

Wipro's sexual harassment case points to larger problem

It's an issue that has long worried HR consultants: fewer women in senior leadership roles and its impact on workplace safety



Picture for representation purpose only. Photo: Hemant Mishra/Mint

Bengaluru: The latest sex discrimination complaint against Wipro Ltd highlights an issue that has long worried industry watchers and human resource (HR) consultants alike: fewer women in senior leadership roles and its impact on workplace safety.

On Tuesday, Shreya Ukil, an India-born British citizen, accused Wipro of sex discrimination, unequal pay, harassment and unfair dismissal, and sought compensation of up to £1 million, according to a claim at the central London employment tribunal.

Ukil, 39, said she was manipulated into an affair with married senior vice-president Manoj Punja, the former head of Wipro BPO who resigned last year.

The company dismissed the allegations brought by the former employee and said it was the duo's failure to disclose the relationship that made the company sack both of them last year.

"Wipro's policy on conflict of interest requires employees to disclose to the organization any personal relationship that could create conflict," said a spokesman for the company. "Following an impartial inquiry, both Manoj Punja and Shreya Ukil were relieved from the services of the company after it was established beyond reasonable doubt that they had violated the stated policy."

The news comes less than a year after Wipro's rival Infosys Ltd reprimanded a senior executive for making "certain gender insensitive comments" to women employees, which eventually led to him leaving the company at the start of this year. In May 2013, iGate Corp. sacked then CEO Phaneesh Murthy over accusations of improper sexual conduct.

"To say IT (information technology) firms report more instances of such cases and hence there is something wrong than other companies in other sectors will be wrong," said Nandita Gurjar, former head of HR at Infosys. "It is like someone saying since India has far less crime than in the US. I don't think it is correct because in the US the number of cases getting reported is far higher."

Awareness on what constitutes sexual harassment is on the rise in India after the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, which requires companies to report the number of sexual harassment cases they saw during the year.

Two-thirds of companies in the Nifty, the 50-stock benchmark index of the National Stock Exchange, reported cases of sexual harassment in the fiscal year 2014-15 and an examination of the annual reports of 46 firms showed that 80% of these were IT and banking firms, *The Economic Times* reported on 23 September. The report said Wipro, with 100 cases reported in 2014-15, topped the list.

Gurjar said the presence of fewer women in senior leadership roles is one reason why IT firms face such issues. **The law requires companies to set up internal complaints committees (ICCs) headed by a woman, with at least half its members being women. But given that there are few women in leadership roles, companies find it hard to fill these roles, said Veena Gopalakrishnan, senior member, human resources law practice, Nishith Desai Associates.**

According to a 2015 EY survey of 120 companies on *Reining in sexual harassment at the workplace*, 18% of the companies surveyed did not set up an ICC. Even out of those who did set up an ICC, 63% of the respondents said their companies had not conducted the ICC training mandated by law. The report said that of those surveyed and without an ICC, 50% were automotive companies and 40% were IT firms.

That's changing.

Firms such as Deloitte and EY are now seeing more enquiries for training, investigating and complying with the law on sexual harassment at the workplace.

“We get at least four to five enquiries a month with regard to investigation, compliance, assistance on policy/ communication/ training etc. These are from companies across varied sectors — IT, financial services, e-commerce, technology and even manufacturing; and this is growing multi-fold,” says Rohit Mahajan, partner and head of the forensic practice at Deloitte Touche Tohmatsu India LLP.

Typically companies with a healthy gender balance and a large number of employees report more sexual harassment cases, he adds.

IT firms fit the bill.

Wipro had 140,000 employees of whom 30% were women as of 31 March.

Most sexual harassment complaints involve physical contact and advances and sexually coloured remarks, says Arpinder Singh, partner, fraud investigation and dispute services, EY India.

Once a case is reported, Singh says, companies have to gather evidence and take action within three months. If the complainant is not satisfied, he or she can approach the court or police. “Companies are now more focused on managing the sensitivities arising out of such incidents and trying internally to address and resolve issues.”

But the fact that Ukil decided to go to court shows that she did not have faith in the internal systems at Wipro and that is worrisome, says a senior HR consultant who did not want to be named.

Ukil, who joined Wipro in 2005 and was the head of sales of manufacturing and hi-tech segments for Europe, alleged that she was treated like “dirty goods” after ending the affair and filing complaints about how she was treated, according to a report dated 6 October in *The Telegraph*. Ukil further charged Wipro with discrimination, saying she was paid far less than her male colleagues, earning up to £75,000 a year rather than the typical £150,000 paid to male equivalents.

“The culture within Wipro requires women to be subservient,” Ukil said in the complaint, adding that other women, too, had left the company because of similar experiences.

Wipro strongly refuted Ukil’s claims and said the company adheres to the “highest standards of integrity, fairness, and ethical corporate practices”.

Emails sent to Ukil and Punja remained unanswered.

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