

Empowering Women: Strategies to Tackle Workplace Harassment Suffer in silence?

▪ **Pages:** 23– 31 ▪ **Vol. II, No. II** (Fall 2023) ▪ **p- ISSN:** 3078-3666 ▪ **e- ISSN:** 3078-3283

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Doi: 10.31703/ijlss.2023(II-II).04

Link: [https://doi.org/10.70540/ijlss.2023\(II-II\).04](https://doi.org/10.70540/ijlss.2023(II-II).04)



Cite Us



Abstract: *Women constitute the essence of every nation. The evolving landscape of globalization has led to a greater involvement of women in the workforce. On a global scale, women are viewed as crucial indicators of development, with their skills and potentials being widely acknowledged. Regrettably, in every society, there exist a few wrongdoers who perpetrate violence and mistreatment against women that impede their social and economic progress. One of such barriers at the workplace is harassment that is an act of annoying or causing distress to someone by exerting pressure, making unpleasant remarks, or engaging in unpleasant actions. It is a violation of right to dignity as enshrined constitution of Pakistan 1973. This research paper focuses on its nuanced manifestations in the context of Pakistani workplaces, particularly impacting women. It aims to shed light on the various forms of harassment, legal framework in Pakistan, the socio-cultural challenges that women face in reporting these incidents and the strategies at individual, organizational and governmental level to deal with it.*

Keywords:

Women’s Rights, Workplace, Harassment in Pakistan, Protection of Women, Legal Protection, Sexual Harassment, Strategies

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Introduction

International labour Organization’s Violence and Harassment Convention 2019 and Convention against the Elimination of Discrimination against Women¹ guarantees every individual a right to work in an environment that is free from violence, discrimination, and harassment. ²Harassment in various forms such as verbal abuse, physical assault, discrimination, and sexual misconduct can be demeaning, offensive and threatening. Harassment in any form violates women’s right to public life, her right to dignity and, most important, her basic right to be treated equally. ³According to the Inquiry Report on the Status of Women Employment nearly 50 percent of female employees in the public sector reported instances of sexual harassment. ⁴The pervasive issue of harassment against women in the workplace is an alarming reality in Pakistan. The Human Rights Commission of Pakistan reports that approximately 91 percent of women in

¹ Convention Against the Elimination of Discrimination Against Women, art. 11 and 13, (CEDAW).

² International labour organization’s Violence and Harassment Convention, 2019 and Recommendation (No. 206).

³ Nadia Naz and others v. the President of Islamic Republic of Pakistan and others, supreme court of Pakistan, 2021.

⁴ “An Inquiry Report on Status of women employment in public sector organizations”, National Commission on the Status of Women 2003, library catalogue, national school of public policy, Islamabad.

the domestic work sector face harassment.⁵ These statistics underscore the prevalence of harassment, coupled with exploitative and hostile working conditions, creating a common and distressing phenomenon in Pakistan. Workplace harassment can be characterized as an unethical form of coercion or seeking attention, without necessarily having a sexual nature.⁶ It takes on various manifestations, encompassing behaviors such as stalking, staring, unwelcome jokes, intimidation, and sexually demeaning attitudes like making inappropriate remarks or subtly pressuring someone for a sexual act.⁷ According to the United Nations, harassment is any unwanted behaviors, including but not limited to verbal, physical, or visual conduct, that create a hostile or intimidating work environment based on factors such as sex, gender, or other protected characteristics.⁸ Protection Against Harassment of Women at Workplace Act 2010 defines harassment as:

(h) “harassment” means: —

1. any unwelcome sexual advance, request for sexual favours, stalking or cyber stalking or other verbal, visual or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, including any gestures or expression conveying derogatory connotation causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment;
2. discrimination on basis of gender, which may or may not be sexual in nature, but which may embody a discriminatory and prejudicial mind set or notion, resulting in discriminatory behavior on basis of gender against the complainant;].⁹

This definition of harassment closely aligns with the definition of harassment outlined by the CEDAW Committee, underscoring the legislature's dedication to fulfilling its international obligations.

