

**Exploring Sexual Harassment Condition:
Working Women in Formal Sector in Covid-19 Situation**



Conducted by:
National Girl Child Advocacy Forum
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Final Report

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Abbreviations:

GAA- Girls Advocacy Alliance

CEDAW-Convention on the Elimination of all Forms of Discrimination Against Women

FGD – Focus Group Discussion

GoB–Government of Bangladesh

ILO-International Labour Organization

KII-Key Informant Interview

MoHA–Ministry of Home Affairs

NGAF-National Girl Child Advocacy Forum

SDGs-Sustainable Development Goals 2015-2030

SH-Sexual Harassment

UNCRC-United Nations Convention on the Rights of the Child

VAW–Violence against Women

Executive summary:

Despite constitutional guarantees, women and girls continue to face wide spread gender-based violence including sexual harassment both in public and private lives in Bangladesh. Media reports and recent studies on sexual harassment of working women depicts alarming situation. Women usually do not report sexual harassment due to social stigma and fear of losing job. Lack of effective policy or law also contributes to persistence of sexual harassment. Existing laws though address sexual harassment, varies widely in respect of definition, punishment and effectiveness. Directives of the High Court are widely ignored. Recently, the world is going through an unprecedented experience of rapidly spreading Covid-19 pandemic. The risk of gender-based-violence including sexual harassment escalates during times of crisis. The current crisis could disproportionately affect working women in a number of ways, including adverse effects on their health, livelihoods, security and protection. Moreover, during crisis settings, violence against girls and women tends to be overlooked in policy and programs. Therefore, there is an urgent need for advocacy with the policy planners so that they pay greater attention in addressing the issue. Under these circumstances, National Girl Child Advocacy Forum (NGCAF) with support of Plan International Bangladesh commissioned this study entitled, 'Exploring Sexual Harassment Condition: Working Women in Formal Sector in Covid-19 Situation'.

The first chapter of this report provides introduction to the study including statement of the problem, rationale, objectives, study period, geographic coverage, and limitations of the study. Objectives of this study were: to understand forms of sexual harassment; identify causes; reveal frequency of sexual harassment; identify perpetrators; figure out mechanisms; understand impacts on the victim; reveal existing sexual harassment workplace policy; identify measures undertaken by the employer; unveil victims' perception about legal framework and collect achievable recommendations. The study was carried out from 15 June till 15 August 2020. Geographically the study was carried out in 13 selected districts of 6 divisions namely Barisal, Dhaka, Khulna, Mymensingh, Rajshahi and Rangpur of Bangladesh.

The second chapter elaborates on methodology of the study. Both primary and secondary data were collected and analyzed to understand sexual harassment condition against working women. A through desk review was carried out on laws, policies, articles, books etc. on sexual harassment of women in Bangladesh. Both quantitative and qualitative data were collected from the primary sources. At the initial stage, 390 women were approached to attend the sample survey. However, 135 working women agreed to participate in the study. These 135 working women were selected purposively on the basis of their experiences of being sexually harassed. Therefore, the sample survey was conducted among 135 women working in the formal sector in 13 districts of 6 divisions of Bangladesh. An interview schedule was developed and pretested for the sample survey. A total number of 7 Focus Group Discussions (FGDs) were conducted. About 38 working women have attended these 7 FGDs. In addition, 11 Key Informants Interviews (KII) were also conducted with duty bearers and stakeholders. One case study was also collected.

The third chapter presents findings of the study. Majority of the working women (41.48%) have encountered sexual harassment 2-3 times during Covid-19 period (8 March-30 June 2020). It is important to notice that 8.89 percent had to face sexual harassment 6-10 times. Out of 135 working women, 113 have encountered verbal sexual comments. A total number of 27 women also received sexual offer over phone while 7 received text messages and e-mail of sexual nature. An overwhelming majority of women (95) were sexually harassed by their Supervisors and Line Managers, 64 harassed by their colleagues. In case of 8 women, employers themselves were the perpetrators. A total number of 118 women said that women's silence is one of the main causes of persisting sexual harassment. Gender, power relation and women's subordinate position; lack of awareness programmes at workplaces; lack of legal protection; women's vulnerability due to Covid-19 situation; lack of workplace policy and complain system were other major causes of sexual harassment. Impact of harassment are multiple. A total number of 123 women felt depressed, 112 felt humiliated, another 112 women did not feel like going to work. A significant number of respondents lost their trust on colleagues; felt like leaving the job; and suffered from continuous fear of further harassment. A vast majority (81.48%) of working women who were sexually harassed did not report the incident to their employer or higher authority. Actions of employers depicts sad picture. Legal action was taken against only one harasser. Only 46 women (34.07%) had workplace sexual harassment prevention policy. Most of the workplaces (62.22%) do not have any awareness raising activities on sexual harassment. An overwhelming majority of sexually harassed working women (93.33%) did not report to the law enforcing agencies due to fear of further stigmatization; mistrust, lack of confidence, lack of specific law etc. Multiple suggestions were made to prevent sexual harassment. A large number of respondents (115) suggested to formulate a comprehensive law with stringent punishment while 101 respondents suggested mandatory sexual harassment prevention policy at workplace, 86 respondents wanted effective awareness programmes to be introduced, 79 emphasized on sensitizing law enforcers and 37 suggested to sensitize employers and make them accountable.

The fourth chapter is the concluding one. The study finds that in spite of impressive economic progress made over the last decade, Bangladesh is facing huge challenge due to Covid-19 pandemic outbreak. Financial and social instabilities caused by the pandemic leave working women vulnerable to sexual harassment more than ever before. Unfortunately, social as well as legal protection for these victims are almost negligible. Lack of effective policy, law and lack of proper implementation of even existing laws contributes to persistence of sexual harassment. Eleven point directives provided on the prohibition, prevention and redress by the High Court are widely ignored. Lack of awareness on sexual harassment is another issue that needs immediate attention. It should be noted that working women can play an important role in the recovery efforts in economy. If sexual harassment continues, this will disrupt their ability to participate and lead in the recovery of countries economy. Finally, recommendations made by the respondents and participants have been included. Major recommendations are:

- A comprehensive law with rigorous punishment should be formulated. The new law should have provisions of proper implementation and speedy trial system.
- Directives of the High Court issued in 2009 should properly be implemented in all work places until adequate and effective legislation is formulated.

