
UNIT 3 GENDER AND POLITICS IN THE WORKPLACE

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Learning Objectives



After going through this unit, you will be able to:

- know about topics related to women and their marginalisation at the workplace;
- learn about sex role theory, sexual discrimination at workplace, sexual harassment, gender disparity and gender bias;
- learn about other several intersections of sexuality, class, caste that often feature in complex segmented labour markets; and
- finally know how these contribute in playing a central role leading to discrimination of women and other minorities at workplace.

3.1 INTRODUCTION

History of women's oppression and discrimination is not new; it has been an unassailable feature throughout human history. In other words, all over the world, oppression faced by women under patriarchal domination has remained central and a consistent element of society. Even in our modern times and evolved democratic states deploying strong human rights framework, women often continue to face discrimination and oppressions either blatantly or tacitly. While the degree and intensity of oppression, levels of indignities and discrimination may vary subjectively nonetheless there are universal and common forms of oppressions, discrimination that women face as a collective.

This unit broadly examines some of the core aspects related to discrimination faced by women in modern workplaces besides underscoring nuances of complex discriminations faced by women of diverse social locations that work in varied contexts such as informal sector, rural/urban setting and so on.

3.2 BACKGROUND

India as a nation and a society has been no different to women's collective experiences of subordination and oppression. Though on hindsight, there are some rare positive instances when Indian women were fairly treated, even had superior status but these were very few exceptions. It has been said that women relatively held high positions in pre-vedic and Buddhist times, however as the caste system became more rigid women not only lost their equal status but also became subordinates and thereby enslaved.

Today, women in India continue to be counted as unequal and they are subordinated and marginalised in almost every walk of life. Besides, structural conditions embedded in social institutions such as religion, family and economy has been instrumental in strengthening and acceleration of persistence and reproduction of caste and gender inequalities. Another unique aspect of Indian society is the heinous practice of untouchability that remains a social embarrassment for India as a nation and a blot on humanity. Ironically, in spite of the abolition of practices of untouchability by the Constitution of India, caste and untouchability has remained as recurring and unique elements of Indian society. Caste continues to act as instruments of oppression, exploitation, domination and discrimination of women, untouchables and lower castes. The worst victims of caste are untouchable women who face triple burden of caste, class and patriarchy. All of these aspects play a key role in creating and sustaining structural inequalities that are translated in creation of hierarchical and segmented labour markets (Harris-White, 2004).

Furthermore, caste hierarchy has essentially created different kind of binds for women. These caste hierarchies have culminated into creating varied kinds of experiences, subordinations and oppressions particularly for women of lower castes, and untouchable communities, as they suffer "triple jeopardy" under caste, gender and class. This unholy trinity of caste, class and patriarchy continues to affect women of lower caste and untouchable castes in more damaging ways in comparison to upper caste women who have relative privilege of caste and negotiate their social status.

It will not be stupendous or a new claim to suggest that under this old patriarchal system, caste has continued to survive and entrench due to regressive practices of endogamy, controlled sexuality of women and restrictions on social intercourse. Women were relegated inferior status for maintaining caste superiority and it is women who came to be controlled through practice of endogamy with other several restrictions such as enforced widowhood, sati (self-immolation, sacrifice associated with widowhood) and child marriage, to name a few. All of these factors have led to creation of strong and deep foundation of sex inequalities where women are not only deemed but are considered as inferiors, subordinates and expendable. The pyramid of caste inequality is based on women's subordination. Therefore in order to examine and understand sex discrimination at workplace or labour market discrimination in India, whether in the formal/informal sector, one needs to understand them from this embedded, historical discourse point of view.

It is at this background one needs to map out several kinds of complex and multidimensional experiences of discrimination that women workers continue to face in India's stratified, segmented labor markets.

At the foremost, it is worthwhile noting and evident that in spite of numerous socio-cultural barriers, women have come a long way in terms of entering male dominated areas of work. Also, women's contribution to the lesser known "informal sector" which has remained mainly as peripheral, invisible sector is overdue.

