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## UNIT 23 GENDER AND OTHER SENSITIVITIES IN HOSPITALITY AND TOURISM

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### 23.0 OBJECTIVES

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This Unit is aimed at making you aware of certain sensitive issues that need attention by all employees and managers. **After** reading this Unit you will be able to:

- know about the position of women in tourism and hospitality services,
- understand what sexual harassment means,
- appreciate managerial responsibilities in this regard,
- **familiarise** yourself with the code of conduct in relation to dealing with women employees and colleagues,
- know the procedure of enquiry in cases of women harassment, and
- sensitise yourself with issues like child labour, human rights and consumer protection.

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### 23.1 INTRODUCTION

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Hospitality sector is one area where the employment rate of women is quite high, both in the organised as well as the unorganised sector. Women are performing different jobs at both the managerial as well as operations levels. Besides managerial jobs, the other **jobs** performed include those of receptionists, house keepers, managing travel counters, guides, escorts, sales executives, etc. The increasing number of working women in this area has also led to the problems of safety, security and providing a congenial working environment which is free from sexual harassment. It is the responsibility of every manager and employee in the organisation to ensure that such problems do not arise, but everyone does not have that attitude. Hence, it is necessary that the issues of gender sensitivity are treated as a part of **creating** awareness and are taken up through various training programmes within the organisation. Besides a code of conduct for workplace in relation to women issues, there is also a need to make your managers and employees aware of other important issues like child labour, human rights and consumer protection. **In** this Unit, an attempt has been made in this regard and we insist that you take up the issues referred to in this Unit in all seriousness as they are issues not only **related** to morality, ethics and social attitudes but are also binding on a person by law. Failure to comply with certain aspects can lead to not only **disciplinary** proceedings but also criminal proceedings against both the manager as well as an employee.

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## 23.2 POSITION OF WOMEN IN HOSPITALITY AND TOURISM

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Here, we are not entering into a developmental debate and the controversial issues related to development of hospitality sector due to increasing tourist inflow in one area. Yet, at the same time gender issues have started emerging in big way in various **contexts** related to hotel industry activities; what types of jobs **are** open to women? Do these jobs provide gender equality or are based on stereotypes of the traditional built in image of women's role? Certain authors have gone further and raised the basic questions like how **are** gender relations constructed within hospitality? How do they change? and what are their implications?

Well, some of the gender based issues in hospitality relate to:

- Low wages, long or **late** working hours, seasonal employment, etc.
- Use of sexual imagery of women for destination promotion or marketing by firms,
- The service imagery of women being projected as a travel motivation, and
- Sex tourism as an organised industry, etc.

**Vivan Kinnaird, Uma Kothari and Derek Hall** have emphasised on three aspects in this regard:

- 1) Tourism-related activities and processes involved in tourism development are constructed out of gendered societies. Consequently, the articulation of masculine and feminine identities by both host **and** guest societies **are** important components of the types of tourism taking place and the maintenance of the economic and political agenda of the international tourism industry.
- 2) Gender relations both inform, and are informed by, the specificities of the social practices of all societies. Therefore, economic, social, cultural, political and environmental aspects of tourism interact with the gendered nature of these societies and the way in which gender relations are defined and redefined over time.
- 3) Discussions of gender and gender relations are about power and control. Gender relations are political relations at the household, community and societal levels. Tourism's identification as an industry based on the economic, political **or** social power relations between nations or groups of people creates a meaningful extension to the politics of gender relations. Tourism revolves around social interactions and social articulations of motivations, desires, traditions and perceptions, all of which are gendered.

The impacts **are** varied ranging from issues in the course of tourism planning and development and tourism impacts. In this particular course we intend to limit the discussion to HRD and managerial role in this context.

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## 23.3 MANAGER'S RESPONSIBILITIES

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In an Indian University a young girl student pursuing her Master's in Hospitality confronted the guest speaker with a question: When we serve in this industry (hospitality) why do guests take us merely as sex objects? The speaker tried to brush the question aside by stating that this situation can occur in any job. But the audience was not satisfied. In most of the developing countries such issues have cropped up because of various reasons. Negative impacts of tourism development, power equations, notions of racial superiority, poverty of the people at destinations and the traditional male attitude, etc. have all contributed in gender exploitation. The hospitality industry has to address itself to such questions seriously and it is here that the managerial role becomes crucial. We suggest the managers to take up the gender related issues as a part of the training

programme and concerns within the **organisation**. Some of the functions, in order to check gender harassment that a manager has to take up are as following:

- 1) There should be no discrimination in terms of recruitment, wages, allowances, bonus, perks and other facilities on the basis of gender for women **employees**.
- 2) Equal promotional avenues should be provided to women employees.
- 3) In granting leave, all rules and regulations related to the grant of leave by the Government for women employees must be followed.
- 4) Women employees should not be discharged or thrown out of jobs because of maternity or attaining higher age.
- 5) Male employees should be sensitised regarding attitude and behaviour towards women employees.
- 6) Women employees should be sensitised regarding their own rights and also about handling, reporting and taking action in odd situations.
- 7) All safety precautions should be taken, particularly during odd working hours.
- 8) Pickup from and dropping at residences should be arranged by the Company during odd working hours.
- 9) Immediate action should be initiated in case an offence is committed against a women employee or a women customer.
- 10) The firm should not project or use women as exotic attractions to increase the firm's business.