- Every institution and organization should have mandatory and effective sexual harassment prevention and redress workplace policy. Policies should follow definitions provided in the High Court Division Guidelines. The policy should include clear processes of investigating allegations of misconduct against working women.
- The employer or concerned authority of the organization should constitute a Complaint Committee. The Committee should receive complaints, conduct investigations and suggest appropriate punishment for the offenders. Majority member of the Complaints Committee should be women. Accountability of these committees and the employer should also be ensured.
- Awareness programmes such as campaign, training, orientation to increase respect for women should be introduced. In addition, regular orientation on workplace sexual harassment policies should be conducted.
- Programmes on empowering working women should be introduced. Empowerment may include orientation, training, meetings for working women on existing legal frameworks, policies, rights of working women and complain mechanisms etc.

Chapter I: Introduction

1.1 Statement of the problem

Despite constitutional guarantees of equality and equal protection of law, women continue to face widespread gender-based violence including sexual harassment both in public and private lives in Bangladesh. Media reports and recent studies on sexual harassment of working women presents alarming situation. A study jointly conducted by Manusher Jonno Foundation and Karmojibi Nari has revealed that 22.4 percent of female garment workers are sexually harassed at and on their way to their workplaces. (Dhaka Tribune, 7 May 2019). Research conducted by ActionAid has found that 80% of garment workers in Bangladesh have either seen or directly experienced sexual violence or harassment in the workplace (ActionAid briefing paper: Sexual harassment and violence against garment workers in Bangladesh, undated). Many women, no matter where they work, encounter sexual harassment. Women usually do not report sexual harassment due to associated social stigma and fear of losing job. Moreover, social as well as legal protection for these victims are almost negligible. Lack of effective policy or law also contributes to persistence of sexual harassment.

Recently, the world is going through an unprecedented experience of rapidly spreading Covid-19 pandemic. The Coronavirus was confirmed to have spread in Bangladesh from March 2020. Both number of confirmed cases and death tolls are on the rise. According to the government sources, as of 23 September 2020, 5,044 people have died and 352,844 people have been infected with Corona virus. In Bangladesh, COVID-19 threatens to cause a humanitarian crisis. The World Bank forecasts the economic growth of Bangladesh to slow down in 2020. Exports particularly readymade garments and remittance will be hit by the global financial crisis as a result of the pandemic. Media reports show that nearly one million garment workers most of whom are women are already laid off due to declining orders for export. The risk of gender-based-violence including sexual harassment escalates during times of crisis. The current crisis could disproportionately affect working women in a number of ways, including adverse effects on their health, livelihoods, security and protection. Moreover, during crisis settings, violence against girls and women tends to be overlooked in policy and programmes. At this stage, there is an urgent need to strengthen and continue advocacy with the policy planners and influence them to seriously address the issue.

In relation to the above context, National Girl Child Advocacy Forum (NGCAF) with support of Plan International Bangladesh conducted this study entitled 'Exploring Sexual Harassment Condition: Working Women in Formal Sector in Covid-19 Situation'.

1.2 Rational of the study:

Sexual harassment against working women is widespread in Bangladesh. Only a few studies have been conducted on workplace sexual harassment of working women in the country. Moreover, these studies were conducted during normal settings (pre-Covid-19 situation). Therefore, there

are very limited authentic data on sexual harassment condition of working women in Covid-19 situation. Legal framework is inadequate in addressing sexual harassment in Bangladesh. NGCAF with support of Plan International has been implementing a project entitled 'Girl Advocacy Alliance'. Addressing violence against girls and women including sexual harassment is one of the three core thematic areas of the project. In conjunction to CEDAW and thematic areas of the GAA project, NGCAF has been advocating for a comprehensive law to protect girls and women from gender based violence including sexual harassment. Motivating and making the government machinery responsive is a long-term process of continuous advocacy. It was anticipated that having updated research behind the advocacy will both establish credibility and give substantive reasons for the comprehensive law to protect girls and women from sexual harassment.

1.3 Objectives of the study:

The overall objective of the study is to explore sexual harassment condition of working women in formal sector during Covid-19 situation.

Specific objectives are to:

- Understand the forms of sexual harassment;
- Identify causes of sexual harassment;
- Reveal frequency of harassment;
- Identify perpetrators;
- Figure out the mechanism used by the perpetrator;
- Understand impacts of sexual harassment on the victim;
- Reveal effectiveness of sexual harassment policies;
- Identify actions or measures undertaken by the employer;
- Understand victim's perception on the existing legal framework and implications;
- Collect achievable recommendations to address sexual harassment effectively.

1.4 Study period: The study was carried out from 15 June till 15 August 2020. Information on experiences of sexual harassment encountered by working women in the formal sector amid Covid-19 pandemic (8 March till 30 June 2020) were collected.

1.5 Geographic coverage: The study was carried out in 19 selected districts of 6 divisions namely Barisal, Dhaka, Khulna, Mymensingh, Rajshahi and Rangpur of Bangladesh.

1.6 Limitations of the study:

One of the limitations of the study is its small sample size. Due to ongoing Covid-19 situation, locked down and travel restrictions imposed by the government to limit the spread of the virus, researchers and respondents had limited mobility. As a result, we could cover only a small sample size. Another limitation is the geographic coverage. Out of 64 districts of 8 divisions, data was collected from 19 districts of 6 divisions.

1.7 Challenges faced:

Vast majority of people particularly working women were facing severe economic hardship. Many of the women approached to attend interviews either had lost their jobs or were worried of losing as a result of the pandemic. A large number of the women working in the formal sector were working from home. Many did not or could not come out of their home due to the fear of getting infected. Many did not allow the researchers to visit them. All these realities posed challenges in collecting primary data from the field level. Sexual harassment is a very sensitive issue to be discussed. However, they were not comfortable in talking about their experiences at the initial stage. They also could not talk openly of being harassed as this will put her down in the family. They also had fear of further social stigma. Moreover, they were concerned about their identity going public.

