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## A Study on women's challenging issues in the workplace with Reference to India and Developed Countries

Kinjal Joshi<sup>a</sup> Dr. Arti Dive<sup>b</sup>

<sup>a</sup>B. K. Mercantile Bank Law College, Palanpur, India <sup>b</sup>Principal, B. K. Mercantile Bank Law College, Palanpur, India

Received 05 May 2022; Accepted 30 June 2022; Published 25 July 2022

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*Women are always underestimated in a male-dominated society. Women are controlled by various factors. Women always live within the boundaries set by society. The objective of this study is to provide a critical perspective on various issues regarding women in the workplace with reference to India and developed countries. The percentage of female workers is only 23.3%. As per the current scenario, the contribution of women to Indian GDP is 18%. The above figure has shown the current situation of Indian working women. Women are more potential than men, somehow her potential is being underestimated. There are different issues for women regarding Lack of work-life balance, familial issues, childcare, workplace harassment, unequal pay at the workplace, etc. In India, it is seen that most women are financially dependent on their fathers or husband. Women are not free to make their decision. From the perspective of a developed country, women are financially independent and able to manage work-life balance. The female employment rate in USA, Germany, and Japan are 53.2%, 70%, and 52% respectively. As compared to developed countries the contribution of women to the Indian economy is the low. If the rate of working women will increase in India, there will be a positive impact on the Indian GDP. It is good for the society and nation. Women are facing gender discrimination in the workplace. Most women don't get a promotion. Because of a woman's biological structure, her ability is underestimated. Another issue is work-life balance. The woman is the centre of the family. Being a woman, she needs to care about lots of things. Sometimes it is difficult to manage work and life. Another issue is unequal pay at the workplace. Female employees get paid less than male employee. Another challenging issue is the familial issue. Lack of time and family care*

*stopped seven out of ten Indian women from advancing their careers. Most cases of workplace harassment are unreported. Workplace harassment is a barrier to women's growth. The main objective of this study is to compare the challenging issue of women in the workplace in the context of India and developed countries. The Constitution of India gives equal rights to each citizen, are women really enjoying the rights equal to men?*

**Keywords:** *work-life balance, workplace harassment, financially dependent, Indian economy, gender discrimination.*

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## INTRODUCTION

In earlier times women cannot think about doing jobs because their only job is to look after their families and kids. Even a woman cannot think about herself. It is very difficult to understand the pain behind a woman's struggle for life. She sacrifices her life for her family. This world is male-dominated. All rights like politics and administration are given to men. When India got independence, voting rights is given to men and women. It is a sign of equality, but the ground reality is far different from the reality. When we take look at the historical status of women in India, their social, economic, and personal status was lower than men. In India, customs including female infanticide, dowry, child marriage, and the stigma against widow remarriage have a long history. Why women could not work at an earlier time? The answer is lack of education. Lack of education among women, lack of education among societies. If you want to change the perception of women's lives, you must fight with society. If society won't understand the value of education for women, we cannot make the world a better place to live. What would happen to the nation as a whole if women had the same rights as men? The goal of this study is to determine whether and how women's status affects India's development process, as well as how that process is altered.

## STATUS OF WOMEN IN INDIA

Only 19.9% of India's workforce in 2020 was made up of women, and 60% of Indian women in the 15- to 59-year-old productive age range worked full-time in the home. India is one of the countries with the fastest-rising proportion of working women globally, but it ranks poorly for gender equality in the UNDP's human development index. For the past 60 years, we have

benefited from our country's independence. Men and women were only given equal rights, according to the Indian Constitution, just before the new millennium. Additionally, this is primarily true for women in the nation's cities. Although they are accustomed to working on farms and cottage businesses, rural women in India, who make up the bulk of the female population, have yet to fully grasp the idea of professional work. The workplace of the modern era has improved. But when it comes to the current situation of working women in India, the issue of whether anything has changed after two decades of boasting about a rise in women's empowerment in India remains unanswered. Women experienced job losses due to the COVID-19 epidemic all across the world, disrupting their involvement in the workforce. Today, women work 15 hours more unpaid per week than men do. As of 2020, only 20.3% of women in India were employed, compared to 76.3% of men. Rural women are also quitting the labour sector at a higher pace than urban women. Only 19.9% of India's total labour force was made up of women in 2020. She contends that because a large portion of the work done by women is either unpaid or poorly compensated, their contribution to the GDP is simply ignored in the fields of farming, manufacturing, construction, and small-scale enterprises.