Although it may appear there are new work opportunities made available by globalisation, it is extremely important to examine quality and the dynamics of such employments, challenges and vulnerabilities that women are likely to face in the new integrated global labour markets. Therefore, it is not only important to quantify employment of women but examine quality of women's employment critically. It is equally important to understand how several historical and cultural contexts influence women and their work and shape their experience.

It may be worthwhile to consider historical periods such as women working under colonial empire or under feudalism and how caste, class, tribe, and other aspects has shaped and influenced women's work history. This would be a unique and nuanced way of tracing Indian women's work history and experiences. By examining these genealogies and work histories of women it would certainly provide a perspective and help us understand and map new trends, emerging patterns, and histories of modern workplace. However, in this unit we will restrict our discussion to some common and universal challenges faced by Indian women workers.

3.3 THEORETICAL LENSES TO UNDERSTAND GENDER AND POLITICS OF DISCRIMINATION

Inequalities are one of the most basic and common features to all known human societies. Modern civilisations have been trying to undo some of the inequalities. However, most of these inequalities are so pervasive and rooted that it is extremely arduous to annihilate them. Besides, one has to understand that modern societies, organisations, and social institutions are not immune to these fundamental inequalities such as those based on sex, colour, race, caste, class, disability, and so on. There are new sophisticated ways to conceal some of the most violent and regressive practices of discrimination, which are usually hidden in the closet. Therefore, it is furthermore difficult to weed out such horrors of discrimination. Consequentially, most of these subtle and stark forms of sex-based discrimination remain hidden but sporadically resurfaces in modern organisations.

Although there are state initiatives to advocate and strengthen change, protect minorities, and encourage and foster diversity at modern workplaces, yet there are several discrimination that are at place, which are managed by manipulation, using indirect pressure techniques, and abuse of law to carry out discrimination. We are here concerned about women and the specific discrimination they face at the workplace.

Discrimination faced by women is highly known especially in terms of unequal pay, gendered jobs, women being victims of sexual harassment and so on. Also, women are often trapped in secondary labour markets, where they work under exploitative working conditions and on ill paid wages, remain redundant with

lower skill sets and have no opportunities for growth and mobility. These are some of the most common forms of discrimination that women face in labour markets across the world.

In spite of the anti-discriminatory laws such as Affirmative Action Policies in USA, or the Reservation Policies in India, women from these minority backgrounds are less often recruited and even in case they are in many exceptional cases, they continue to face several forms of discrimination. Overall, it is largely women who remain severely underrepresented in organised/protected sector.

This is particularly seen in several industries and work sectors that women are lagging behind men and are rarely in authoritative positions. One of the main reasons why women are left behind is also because women are considered inherently as burdensome due to their biological/reproductive roles, which are considered as “invasive” for the workplace. Women are regarded as “naturally inferiors” due to prevailing sexist attitudes and therefore women are often blocked from opportunities to grow and excel.

Evidently, discrimination plays a central role in keeping women behind in comparison to male counterparts. On top of that, women are at multiple disadvantages because of the gender roles, gendered division of labour and so on. One of the most serious concerns are, in spite of the fact that women have entered formal and informal workforce yet women have not made a great headway and still remain a minority in leadership roles. Contemporary labour markets are therefore an important site to understand and locate how women as workers are subjected to discrimination, exploitation, and subordination.

Academically speaking, the most significant theoretical lenses to understand politics around women, their work is discussed in different traditional theories emerging in the traditions of neo-classical theory, labour market segmentation, radical/feminist/gender theory, and postmodernist theories. This chapter further discusses few important traditions.

The three lenses that are deliberated by Sharma and Singh (1993) give an overview of how women and her participation in the labour market are understood. At the forefront is the neo-classical theory in which the basic tenet is to balancing factors of demand and supply. It is understood that workers are paid according to their value of their marginal product (Sharma and Singh, 1993: 3). The tenets of this theory also hold that women and men are rational and that all labour markets are free from imperfection. The employer is considered as someone looking for maximising the profits. Employees are paid according to their skills and often they are low consequence of a competitive market. Women in this case are paid lower wages because of their low levels of skills, education, and training. Therefore the differences in the wages that women draw in comparison to men are lower and justifiable because of their inadequate competency. The neo-classical theory also assumes that women’s ability to participate in labour market is “discontinuous because of several reasons, childrearing, and child bearing being the most fundamental one” (Sharma & Singh, 1993: 3).