The act defines workplace as the place of work or the premises where an organization or employer operates and includes building, factory, open area or a larger geographical area where the activities of the organization or of employer are carried out and including any situation that is linked to official work or official activity outside the office.¹⁰ It also includes educational institutions.¹¹

Manifestations of Harassment Encountered by Women at Workplace

Women encounter various forms of harassment in the workplace. Sexual harassment is one of the most common types that is distressing reality faced by many women in Pakistani workplaces. It is defined as ‘an unwelcome behavior of a sexual nature’. It manifests in various ways, from unwarranted advances, unwanted touching, unwanted sexual gestures and explicit comments, sexual jokes to more severe instances such as coerced sexual favors in exchange for professional benefits.¹² Such behavior not only compromises the well-being of the individual but also creates an environment of fear and vulnerability. Workplace sexual demands can be broadly categorized into two types.¹³ The first is the “quid pro quo” theory, wherein a person in authority seeks attention in return for employment benefits, that is; a reciprocal exchange of

⁵ Human rights commission of Pakistan, “*Alarming Rise in Crimes against Women*”, Pakistan Press Foundation, February 4, 2005, <http://www.pakistanpressfoundation.org/2005/02/alarming-rise-in-crimes-against-women-hrcp/>

⁶ Maria Khan and Ayesha Ahmed, “*The Protection against Harassment of Women at the Workplace Act*”, A Legislative Review, LUMS, 2010.

⁷ Syed Mubashir, “*Workplace Harassment; Definition, Types, How to Report and Prevent*” (September 19, 2023).

⁸ Munir Moosa Sadruddin, ‘*Sexual Harassment at Workplace in Pakistan: Issues and Remedies about the Global Issue at Managerial Sector*’ (2013) 7 (1) Journal of Managerial Sciences 113.

⁹ Protection against harassment of women at workplace act 2010, Section 2(h).

¹⁰ Protection against harassment of women at workplace act 2010, Section 2(n).

¹¹ Asif Saleem vs Chairman BOG University of Lahore – 2019 LHC 1620.

¹² <https://www.hracity.com/blog/workplace-harassment/>

¹³ Catharine A. MacKinnon, “*Sexual Harassment of Working Women*”, Yale University Press, New Haven and London, p. 183 (1979).

services or goods in return for a favor. The Latin expression "quid pro quo" translates to "something for something" or "this for that."¹⁴ In instances of quid pro quo harassment, a superior employee may exert pressure on a subordinate, demanding sexual favors in exchange for benefits such as a salary increase or promotion. Alternatively, they might employ threats, such as termination, demotion, or the withholding of a promotion, if the subordinate refuses to comply. Unfortunately, individuals facing quid pro quo situations may feel compelled to acquiesce, resulting in adverse effects on their well-being. The second type relates to the working conditions that individuals may face, encompassing repeated insults or invitations that do not come with an offer of employment benefits.

Verbal abuse directed at women in the workplace is another prevalent form of harassment. This can include insulting language, derogatory comments, or the use of offensive language based on gender. Women may experience humiliation and ridicule, often rooted in harmful gender stereotypes, impacting their confidence and professional self-esteem. The court held that it should be severe and persuasive enough to alter the working conditions of the victims' employment or render the workplace atmosphere intimidating, hostile or offensive.¹⁵ Discrimination against women in professional settings remains a pervasive issue in Pakistan. Protection against harassment of women at workplace act includes it in the definition of harassment which now extends to situations involving the denial of equal opportunities and critiques of abilities rooted in gender bias.¹⁶ This can manifest in unequal treatment in hiring, promotions, pay disparities, or work assignments solely based on gender. In a case presented before the Supreme Court of Canada, waitresses employed at a restaurant raised allegations of sexual harassment against their employer. The Supreme Court ruled that the sexual harassment endured by the appellants amounted to sex discrimination, characterized as a practice or attitude associated with gender. It held that sexual harassment represents an abuse connected to gender.¹⁷ Harassment in the workplace is sometimes compounded by cultural and religious biases. Women may face discrimination based on cultural or religious differences, intersecting with gender discrimination. Pressure to conform to specific cultural or religious norms can limit freedom and professional opportunities, contributing to a hostile work environment.

