

Sexual Harassment of Women Tea Garden Workers: Case Study in Barpani Tea Estate, Assam

Key Findings from the Study Conducted by Simanta Mazumdar, MFF-NAPSWI Scholar 2016

Between November 2016 to March 2017, Simanta Mazumdar, a second year student from Master's in Social Work, Tata Institute of Social Sciences, Mumbai, as part of MFF-NAPSWI Scholarships conducted an exploratory study on the impact of sexual harassment at workplace on the women tea garden workers of Barpani Tea Estate in Nagaon, Assam.

About MFF-NAPSWI Scholarships

The MFF-NAPSWI Scholarships, a partnership initiative by Martha Farrell Foundation and the National Association of Professional Social Workers in India (NAPSWI) aims to support field research in the core areas of the Foundation's work. The purpose of the Scholarship is to encourage young scholars to research issues related to safe spaces, workplace safety and compliance to the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

As a part of the Scholarship, two researchers studying for their Master's in Social Work, are awarded an amount of Rs. 25000 each, to support 8-12 weeks of fieldwork in the research stage. Scholarships are awarded to one male and one female candidate each year, and the winners are selected by a three-member committee of academics and social work practitioners.

Successful research reports are published on the Martha Farrell Foundation and NAPSWI websites.

Context

The “tea-tribal” (refer to Box 1) people in Assam have been living in deplorable living conditions since they migrated to Assam in the mid-nineteenth century. The study, through a quantitative survey of 20 households from the Barpani Tea Estate, drew a socio-economic profile of the tea garden workers and their families.

Box 1: Who are the tea garden workers of Assam?

- Tea plantation in an organized way first started in 1837 in Dibrugarh, Assam.

- To make the tea plantation a more profitable enterprise, cheap labour from Adivasi communities of Bihar, Bengal, Madhya Pradesh, Orissa, Andhra Pradesh and Tamil Nadu were recruited.
- Currently, tea garden workers are covered by nine labor legislations in the country. Despite this, they continue to work in deplorable and exploitative work conditions.
- The Barpani Tea Estate, the research site of this study, employed a total of 450 workers. Only 170 workers out of the total 450 were permanent workers. The remaining were casual workers.
- The workers are not provided with any supportive equipment (like umbrella, raincoat or boots).
- They are paid according to the quantity of leaves they collect (weighed in Kilograms). While the plucking ends at 5 pm, they need to carry the plucked leaves to the supervisor to be weighed and paid accordingly. If they work beyond the official working hours, they are never paid overtime

The findings of the survey established that the tea garden workers were:

- **Suffering from generational poverty**
- **Had negligible or absolutely no land holdings**
- **Belonged to the BPL category**
- **Had poor health and educational statuses**
- **Did not actively participate in local political processes (like the Gram Sabha)**

Also, the working conditions of the workers were found to be extremely poor at the Tea Garden (refer to Box 1) . Out of the 450 employees of the Tea Garden, only 170 were permanent employees. The remaining employees were casual workers, who lacked basic facilities at the worksite and have no access to social security. The informality of the work further increases their vulnerability.

Box 2: What is the Social Status of Tea Tribal Women?

- While Adivasi women have lesser restrictions as compared to women in other communities, they do not enjoy the same social and economic status as men.
- Women from Tea Tribal Communities are treated as a 'Commodity'. The wives are often referred to as 'kept' by their husbands.
- The overall occupational status of women workers is comparatively lower than that of men. Women are never promoted to higher positions and always remain daily wage workers.
- They do not also have a say in the Adivasi community panchayat.
- No women have emerged as leaders in the trade unions. Though women are a part of the trade unions, they barely take part in its activities.

- The educational upliftment of Adivasi women is very poor and has further helped in perpetuating their lower status.

Vulnerability of Women Tea Garden Workers

It is a known fact that the trafficking of women and girls from the tea-tribal community is rampant. These women and girls are often uneducated and unaware about their rights (refer Box 2). They are mostly engaged as daily wage workers, with little or no access to job security and social security and their superiors or managers are mostly men. While these women are already disadvantaged by their deplorable socio-economic conditions, their lack of awareness puts them at a great risk of sexual harassment at workplace. They have absolutely no power or negotiation capacity in a situation of violence. Their vulnerability is also exacerbated due to their marginalized status within their homes. Most of them do not enjoy control over their incomes, have no right over hereditary property and are physically and mentally exploited by their husbands, family members and estate managers.

The researcher closely studied five women tea garden workers at Barpani Tea Estate, who had experienced sexual harassment at workplace. Through these five case studies, the study brought out the following experiences of sexual harassment at workplace of women tea garden workers:

Non-verbal Forms of Sexual Harassment at Workplace: The women tea garden workers were often sexually harassed on the way to their workplace, which included stalking, lewd comments, songs and repeated requests for sexual favours. In one instance, the harasser constantly stopped the woman on her way to and way back from work and would force her to speak to him. In fact, one day the harasser also reached her home.