In addition to the Covid-19 pandemic, severe flooding was going on in many northern districts of Bangladesh. Neither field researcher could visit those areas freely nor could respondents come out of their home. It made the data collection challenging than usual.

Chapter II: Methodology

Both primary and secondary data were collected and analyzed to understand magnitude, nature, frequency and impacts of sexual harassment of working women in the formal sector during Covid-19 crisis. A mix method of quantitative and qualitative data collection was followed in collecting primary data. After review of literature, a set of study instruments that included interview schedule, Key Informant Interview (KII) and Focus Group Discussion (FGD) guideline were developed and pretested. A half-day online orientation session was conducted for the supervisors and enumerators by the Consultant. Research team members of NGCAF also attended the orientation session. They provided their suggestions and guidance during the orientation session. The orientation session included discussion on the background, methodology, study instruments and research ethics. After a week, a feedback session was organized. Challenges faced by the field researchers during data collection and ways to overcome were discussed. Primary data were collected through Individual Interviews, KII and FGDs. In addition, one case study was also collected. Information of sexual harassment amid the ongoing Covid-19 situation (8 March-30 June 2020) were collected during the primary data collection.

2.1 Secondary data:

A thorough desk review was done of policies, laws, books, and articles etc. on sexual harassment of working women in the formal sector during Covid-19 situation. The desk review also included surfing internet and websites relevant to the issue. In addition, national legal framework such as the National Women Development Policy, 2011; Penal Code, 1860; Women and Children Repression Prevention Act, 2000 (amended in 2003); The Labour Law of Bangladesh, 2006 (amended in 2013) were also reviewed. Furthermore, international instruments such as the

Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), ILO Convention 190 on Ending Violence and Harassment against Women and Men in the World of Work and Sustainable Development Goals (SDGs), 2015-2030 were reviewed.

2.2 Primary data:

Both quantitative and qualitative data were collected from the primary sources. A sample survey was conducted among 135 women working in the formal sector in 13 districts (Bagerhat, Barisal, Dhaka, Gazipur, Khulna, Kishoreganj, Kurigram, Mymensingh, Naogaon, Netrakona, Nilphamari, Rangpur, Satkhira) of 6 divisions of Bangladesh. An interview schedule was developed and pretested for the sample survey. Quantitative data were checked and coded after the field data collection. A total number of 7 Focus Group Discussions (FGDs) were conducted. About 38 working women have attended these 7 FGDs. About 11 Key Informants Interviews (KII) were also conducted with duty bearers and stakeholders. In addition, one case study was collected.

2.3 Sample selection and distribution:

Sample was selected purposively. A list of probable respondent was prepared by supervisors and enumerators in respective divisions. Professional and geographic diversity as well as experience of encountering sexual harassment were the basis of sample selection. Respondents were mostly contacted over phone at the initial stage and then visited. At the introductory discussion, potential respondents were provided details of the study. A total number of 390 working women were requested to attend interviews. However, 135 working women agreed to talk about their experiences of being sexually harassed during Covid-19 crisis. Sample size with geographic distribution is provided below:

Divisions	Attended Interviews	Requested/ approached
Barisal	15	24
Dhaka	45	97
Mymensingh	20	53
Khulna	20	95
Rajshahi	20	49
Rangpur	15	72
Total	135	390
Percentage	34.62	100

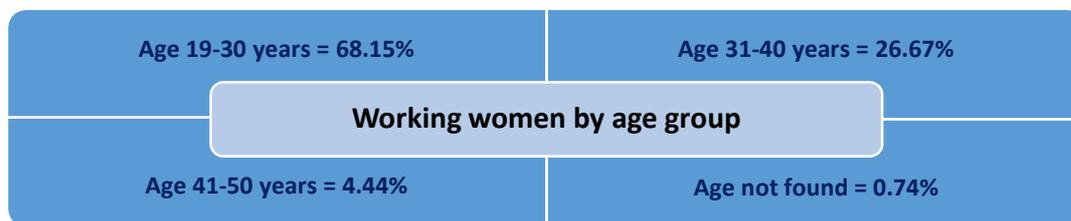
Chapter III: Study findings

3.1 Demographic characteristics: profile of participating working women

Demographic characteristics include age group, profession, marital status and level of education of participants in the sample survey.

Age group of respondents:

Majority of the respondents (68.15%) were in the age group of 19-30 years followed by 26.67 percent between age group of 31-40 years. A very small percentage (4.44%) were at the age group of 41-50 years.



Profession of respondents:

With regard to profession of respondents, 59.26 percent were from ready-made garment sector followed by 14.81 percent from health sector and 8.89 percent from private sector. About 6.67 percent respondents were NGO workers while 3.70 percent bankers and another 3.70 percent were teachers. Lawyers and police each were 1.48 percent respectively.

Marital status of respondents:

An overwhelming majority of the respondents (74.07%) were married while 18.52 percent were unmarried. About 7.41 percent were others (either divorce, separated, abandoned or widows).

Level of education of respondents:

In conjunction to the level of education, 11.11 percent had master's degree while 12.59 percent had bachelor's degree, 19.26 percent HSC, 8.89 SSC and 18.52 percent class 8. Below class 8 level was 21.48 percent.

3.2 Quantitative findings

Experiences of sexual harassment

All the 135 respondents out of a total number of 390 working women approached experienced sexually harassed at their workplace during the Covid-19 situation.

Number of sexual harassments encountered:

Majority of working women (41.48%) have encountered sexual harassment 2-3 times during Covid-19 period (8 March-30 June 2020) while 25.93 percent women have encountered 4-5 times and 22.96 percent have encountered one time. It is noticeable that within only these approximately 3 months, about 8.89 percent had to face sexual harassment 6-10 time.

Type of sexual harassment encountered:

With regard to type of harassment encountered by working women, multiple answers were provided by the respondent. Out of the total number of 135 working women, 113 have encountered verbal sexual comments while 94 encountered sexual gesture and posture and 80 women had verbal sexual offers. A total number of 27 women received sexual offer over phone while 7 received text messages and e-mail of sexual nature. A large number (61) of women also encountered physical touch.

Perpetrators of harassment:

With regard to perpetrators, answers were multiple. Majority of women (95) were sexually harassed by their Supervisors and Line Managers, 64 harassed by their colleagues/ coworkers, 53 by Managers. In case of 8 women, employers themselves were the perpetrators.