Microaggressions are subtle yet impactful actions or comments that contribute to a hostile work environment. Women often face microaggressions in the form of dismissive language or attitudes, undermining their contributions and reinforcing harmful stereotypes. Addressing these nuanced behaviors is crucial for fostering a more inclusive workplace. Systematic exclusion of women from decision-making processes and professional networks is also a form of harassment that perpetuates gender inequality. Women may also experience isolation from team activities or discussions, creating a detrimental work environment that hinders collaboration and career growth. The rise of technology has introduced new dimensions to workplace harassment, with women being subjected to unwanted online advances, explicit messages, and inappropriate content. Additionally, cyber harassment may involve spreading false information or rumors online to tarnish a woman's professional reputation, further complicating the challenges they face in the workplace. Pregnant women and those on maternity leave often encounter discrimination and a lack of support in Pakistani workplaces. From biases against pregnant employees to inadequate support systems for balancing work and family responsibilities, these challenges compound the struggles women face in pursuing their careers while navigating family obligations. Addressing these issues is pivotal for fostering a more equitable and supportive work environment. A research study identified several prevalent gestures associated with harassment. These include gazing, physical touching, bullying, inappropriate jokes and dialogues, gender bias, intimidation, verbal insults, offering rides, placing arms on

¹⁴ "The 10 Most Common Types of Workplace Harassment", September 20, 2023, HR Acuity, <https://www.hracity.com/blog/workplace-harassment/>

¹⁵ 2013 MLD 198, federal ombudsman.

¹⁶ Protection against harassment of women at workplace act 2010, Section 2(h) subclause 2.

¹⁷ Janzen v. Platy Enterprises Ltd. [1989] 1 SCR 1252.

shoulders, touching hips, displaying indecent body language, marginalizing women, sending negative emails, and showing explicit content such as pornographic movies.¹⁸

Legal Framework in Pakistan

The laws that govern harassment throughout Pakistan are section 509 of the Pakistan Penal Code and the Protection Against Harassment of Women at the Workplace Act of 2010 which has seen some amendments in the year 2014 and 2022. These laws make workplace harassment a quasi-criminal offence. Both laws apply to the entire country and are in line with Pakistan's constitutional provisions and international commitments, such as the Convention on the Elimination of Discrimination Against Women 1979 and ILO conventions under the EU's Generalized Scheme of Preferences.¹⁹

Under the criminal provision, sexual harassment against women in public spaces including workplaces is now a criminal offence. An FIR can be registered with the Police, or a complaint can be directly made to the magistrate having jurisdiction. Section 509 titled 'Insulting modesty and causing sexual harassment' is reproduced as

“(1) whoever; -

(i) Intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman;

(ii) conducts sexual advances, or demands sexual favours or uses written or verbal communication or physical conduct of a sexual nature which intends to annoy, insult, intimidate or threaten the other person or commits such acts at the premises of workplace, or makes submission to such conduct either explicitly or implicitly a term or condition of an individual's employment, or makes submission to or rejection of such conduct by an individual a basis for an employment decision affecting such individual, or retaliates because of rejection of such behaviour, or conducts such behaviour to unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment; Shall be punished with maximum penalty of three years' imprisonment and/or a fine of up to Rs500,000”.²⁰

The introduction of making sexual harassment a criminal offense is a positive step, but it confronts similar institutional challenges encountered by the broader criminal justice system. The system is characterized by high costs, excessive workload, and female complainants often face a deeply patriarchal and discriminatory environment, lacking meaningful due process. Despite the enactment of pro-women criminal laws in the past decade, the major hurdle lies in their implementation. Judges, particularly in lower courts, lack active case management, resulting in prolonged cases and trials. Additionally, there is a lack of state-funded free and independent legal advice and representation. Law enforcement lacks adequate knowledge of pro-women laws, and there is insufficient training on handling female survivors of violence. Similarly, lawyers lack adequate training in professional and ethical standards. Consequently, no prosecutions have been initiated in Pakistani courts under the sexual harassment provision, rendering it ineffective as a deterrent.