Many more issues depending on the nature of a firm's business operations can be added to this list. However, in the subsequent Sections we introduce you to the concept of sexual harassment as not only the manager but each and every employee has to be aware of it.

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## **23.4 WHAT IS SEXUAL HARASSMENT?**

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World over, there has been a movement against sexual harassment of women and voices have been raised at different forums. Many countries have enacted legislation in this regard. Similarly, in India the National Commission for Women came out with a code of conduct for workplace in accordance with the Supreme Court of India's judgement in a case. **Here we reproduce what has been described as sexual harassment in this document.**

Sexual harassment is a serious criminal offence, which can destroy human dignity and freedom. Sexual harassment will include such unwelcome sexually determined behaviour by any person either individually or in association with other persons or by any person in authority whether directly or by implication such as:

- Eve-teasing,
- Unszvoury remarks,  
Jokes causing or likely to cause awkwardness or embarrassment,
- Innuendoes and taunts,
- Gender based insults or sexist remarks,
- Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like,
- Touching or brushing against any part of the body and the like,

- Displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings,
- Forcible physical touch or molestation, and
- Physical confinement against one's will and any other act **likely** to violate one's privacy.

This also includes any act or conduct by a person in authority and belonging to one sex which denies or would deny equal opportunity in pursuit of career development or otherwise making the environment at the workplace hostile or intimidating to a person belonging to the other sex, only on the ground of sex.

### **Explanation**

Where any comment, act or conduct is committed against any person and such person has a reasonable apprehension that,

- i) it can be humiliating and may constitute a health and safety problem, or
- ii) it is discriminatory, as for instance, when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or study, including recruitment or promotion or advancement or when it creates a hostile environment, or
- iii) it would result in adverse consequences if she does not consent to the conduct or raises any objection, it shall be deemed to be sexual harassment.

### **Eve Teasing**

Eve teasing will include any person wilfully and indecently exposing his person in such a manner as to be seen by other employees or use indecent language or behave indecently or in a disorderly **manner** in the workplace. It will also include any word, **gesture** or act intended to insult the modesty of a woman by making any sound or gesture **or exhibit** any object **intending** that such word or sound shall be heard or that such gesture or object shall be seen by such women or intrudes upon the privacy of a woman employee.

Sexual harassment of an employee means use of authority by any person in charge of the management or any person employed by it to exploit the sexuality or sexual identity of a subordinate employee to harass her in a manner which prevents or impairs the **employee's** full utilisation of employment benefits or opportunities. It also includes behaviour that covertly or overtly uses the power inherent in the status of the employer or the head of the institution or management to affect negatively an employee's work experience or career opportunities and or to threaten, coerce or intimidate an employee to accept sexual advances or making employment decision affecting the **individual** or create an intimidating, hostile or offensive working environment.

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## **23.5 CODE OF CONDUCT**

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In an effort to promote the well being of all women employees at the workplace, the following code of conduct has been prescribed by the **National Council of Women**:

- 1) It shall be the duty of the employer to prevent or deter the committing of any act of sexual harassment at the workplace.
- 2) All employees should take appropriate steps to prevent sexual harassment of any nature. Express prohibition of **sexual** harassment should be notified at the workplace and also published for the general information of the employees and evaluated in an **appropriate** manner periodically.
- 3) Appropriate working conditions should be provided in respect of work, leisure, health and hygiene, to ensure that there is no hostile **environment** towards women at

the workplace **and** no women employee should have reasonable grounds to believe that she is disadvantaged in connection with her employment in that organisation.

- 4) Women employees should not be treated **as** sex objects.
- 5) No male employee shall outrage or insult the modesty of a female employee at the workplace.
- 6) No male employees shall make any type of sexual advances to women colleagues or women subordinates.
- 7) The head of the organisation shall constitute a Complaints Committee as specified in the judgement of the Supreme Court, **i.e.**, the Committee should be headed by a woman and not less than half of its members should be women. Further to prevent the possibility of any undue pressure or influence from senior levels such Complaints Committee should involve a third party either non-governmental organisation or other body who is familiar with the issue of sexual harassment.