Causes of sexual harassment of working women:

With regard to causes, multiple answers were provided by the respondents. Majority of the women (118) said that women's silence is one of the main causes of persisting sexual harassment. However, 85 women informed that gender, power relation and women's subordinate position at the workplace; 79 women said that lack of awareness programmes at workplaces; 66 women informed, lack of legal protection at the workplace are the causes of sexual harassment. About 57 women identified women's vulnerability due to Covid-19 situation as causes of harassment while 41 women said lack of workplace policy and complain system to address sexual harassment are the causes.

Impact of sexual harassment on working women:

In response to impact of sexual harassment on women, multiple responses were given by the respondents. A total number of 123 women felt upset and depressed, 112 felt humiliated, another 112 women did not feel like going to work, and 101 could not trust colleagues anymore. A significant number (88) of women felt like leaving the job while 54 were broken mentally, 51 were suffering from continuous fear of further harassment.

Reporting sexual harassment to the employer:

A vast majority (81.48%) of working women who were sexually harassed did not report the incident to their employer or higher authority. Only 14.07 percent reported and 4.44 percent did not respond to the question.

Initiatives of the employer to prevent sexual harassment:

Responses on actions of employers depicts a very sad picture. A total number of 10 perpetrators were threatened by the employer not to harass women again and 6 were threatened of losing job. Only 3 harassers were given financial punishments and 2 harasser were terminated. Legal action was taken against only one harasser.

Organizational policy on preventing sexual harassment:

With regard to organizational policy to prevent sexual harassment, out of 135 women, 46 women (34.07%) responded that they have the workplace policy and 25.19 did not. A large percentage (40.74%) of women did not respond to the question.

Accessibility of working women to organizational policy:

Out of these 46 women who have workplace sexual harassment policy, only 21 women have seen or read organizational policy on sexual harassment. Out of 135 respondents, 52 women did not see or read the policy. Quite a large number (62) women did not respond to the question.

Awareness activities at the workplace:

Majority of the workplaces (62.22%) do not have any awareness raising activities on sexual harassment. Only 24.44 percent workplaces have awareness raising activities on sexual harassment of working women. About 13.33 percent of the respondents did not provide any response to this question.

Reporting to the law enforcing agencies:

An overwhelming majority of sexually harassed working women (93.33%) did not report to the law enforcing agencies. Only 5.19 percent of women reported incidents of sexual harassment to the law enforcement agencies.

Actions of the law enforcing agencies:

Out of the 7 working women (5.19% of the total) who have reported to the law enforcing agencies, 3 women informed that members of the law enforcing agencies were not supportive while 2 women informed, members of the law enforcing agencies came and warned the harasser; another 2 women informed that members of the law enforcing agencies talked to the employer and went back. However, 1 woman informed that law enforcing agency arrested the perpetrator. Reasons for not reporting the incident of sexual harassment to the law enforcement agencies: Multiple reasons were provided about the reason for not reporting to the law enforcing agencies. A total number of 101 women said that they do not report because of further stigmatization; 79 said, this will create more problems at the workplace; 62 women do not trust them; 51 women thought that law enforcers will not help them. About 37 women thought that there was no specific law to address the issue and 36 women said that reporting to the law enforcement agencies will make their employer angry.

Suggestions to prevent sexual harassment:

Suggestions to prevent sexual harassment were multiple. A large number of respondents (115) suggested to formulate a comprehensive law with stringent punishment while 101 respondents suggested mandatory sexual harassment prevention policy at workplace, 86 respondents wanted effective awareness programmes to be introduced, 79 emphasized on sensitizing law enforcers and 37 suggested to sensitize employers and make them accountable.

3.3 Qualitative findings

Number of incidents of sexual harassment:

Exact number of sexually harassment of working women in the formal sector was not known though the participants knew about some incidents of harassment in their localities. According to the participants, majority of the women do not share their experiences of being harassed due social stigma. However, they informed that the number of incidents were much higher than reported during Covid-19 situation. They informed that health workers, lawyers, school teachers, sells-girls were harassed in their areas during Covid-19 period. They provided examples of 25 working women who were sexually harassed either by their coworkers or boss. In one of the FGDs, 4 out of 7 participants themselves were sexually harassed.

Nature of sexual harassment:

During Covid-19 period, government had imposed locked down to control spread of the virus. Some offices and industries were operating with limited number of employees. Perpetrators took advantage of the empty workplaces. In many cases, work distribution was done by the manager or supervisor deliberately so that particular woman had to work alone late hours with them. More workload was given to particular women of their choice so that women have to stay even after the evening. Most of the working women and their families had spent their savings during the lockdown situation. They were living in extreme economic hardship. A large number of working women were also afraid of losing job due to the crisis. Coworkers, supervisors and even senior officials new about the vulnerability of women workers. Perpetrator have taken advantage of this economic vulnerability of working women. Many manager and boss asked for sexual favour in exchange of job security. Working women in the formal sector thought that complaining about sexual harassment will be ignored by the employer as they were busy in managing their business rather than protecting their women workers. On the other hand, some offices allowed their employees to work online from home. Working women who were working from home during the lockdown were harassed online via Zoom, Facebook, WahtsAps, e-mail, text messages etc. Many senior officials called in the middle of the night, sent sexual video content, talked vulgar with sexual appeal. Accept harassment due to the fear of losing job and further social harassment.

Causes:

Sexual harassment of working women at the workplace is not a new phenomenon. It existed for long. However, economic and social instability caused by COVID-19, left working women more vulnerable to the crime. Pre-existed patriarchal social practices, increased economic vulnerability due to Covid-19 situation, shrinking employment opportunities, chances or fear of losing job, lack of sexual harassment policy, lack of harassment prevention committee at workplaces, lack of a comprehensive law, etc. believed to be the main causes for persisting sexual harassment against working women. Working women perceived that law enforcement agencies were busy with their additional duties of managing locked down due to Covid-19. Issues of sexual harassment would be ignored. Therefore, complaining to the law enforcing agencies would bring no good. Rather employers or boss may get angry if they complain to the law enforcers. Increased and rampant use of unrestricted ICT was mentioned as one of the causes of sexual harassment of women even

when they are physically far. Corruption and lack justice, and lengthy legal system are believed to be some important causes of sexual harassment too.

