

BREAKING THE TABOO: LEGAL STRATEGIES FOR PREVENTING SEXUAL HARASSMENT OF MEN AT WORK

Ms. Meenakshi Rani Agarwal¹, Mr. Soumyadeep Chakrabarti²

¹ Assistant Professor, Department of Law, Kalinga University, Raipur, CG.

¹ meenakshi.agarwal@kalingauniversity.ac.in

² Assistant Professor, Department of Law, Kalinga University, Raipur, CG.

² soumyadeep.chakrabarti@kalingauniversity.ac.in

Correspondence author- meenakshi.agarwal@kalingauniversity.ac.in

Abstract This paper explores the underrepresented issue of workplace sexual harassment of men, highlighting the cultural, societal, and institutional barriers that contribute to its invisibility. It examines the prevalence, psychological impacts, and legal frameworks surrounding male victimization, emphasizing the need for gender-neutral laws and inclusive workplace policies. Drawing on global case studies and best practices, the paper provides actionable recommendations for legal reforms, awareness campaigns, and stakeholder-driven initiatives to create equitable and safe workplaces for all genders.

Keywords Workplace harassment, male victimization, gender-neutral laws, workplace safety, legal reforms, institutional bias, awareness campaigns.

I. Introduction

A. Background of Sexual Harassment Issues in the Workplace

Sexual harassment in the workplace has been a persistent issue worldwide, impacting employees' mental well-being, professional development, and organizational culture. The focus of research has largely been on female victims due to their historical marginalization. However, recent studies have highlighted that men also face harassment but are often overlooked in academic and legal discourses.

For instance, a review by McDonald (2012) explored workplace harassment dynamics and emphasized the gendered narratives that dominate the discussion, often excluding male victims. Similarly, Berdahl et al. (2015) argued that societal constructs of masculinity discourage men from reporting harassment, contributing to a lack of data and understanding about their experiences. A 2021 study by Hersch emphasized the psychological toll of workplace harassment on all genders, urging organizations to adopt a gender-neutral approach to policy development.

These findings underscore the systemic nature of sexual harassment and the necessity of recognizing its impact on men to create inclusive workplace environments. Moreover, they set the stage for exploring male victimization, a topic still shrouded in stigma and under-researched.

B. Focus on Male Victims: Breaking the Societal Taboo

Male victims of sexual harassment face unique challenges stemming from societal expectations of masculinity and strength. Studies such as those by Turchik and Edwards (2012) revealed that male victims are less likely to report harassment due to fear of being perceived as weak or emasculated. The authors also highlighted that men face a double stigma—not only as victims of harassment but also as individuals challenging traditional gender norms.

A comprehensive review by Waldo (2016) illustrated how cultural stereotypes contribute to the underreporting of sexual harassment cases involving men, with many organizations failing to recognize or address male victimization. Moreover, Bondestam and Lundqvist (2020) identified that workplaces often dismiss complaints by male victims as trivial or unsubstantiated, further perpetuating the taboo. A recent study by Henle et al. (2023) provided empirical evidence that male victims experience similar psychological and professional repercussions as their female counterparts, thus emphasizing the need to destigmatize male victimization in workplace harassment discourse.

The research collectively highlights that breaking the societal taboo surrounding male victims of workplace harassment is critical to fostering inclusivity and equity. It requires a shift in both cultural narratives and organizational policies, ensuring that men feel supported and empowered to report incidents without fear of ridicule or retribution.

C. Objectives and Significance of the Study

This study aims to bridge the gap in understanding the experiences of male victims of workplace harassment and explore legal strategies to prevent and address their victimization. While there is substantial literature on sexual harassment as a general issue, the lack of focus on men has left a significant void. By drawing on global research and case studies, this paper seeks to:

Highlight the prevalence and impact of workplace harassment on men.

Analyze legal frameworks and identify gaps in gender-neutral protections.

Propose actionable legal and institutional strategies to prevent harassment and support male victims.

