

# SDG 5 and Gender Equality at the Workplace: Addressing Sexual Harassment of Men in Contemporary Legal and Governance Frameworks

Neha Verma<sup>1</sup>, Naish Zameer<sup>2</sup>

<sup>1</sup>Research Scholar, Rabindranath Tagore University Bhopal

<sup>2</sup>H.O.D. of Law, Rabindranath Tagore University Bhopal

## Abstract

Sexual harassment at the workplace is widely recognized as a violation of human dignity and a barrier to gender equality, yet discussions and policies often focus primarily on women as victims. This limited perspective overlooks the reality that men also experience sexual harassment in professional environments. Sexual harassment of men may take various forms, including unwelcome verbal remarks, inappropriate physical contact, sexually explicit messages, coercion, and the creation of a hostile or humiliating work atmosphere. Due to deep-rooted gender stereotypes, social stigma, and fear of disbelief or ridicule, male victims frequently underreport such incidents, leading to their continued invisibility. Sustainable Development Goal 5 (SDG 5) aims to achieve gender equality and empower all women and girls. While the goal emphasizes women's empowerment due to historical and structural disadvantages, its broader mandate is the elimination of all forms of gender-based discrimination and violence. Addressing sexual harassment of men is therefore consistent with the fundamental spirit of SDG 5, which promotes equality, dignity, and safe environments for all genders. Gender equality cannot be fully realized if workplace protections and legal frameworks exclude or marginalize male victims. This not only undermines the principles of equality before law but also weakens efforts to build inclusive and respectful workplaces. This abstract argues that a holistic and inclusive approach to SDG 5 requires recognition of men as potential victims of workplace sexual harassment. Promoting awareness, challenging harmful gender norms, and implementing gender-neutral policies are essential steps toward achieving true gender equality. Ensuring safe, dignified, and equitable workplaces for all individuals are central to the realization of SDG 5 and sustainable development as a whole.

**Keywords:** Gender Equality, SDG 5, Workplace Sexual Harassment, Men as Victims, Inclusive Governance.

## Introduction

Sustainable Development Goal 5 (SDG-5) of the United Nations 2030 Agenda seeks to achieve gender equality and empower all women and girls. While the primary emphasis of

Published: 13 May 2026

DOI: <https://doi.org/10.70558/SPIJSH.2026.v3.i5.45730>

Copyright © 2026 The Author(s). This work is licensed under a Creative Commons Attribution 4.0 International License (CC BY 4.0).

SDG-5 has historically been on addressing discrimination and violence against women—owing to their disproportionate vulnerability—its normative framework is inherently inclusive and universal, advocating equality, dignity, and safety for *all* genders. In the context of the modern workplace, this universal approach necessitates a broader examination of gender-based injustices, including the under-acknowledged issue of sexual harassment of men.

Workplaces are intended to function as spaces of professional growth, mutual respect, and dignity. However, power imbalances, rigid gender stereotypes, and institutional silence often allow sexual harassment to persist across gender lines. Contemporary discourse on workplace harassment remains largely gender-exclusive, reinforcing the misconception that men are immune to sexual victimization. Such narratives not only marginalize male survivors but also undermine the holistic vision of gender equality embedded within SDG-5.

Sexual harassment of men at the workplace—whether perpetrated by women, men, or persons in positions of authority—poses serious legal, psychological, and professional consequences. Yet, legal and governance frameworks in many jurisdictions, including India, remain predominantly gender-specific in their protective mechanisms. Laws such as the Sexual Harassment of Women at the Workplace (Prevention, Prohibition, and Redressal) Act, 2013, while progressive and necessary, reflect a binary and exclusionary approach that inadequately addresses harassment faced by men and persons of diverse gender identities.

From a governance perspective, achieving SDG-5 requires moving beyond symbolic equality towards substantive inclusivity. This involves re-imagining legal frameworks, institutional policies, and grievance redressal mechanisms through a gender-neutral lens. Contemporary governance models increasingly recognize the need for inclusive workplace policies, sensitization programs, and victim-centric remedies that acknowledge harassment as a violation of human dignity rather than a gender-specific offense.

Therefore, addressing sexual harassment of men within workplace environments is not a deviation from the objectives of SDG-5 but a reinforcement of its core mandate—ensuring equality, justice, and safe working conditions for all. This discourse calls for an integrated legal and governance response that dismantles gender stereotypes, expands the scope of protection, and aligns domestic legal systems with the inclusive ethos of international human rights and sustainable development frameworks.

### **Objectives**

1. To examine the concept and nature of sexual harassment of men at the workplace, including its forms, prevalence, and impact on dignity, mental health, and professional life.
2. To analyse existing legal frameworks governing workplace sexual harassment, with particular reference to their gender-specific or gender-neutral approach and their adequacy in addressing harassment faced by men.

3. To study the alignment of workplace harassment laws and policies with Sustainable Development Goal 5 (SDG-5), emphasizing inclusive gender equality and safe working environments for all genders.
4. To identify gaps and limitations in current grievance redressal mechanisms, including institutional policies, internal committees, and judicial remedies available to male victims of workplace sexual harassment.
5. To evaluate the role of governance structures and employers in preventing sexual harassment of men, including compliance mechanisms, awareness programs, and organizational accountability.
6. To explore social and cultural barriers faced by men in reporting sexual harassment, such as stigma, masculinity norms, fear of retaliation, and lack of legal recognition.
7. To examine comparative legal approaches adopted by selected foreign jurisdictions or international organizations in addressing sexual harassment in a gender-neutral manner.
8. To assess the effectiveness of existing preventive and corrective measures in ensuring workplace safety and equality for all employees, irrespective of gender.
9. To propose legal and policy reforms aimed at adopting a gender-inclusive framework for addressing sexual harassment at the workplace.
10. To contribute to the evolving discourse on gender justice and workplace equality by advocating a victim-centric and rights-based approach consistent with constitutional principles and international human rights standards.