## **WOMEN'S CONTRIBUTION TO THE INDIAN ECONOMY**

A wise man of great intelligence and power once said: "The best indicator of a nation's progress is how it treats its women." Throughout the centuries, women have faced challenges and obstacles, and this has endowed them with endless patience, and perseverance, and only helped them to become stronger. Over the past few decades, professional women have worked hard, with their talent, dedication, and enthusiasm. They make a huge contribution to the economic growth and prosperity of India. There are currently 432 million women of working age in India, of which 343 million are employed in the informal sector. A report by the McKinsey Global Institute estimated that, simply by giving equal opportunities to women, India could increase its GDP by US\$770 billion by 2025. However, the current contribution of women to GDP remains at 18%. Even in rural India, women are making new strides every day. Despite social and family isolation, women defended their right to financial independence, built a business from scratch, and inspired others. In the Panchayat system, women are offered

50% reservations, while many national programs such as the "National Mission for Rural Livelihoods" provide them with grassroots leadership opportunities. Women workers now have the chance to hold leadership positions because of government programs like the Swachh Bharat Mission and the Mahatma Gandhi National Rural Employment Guarantee Act.

Today, India is the 3rd largest ecosystem in terms of start-ups in the world, as well as the 3rd largest in the unicorn community. However, only 10% of them are headed by female founders. The need is to mobilize more support - mental and financial - for women entrepreneurs and help them get started. Fortunately, over the past few years, there has been a paradigm shift in the whole process, with women becoming business leaders and founding companies. However, as a result of the problems caused by the pandemic, the gender gap in India widened by 4.3% due to the reduction in economic opportunities for Indian women, which led to a decrease in their participation in the formal labour force. The effects of the pandemic crisis are also being felt in the informal labour market. The multitude of unpaid tasks limits a woman's time and therefore her ability to make choices. This keeps them from pursuing higher education and skills development, hindering their entrepreneurial growth. The way to empower women economically is not only to increase women's employment opportunities but also to reduce the workload of women in two shifts. A 3R approach needs to be adopted that includes the recognition, reduction, and redistribution of unpaid care work accomplished by women in all areas of policy development. This can be achieved by promoting the work of women as an investment in public care infrastructure.

Women's empowerment with gender equality is key to basic human rights and is critical on our path to a more peaceful, progressive, and sustainable world. The development and elimination of the gender gap are inevitable and made possible by equal opportunities and equal representation of women.

## **LEGAL RIGHTS OF WOMEN**

Discrimination against women is a fundamental right. All over the world somewhere and somehow women experience violations of their human rights. Before talking about legal

rights, we need to consider the 'CRIME' against women. Violation of women's rights is done in many ways. Some of the ways are as under:

*Kidnapping women and girls:* In our nation, this behaviour is still prevalent. Trafficking is the primary motivation for snatching women and girls. During this time, food and other needs are withheld from women and girls.

*Preference for a male child:* One of India's most traditional schools of thinking. Male children are typically given a favour by villagers who have a backward attitude. All forms of prejudice against women have their roots in this mindset.

*Sexual harassment at the workplace:* The most harmful issue that erects obstacles in the way of progress is thought to be the frequency of sexual harassment at work. Women face discrimination in India when it comes to paying and compensation for their labour. It is a truth that both urban and rural areas receive poor treatment in terms of promotions and raises. When trying to secure funding and resources to launch any kind of business, women entrepreneurs frequently face significant obstacles. A woman's mental health suffers when she experiences sexual harassment at work. Despite her need for work and her lack of financial stability, she is compelled to quit her employment.