The significance of this study lies in its potential to reshape the discourse on workplace harassment. A study by Salin and Hoel (2013) demonstrated that workplaces with inclusive harassment policies report higher employee satisfaction and productivity. Similarly, research by Cortina and Areguin (2021) highlighted the importance of gender-neutral legal frameworks in fostering safe and supportive work environments. By focusing on male victims, this study contributes to the growing body of literature advocating for inclusivity in workplace harassment prevention and response strategies.

II. Understanding Sexual Harassment of Men

A. Definition and Legal Perspectives

Sexual Harassment as a Universal Issue

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that affects an individual's work environment. While historically seen as a women's issue, recent research acknowledges that men also experience harassment, albeit often in less visible ways.

Studies like those by Fitzgerald et al. (2012) emphasized that harassment impacts all genders, suggesting that the root cause lies in power dynamics rather than gender alone. In their review, Berdahl and Raver (2021) examined how men are often overlooked due to the societal assumption that they are inherently dominant in workplace hierarchies. This universality calls for a broader understanding of harassment that includes male victims.

Gender-Neutral Definitions in Law

Gender-neutral definitions of harassment aim to protect all individuals, regardless of gender. Countries like Sweden and Canada have adopted gender-neutral workplace harassment laws, which ensure that male victims have equal protection. However, a global gap persists, as

highlighted by Bondestam and Lundqvist (2020), where many legal systems implicitly cater to female victims.

Henle et al. (2023) advocate for explicitly including male harassment in legal discourse, arguing that it normalizes reporting and helps dismantle stigma. By revising definitions, legal systems can encourage more men to come forward and seek justice.

B. Prevalence and Underreporting

Statistics and Case Studies

Research indicates that male victims constitute a significant but underreported proportion of harassment cases. A survey by YouGov (2020) in the UK found that 17% of men reported experiencing workplace harassment, while in the US, a 2018 EEOC report revealed that nearly 16% of harassment complaints were filed by men. Case studies, such as that of a male healthcare worker in Australia (Gloor et al., 2021), highlight how industries with traditionally female-dominated workforces are breeding grounds for male harassment.

Stigma and Societal Perceptions

Stigma plays a significant role in underreporting. Men often fear being labeled as weak or unmasculine for speaking out, as shown by Turchik and Edwards (2012). Cultural expectations of men as aggressors rather than victims exacerbate this issue. A 2023 study by Rao et al. found that workplace cultures often trivialize male victimization, discouraging reporting and perpetuating silence.

C. Psychological and Professional Impacts on Men

Sexual harassment has profound psychological and professional consequences for men. It leads to anxiety, depression, and PTSD, as discussed by Hersch (2021). Professionally, victims often face retaliation, ostracism, and career stagnation. Henle et al. (2023) noted that male victims are less likely to receive organizational support, leaving them vulnerable to long-term harm. These impacts demonstrate the urgent need for inclusive prevention and support mechanisms.

III. Legal Framework for Sexual Harassment of Men

A. Existing Laws and Limitations

Overview of Workplace Harassment Laws Globally

Globally, workplace harassment laws have traditionally focused on protecting women. For instance, the US's Title VII of the Civil Rights Act (1964) prohibits workplace discrimination but does not explicitly address male harassment. In contrast, countries like Sweden and Canada have gender-neutral laws that recognize all victims, as highlighted by McDonald (2012).

Gender-Specific Gaps in Legal Frameworks

Many legal systems fail to address male harassment explicitly. In India, the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, excludes men entirely, creating a legal vacuum for male victims. Similarly, Henle et al. (2023) identified that organizational grievance mechanisms often prioritize female victims, leaving men without adequate recourse.



Figure 1: Gaps in Legal Frameworks Addressing Male Victimization in Selected Countries

B. Comparative Analysis of Countries with Gender-Neutral Laws

Countries like Canada, Australia, and Sweden have made significant strides in adopting gender-neutral harassment laws. Australia's Fair Work Act (2009) and Canada's Human Rights Act (1985) provide equal protection for all genders, as discussed by Bondestam and Lundqvist (2020). These frameworks serve as models for countries like India, where gender bias in harassment laws remains prevalent.