Impact on the victim:

Sexual harassment has profound impact on the victim's personal life, their family and the industry they work for. Working women sexually harassed by their coworkers, supervisors, manager or boss feel humiliated but cannot share with anyone even in the family. They lost self-confidence. Harassment also results in losing trust and respect for boss or employer. The victim suffer from fear, severe anxiety and depression. Working women lost interest in work. They become mentally ill and physically weak that leads to less productivity.

Existence of sexual harassment policy and committee:

Majority of the workplaces, institutions and organizations do not have sexual harassment policy or committee to address sexual harassment of working women at the workplace. Some of the organizations have policies and committees on paper, not in reality. These policies and committees are not effective at all. Sexual harassment issue is discussed once a year during school and college management committees.

According to the participants, it is extremely important to have mandatory policy and committees to prevent harassment of working women. They further added that having policy does not make any sense if it is not properly implemented. There should be strong monitoring systems to assess activities of these committees. Accountability of these committees should also be ensured. Committees should be headed by woman, they further suggested.

Law and law enforcement:

Participants could not tell precise name of the law addressing sexual harassment of working women. However, they knew that there were scattered laws and not effective. They were also concerned about proper implementation of existing laws. Furthermore, they stressed the need for updating existing laws or enacting a comprehensive new law to address sexual harassment of women at workplace. They wanted to provide the burden of proof to the perpetrator not the victim. According to the participants, sexual harassment often happens in isolation. It is hard for a victim to prove harassment in the court as evidence and witness are not available. Rigorous punishment should be introduced. The new law should also have provisions of not stigmatizing the victim. In addition to enacting new law, it is important to introduce speedy trial for ensuring justice. They also emphasized on implementing directive of the High Court, 2009 immediately.

3.4 Case study

Sexual harassment: Crocodile in the water and tiger in the bank

Maymuna Akhter (fictitious name) was born and brought up in Gendaria of old Dhaka. She works for a newspaper publishing company. Her office was in Mohakhali area of Dhaka city. She had to spend about two hours to reach her office by rickshaw and bus. Like majority of women using public transport, she has bitter experiences of sexual harassment. Though most of the offices and

industries were closed during the locked down due to Covid-19 pandemic, Maymuna's office was open. She thought that death toll and infection rate will bring positive changes in peoples mind ... sexual harassment will decrease. Unfortunately, she found it wrong. She was sexually harassed in public transport more during the Covid-19 situation than before. Moreover, she found her Manager who was of her father's age difficult. Her Manager started assigning additional work so that she had to stay in the office late hours. The Manager started calling her in his room without any reason particularly when no one was around. Maymuna felt insured. She had fear of being abused by her Manager. She could not share her Manager's behavior with anyone in the office due to the fear of losing job. She could not share her situation with anyone even in the family. She had fear that her family members would ask her to quite the job. And she knew that her family would be in deep economic trouble if she had left the job. Many women like Maymua face sexual harassment in public transport and at workplace. They have to accept it silently. About sexual harassment, Maymuna expressed "it is like crocodile in the water and tiger in the bank". Never know when I am going to be their meal".

Chapter IV: Conclusion and recommendations

4.1 Conclusion

Bangladesh has made impressive economic progress in recent past. The country was also on track to reach the first Sustainable Development Goal of eradicating extreme poverty by 2030. Unfortunately, Covid-19 pandemic outbreak paused a threat to the progress of the country. The Covid-19 pandemic is severely disrupting the normal lives of people in the world including Bangladesh. Sexual harassment of working women did not begin with Covid-19. But financial and social instabilities caused by the pandemic leave them vulnerable to sexual harassment than ever before. Among many aspects, Covid-19 is also significantly impacting the rule of law. In Bangladesh, several laws have attempted to address sexual harassment. Section 354 of the Penal Code, 1860, the punishment of non-penetration sexual assault (outrage modesty) is a maximum term of two years imprisonment or with fine or with both while section 509 states punishment of noncontact sexual insult (insult the modesty of a woman) is one year imprisonment of either description or with fine or with both. Women and Children Repression Prevention Act 2000 (amended in 2003) states, a person will be sentenced to rigorous imprisonment for a minimum of two years to a maximum of seven years if he sexually harasses women. Dhaka Metropolitan Police ordinance (DMPO-1976), section 76 includes penalty which may extend to one year, or with fine which may extend to two thousand taka, or with both. It is evident that laws are scattered and punishment varies widely from one another. Moreover, due to the amendment of the Women and Children Repression Prevention Act, 2003, fears are growing that incidents of sexual harassment may become rampant as the amended version of the law exclude the phrase "Indecent physical gesture". In 2009, the High Court issued 11-point directives on the prohibition, prevention and redress of sexual harassment in the workplace and educational institutions. In formulating these guidelines, the court drew upon Bangladesh's obligations under the Convention on the Elimination of Discrimination Against Women (CEDAW) and our Constitution's affirmative safeguards on gender equality and women's rights. However, these directives are widely ignored in most of the workplaces. Majority of the workplaces neither have any sexual harassment policy nor do any complain mechanism or committees directed by the High Court.

Some having complain committees just on the paper, not functional or effective. There is no monitoring system to oversee activities of these committees. Despite all these laws, sexual harassment at workplace is rapidly increasing. Lack of awareness on sexual harassment is another issue that needs immediate attention.

Working women can play an important role in the economic recovery efforts of the country. As the COVID-19 pandemic continues, sexual harassment is likely to grow further with multiple impacts on women's wellbeing, their sexual, reproductive and mental health. This will disrupt their ability to participate and lead in the recovery of countries economy.