Ironically, this kind of sexist construction can be severely smashed with the help of several anthropological studies and the noteworthy of them is the evidence provided by Mukhopadhyaya and Higgins (1988, cited in DN and GK, 1989:

1949) who pointed out that, a tribe, in Philippines, known as Agta tribe, biological cycle (be it menstruation or pregnancy) or age, were not factors that were regarded as hindrance or blockades for women to participate in hunting. This clearly suggests that men and women in this tribe hardly every regarded biological cycle of women as a hindrance. Furthermore, the general idea that hunting is regarded as an activity that is associated with men and masculinity, is smashed by this evidence which refutes the myth of hyper masculinity that only men are hunters and women are nurturers and food gatherers. But contrary to these egalitarian practices of tribal society, Sharma & Singh (1993) succinctly points out, what eco-classical theory interprets and assumes women's incompetency due to her innate and biological nature that propels all kinds of labour market discriminations to which the employers are not responsible (Sharma and Singh, 1992: 3-5). A reformed version of the neo-classical approach is echoed in the theory of "labour market segmentation". This theory is regarded as one of the most influential and hence a widely accepted theoretical approach. As Sharma and Singh (1992) put it correctly, this paradigm is "essentially a refinement of neo-classical theory which views the labour market as segmented by institutional barriers" (Sharma and Singh, 1992: 5). The analogy used in this approach differentiates the labour market into twofold. The first is the primary sector and the second is the secondary sector. The primary sector offers wide array of opportunities, better pay, perks, promotions, career advancement, exposure, good working conditions, and so on whereas the secondary sector is ill-paid, unfair, low paying jobs, lower skills, poor working conditions, lack of opportunities for career growth and so on. The reason for the stagnancy in the secondary sector is due to its traditional set up and inability to catch up with progressive and modern sectors. This segmentation also culminates into unequal work opportunities for labour. Differently referred as "economic dualism" or as "dual market theory" (Doeringer and Piorie, 1975) or as the "static and progressive jobs" (Standing, 1976). These distinctions and caveats produce and manifest inequalities and stratification of numerous kinds, sex inequality being the prime ones.

Women workers are segmented and find themselves working in low paying jobs. These workplaces lack basic hygienic and safe working conditions, women workers are poorly paid, overworked, and exploited. The labour markets for women are saturated, whereas male occupations fall under the progressive category where jobs are better paid, competition is not so intense and good working conditions prevail as inherent. A noteworthy aspect is the role of institutional barriers of society, namely economic, social, institutional (political) that shape and influence these sectors and employment patterns and discourage women to take up employment. Huffington Post (2012) recently discussed an important study by Sreedhari Desai in USA. This study conducted in USA revealed that men were in "traditional marriage" which meant wives who were not working in paid jobs, such men felt less positive about the presence of women in the workplace, they were negative about female-dominated organisations and found it discomfoting to work under women in leadership roles. The study also underscored that such male employees, and their type of marriage acted as a factor that was to play a role in discriminating women colleagues (Huffington Post, 17th May, 2012).

Evidently, sex discrimination is one of the leading discriminations that keep women trapped in lower levels of labour market. Therefore, it is not a coincidence to witness "feminisation of poverty", "overcrowding of women in saturated and

insecure labour markets” and “overwhelming number of women in informal sector”. In fact it is an indication of structural inequalities that are at work. In spite of the powerful lens offered by segmented labour market theory, it is still incapable of explaining why “sex is such a persistent and important dimension of labour market segregation” (Sharma and Singh, 1993: 6).