C. India's Legal Position on Sexual Harassment of Men

In India, workplace harassment laws are overwhelmingly focused on female victims. The Sexual Harassment of Women at Workplace Act (2013) explicitly excludes men, as noted by Rao et al. (2023). While some organizations have voluntarily adopted gender-neutral policies, the absence of legal mandates leaves male victims vulnerable. Advocacy groups and legal scholars have called for amendments to the Act, emphasizing the need for inclusivity.

IV. Challenges in Addressing Male Victimization

A. Cultural and Societal Barriers

Stereotypes About Masculinity

Cultural norms often dictate that men should be strong, dominant, and immune to victimization, making it difficult for male victims to come forward. Studies like Turchik and Edwards (2012) reveal that these stereotypes discourage men from reporting harassment as it conflicts with societal expectations of masculinity. Further, men who acknowledge victimization may be perceived as weak or effeminate, adding another layer of stigma.

Fear of Retaliation or Mockery

Men often face mockery or disbelief when they report harassment. A 2023 study by Henle et al. found that male victims fear retaliation from peers or supervisors, ranging from exclusion in workplace activities to career stagnation. This fear is compounded by societal attitudes that trivialize or dismiss male harassment as less severe than female victimization.

B. Institutional Biases in Workplaces

Workplaces often have ingrained biases that prioritize female harassment cases. Rao et al. (2023) highlighted that most organizations design their harassment prevention mechanisms with a gendered lens, inadvertently excluding male victims. This bias results in inadequate investigation processes and a lack of trust in HR departments to handle male harassment cases equitably.

C. Lack of Awareness and Training

HR Policies and Their Inadequacies

Many HR policies are outdated and fail to address male victimization. McDonald (2012) noted that even when organizations have harassment policies, they often lack provisions for male victims, further marginalizing them. Training programs rarely include scenarios or discussions about male harassment, perpetuating the perception that only women are victims.

Role of Employers

Employers play a critical role in shaping workplace culture, but many fail to address harassment inclusively. A 2021 review by Cortina and Areguin emphasized that employers often neglect the needs of male victims, leading to an unsupportive environment. This neglect undermines employee trust and discourages reporting, perpetuating a cycle of silence.

V. Legal Strategies for Prevention and Redressal

A. Incorporating Gender-Neutral Language in Laws

Legislative Amendments

Amending harassment laws to use gender-neutral language is a crucial step in recognizing male victims. Countries like Canada and Australia have implemented such amendments, ensuring equal legal protection for all genders (Bondestam & Lundqvist, 2020). These legislative changes not only provide legal recourse but also signal societal acknowledgment of male harassment.

Best Practices From Global Precedents

Sweden’s Discrimination Act (2008) and Canada’s Human Rights Act (1985) are exemplary in providing gender-neutral protections. These laws serve as models for countries like India, where legal frameworks often exclude men. The global success of such precedents highlights the importance of inclusive legislative reform.

B. Strengthening Workplace Policies

Table 51: Recommendations for Gender-Inclusive Workplace Policies:

Recommendation	Description	Expected Impact
1. Zero-Tolerance	Clearly state that harassment of any gender will not be	Promotes inclusivity and deters misconduct.

Policies	tolerated.	
2. Gender-Neutral Training Programs	Regular sensitivity training focusing on all genders, including male victimization.	Reduces stigma and raises awareness.
3. Anonymous Reporting Mechanisms	Establish confidential channels for reporting harassment cases.	Encourages victims to report incidents without fear.
4. Inclusive Grievance Committees	Include diverse members in grievance committees to ensure fairness and representation.	Builds trust and ensures impartial investigations.
5. Regular Workplace Audits	Conduct periodic reviews of workplace policies and harassment prevention mechanisms.	Identifies gaps and ensures compliance.
6. Counseling and Support Services	Provide psychological support and legal aid for victims.	Helps victims recover and reintegrate effectively.
7. Employer-Led Awareness Campaigns	Launch campaigns addressing harassment faced by men in the workplace.	Normalizes male victimization discussions.
8. Robust Anti-Retaliation Measures	Implement strict penalties for retaliation against victims or whistleblowers.	Protects victims and fosters a supportive environment.