The civil law Protection Against Harassment of Women at the Workplace Act provides a detailed system and procedure of how workplace harassment is to be reported and dealt with. The act requires organizations — including all places of work — to clearly display a code of conduct in a prominent place in a language(s) that all members of staff understand.²¹ The code, which is set out in full within the act, provides the minimum standards on how employees, management and owners of organisations are required to behave in a work environment and includes a definition as to what constitutes harassment (mentioned

¹⁸ Munir Moosa Sadruddin, “*Sexual Harassment at Workplace in Pakistan- Issues and Remedies about the Global Issue at Managerial Sector*”, qurtaba university, June 2013.

¹⁹ Violence and harassment convention, 2019.

²⁰ Pakistan penal code 1860, section 509.

²¹ Section 11 of protection against harassment of women at workplace act 2010.

above).²² The act requires that organisations set up a three-member inquiry committee, of which one has to be a woman, to deal with cases of harassment.²³ The names of the committee members must be prominently displayed within the organisation. The act also provides for the establishment of Ombudsperson offices.²⁴ The complainant has the option to either promptly report the harassment to the relevant authority or the organization's internal committee dedicated to handling such complaints.²⁵ The witness may also make a complaint against harassment as Pakistan's harassment laws extend protection to whistleblowers who report incidents in good faith.

Provide a detailed account of the incident along with any available evidence. Internal Inquiry Organizations typically conduct an internal inquiry within 30 days of receiving a complaint. During this process, the committee will collect evidence, interview involved parties, and determine the occurrence of harassment. The organisation then has seven days to ensure the implementation of the committee's findings.

Lodge a Formal Complaint to federal ombudsperson if the internal inquiry proves unsatisfactory or if the harassment transpires in a public space or even a complainant may directly approach without exhausting the first platform; either in person, by post or online at its website.²⁶ Legal proceedings will commence upon filing a formal complaint. The fundamental object of the Federal Ombudsman is to deliver prompt and cost-effective justice to the aggrieved parties.²⁷ Consequently, any decision rendered by the Federal Ombudsman is not subject to challenge in another court. Nevertheless, a representation can be submitted to the President of Pakistan or the Governor of the relevant province, as applicable.²⁸ The ombudsperson plays an important role in combating sexual harassment.

The Act is clearly laid out and is less daunting for complainants than the criminal provision. It is probably for this reason that many harassment complaints have been either dealt with by organizational inquiry committees or provincial and federal ombudspersons. However, a flaw of the act is that it fails to properly address the issue of colleagues protecting male perpetrators during any investigation. This is particularly problematic when those that are in positions of power take it upon themselves to protect their male co-workers from the allegations. Although the Act symbolizes a positive stride for women's empowerment, the genuine safeguarding of women's rights depends on the effective implementation and enforcement of its provisions. In case the woman is facing cyber or online harassment, she may make a complaint under cyber laws²⁹ as in Meera shafi's case.

Many people argue and fear that anti-harassment laws can be misused by the women and that is even observed in various cases. The Supreme Court held that in cases of harassment, the victim's perspective is relevant as against the notion of acceptable behaviour. The standard of a reasonable woman should be considered to determine whether there was harassment, which rendered the workplace hostile, and all relevant factors should be viewed objectively and subjectively.³⁰ The charge of harassment, as a bare minimum, has to be impartial, credible, capable of surviving test of reasonableness and must be reinforced with convincing and independent evidence.³¹ Furthermore, a complaint can also be filed by the management of an organization in case it believes that the complainant has made a mala fide attempt to intentionally defame someone.³²

²² Section 2(h) of protection against harassment of women at workplace act 2010.

²³ Section 3 of protection against harassment of women at workplace act 2010.

²⁴ Section 7 Protection against Harassment of women at the Workplace (Amendment) Act, 2022 (V of 2022).

²⁵ Section 8 protection against harassment of women at workplace act 2010.

²⁶ www.fospah.gov.pk

²⁷ Saleem Javed v Federal Ombudsman case, PLD 2016 Lah 433

²⁸ Section 9, the Protection against Harassment of Women at the Workplace Act 2010.