*Dowry deaths:* The number of women in India who passed away in their married houses as a result of dowry has increased. Dowry disputes grew to be a major issue. According to the National Crime Records Bureau, 8,233 newlywed women were killed in 2012 as a result of dowries. The country views receiving and donating dowry as a crime. In India, the Dowry Prohibition Act was not properly implemented. Most states, it has been discovered, do not have dowry prohibition officers, and those that do not have them are not compelled to maintain records of gifts given and receipts.

*Rape:* In India, rape is the fourth highest frequent crime against women. 32,033 rape cases were reported nationwide in 2019, according to the National Crime Records Bureau's annual report.

**Education:** One of the most crucial factors in empowering women in education. Having educated women is helpful for society and the country. Rural areas lack an understanding of the value of education. In comparison to boys, girls leave school less frequently. Parents in rural areas expect older girls to look after their younger siblings. Due to financial difficulties, parents cannot afford to pay for schooling. Female children were forced by their parents to learn household tasks.

**Social violence against women:** In India, society set several boundaries only for women. They believe that women should act as to the boundaries set by society. In this kind of social atmosphere, it is very difficult for women to take a stand for themselves.

**Domestic violence:** When a woman is subjected to aggressive and unlawful behaviour by her husband, relatives, father, brothers, or other family members, this is referred to as domestic violence. Verbal and physical abuse are both examples of domestic violence. There are many reasons why women encounter domestic violence in their marital homes, including the failure to adequately handle household responsibilities, money issues, the desire for a male kid, women's ignorance and illiteracy, health issues, etc. Women's empowerment comes into play while discussing women's rights. Women's empowerment, to put it simply, is elevating the position of women via education, awareness, literacy, and training, which eventually results in changes and transformation. It also refers to accepting women's perspectives or making an effort to seek them. Empowerment is viewed as a process of altering the distribution of power in institutions across society as well as in personal interactions. Women's empowerment is influenced by a variety of factors, including the development of women's organisations, the presence of a support system for women, the availability of specific data on women and other pertinent information, the availability of funds, feminist leadership, networking, positive media coverage, constructive policies, the environment, promoting education and skill development among them, assisting them in advocating for themselves, and encouraging them to find employment opportunities.

## FUNDAMENTAL RIGHT TO ELEVATE THE POSITION OF WOMEN

In the Constitution of India, under part III, articles relating to the fundamental rights which try to improve the status of women and provide equal opportunities for them are as under:

All people, including women, are equal before the law and have a right to equal protection under the laws of India's territorial jurisdiction, according to Article 14<sup>1</sup> of the Indian constitution. This implies that everyone should be treated equally in all situations, regardless of gender. The law must be administered equally and the status cannot discriminate in any way between different people. Discrimination is forbidden under Article 15<sup>2</sup> of the Indian Constitution. On the grounds of race, caste, gender, ethnicity, religion, place of birth, and socioeconomic level, it forbids the state from discriminating in any way against any person, including women. It declares that all citizens have the right to enjoy equal rights in relation to access to public spaces, infrastructure, hotels, restaurants, and shops. However, the state has the authority to impose any exceptional requirements on women, minors, registered castes, scheduled tribes, and other underprivileged sections.

All Indian citizens, including women, are afforded equal opportunity in the public sector under Article 16<sup>3</sup> of the Indian Constitution, regardless of their gender, colour, caste, ethnicity, religion, or socioeconomic background. The Untouchability Act, of 1955 was approved by Parliament in compliance with Article 17<sup>4</sup> of the Indian Constitution, which abolishes the untouchability regime. The Untouchability Act, of 1976 updated this law to increase its stipulations and eradicate untouchability from society. According to Article 19<sup>5</sup> of the Indian Constitution, every citizen, including women, has the right to freedom of speech and expression, the ability to assemble in peace without using force, the ability to form unions or associations, the freedom to move around the nation without restriction, the ability to live or

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<sup>1</sup> Constitution of India, 1950, art.14

<sup>2</sup> Constitution of India, 1950, art.15

<sup>3</sup> Constitution of India, 1950, art.16

<sup>4</sup> Constitution of India, 1950, art.17

<sup>5</sup> Constitution of India, 1950, art.19

settle anywhere in the nation, and the ability to engage in any occupation or run a legal business in accordance with their own goals.