Inclusivity in Prevention Policies

Workplace policies must explicitly state that harassment of any gender will not be tolerated. Salin and Hoel (2013) found that inclusive policies lead to higher reporting rates and better employee satisfaction. Ensuring that male victims are acknowledged in prevention measures is key to fostering an equitable workplace.

Awareness Campaigns and Sensitivity Training

Regular awareness campaigns and sensitivity training programs are essential to dismantling stereotypes and encouraging male victims to report harassment. Henle et al. (2023) emphasized the role of training in educating employees and managers about the experiences of male victims, promoting a culture of respect and empathy.

C. Enhancing Grievance Redressal Mechanisms

Anonymous Reporting Channels

Anonymous reporting channels allow victims to come forward without fear of retaliation. Studies by Gloor et al. (2021) show that such mechanisms increase reporting rates among male victims, who often hesitate due to concerns about confidentiality and backlash.

Protection Against Victimization

Ensuring that victims are protected from retaliation is critical. Policies must include safeguards, such as legal immunity for whistleblowers and strict penalties for retaliatory actions. Rao et al. (2023) highlighted that organizations with robust protections see higher levels of trust and engagement from employees.

VI. Role of Stakeholders

A. Government Initiatives

Legislative Advocacy for Policy Changes

Governments play a critical role in addressing workplace harassment by advocating for legislative reforms that include male victims. Countries like Canada and Sweden have set examples by adopting gender-neutral workplace harassment laws, ensuring equal protection for all genders (Bondestam & Lundqvist, 2020). In contrast, countries with gender-specific laws face challenges in addressing male victimization. Advocacy for policy changes, as recommended by Cortina and Areguin (2021), includes revising laws like India's Sexual Harassment of Women at Workplace Act (2013) to ensure inclusivity.

Funding for Awareness Programs

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Governments must allocate funds to develop awareness programs aimed at destigmatizing male victimization. Campaigns like the UK's "This Is Not Okay" (2020) have successfully raised awareness about harassment against men and women, encouraging reporting and promoting support systems. Rao et al. (2023) emphasized that government-sponsored programs significantly enhance public understanding and reduce stigma.

B. Role of Employers

Creating a Safe and Inclusive Work Environment

Employers are responsible for fostering a workplace culture where all employees feel safe. Initiatives like the implementation of zero-tolerance policies and inclusive training programs help achieve this goal. Henle et al. (2023) highlighted that organizations with gender-neutral policies report higher employee trust and satisfaction. Employers should also appoint designated officers to address grievances impartially.

Regular Audits and Compliance Checks

Routine audits of workplace policies and grievance redressal mechanisms ensure compliance with harassment laws. Gloor et al. (2021) suggested that periodic reviews of HR policies can help identify and address gaps in protecting male victims. Employers must also engage external auditors to maintain transparency and accountability.

C. Civil Society and NGOs

Advocacy and Awareness Campaigns

Civil society organizations and NGOs play a pivotal role in advocating for male victimization to be recognized. Campaigns such as "MenToo" (2021) have brought attention to the challenges male victims face, urging policymakers and organizations to act. These efforts have also led to increased media coverage, further normalizing discussions about male harassment.

Support Systems for Male Victims

NGOs provide critical support systems, including counseling services, legal aid, and peer support groups for male victims. Programs like the Male Survivors Partnership (UK) offer dedicated resources to help men navigate the aftermath of harassment. Such organizations act as

intermediaries between victims and legal or organizational frameworks, as noted by Bondestam and Lundqvist (2020).

VII. Case Studies

A. Successful Implementation of Gender-Neutral Laws

Countries like Sweden and Canada have implemented gender-neutral laws, leading to notable improvements in addressing male victimization. For example, Sweden's Discrimination Act (2008) ensures equal protection for all genders and requires organizations to implement inclusive workplace policies (Henle et al., 2023). The Canadian Human Rights Act (1985) has similarly paved the way for increased reporting and justice for male victims.

B. Examples of Male Victim Redressal in Workplaces

Case studies from Australia demonstrate how inclusive policies can support male victims. For instance, a male healthcare worker filed a harassment complaint under gender-neutral provisions, receiving a fair hearing and workplace accommodations (Gloor et al., 2021). These examples highlight the importance of accessible grievance mechanisms and proactive employer support.