To advance an understanding of segmented labour markets, feminists/radical/gender theory seeks to understand discrimination of women not only as a labour market problem but rather contests that discrimination against women is pervasive, and family/home is the primal site of these inequalities and women’s subjugation. It is this subordination at the level of family which is translated into the labour markets. Some strands in this theory have determined “patriarchy” as the primary cause of sex based inequality under which women and children are enslaved and made private property of the patriarch (male authority in form of father/husband/brother). Besides, the gender stereotype that man is the breadwinner of the family and women is the care taker/ home maker have clearly played a role therefore women end up in occupations such as domestic work, service industry, hospitality, care work and much of the mental and technical jobs that are close to her. Intrinsic to this theory is also interrelationship of sexual exploitation and harassment of women at workplace. In all stratified societies be it feudal, caste, and modern societies, women from lower classes/castes were forced to work outside their house. Besides that they had lower social status, which reinforced the idea that these women were of “loose character” “available” and “sexually promiscuous.” Such pathological understanding of assuming women who work outside the house as loose, immoral, cheap and promiscuous are instrumental in men trying to make sexual advances against women colleagues. This is a global and common feature in all countries and contexts. Even the workplaces associated with jurisprudence are not immune to such instances. A famous American case in this context is that of Anita Hill vs Clarence Thomas, where Anita Hill alleged Clarence Thomas, an attorney of Supreme Court of the United States of America of “sexual harassment” (Walker, 2007). Sexual harassment at the workplace remains one of the most important sites of understanding unequal, regimented gender relations and women’s continuous devaluation.

There are some other feminist perspectives such as post structuralism, critical theory to understand labour processes, workplaces, and women’s experience which maps fluidity of identity, race, class, and other intersections. The idea here was to discuss the most predominant central perspectives that have been used widely in this area of understanding women and discrimination at workplace.

Before we begin to discuss the widely predominant and idiosyncratic experiences of women and discrimination it is important to set the Indian context of workplace.

3.4 SITUATING THE INDIAN CONTEXT

Indian society is one of the most stratified societies in the world. Caste, tribe, religion, region, language, class are some of the intrinsic features that shape socio-cultural life of Indian society. Endogamy, i.e. marriage within one’s own caste to maintain caste purity has been one of the most paradoxical features of modern Indian society. Besides, patriarchy rooted in archaic and backward looking religion has successfully set the discourse of treating and equating women as dependents, subordinates, and inferiors.

In addition, women are sexually oppressed and repressed. The concept of “Brahmanical patriarchy” (Chakravathy, 1995) brilliantly reveals how upper caste women were treated and controlled by repressive regimes of kitchen-household- cultural practices that were operated through control over women’s sexuality. Ironically, on one hand, upper caste women were sexually repressed whereas on the other hand, lower, and untouchable caste women were sexually exploited and their labour was expropriated under the heinous caste system. This was ordained in texts such as Manusmriti and mythical texts of Ramayana and Mahabharata. It is through these inter-sectional aspects of caste, religion, tribe, language, class, we will be able to expand our understanding the complex nature of women’s discrimination in the labour market or at workplaces.

To begin with, we will begin with our assessment of women and labour market discrimination in the following areas of

- 1) Labour market entry and workforce participation
- 2) Unequal pay for women (sex difference in earnings)
- 3) Job segregation or feminisation of occupations (sex roles theory)
- 4) Sexual harassment in the workplace
- 5) Glass ceiling- opportunities to advancement (sex differences in promotions, authorities, glass ceiling)
- 6) Issues regarding maternity leave

For the sake of brevity we will only briefly touch upon the intersections of caste, class, rural/urban labour markets and exploitation of women workers in the formal and informal sector. The larger discussion attempts to unfold forms and types of discrimination women face in carrying out paid work.

- 1) *Labour market entry and workforce participation:* To begin with, much of India’s labour forces are employed in a sector that is largely identified as “informal” or “unorganised sector”. This massive sector employs between 83 and 93 per cent of the workforce (Harris-White, 2004: 17). The character of unorganised/informal employment workforce is lack of any protection from the state or employer, social security provisions, employment security, and overall deprivation of rights at workplace. In addition, this sector is expanding which means more number of workers are being sucked into insecure livelihoods. The skewed sex ratio is overwhelming in this sector. According to Deshpande and Deshpande (1997) almost 96 per cent of working women are engaged in “unorganised” and “informal economic activities” and only 4 per cent of women work in protected organised sector (Deshpande and Deshpande 1997: 546). Inevitably this means millions of working women in India have no access to labour protection, social security or income security, leave aside better opportunities to develop, progress, and vertically move in the job ladder.