²⁹ Electronic Crimes Act, 2016 ("PECA").

³⁰ Nadia Naaz v. president of Pakistan and other; supreme court of Pakistan 2021.

³¹ Neelam shehzadi v. mehrieh Farooq and others; federal ombudsperson case 2022.

³² Section 5(3) protection against harassment of women at workplace act 2010.

Key Challenges Faced by Women in Reporting Incidents of Workplace Harassment

In Pakistan, a significant number of employed women endure various forms of harassment in their workplaces, yet they find themselves compelled to persist in hostile environments. Those who summon the courage to confront such injustices encounter a multitude of challenges in their pursuit of justice because of which they hesitate to make complaints. Their concerns can be influenced by cultural, societal, organizational, and personal factors. A first global united nations survey assesses that shame, guilt and lack of confidence and trust in the institutions, or such unacceptable behaviours are treated as normal are the major factors that may prevent people from reporting.³³ ONE of the biggest challenge the women face is the fear retaliation or negative consequences if they speak out against harassment. Retaliation is constraining an employee's options for future promotions or training, manipulating evaluation reports, spreading gossip about the employee, or employing other tactics to impede access to their rights are all forms of harassment.³⁴This could include damage to their professional reputation, job loss, or other adverse actions taken by the perpetrator or the organization. In the case of Iram Shahzadi vs Government of Pakistan the complainant was suspended from her job in retaliation, but the appellate court didn't take cognizance of it and recommended that the issue be taken up in an appropriate forum. The witnesses hesitate to testify as they may also suffer from retaliation as in, Meera Shafi Vs Ali Zafar case,³⁵ both the parties have filed counter defamation cases against each other, so much so FIRs at the Federal investigation agency (FIA) have also been filled against the witnesses of Meera Shafi, which clearly indicate intimidation of not only the complainant but also their witnesses. This fear creates a culture of silence that perpetuates harassment and inhibits the implementation of preventive measures.

Unequal power dynamics within the workplace, especially if the harasser is in a position of authority, can deter victims from coming forward. The fear of not being believed or supported by colleagues and superiors can be overwhelming. Society sometimes places the burden on the victim, questioning their credibility or blaming them for the harassment. This fear of being stigmatized or not being taken seriously may prevent women from reporting incidents. A large group of individuals sadly including women believe that if a woman is harassed, it's her fault (that is her inappropriate dressing etc....) Cultural norms and taboos surrounding discussions of sexuality or inappropriate behavior may discourage victims from reporting harassment. Fear of judgment or shaming can be a significant barrier.

Many organizations lack effective and confidential reporting mechanisms, because of which women hesitate to come forward. Concerns about the credibility of internal investigations or fear of leaks can discourage reporting. The observers and eyewitnesses often choose silence to avoid getting dragged in the case. This phenomenon is commonly referred to as "the culture of silence." In some environments, harassment may be so prevalent that it becomes normalized. Women might downplay incidents, thinking they are part of the job culture, or they may not recognize certain behaviors as harassment. The emotional toll of reliving traumatic experiences during an investigation or legal process can be daunting. Women choose not to report to avoid additional stress and anxiety. Some individuals may not be fully aware of their rights or the legal avenues available to them for reporting harassment. Lack of information about the processes and support systems in place can contribute to underreporting. In a distressing case of workplace harassment, a former senior officer of an electric company in Pakistan faced significant hurdles in seeking justice. After filing a sexual harassment complaint against the company's CEO, she encountered delays and challenges at every turn. The company's legal maneuvering resulted in a year-long struggle to lift the stay order obtained in the Sindh High Court. The complainant alleged inappropriate behavior by the CEO, including late-night dinner invitations, leading to a hostile work environment when she resisted. Internal complaints yielded no action, and instead, she faced termination, withheld dues, and societal disrespect. Legal proceedings brought further challenges, with the alleged perpetrator utilizing company funds for prolonged legal battles, while the victim faced financial and emotional strain. The Sindh Ombudsman's

³³ “*Experiences of Violence and Harassment at Work*”, *A global first survey* by united nations 2022.