4.2 Recommendations

- A comprehensive law sealing all the loopholes of existing laws need to be formulated without delays. The new law should introduce rigorous punishment with provisions of proper implementation. Speedy trial system should be introduced to avoid lengthy legal procedures.
- Directives of the High Court issued in 2009 should properly be implemented in all work places till adequate and effective legislation is made in this field.
- Every institution and organization should have mandatory and effective workplace policy to prevent and address sexual harassment. This should draw upon the definition provided in the High Court Division Guidelines. The policy should include clear processes for investigating any allegations of misconduct against working women. It would be the duty and responsibility of the employer to implement the policy and take effective measures for prosecution of the offences.
- The employer or concerned authority of the organization should constitute Complaint Committee to receive complaints, conduct investigations and suggest appropriate punishment for the offenders. Majority member of the Complaints Committee should be women. There should be a strong monitoring system to assess activities of these committees. Accountability of these committees and the employer should also be ensured.
- Gender based violence including sexual harassment is deep rooted in our culture. There is a need to bring about positive changes in cultural practices. Awareness programmes such as campaign, training, orientation to increase respect for women should be introduced in all workplaces. In addition, regular orientation on workplace sexual harassment laws and policies should be conducted.
- Programmes on empowering working women should be introduced. Empowerment may include orientation, training, meetings for working women on the legal frameworks, policies, rights of working women and complain mechanisms etc.

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Annex:

- (a) List of figures and tables
- (b) Figures and tables

Annex A: List of figures and tables

List of figures:

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12.	Suggestions to prevent sexual harassment of working women

Annex B: Tables and Figures

Table-1. Geographic distribution of samples:

District	Number	Percentage
Barishal	15	11.11
Dhaka	45	33.33
Khulna	20	14.81
Mymensingh	20	14.81
Rajshahi	20	14.81
Rangpur	15	11.11
Total	135	100.00

Demographic Information:

Figure-1. Working women by age group

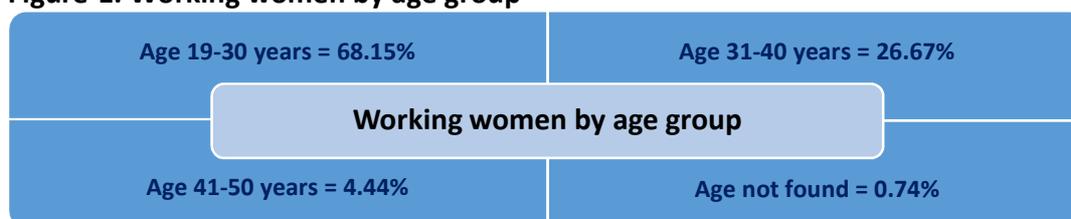
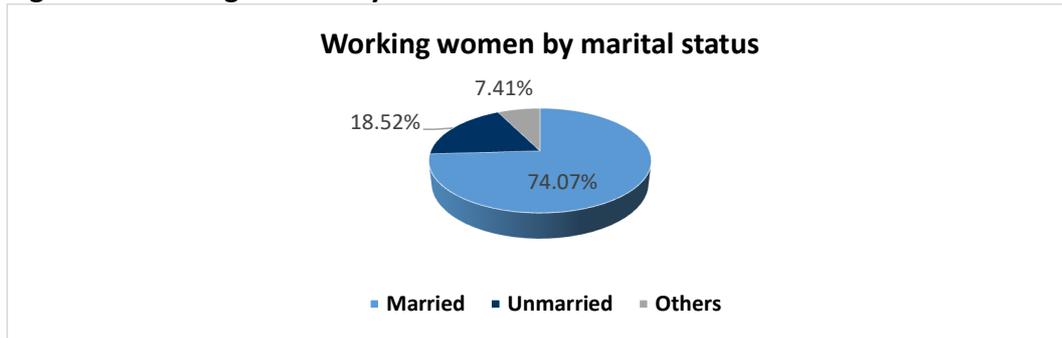


Table-2. Working women by profession

Profession	District							Total	%
	Barishal	Dhaka	Khulna	Mymen	Rajshahi	Rangpur			
Banker	1		1	1		2	5	3.70	
Garment worker	1	45	7	2	20	5	80	59.26	
Health Sector	4		1	9		6	20	14.81	
Lawyer			2				2	1.48	
NGO worker	2		3	3		1	9	6.67	
Police			1	1			2	1.48	
Privet Sector	5		4	3			12	8.89	
Teacher	2		1	1		1	5	3.70	
Total	15	45	20	20	20	15	135	100	

Figure-2. Working women by marital status**Table-3. Working women by level of education**

Level of education	Working women									
	Banker	Garment worker	Health Sector	Lawyer	NGO worker	Police	Privet Sector	Teacher	Total	%
Masters	5		1	1	2		2	4	15	11.11
Bachelor		1	4	1	5	1	4	1	17	12.59
HSC		8	13		2	1	2		26	19.26
SSC		8	1				3		12	8.89
Class 10		10	1						11	8.15

Class 8		24					1		25	18.52
Below class 8		29							29	21.48
Total	5	80	19	2	9	2	12	5	135	100.0
										0

Table-4. Experience of sexual harassment faced by working women

Q-1. Did you face sexual harassment at workplace during Covid-19 period (from 8 March – 30 June 2020)	Number	Percentage
Yes	135	100
No	0	0
No response	0	0
Total	135	100

Figure-3: Number of sexual Harassment encountered by working women

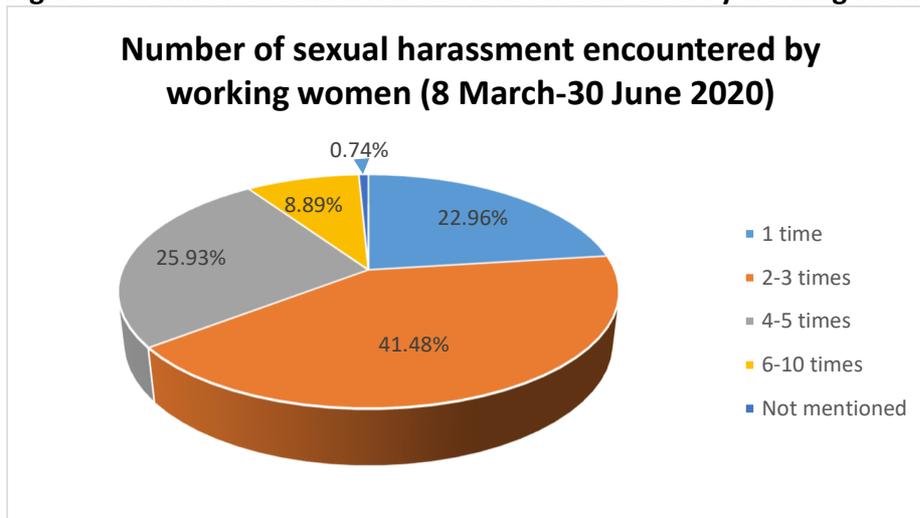


Table-5. Type of sexual harassment encountered by working women (multiple answers) *

