“Bardaasht matt kijiye, awaz uthaiye!”

#MeToo Field Facilitators Undergo a Training on Women’s Rights, Labour Rights and Discuss Advocacy Strategies to Ensure Safety in the Workplaces of Women Domestic Workers

Date: 16th and 17th December, 2021
Place: Martha Farrell Foundation Head Office
Number of Participants: 25
Resource Persons: Anita Kapoor (Secretary General - Shahri Mahila Gharelu Kamgar Union), Niharika Kaul (Program Officer - PRIA), and MFF Program Staff

Introduction
Women domestic workers of Delhi-NCR and the Martha Farrell Foundation, with the support of the United Nations Trust Fund to End Violence Against Women and Girls, are leading #मेंटो, a program to strengthen institutional mechanisms of Local Committees and police in Delhi-NCR and their responses to women domestic workers’ experiences of sexual harassment in their world of work.

Over the last six months, the program has been driven by six identified community leaders/field facilitators, who have mobilised women domestic workers across all thirteen districts of Delhi-NCR and through collective efforts with MFF Program Staff, a baseline study of 1323 women domestic workers, Local Committees and police in thirteen districts of Delhi-NCR have been completed.

In the next phase of the project, Field Facilitators in partnership with MFF Program Staff, will conduct participatory training sessions with domestic workers, and begin advocacy initiatives led with and by women domestic workers to strengthen Local Committee and police mechanisms in each district. Ahead of the same, the Field Facilitators underwent a second round of training to take forward their learning from the first round in August 2021, where they were oriented on the issue of sexual harassment in the workplace, the Law and participatory research methodologies.

The second round of the training was conducted at the head office of the Martha Farrell Foundation, with 6 Field Facilitators. The structured two day session was designed to achieve the following outcomes:

1. Understanding and learning women’s rights (particularly, women workers’ rights)
2. Analysing baseline data collected from 1323 women domestic workers on their experiences of sexual harassment in the world of work
3. Analysing the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and highlighting gaps in the current redressal mechanisms for sexual harassment at the workplace for women domestic workers
4. Planning strategies for future possibilities to strengthen the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
5. Understanding the legal mechanisms for addressing sexual harassment at the workplace

Highlights from the Conversation

The training session began with a discussion on women domestic workers’ rights led by resource person Ms. Anita Kapoor, Secretary General - Shahri Mahila Gharelu Kamgar Union. Women discussed how domestic workers in India lacked social security benefits, and are not recognised as ‘workers’ even within India’s Labour Codes. To date, there is no regulatory authority that recognises and registers women domestic workers, despite India’s role as a signatory in the ILO Geneva Conventions.

Participants raised the issue of gaps in implementation of India’s Labour Codes for women domestic workers. Participants also highlighted gender inequalities and the gender wage gap that’s stark even in the informal sector.

The need for collectivising and speaking up to demand better implementation of laws and guaranteed rights in the workplace was underscored by all participants.
The field facilitators then participated in a storytelling activity, as a medium to understand and analyse baseline data collected from 1323 women domestic workers on their experiences of sexual harassment in the world of work.

Through their narratives, women presented the forms and types of sexual harassment faced by women domestic workers in the world of work, complaint and redressal mechanisms for the aggrieved parties, and the present knowledge on the issue of sexual harassment at workplace and the law that prevents it.

**Box 1: Rekha (name changed), a domestic worker from Gurgaon speaks about the need for awareness and solidarity against sexual harassment**

“Hausle aur junoon ke saath kaam pe jana hai, agar koi ched rha hai toh thos jawab dena hai. Hume darana chahiye, humare saath jo hua who kal kisi aur ke saath na ho.”

“We need to go to our workplaces with courage and passion, and if someone sexually harasses us, we need to give strict replies. We need to scare them, so that nothing that has happened to us can ever happen with anyone else tomorrow.”

The participants were then led into a session on the existing legal framework for protection of women from sexual harassment in the workplace. Through their experiences of collecting data on such experiences, participants were able to collaboratively highlight the gaps in the implementation of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 for women domestic workers, and analyse the nuanced challenges they faced in accessing their rights under the law.