³⁴ Rule 2(c) of code of conduct for protection against harassment of women at the workplace.

³⁵ PLD 2023 SC 211

expected resolution within three months was thwarted by the alleged perpetrator's move to the Supreme Court, reflecting a common pattern of victims enduring prolonged legal battles while alleged perpetrators face no immediate consequences. The case underscores the limitations of internal committees and the broader societal and systemic challenges hindering justice for workplace harassment victims in Pakistan.³⁶

Strategies to Combat Workplace Harassment

Effective strategies to combat workplace harassment encompass a multifaceted approach. Government and Organizations can start by strategies suggested by ILO's report to combat this plague of harassment at workplaces.³⁷ Firstly, the organizations and the governments should regularly collect comprehensive data on workplace violence and harassment at national, regional, and global levels to shape the development of prevention and remediation laws, mechanisms, policies, and programs. Secondly, Expand and update mechanisms aimed at effectively preventing and managing violence and harassment, incorporating labor inspection systems, and integrating occupational safety and health policies and programs. Thirdly, all the organizations should establish their internal inquiry committees to address the issue. The protection against harassment of women at workplace act 2010 also requires it.³⁸The very existence of such committees will be a deterrent to harassers and an encouragement to women. Strengthening the capabilities of institutions at all levels to deliver efficient prevention, remediation, and support, fostering trust in the justice system, and ensuring adequate support for victims.

Fourthly, Awareness and education programs play a crucial role in fostering a harassment-free workplace environment for women in Pakistan. They disseminate information about what constitutes harassment, the various forms it can take, and the rights and protections available to individuals. This knowledge empowers women to recognize and address harassment. Education programs provide clarity on existing laws and regulations related to workplace harassment and encourage women to come forward with their complaints. This is essential for creating a culture of accountability. Awareness initiatives challenge societal stigmas and stereotypes associated with harassment. They aim to reshape attitudes and foster an environment where victims are not blamed or stigmatized but are supported. Education programs facilitate the creation of support networks within workplaces. When employees are informed and educated, they are more likely to stand in solidarity against harassment, fostering a supportive community. Training programs can educate employees and employers on appropriate workplace behavior, sensitivity, and communication skills. Awareness initiatives contribute to building a commitment to a harassment-free workplace culture among leadership. When leaders are informed, they are more likely to implement and enforce policies that protect employees. These programs empower bystanders to intervene when they witness harassment by equipping individuals with the knowledge and skills to act as allies. In diverse workplaces, cultural sensitivity training is crucial. Awareness programs can provide insights into different cultural norms, ensuring that anti-harassment policies are effective and inclusive. Ongoing awareness efforts through regular updates and refreshers help maintains a vigilant workforce. This is especially important as societal norms and workplace dynamics evolve. Awareness should be provided to the public regarding Pakistan's Legal Framework against harassment. This would be a very effective strategy to combat workplace harassment as when the women know the procedure and the laws, they would file complaints easily. And awareness of these laws and punishments would also be effective as will deter the perpetrators. Federal ombudsperson has initiated awareness campaigns through SMS intimating the process of making online complaints. Awareness session and training programs are conducted by FOSPAH at different organizations throughout Pakistan.

³⁶ Shazia Mehboob Tanoli, "Is Pakistan safe for working women?", tribune magazine, September 25, 2022.

³⁷ International Labour Organization (ILO), Lloyd's Register Foundation (LRF) and Gallup report.

³⁸ Section 3 of protection against harassment of women at workplace act.

