied with a quick shake of her head.

*"Come home then, child! Come for lunch on your off day!"*



When Anna was about to refuse, Veena played her trump card. *“I’m a lonely old woman and would be grateful for the company...”*

The following Tuesday, Anna kept her promise and visited Veena Aunty’s home. She discovered surprising new things about her patient that day. She realized that Veena was a very active feminist and had been quite an influential person in her heyday. She still worked as a counsellor at an NGO that worked with survivors of violence and abuse against women and children.

Over lunch, Anna began to thaw and confided her story to Veena. She told her everything: the inappropriate touching by Dr Vivek, Anna’s inability to handle the power play and how she was worried about her future career given that she had another year and half’s bond with the hospital.

Veena and Anna talked things over at length. A plan soon emerged on how to handle the situation. They promised to meet on a weekly basis so they could resolve things together. Anna, though apprehensive, felt hopeful that the plan was her way out.

With the passage of a month, her tormentor’s advances began to increase in frequency and audacity. Anna, as agreed, did not resist them. She gathered that there were other nurses in her group who faced a similar issue with Dr Vivek.

Exactly 30 days later, a member of a third party NGO, on the pretext of a customary routine audit and prevention check, did a thorough audit check of all the

CCTV camera recordings. This person was empanelled as part of the hospital's harassment committee and was a senior, well connected member in the city. She and the internal harassment committee highlighted the many instances of harassment caught on video in due time, and directed the hospital management to deal with the issue immediately. Dr Vivek was given a serious counselling and was terminated immediately from the hospital, for harassing not just Anna but two other nurses as well.

The hospital, now in damage control mode for its own reputation and to ensure that nothing got out to the media, decided to transfer the three nurses to different locations. Finally, as a result of good patient ratings, Anna was asked to move immediately to the Dubai branch of the hospital to fill a position there. Her Dubai work permit got processed at express speed and in a fortnight she was on her way to the city of her dreams! On the way to the airport, she stopped off at Veena Aunty's place to say goodbye. She had grown very fond of the lady and knew she would forever be indebted to her for supporting her when no one else would.

*"I can't thank you enough for everything!"* Anna said, feeling emotional. Veena had guided her on how to collect evidence — to take refuge near the CCTV cameras whenever Vivek was around, and for noting down all the dates, time and witnesses present during each and every time she was harassed. Veena had also tipped off her good friend and third party NGO

member of the harassment committee of the hospital, to conduct the surprise inspection through her NGO.

Anna rode to the airport feeling better than she had in a very long time. She felt relieved; but also knew she faced a completely new life as a more mature and confident person.



### Employees:

- ✓ Be aware of your rights and company policies. Victims are not at fault and need not be afraid to speak up.
- ✓ Documenting the incident's occurrence, date, time, witnesses present, evidences and proofs are very crucial for the investigations.
- ✓ The fellow nurse gave the wrong advice and discouraged Anna from registering a complaint. If you are a witness, or when in doubt, always reach out and keep the HR informed.

### Management:

- ✓ As per the Act, the employer needs to have a policy, create awareness among employees, and create a complaints committee to handle employee complaints.
- ✓ Having a **strong 3rd party external NGO member**, did help the organization avoid an embarrassing situation of the event blowing up and going out to the media.
- ✓ In this specific case, the security team manning the CCTV also needed to be empowered to alert the HR or the Committee on such issues.

**Internal Committee:**

- ✓ Committee members are vested with the powers of the civil court by law. The onus on prevention of harassment in the organization lies solely with them.

*'You look gorgeous, Honey!'  
'I love you from the bottom of my heart.'  
'It was only a joke; you should learn to enjoy!'*

Sounds common, right? But what happens when these words are spoken in the wrong place and in the wrong tone?

BCC, demonstrates, through a collection of short stories, how such apparently harmless statements have impacted people at the workplace. The short stories are based on real life sexual harassment incidents from across the Indian corporate world. Stories that include both genders, and range from freshers to CXOs, and across different industries.

BCC attempts to give tips and share best practices to Employees, Managers, HR, Committee members, Employers, etc, to be better equipped to deal with such incidents.

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### Short Stories Based on True Events

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BCC has poignantly sketched the stories of sexual harassment at workplace. Everyone who deal with these issues and their concern for justice will find this book stimulating and useful.

Dr Asha Bajpai – Founder Dean, Professor, School of Law, TISS, Mumbai

BCC is a timely book that busts the myth that sexual harassment 'doesn't happen in our company'. It helps us look at prevention of sexual harassment not as a legal compliance item but a way of life through the simple recommendations for employees, employers and executives.

Elango R – Author and President, Mphasis



Viji Hari is the CEO and Co-Founder of Kelp HR, a human resources consultancy firm ([www.KelpHR.com](http://www.KelpHR.com)) and specializes in setting up governance models, prevention and redressal committees of sexual harassment in the corporate world. She is a speaker in several forums on this topic and has conducted awareness workshops across India on the topic of Prevention of Sexual Harassment, Gender and Diversity sensitization.

She loves reading, travelling the world to explore and experience the local culture, food, people and places.

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