The aspect of “gender gap” at the workplace in terms of wages is almost like a record. Women not only earn less in comparison to men, women also work for longer hours. Some of these low-paid jobs positively recruit women. Jayati Ghosh (2008) argues that “feminization of employment has resulted from the so called ‘labour market flexibility’ which operates on casualization

of labour, part-time/subcontracting/piece-rate contracts, and hire/fire policy” (Jayati Ghosh, 2008, p.11, Standing, 1999). Existence of this area of dual market for women exemplifies that women have disadvantage in the labour market.

- 2) *Unequal pay for women (sex difference in earnings)*: Practice of wage discrimination against women is extensive and evidenced in almost all labour markets of the world. This aspect of wage discrimination or sex difference in payments/wages particularly in developing countries are understood as emerging as “pre and post discrimination” (Ozcan, Yusuf, et al., 2003: 3) Pre-discrimination is typically a condition where certain groups are blocked from entering the labour markets, whereas post-discrimination occurs on entering the labour market, where cultural aspects of society work against the individuals against mobility and growth. It is thus predominant in developing countries where women as a social group are often discouraged to enter labour market and even if they do enter they face post-discrimination forms, noticeably in terms of differences of wages. This is clearly enunciated in several labour reports in India, where it is shown that women in rural and urban markets are paid fewer wage in comparison to men. A famous case seen in this context was that of Mackinnon and Mackenzie vs Audrey D’costa [AIR 1987 SC 1281] (cited in Gothaskar, 1992: 16).
- 3) *Job segregation or feminisation of occupations*: This is one of the most striking features where “gender roles” rule the job markets. The whole of industrial employment is considered as the prerogative of a man. It is not surprising that “within the industrial employment or other wage-work, there is segregation of men and women into different types of jobs-women in packing and assembling, whereas men were in engineering jobs” (Gothaskar, 1992:7). As discussed in other units’ patterns of feminisation of occupations is already discussed as evidenced in Indian labour markets.
- 4) *Sexual harassment in the workplace*: This has been one of the enduring aspects of women’s work experiences yet approached and regarded as a taboo. Women refrain from talking about their harassment, particularly sexual harassments because of the cultural norms, which are not in favour of working women. Women are sexually harassed in almost all work settings and it cuts across, industries, job profiles. Factors such as education, employment status are not factors that hinder experiences of sexual harassment. Therefore, it is important to note that women workers be it in corporate sector or working on *nakas* or street corners are both vulnerable to sexual harassment. In industrial west there is zero tolerance towards sexual harassment but in developing countries, legal measures are yet to fully evolve and develop in regards to securing women employees. Due to cultural contexts, it is very difficult to define what exactly does sexual harassment entail and several scholars have left it open as a matter of subjective interpretation, therefore sexual harassment is very fluid and has been a difficult concept to be defined. However, there are certain aspects that are defined as part of violation of conduct and considered as sexual harassment. In 2012 Government of India passed a bill on Protection of Women Against Sexual Harassment at Workplace to implement the Article 14,15, 21 of Constitution of India and Vishaka vs. State of Rajasthan, 1997 guidelines. The Bill defines, ‘sexual harassment’ includes such unwelcome sexually determined behavior (whether

directly or by implication) as—(i) physical contact and advances; or(ii) a demand or request for sexual favours; or(iii) sexually coloured remarks; or(iv) showing pornography; or(v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature” (Loksabha, 2012: 3). This bill makes provision for a mechanism for redressal of complaints and provides safeguards against false or malicious charges. According to Indian Penal Code Section 354 sexual harassment is also recognised as criminalising behaviour that is intended to intimidate, oppress, degrade and violate women’s rights and dignity. There have been several studies done to assess causes of sexual harassment. Stockdale (1991) has reviewed several studies to understand the causes of sexual harassment. She begins with her study on understanding key motives behind sexual harassment. She attributed “sexual desire” “power-play” and “gaining and asserting or maintaining power and status.” (Stockdale, 1991: 55). Stockdale discusses Gutek’s three models of understanding sexual harassment at workplace (Stockdale, 1991: 56). They are classified as follows:

- a) Natural/biological interpretation: considers sexual harassment merely as something that is natural, inevitable and something that is harmless. It also clearly holds that there is an element of sexual harassment but it is merely natural, harmless and unintended, implying that it is pardonable and not to be taken seriously.
- b) Organisational/Structural institutional perspective: This approach underlines elements of power structures, hierarchy, authoritarian and unequal power relations as prime reasons that results in the outcomes in forms of sexual harassment. This approach holds the structures itself as responsible that creates vulnerabilities for women who are often the victims and opportunities for authorities to use that against women.
- c) Socio-cultural/sex role models: This approach focuses on understanding sexual harassment as maintaining men’s domination over women. It implies that these role plays encourage the power variances between the sexes, reinforcing men’s dominance over women and subordination of women in the female sex role ideals.

The above theorisation and assessment of sexual harassment explain different aspects and complexities that are involved in instances of sexual harassment. Sexual harassment is thus one of the important sites to understand unequal power relations among the sexes.

- 5) *Glass ceiling*: Discrimination against women in labour market is so rampant that we see a large number of women end up in informal/secondary labour markets. Even if women make a breakthrough by entering into primary sectors of employment, opportunities don’t seem to come to women. Women face discrimination in regards to their upward mobility and have lack of opportunities to be at the top. No wonder even in USA, which boasts of having highest percentage of women in the labour markets, wage gaps persists and in spite of the record number of women working in the private sector, only 3.6 per cent of women have made it on top positions and in the roles of Chief Executive Officer, reported Huffington post. (17th May, 2012). The article also points out that besides the classical “Glass Ceiling” there is “the

Marzipan layer –a corporate hierarchy in which women find themselves stuck with jobs that are just below senior management” (Huffington Post, 2012). This clearly explains why so many women employees in so-called competitive, private sector never reach the top.

- 6) *Issues regarding maternity*: Maternity or women’s sexual reproduction has been regarded as a matter of hindrance in most of the work settings. Maternity for long was considered as a burden on employers. It took several struggles for women to get the Maternity Benefit Act in India. Maternity Benefit Act, 1961 was introduced to protect the dignity of motherhood by providing for the health of the new mother (women employee) and her child. This act of 1961 came as a demand through a strike of 1921 in Jamshedpur which was not accepted then (Radha Kumar, 1993: 67). Thereby, in 1929, Bombay Maternity Benefit Act was passed in 1929. However, this long struggle to recognise and accord dignity to women workers is impaired as a large number of working women in India are now working in the informal sector and it is challenging to protect them under the ambit of this act. It is also important to note that even women workers in the formal sectors struggle in spite of this progressive legislation. Women workers are routinely taunted for their maternity leaves and even discouraged from using their rights.

3.5 SUMMARY

This unit has attempted to discuss some of the most important aspects related to gender and politics in the workplace. Women workers are vulnerable workers due to unequal power relations between the sexes. Worldwide it is evidenced that women workers in labour markets are discriminated. Furthermore, intersections of caste, class, ethnicity, region, tribe and so on, inter-mesh and play a role to create complex realities for women workers subjectively. Nevertheless, women as workers face vulnerabilities in several areas that are common and universal. This is evidenced in wage differentials, unequal opportunity to advance, job segregation/feminisation of employment, sexual harassment and in access to protections such as maternity benefits and so on. Overall, it appears that in spite of women working across the globe are yet to receive deserving attention, i.e. recognition, dignity and honour in comparison with her male colleagues and counterparts that are inadvertently accorded great respect and dignity. For women workers all over the world it is a long way ahead and in spite of their enduring contributions to human society they are yet to receive recognition.

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Sample Questions

- 1) Are women discriminated in the emerging labour markets? If yes, support your answer with relevant examples.
- 2) Discuss some theoretical lenses to understand gender discrimination in labour markets?
- 3) Elucidate the dimensions of workplace discrimination faced by women workers.