Article 21<sup>6</sup> of the Indian Constitution states that only legal means may be used to take away someone's life or personal freedom. A dignified life, the right to privacy, and other rights are all included in this right to life. Since it undermines the victims' dignity and sense of self-worth, domestic violence against women is also detrimental to Article 21 of the Indian Constitution. According to Article 21A<sup>7</sup> of the Indian Constitution, all children between the ages of six and fourteen must receive free and mandatory education in the manner specified by state legislation. To stop the illicit trafficking of children and women Forced labour and human trafficking are both prohibited under Article 23<sup>8</sup> of the Indian Constitution. In order to punish actions that result in human trafficking, Parliament passed the Immoral Trafficking in Women and Girls Act, 1956, which is now known as the Immoral Trafficking (Prevention) Act, 1956. All people, including women, have equal rights to religious freedom and freedom of conscience under Article 25<sup>9</sup> of the Indian Constitution.

## **LEGAL STRUCTURE FOR WOMEN AND WORK IN INDIA**

Women's equality before the law is guaranteed by the Indian Constitution, and institutional support for women appears to be progressed thanks to numerous pieces of legislation defending their rights in the workplace. Sectorial, regional, and centralised labour laws are all possible in India.

Equal Remuneration Act 1976<sup>10</sup>, it is possible to get around this regulation, which forbids gender discrimination in hiring, promotion, or training, by reclassifying the compensation of skilled and unskilled personnel. Women are frequently classified as unskilled employment with lower earnings, regardless of the nature or degree of the job, whereas males are classified as skilled professionals with greater wages. Equal compensation for equal or equivalent work

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<sup>6</sup> Constitution of India, 1950, art.21

<sup>7</sup> Constitution of India, 1950, art.21A

<sup>8</sup> Constitution of India, 1950, art.23

<sup>9</sup> Constitution of India, 1950, art.23

<sup>10</sup> Equal Remuneration Act, 1976, s 3



is mandated by law for both sexes. Except in cases where women's employment is legally prohibited, such as at night or under industry-specific restrictions, there shouldn't be any discrimination in employment or working circumstances. The National Women's Commission Act of 1990<sup>11</sup> (Parliament Act) creates a National Women's Commission with the following responsibilities: reviewing the legal safeguards in place for women; preparing periodic reports to the central government on issues relating to the protection of women's rights; carefully examining complaints regarding the deprivation of these rights, and offering financial support in court cases involving women's issues. 1992's 74th Amendment to the Constitution. Locally influential women in politics campaigned for water control and widespread literacy initiatives. Only a few female candidates, frequently relatives, are put out by the parties as the office operates with greater prosperity. Despite their advancement, there are still not many women in national politics. In state or public institutions, the amendment mandates a one-third reservation or quota for women in local government. The 2010 bill is known as the Protection against Sexual Harassment of Women at Work Act<sup>12</sup>. A committee chaired by women must be established in every company with more than 10 employees to address sexual harassment, according to the bill's definition of the practice. Although it is problematic because members do not need to have a legal degree, these committees might gather evidence and would be comparable to civil courts. Additionally, there will be penalties for employers, such as fines. The 1961 Maternity Benefits Act<sup>13</sup>. According to this rule, a woman is entitled to 12 weeks of paid maternity leave without being paid for her child's adoption. A woman cannot be fired or have her employment suspended while she is on maternity leave or as a result of it. Until her child is 15 months old, a working woman should be permitted to take two additional breaks for breastfeeding. 1948's Factory Act<sup>14</sup> This regulation mandates that businesses with more than 30 women employees provide kindergartens for kids under the age of six. There are few lawsuits brought against employers for breaking the Factory Act, and managers hardly ever keep track of the number of women employees, mandated nurseries, or child care facilities. In reality, there isn't a single instance in the archives where a watchdog or overseer visited the

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<sup>11</sup> National Commission For Women Act, 1990, ss 3 and 4