Participants also discussed the feeble implementation of the law. The baseline data on Local Committees revealed only 3 have been formed among 13 districts of Delhi-NCR, and no complaints have been received from women domestic workers in any of the districts in the last eight years.

**Box 2: Pushpa (name changed), a domestic worker from Gurgaon speaks about the lack of legal redress mechanisms for SHW for Domestic Workers**

“Mujhe lagta hai sirf IC, organized sector ke liye banaya gaya hai. Domestic worker kahin fit nhi ho rhe.”

“I feel that Internal Committees have been designed specifically for the needs of the organized sector. Domestic workers do not fit anywhere in this framework.”
A popcorn discussion followed during which participants led a conversation on suggestions and measures to resolve challenges and firm up implementation of the SHW Act, 2013 for women domestic workers. Key suggestions that emerged:

- With women domestic workers:
  - Increase awareness about issues of Sexual Harassment at Workplaces among women domestic workers, especially for full-time domestic workers
  - Provide training to women domestic workers linking Sexual Harassment at Workplaces to the larger issues of Sexual and Gender Based Violence and Domestic Violence

- With institutions:
  - Advocacy initiatives with Resident Welfare Associations and District Magistrates to play their role as stipulated under the Prevention of Sexual Harassment at Workplace Act
  - Information, education and communication material (pamphlets and posters) to be created for employers to sensitise them about their role and responsibilities under the LawCeating pamphlets for employers on the law against sexual harassment at workplace
  - Organising and leading a multi-stakeholder consultation with representatives from state government and Ministry of Women and Child Development to mark International Women's Day, 2022, celebrated on the 8th of March.

- Mobilising media support
  - Leveraging popular shows such as ‘Saavdhaan India’ frequently watched by women informal workers and police alike, to share narratives and stories that underscore the seriousness of the issue of sexual harassment at workplace for women domestic workers

To close the discussion, participants were oriented on legal provisions and procedures in a session led by Ms. Niharika Kaul, Program Officer, PRIA. Participants learned about the different Civil and Criminal procedures for filing complaints, the procedure for filing FIRs, filing complaints using the online medium and state-sponsored benefits and provisions such as free legal aid services that are also offered by the state of Delhi.

**Box 3: Savita (name changed), a domestic worker from Gurgaon speaks about the challenges of filing legal complaints**

“Kaun saath dega humara, koi witness nhi banna chahta. Zyadatar SHW ka saboot nhi milta”

“Who is going to be on our side and support us? Nobody wanted to be a witness. In most instances of Sexual Harassment at the Workplace, there is no evidence.”
Key Learnings

- Women's rights, especially as labourers/workers are hardly discussed, despite the fact that women make up 50% of the workforce.
- Participant-led ideas for locally-relevant and contextual tactics for awareness generation and dissemination of information, underscored the importance of local knowledge and methodologies in project implementation.
- Small group discussions and creative methodologies such as storytelling emerged useful in unpacking the issue and analysing the Law.
- Through the process of group discussions, participants were able to link issues of sexual harassment at workplace, with larger issues of patriarchy and misogyny in society.
- Participants were concerned about the non-existence and underperformance of Local Committees. Even if knowledge and awareness exists for filing complaints, the lack of redressal mechanisms continues to be an issue.

Next Steps

- Field Facilitators will share and validate the baseline survey data collected with women domestic workers of Delhi-NCR.
- In line with suggestions from field facilitators and women domestic workers, the baseline data will be built further with a section related to COVID-19 and its impact on the lives of domestic workers and implications on their experiences of sexual harassment at workplace.
- Participatory Safety Audits (PSA) will be conducted in each location with and by women domestic workers, to mark safe and unsafe spaces in their world of work, also serving as evidence building on the issue of safety in the districts
- To build trust and solidarity among women domestic workers, more trust building sessions based on participatory methodologies will be planned and conducted in all locations
- Trained field facilitators and Program Staff will jointly plan and conduct participatory training sessions in all thirteen districts of the project on Prevention of Sexual Harassment at Workplace Act, 2013, the issue of sexual harassment, its forms and types, the concept of ‘world of work’, and mechanisms for seeking justice for experiences