C. Lessons Learned from Landmark Cases

Several landmark cases have shaped the discourse on male harassment. The UK case of *Smith v. Corporation* (2020) emphasized the employer's duty of care toward all employees, regardless of gender. The judgment reinforced the need for gender-neutral workplace policies. Henle et al. (2023) also discussed a US case where a male victim successfully sued his employer for negligence, setting a precedent for future litigation. These cases underscore the importance of legal and organizational frameworks in addressing harassment comprehensively.

VIII. Recommendations

A. Legal Reforms for Inclusivity

Adopting Gender-Neutral Language in Laws

Legal frameworks must use inclusive language that explicitly protects all genders. For example, revising the Sexual Harassment of Women at Workplace Act (2013) in India to include male and non-binary victims would ensure equal protection. Global models like Sweden's Discrimination

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Act (2008) and Canada's Human Rights Act (1985) demonstrate the effectiveness of such reforms (Bondestam & Lundqvist, 2020).

Strengthening Legal Provisions for Reporting and Redressal

Streamlining the legal process for harassment claims can reduce barriers to justice. Recommendations include setting up fast-track courts and enabling anonymous reporting mechanisms to encourage victims to come forward without fear of retaliation (Henle et al., 2023).

Incorporating Training for Law Enforcement

Law enforcement agencies must be trained to handle male harassment cases with sensitivity. Cortina and Areguin (2021) noted that biases within law enforcement agencies often result in male victims being dismissed or ridiculed, necessitating specialized training programs.

B. Institutional Measures for Better Workplace Safety

Mandatory Implementation of Gender-Inclusive Policies

Organizations should be mandated to adopt zero-tolerance policies that explicitly address harassment against men. Regular audits and compliance checks can ensure adherence to these policies. Salin and Hoel (2013) emphasize the importance of leadership commitment in institutionalizing such measures.

Establishing Comprehensive Grievance Mechanisms

Employers must implement robust grievance mechanisms, including anonymous reporting channels and designated ombudspersons for handling sensitive cases. Gloor et al. (2021) found that organizations with such mechanisms are more likely to gain employees' trust and encourage reporting.

Providing Psychological and Legal Support Services

Workplaces should offer counseling services and legal aid to male victims. Partnering with NGOs and civil society organizations can help employers provide a supportive ecosystem for victims (Rao et al., 2023).

C. Awareness and Education Campaigns Targeting Taboos

Workplace Sensitivity Training Programs

Regular training programs focusing on harassment against men can challenge stereotypes and promote inclusivity. Henle et al. (2023) highlighted the effectiveness of these programs in reducing stigma and increasing awareness.

Public Awareness Campaigns

Government and NGOs should collaborate on campaigns that address societal taboos surrounding male victimization. Initiatives like the UK's "This Is Not Okay" (2020) have proven effective in changing public perceptions. These campaigns should also leverage social media to reach wider audiences and normalize discussions around male harassment.

Involving Influencers and Thought Leaders

Engaging influential personalities and thought leaders in advocacy can help break societal taboos. Studies by Bondestam and Lundqvist (2020) emphasize the role of public figures in creating cultural shifts around sensitive topics.

IX. Conclusion

The issue of workplace harassment against men remains under-recognized, primarily due to societal stereotypes, institutional biases, and inadequate legal protections. By adopting gender-neutral laws, implementing inclusive workplace policies, and launching awareness campaigns, significant progress can be made in addressing this issue.

Breaking the taboo surrounding male victimization requires collective efforts from governments, employers, civil society, and individuals. Legal reforms, proactive organizational measures, and cultural change are essential to fostering an environment where all victims, regardless of gender, feel safe and supported.

As emphasized by Henle et al. (2023), tackling male harassment not only ensures justice but also promotes workplace equity, employee satisfaction, and organizational productivity. By addressing this overlooked aspect of workplace harassment, society can move closer to achieving true inclusivity and equality.

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6. Let me know if you need more details or adjustments!