Other strategies which may help in combating workplace harassment are adopting robust harassment policies³⁹ with the aim of creating a safe environment for employees and initiating campaigns urging victims to speak out against harassment while emphasizing that perpetrators, not victims, should bear shame. Addressing the issue of social stigma associated with harassment victims, FOSPAH has championed the slogan "silence no more".⁴⁰ Harassment complaints should be treated seriously and empathetically, ensuring potential harassers are aware of the severe consequences they may face. The harassment policy should prioritize victim-friendliness, encouraging confident and comfortable reporting, with assurances against retaliation. Organizations are further required to submit compliance reports to FOSPAH, ensuring the effective implementation of the Act. Numerous instances of harassment have been effectively addressed due to the crucial positive role of top management. This can be witnessed in the case of Journalist Ismat who faced an inappropriate behavior from a program producer, she chose not to resign but instead confided in her supportive family. She filed a complaint with top management, resulting in an inquiry that led to the individual's termination.⁴¹ The women should assertively address harassment, rather than compromising their peace of mind and self-respect and the positive role of leadership can help combat harassment at workplaces. By standing against harassment and offering unwavering support to women within the household, families can play a crucial role in creating an environment free from such incidents. This strategy prioritizes the psychological well-being of victims and contributes to fostering empowered and confident women who are better prepared to confront harassment with resilience.⁴²

The strategies to be followed at individual level are to make complaints to management, being blunt and straightforward, counselling by professionals, mastering the art of refusal (learn to say NO), restricting unnecessary visits by male colleagues to your office, punish by humiliating, avoiding late-hour interactions, engaging in conversations with other female colleagues constitute a portion of numerous. An additional effective strategy to combat workplace harassment is to take bold steps after seeking support from friends, family, and taking other employees and colleagues into confidence. Also consult a qualified attorney who can provide essential guidance, represent you in court, and ensure the protection of your legal rights throughout the process. The complainant should also be aware about Keeping Evidence of Harassment.⁴³ Nevertheless, maintaining a thorough record of evidence is crucial. This practice not only fortifies the case but also enhances the likelihood of justice being served. It is advisable to document an incident promptly, even if there is no immediate intention to file a complaint. In some instances, individuals may be uncertain about whether an incident qualifies as harassment. Since sexual harassment cases may originate from isolated remarks or incidents, gradually evolving into a series of occurrences, it is prudent to document each incident from the outset.

In summary, awareness, education and training programs, guidance by a legal practitioner, seeking help from family and friends, establishment of internal inquiry committees and harassment policies, positive role of top leadership, keeping record of evidence are instrumental in creating a workplace culture that is intolerant of harassment, in Pakistan. Simultaneously, the practical implementation of women's rights should be actively pursued by the Government of Pakistan.

Conclusion

Workplace harassment specifically pertains to incidents occurring in a professional setting that create a hostile or offensive work environment for the victim. Statistical data underscores that incidents of

³⁹ code of conduct for protection against harassment of women at the workplace.

⁴⁰ Federal Ombudsman Secretariat for Protection Against Harassment or Federal Ombudsman Secretariat for Protection Against Harassment at Workplace, annual report 2019-20.

⁴¹ Shazia Mehboob Tanoli, "Is Pakistan safe for working women?", *tribune magazine*, September 25, 2022.

⁴² Muhammad Usman Awan, "Workplace Harassment in Pakistan – Statistics, Facts & Figures, Laws, Legal Prosecution, Policy, Prevention & Defense Guide", (stopharassmentnow.org)

⁴³ Asiapacific, Unwomen, Final Toolkit, February 2021, Punjab.

harassment against women are markedly more prevalent than those against men,⁴⁴ emphasizing the increased vulnerability of women to workplace harassment. The law on workplace harassment has the potential to be a catalyst for positive change in our attitudes towards women, and the act and the establishment of the ombudsperson's office are good starting points. However, for law to be a realistic deterrent and to reshape social attitudes towards sexual harassment, effective implementation and consistent oversight is essential. In Pakistan, cultural norms around what is expected of women, unequal power relationships at the workplace and a lack of an enabling environment are some of the reasons sexual harassment is rampant. This not only dissuades women from sustaining employment but also detrimentally affects their job performance, often resulting in enduring psychological consequences and severe health implications. Addressing these barriers requires a multifaceted approach, including cultural shifts, awareness campaigns, stronger legal protections, and creating supportive and confidential reporting channels within organizations. Building a culture of trust and respect is essential to encourage victims to come forward and seek justice against sexual harassment.

⁴⁴ Maria Khan and Ayesha Ahmed, "*The Protection against Harassment of Women at the Workplace Act 2010*", A Legislative Review (Lahore University of Management Sciences (LUMS)).