Q-3. What type of sexual harassment you have encountered	Number of answers (Multiple answers)
Verbal sexual comments	113
Sexual gesture and posture	94
Verbal sexual offer	80
Physical touch	61
Sexual offer over phone	27

Text message and e-mail with sexual indication and nature	7
Any other (please specify)	44

Table-6. Type of perpetrators harassing working women (multiple answers) *

Q-4. Who were the perpetrators/ harasser	Number of answers (Multiple answers)
Supervisor and Line Manger	95
Colleague and coworker	64
Manager	53
Employer	8
Any other (please specify)	9

Table-7. Causes of sexual harassment of working women (multiple answers)*

Q-5. What are the causes of sexual harassment	Number of answers (Multiple answers)
Women do not or cannot protest (silence)	118
Gender, power relation and women's subordinate position at the workplace	85
No awareness programmes at workplace	79
No legal protection of women	66
Women are more vulnerable than before due to Covid-19 situation	57
No workplace policy to address sexual harassment	41
Any other (please specify)	2

Table-8. Impact of sexual harassment on working women (multiple answers) *

Q-6. What are the impacts of sexual harassment on you	Number of answers (Multiple answers)
Feel upset and depressed	123
Feel humiliated	112
Do not feel like going to work	112

Cannot trust colleagues anymore	101
Feel like leaving the job	88
Broken mentally	54
Continuous fear of harassment	51
Any other (please specify)	1

Figure-4: Reporting sexual harassment to the employer/authority

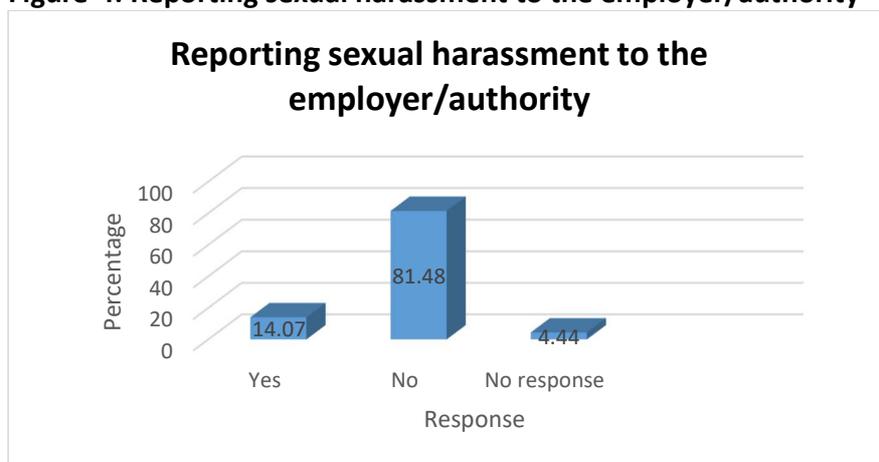


Table-9. Actions of the employer/ authority to prevent sexual harassment of working women (multiple answers)*

Q-8. If answer to the question number 7 is yes, what actions your employer or higher authority took	Number of answers (Multiple answers)
Threatened the perpetrator not to do it again	10
Threatened the harasser of losing job	6
Organized a meeting for mediation	5
Imposed financial punishment	3
Terminated the harasser	2
Took legal actions	1

Figure-5: Availability of organizational policy to prevent sexual harassment

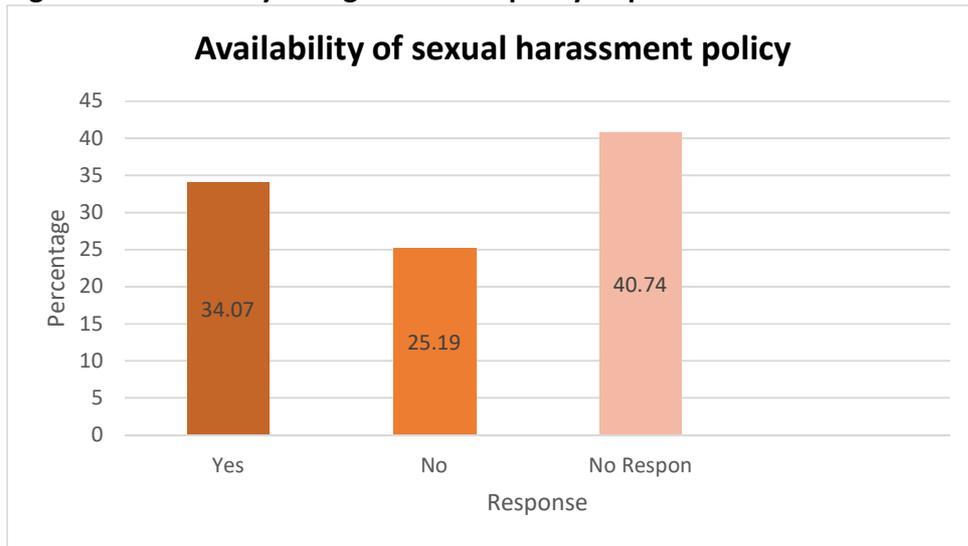


Figure-6: Accessibility of working women to organizational policy on sexual harassment