<sup>12</sup> Sexual Harassment of Women at Workplace Act, 2013, s 5

<sup>13</sup> Maternity Benefit Act, 1961

<sup>14</sup> Factories Act 1948, s 30

business to count how many women were employed. Employers also get around the Factory Law by recruiting less than 30 women or by using contract or part-time workers. Act of 1966 on Beedi and Cigar Workers<sup>15</sup> (Conditions of Employment). Regulating working conditions, such as maximum hours and a safe work environment, ensures the well-being of employees in beedi and cigar manufacturers. Additionally, working mothers should have access to children's facilities. The appointment of women to advisory and central advisory bodies is mandated by this statute. Plantation Labour Act of 1951<sup>16</sup> - Every plantation with more than fifty female employees is required to offer childcare, including for the women who work for the contractor. When employees have a combined total of more than twenty children, the plantation is also required to offer child care. Working moms feed their children during breaks from work. A general regulation from 1950 called Employees State Insurance. The day a medical certificate is issued for a miscarriage, pregnancy, illness, bed rest, or premature birth is when maternity benefits are offered. The Prohibition of Child Marriage Act of 2006<sup>17</sup> forbids the solemnization of a marriage between a boy and girl who are both under the age of 18.

## **US WORK CULTURE FOR WOMEN**

Women have historically had few civil rights in the United States. Women were not allowed to vote or sit on juries. Married women are not allowed to sign contracts or own property. In general, widows have no independent legal status from their husbands, even if they are frequently property owners. At the first women's rights convention, which took place at Seneca Falls, New York, in 1848, participants endorsed a statement of principles in favour of women's rights. We hold these truths to be self-evident: that all men and women are created equal, according to the US Declaration of Independence. The statement continued with a series of injustices against women, including depriving them of the ability to vote while still making them subject to taxes and laws made by men Women's suffrage, or the right to vote, became a major emphasis of the women's rights movement in the 19th century. Laws pertaining to women's rights are as follows. The Equal Pay Act for Women forbids wage discrimination and

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<sup>15</sup> Beedi and Cigar Workers Act, 1966

<sup>16</sup> Plantation Labour Act, 1951, s 4

<sup>17</sup> Prohibition of Child Marriage Act, 2006, s 2

gives women the right to legal action against employers that do so. The Civil Rights Act of 1964 outlawed sex-based discrimination in hiring, discharge, salary, and other aspects of work. According to a 2007 Supreme Court decision, women employees have six months from the date of the pay discrimination to file a lawsuit under the 1964 Civil Rights Act. The Lilly Ledbetter Fair Pay Act, which outlawed salary discrimination, was passed by Congress during the Barack Obama presidency. Women experienced another sort of work discrimination after the passing of the 19th amendment, even though some of them attained significant positions in business and other industries. Women still earn around 83 cents for every \$1 that males earned. A "Glass Ceiling" that keeps them from achieving leadership positions in proportion to men has been recognised by several women. The 1972 Education Amendments forbade sex-based discrimination in any educational programme receiving federal funding. Increased possibilities for female students to participate in athletics was one obvious shift that came about. Following Title 9, more women are enrolling in colleges and institutions, including law and medical schools. The revived women's movement that appeared in the 1960s and 1970s was largely responsible for these improvements. After the Equal Employment Opportunity Commission initially declined to enforce the Civil Rights Act of 1964's prohibition on sex-based employment discrimination, the National Organization for Women was established in 1966. The organisation urged the government to pay attention to concerns of women, such as the need for health care, etc. According to the Equal Rights Amendment, "equal protection under the law shall not be refused or restricted on the ground of sex by the United States or by any state."