Physical Forms of Sexual Harassment at Workplace: If not sexually harassed on the way to work, they were subjected to physical forms of sexual harassment at the workplace. These included unwanted physical touch and physical proximity at the workplace, making the worker uncomfortable. Often, on the pretext of helping the worker, the harasser would try to come close to her and touch her 'incidentally'. In another instance, the Sardar/Supervisor would keep a place reserved for the worker at the lunch time or at the time of plucking leaves and force her to occupy that place. He would also ensure that she is surrounded by other male workers at that time so that he can easily bully her.

Box 3: "The World of Work"

The ILO uses the concept of "the world of work" to include the broader place of economic activities. The concept of the world of work helps capture paid productive work that does not take place within the traditional "public sphere" such as a factory or office, but which is employment such as selling products in the street or artisanal

production or piece work in the home (PRIA and ILO 2013). It also comprises not just the place of work but related contexts where gender-based violence can take place, such as on public transportation going to work, or returning back home after a night shift (ibid). It is important to recognize and include the broader place of economic activities in any effort to prevent and address sexual harassment at workplace.

Quid Pro Quo: The repeated physical and non-verbal forms of sexual harassment were also accompanied by repeated requests for sexual favours, in lieu of better salaries and jobs. While none of the women workers interviewed yielded to these situations of Quid Pro Quo, they felt extremely pressurized and scared when these requests were being made. They feared loss of livelihood or being vilified by the harasser and his cronies for denying the request, leading to stigmatization and ostracization from the community.

Visual Forms of Sexual Harassment at Workplace: It was also discovered that mobile phones were used to perpetuate sexual harassment at workplace. In one instance, the Assistant Manager of the tea estate would send a boy to the victim's place with a mobile phone and force her to speak to him on the phone.

The Workplace of the Women Tea Garden Workers

The places where the sexual harassment took place are both inside and outside the tea garden. Many were harassed on their way to and way back from work. The other areas are the tea plucking area, sapling plantation site and tea manufacturing room. The harassment also took place after working hours. As mentioned previously, in one instance, the Sardar forced himself inside the victim's house. This clearly establishes that the workplace is any place where working relationships between employer and employee(s) exist beyond the physical boundaries of the primary workplace or office building (refer Box 3).

In the case of women tea garden workers, their workplace extends beyond the tea estate, to include the streets, their homes or other public places, where they are in contact or in relation with their employer, supervisors or colleagues. As established by the case studies, the women tea garden workers were found to be susceptible to sexual harassment at workplace in all these spaces.

Who were the Perpetrators?

All the perpetrators in the five case studies were found to be superior in position, who abused their position of power to sexually harass the victims. These included Sardars/Supervisor, Babus (which supervise the Sardars), Assistant Managers of the tea garden or other influential men from the village. Given the powerful position of the perpetrators, the victims found it extremely difficult to complain or speak up against the act of violence.

How did Women react to Sexual Harassment at Workplace?

Confrontation: Some confronted their perpetrators at the time of the harassment and complained to their supervisor.

Seek Husband's Support: Some of them complained to their husbands. While in two case studies, the husbands helped the victims by confronting the perpetrator, in two other case studies, the husbands blamed the victims and beat them up. In such cases, they also barred them from going to work.

Stop Going to Work: In two cases, the women stopped going to work. In fact, in one of these cases, the victim's daughter also stopped working in the tea garden for the fear of retribution and stigmatization. Some of them rejoined work after the perpetrator left his job at the tea garden.

Keeping Distance from the Perpetrator: The victims also coped with the situation by keeping distance from the perpetrator or by avoiding him.

Did the Victims Receive any Support?

Support from Supervisor: Only in one case study, the victim was supported by her supervisor, who reprimanded the perpetrator and warned him to not violate any female co-worker in the future.

Lack of Support from Husbands and Community: In two instances, the victims reported that they were severely beaten by their husbands when they informed them about the incident. A victim was wounded by her husband with a knife and had to undergo several stitches. Also, their communities did not come out in support of them and asked them to ignore the incident and resume their work at the tea garden. The violence was normalized and touted as an everyday part of a working woman's life.

Lack of Awareness about the Law: All the victims and employers were found to be unaware about Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The Barpani Tea Estate employed a total of 450 workers; the law mandates any workplace with more than 10 employees to constitute an Internal Committee (IC) to ensure prevention and redressal of sexual harassment at workplace. The said Tea Estate had no such mechanism in place and therefore, was extremely lacking in providing the necessary institutional support to any of its women workers, who were facing sexual harassment at workplace or were vulnerable to it.

References:

Participatory Research in Asia (PRIA) and ILO. 2014. Preventing and Responding to sexual harassment at workplace: Guide to the Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act, 2013.



i For further reading, please refer to:

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