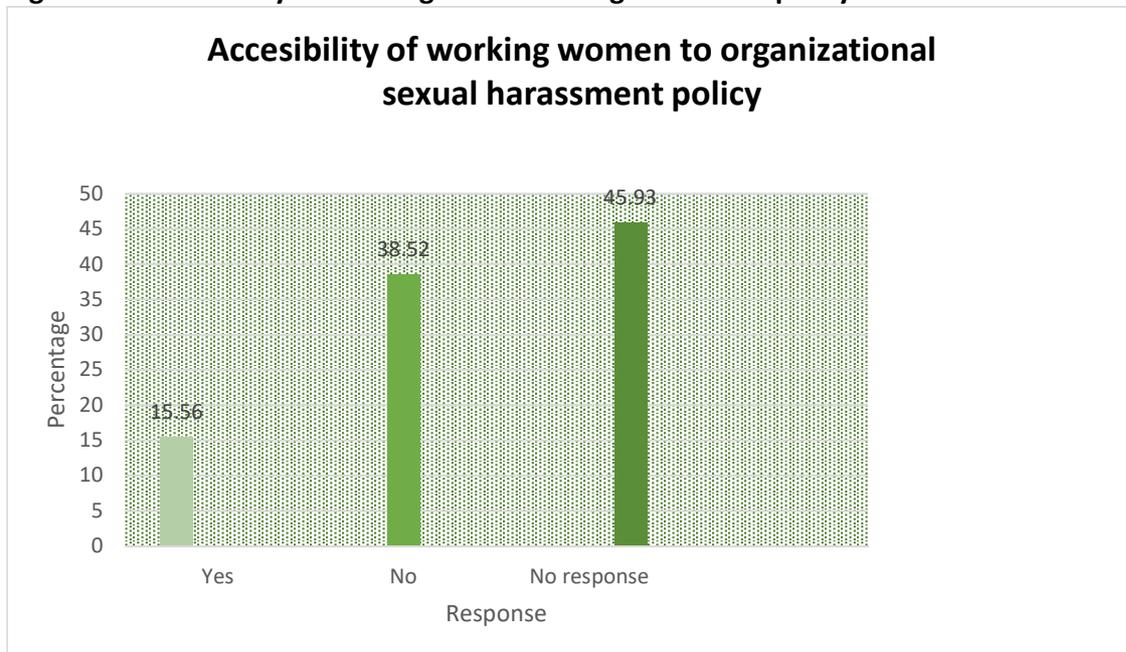


Figure-7: Awareness raising activities of organizations to prevent sexual harassment

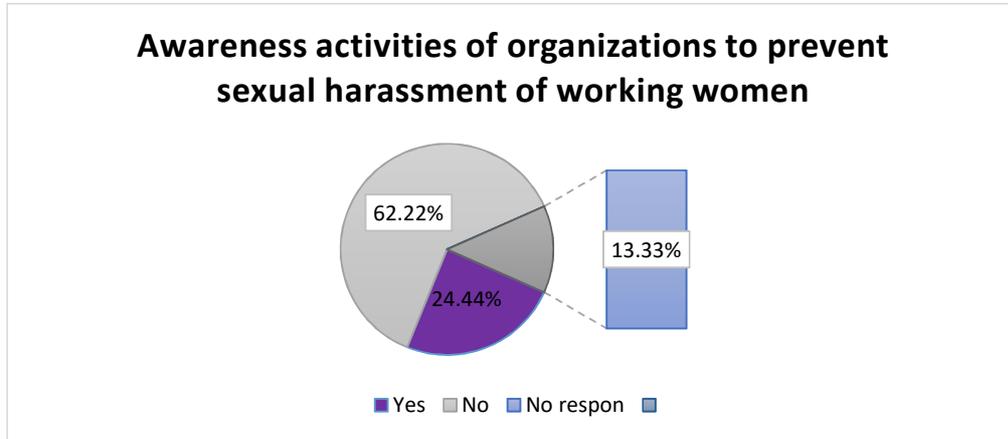


Figure-8: Reporting incidents of sexual harassment to the law enforcing agencies

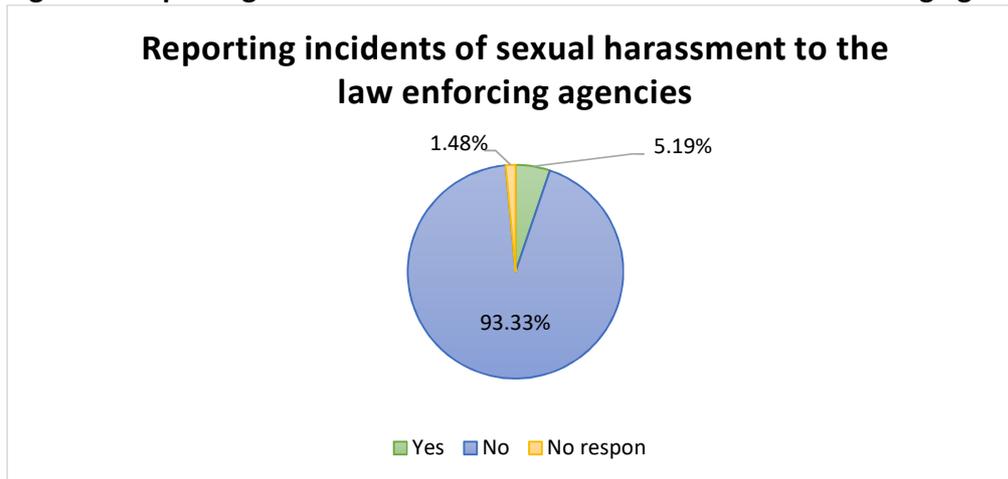


Table-10. Actions of the law enforcing agencies to prevent harassment of working women (multiple answers) *

Q-13. If the answer to the question number 12 is yes, what did the law enforcing agency do	Number of answers (Multiple answers)
They were not supportive	3
They came and warned the harasser not harass again	2
They talked to the employer and went back	2
They arrested the harasser	1

Table-11. Reason for not reporting to the law enforcement agencies (multiple answers)*

Q-14. If the answer to the question number 12 is no, why not	Number of answers (Multiple answers)
Because of further stigma	101
Because it will create more problems at the workplace	79
Because I do not believe them	62
Because law enforcers will not help	51
There is no specific law on sexual harassment	37
Because employer will be angry	36

Table-12. Suggestions to prevent sexual harassment of working women (multiple answers) *

Q-15. What would be your suggestions to prevent sexual harassment of working women at the formal sector	Number of answers (Multiple answers)
A comprehensive law with stringent punishment is desperately needed	115
There should be mandatory workplace policy to prevent sexual harassment	101
Effective awareness programmes need to be introduced	86
Law enforcers need to be sensitized	79
Employer needs to be accountable and sensitized	37