



Mains Practice Question

Case Study

You serve as the Chief Executive Officer (CEO) of a startup business that is gaining recognition in the industry. Mr. Anuj, a well-known performer, is in charge of the marketing department. He has contributed to the company's revenues by more than doubling in just one year, and you are considering giving him a promotion because of this. However, you have heard rumours regarding his behaviour with his female coworkers, specifically his propensity for making crude remarks about women, from a variety of sources. Additionally, he frequently sends lewd SMS messages to the entire team, including his female coworkers.

One day, Mrs. Akshita, a member of Mr. Anuj's team, comes to you in the late evening, clearly upset. She complains about Mr. Anuj's ongoing inappropriate behaviour because he has been making unwanted overtures toward her and even attempting to touch her inappropriately in his cabin. She steps down from her position and departs your workplace. (20 marks | 250 words)

- (a) What are the options available to you?
- (b) Evaluate each of these options and choose the option you would adopt, giving reasons.

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The Case given above involves the issue of sexual harassment by the senior employee of a young employee and unacceptable obscene behaviour of the senior employee with other female members of the team. It is totally unacceptable behaviour both in the personal space as well as in social settings. **The Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013 completely prohibits this kind of behaviour and declares it an illegal offense.**

Stakeholders involved in the case are as under:

- Me as CEO of the Company
- Senior employee Anuj
- Employees of the company
- Female employee Akshita

Options Available to me are as under

- Termination of the senior employee Anuj.
- Send the matter to the Internal Complaint Committee (ICC) to enquire about the matter and take action accordingly.
- Give him a strict warning to behave himself.
- Just leave the matter as it is.

Merits and Demerits of Different Options available:

I will choose the Option 2nd as according to me it is the best option available to me to deal with this case due to the following reasons:

- **First Option:** The first option is an extreme thing to do, and it goes against the natural principles of justice. Before taking any action, it is necessary that I find out the facts of the case and establish the truth. The rumours about his misconduct with female members may be spread by his competitor because of jealousy for him by seeing him progressing. Thus, only when I have complete knowledge of the matter only then I go on acting against him.
- **Third Option:** The third option of giving him a strict warning may not be an appropriate step as it would mean taking an action without concrete evidence and totally based on rumours which would discourage him as well as other hard-working employees.
- **Fourth Option:** This step ignores the obscene treatment of junior employees by other senior employees. If things like this have happened, then it is both legally and ethically wrong and it is my prime responsibility to ensure that justice is delivered and along with it to ensure a good work culture.
- **Option 2nd:** According to me this is the right thing to do as of now I don't know the fact of the case and referring the matter to the Internal Complaints Committee (ICC) is the right step towards knowing the truth and ensuring justice. It is in accordance with the principles of natural justice.

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