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## 23.6 CONDUCTING ENQUIRY BY THE COMPLAINTS COMMITTEE

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As per the National Commission for Women's directive, once a case has been reported, an enquiry has to be conducted in the **following manner**:

- 1) Any person aggrieved shall prefer a complaint before the **Complaints Committee** at the earliest point of time and in any case within 16 days from the **date of occurrence** of the alleged incident.
- 2) The complaint shall contain all the material and relevant **details** concerning the alleged sexual harassment including the names of the contravener and the complaint shall be addressed to the Complaints Committee.
- 3) If the complainant feels that she cannot disclose her identity for any particular reason the complainant shall address the complaint to the head of the organisation and hand over the same in person or in a sealed cover. Upon receipt of such complaint the head of the organisation shall retain the original complaint with himself or herself and send to the Complaints Committee a gist of the complaint containing all material and relevant details other than the name of the complainant and other details which might disclose the identity of the complainant.
- 4) The Complaints Committee shall take immediate necessary action to cause an enquiry to be made discreetly or hold an enquiry, if necessary.
- 5) The Complaints Committee shall after examination of the **complaint** submit its recommendations to the head of the organisation recommending the penalty to be imposed.
- 6) The head of the organisation, upon receipt of the report from the Complaints Committee shall after giving an opportunity of being heard to the person complained against submit the case with the Committee's recommendations to the management.
- 7) The Management of the organisation shall **confirm** with or without modification the penalty recommended after duly following the prescribed procedures.
- 8) **Disciplinary Action**: Where the conduct of an employee amounts to misconduct in employment **as** defined in the relevant service rules the employer **should** initiate appropriate disciplinary action in accordance with the relevant rules.
- 9) **Workers' Initiative**: Employees should be allowed to raise issues of sexual harassment at workers' meeting and in other appropriate fora and it should be affirmatively discussed in periodical employer-employee meetings.

- 10) Third Party harassment: Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the employer and the persons **incharge** shall take all steps necessary and reasonable, to assist the affected person in terms of support and preventive action.
- 11) Annual Report: The Complaints Committee shall prepare an Annual Report giving a **full** account of the activities during the previous year and forward a copy thereof to the Head of the Organisation concerned who shall forward the same to the government department concerned with its comments.

Further, there are certain safeguards also in this regard. Nothing contained in this code shall prejudice any right available to the employee or prevent any person **from** seeking any legal remedy under the National Commission for Women Act, 1990, Protection of Human Rights Commission Act 1993 or under any other law for the time being in force.

Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the employer shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

In particular, it should ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. The victims of sexual harassment should have the option to seek transfer of the perpetrator or their own transfer.

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## 23.7 CHILD LABOUR, HUMAN RIGHT AND CONSUMER PROTECTION

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The way gender sensitive issues require strict handling, child labour and human rights are also two vital areas that need attention. A large number of work-force, particularly in the unorganised sector in hospitality, is in the form of child labour. Managers must know that this is an offence and they must refrain from hiring child labour in their firm's operations. They must realise that even in regions where this is not a legal offence many tourists get offended by the use of child labour as they consider it inhuman and are very sensitive over the issue. The employees must be strictly instructed in this regard.

Similarly, human rights must be protected by every organisation and its activities **should** in no way violate them. Low wages, unhealthy working conditions, unpaid working hours, etc., are some examples in this regard. All managers and employees must be aware of human rights and the personnel manager must keep organising **orientation** programmes for all in the organisation.

Another aspect which needs attention for the training of employees is consumer protection. Most hospitality establishments turn a blind eye to this or are not aware in this regard. Employees must be made aware of consumer protection laws and the issues related to them in order to protect themselves and the organisation on the one hand and project a good image of the organisation by respecting consumer rights on the other.

### Check Your Progress

- 1) Discuss the position of women in tourism.  
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- 2) What do you understand by sexual harassment?  
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- 3) List the code of conduct prescribed by National Commission for Women.  
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## 23.8 LET US SUM UP

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This Unit was aimed at sensitising you with gender issues in hospitality and tourism. Very **often** even reputed organisations are insensitive to women issues. For example an airline would ground its airhostesses to reduce weight, keep age limitations, don't allow them to marry, etc. Such anti-women measures are not going to be taken silently in any aware society. Besides defining certain managerial duties in relation to working conditions for women this Unit also **familiarised** you with what is termed as sexual harassment at the place of work and the **procedures** that have to be followed to check it.

All such issues of women harassment, child labour, human rights and consumer protection should form the curriculum of all training programmes for managers and employers in the **organisations**.

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## 23.9 CLUES TO ANSWERS

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<b>Check Your Progress</b>
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- 1) Tourism is one industry where employment rate of women is quite high, both in the **organised** as well as the unorganised sector. At the same time gender issues have started emerging in a big way in various contexts of tourism and tourism activities. Study carefully Section 23.2 and base your answer on the said section.
- 2) Sexual harassment includes such unwelcome sexually determined behaviour by any person either individually or in association with other persons or by any person in authority whether directly or by implication such as Eve-teasing, Unsavoury remarks and so on.
- 3) In an effort to promote the well being of all women employees at the workplace. The following code of conduct has been prescribed by the National Commission for Women:
  - i) It shall be the duty of the employer to prevent or deter the committing of any act of sexual harassment at the workplace.
  - ii) Women employees should not be treated as sex objects.
  - iii) No male employee shall outrage or insult the modesty of a female employee at the workplace.

Read **Sec. 23.5** and list the other code of conduct.