## **CHINA'S WORK CULTURE FOR WOMEN**

China has one of the highest rates of female labour force participation in Asia-Pacific. However, throughout the 1990s, women's involvement in the labour market decreased, falling from 73.2 percent in 1990 to 60.5 percent in 2019. Men made up 75.3 percent of the labour force in 2019 in contrast. In 2019, there were 43.7 percent more women working than men. Women in China are still generally expected to devote their time to caring for families and children because of the conventional understanding of gender roles in the country. While there are

many successful female business owners in China, a quick look at the articles about them will reveal that they are all the same women who are being highlighted in the media as success stories. Some female CEOs and presidents simply inherited their positions after their dads passed the throne of their empire down through the family because family is still very important in many cultures. There is still a long way to go in terms of equality in the workplace and the acceptability of women in management, even if this isn't always the case and a tiny number of female entrepreneurs have, in fact, had tremendous success with their careers too far. While there is a movement happening, it is happening slowly, and Chinese cultural norms tend to penalise women. Despite the fact that more women than males work in China, not many of them are in positions of major leadership. There may be 8 senior executives present in a normal boardroom, yet only one of them is female. A cursory glance at the hiring processes and the information in job descriptions is incredibly revealing. Employers are still permitted to express a preference for male candidates in job postings. The listing of physical characteristics, such as weight and height, along with outlining a requirement that they are married with a child in order to qualify for the position is another typical requirement for employers looking to hire women that might be regarded as discriminatory in some parts of the world.

## **ISSUES FACED BY WOMEN IN THE WORKPLACE PLACE**

Women still encounter significant barriers and challenges in the workplace, despite the progress, we have made. Women in all fields and organisations around the world are always concerned about these concerns, whether it be the underrepresentation of women in leadership roles, the lack of support for childcare, harassment, or biased and discriminatory behaviour. We must first smash the glass ceiling in order to advance professionally and climb the corporate ladder. The most significant difficulties that women currently encounter in the workplace are examined here.

***Pregnancy Discrimination:*** When a woman is treated unfairly as a result of her pregnancy, childbirth, or pregnancy-related health issues, this is known as pregnancy discrimination. It is also associated with pregnancy bias and behaviours such as social isolation, stereotyping,

intrusive comments, changing responsibilities, lack of development opportunities, and wage cuts.

***Sexual Harassment:*** That may create a hostile, offensive, or intimidating environment. In recent years, sexism and harassment in the workplace have become even more evident, and women have plucked up the courage to share their horrific experiences. The MeToo movement shows how widespread sexual assault, abuse, and harassment are in the professional world and beyond. Sexual statements regarding a person's body, attractiveness, or attire are just one type of harassment that can take many different forms, such as unwelcome physical advances and other non-verbal actions. For Indian women, sexual harassment is an ugly everyday reality. Their biggest struggle each day is to maintain their purity at their residences while travelling while attending school and working.

***Gender pay gap:*** In today's workplace, there is a lot of discussion about the gender pay gap. The statistics show that this notion is inaccurate, despite some people trying to dismiss this question as a myth. According to a 2021 Pay Scale poll, women make just \$0.82 for every dollar a man makes, which is a cent higher than they did in 2020. The gender pay gap won't narrow for another 99.5 years, according to the World Economic Forum, if things continue in this direction.

***Breaking the glass ceiling:*** Young professional women face greater obstacles to career advancement since they must put in more effort to succeed than their male colleagues. You'll see a pattern if you look at the top executives of the most well-known corporations: most of them are guys! It is uncertain why, but in most workplaces, it is believed that men rise more quickly and that women are "incompetent," even if they haven't had a chance to prove themselves. In fact, according to McKinley & Company, for every 100 men promoted to leadership, there are only 85 women. For African American and Hispanic women, the gap is even more pronounced.

***Work-life imbalance:*** Another notable problem that working women face is the lack of work-life balance. Of course, it is difficult for everyone to combine work and personal life. This has

become particularly evident during the COVID-19 pandemic, with workers working from home reporting being unable to switch off and respect their work boundaries.

## **CONCLUSION**

For women who desire to enter the workforce, the Indian government should adopt regulations that support child care services. Take care of the kids, especially the girls. However, having child care services would enable these female relatives to work as well. Another idea is elder care, which is currently handled by female relatives, primarily daughters-in-law. Once more, SEWA comes to mind; as one example, they offer child care to their members. However, given that women make up the majority of these professions, it is still crucial for the government to take action, and these suggested facilities would give women a chance to find employment. There is also a problem with how rural and urban, as well as regional, areas differ in India. Given that the market's invisible hand isn't supplying these needs, perhaps the government should invest more in rural areas and regions that don't perform as well as others.