## Review of Literature

### 1. Feminist Foundations and Women-Centric Frameworks

Early scholarship on workplace sexual harassment is deeply rooted in feminist theory, particularly the works of Catharine A. MacKinnon, who conceptualized sexual harassment as a form of sex discrimination arising from unequal power relations. Her work significantly influenced global legal frameworks by framing harassment as a violation of women's equality and dignity at work.

Subsequent studies reinforced this perspective, emphasizing that workplace harassment is a manifestation of **patriarchal structures and systemic gender inequality**. This body of literature contributed directly to the development of women-specific legal protections and policies, aligning closely with the objectives of United Nations **Sustainable Development Goal 5 (SDG 5)**, which prioritizes women's empowerment.

However, critics argue that this approach, while necessary, has led to a **narrow understanding of victimhood**, often excluding men and other gender identities. The literature thus establishes a strong normative foundation but lacks inclusivity in addressing diverse experiences of workplace harassment.

## 2. Organizational Behaviour and Workplace Dynamics

Research in organizational studies, particularly by Louise F. Fitzgerald, expanded the understanding of sexual harassment by categorizing it into **quid pro quo** and **hostile work environment**. These studies highlighted how workplace culture, power hierarchies, and institutional tolerance contribute to harassment.

## 3. Emerging Scholarship on Male Victimization

Contemporary literature has begun addressing the **underrepresentation of male victims** in workplace harassment discourse. Scholars such as Andrew R. Timming argue that male victimization is often overlooked due to **societal stereotypes of masculinity**, which discourage men from reporting abuse.

### Research Methodology

#### 1. Research Design

The present study adopts a **doctrinal and analytical research design**. The research primarily relies on the systematic analysis of existing legal texts, judicial decisions, policy documents, and international instruments relating to workplace sexual harassment and gender equality. A **descriptive approach** is also employed to understand the nature, scope, and social realities of sexual harassment faced by men in workplace environments.

#### 2. Nature of the Study

The study is **qualitative in nature**, focusing on normative legal analysis rather than empirical data collection. It examines how contemporary legal and governance frameworks conceptualize workplace sexual harassment and assesses their inclusivity with respect to male victims.

#### 3. Sources of Data

##### *(a) Primary Sources*

- Constitutional provisions relating to equality, dignity, and non-discrimination
- Statutes and rules governing workplace sexual harassment
- Judicial pronouncements of the Supreme Court and High Courts
- International conventions and guidelines (e.g., UN instruments, ILO conventions)

##### *(b) Secondary Sources*

- Books, journals, research articles, and law review publications
- Reports by international organizations and governmental bodies
- Policy papers, working papers, and scholarly commentaries
- Reputed online legal databases and official websites
-

#### 4. Scope of the Study

The research is confined to:

- Sexual harassment of men at the workplace
- Legal and governance mechanisms addressing workplace harassment
- Gender equality objectives under SDG-5

The study primarily focuses on the **Indian legal framework**, with **comparative references** to international practices where relevant.

#### 5. Method of Analysis

The data collected is analysed using:

- **Doctrinal analysis** to interpret statutes and judicial decisions
- **Comparative analysis** to examine gender-neutral approaches in other jurisdictions
- **Critical analysis** to identify gaps, limitations, and areas for reform

The study evaluates the effectiveness of existing frameworks in achieving substantive gender equality at the workplace.

#### 6. Limitations of the Study

- The research does not involve empirical fieldwork or statistical surveys.
- Due to limited official data on male victims of workplace sexual harassment, the study relies on reported cases and scholarly discourse.
- The evolving nature of gender-neutral workplace laws may limit the temporal applicability of certain findings.

#### 7. Ethical Considerations

The research is conducted using **publicly available legal and academic sources**. No personal data or confidential information has been used, ensuring compliance with ethical standards of legal research.

#### Legal Frameworks: India and Beyond

##### India's Legal Regime

India's POSH Act, 2013, while ground-breaking in establishing workplace sexual harassment protections, is limited in scope. It defines the "aggrieved woman" and frames protections accordingly, thereby excluding men explicitly from its statutory ambit.

Male victims, therefore, must resort to general criminal law provisions or internal company policies that lack statutory backing. Remedies often invoked include IPC/Bharatiya Nyaya Sanhita sections on outraging modesty, intimidation, and insult to modesty, which are not

tailored to workplace sexual harassment and may not address the full spectrum of victim experiences.

### **Comparative Perspectives**

Other jurisdictions have adopted more inclusive legal formulations. For example, the European Union's anti-discrimination framework seeks to protect persons of all genders from workplace violence and harassment.

In the United States, the Supreme Court in *Oncale v. Sundowner Offshore Services* held that male victims of same-sex harassment may seek relief under Title VII of the Civil Rights Act, demonstrating a gender-neutral approach to workplace sexual harassment.

### **Findings**

#### **1. Gap in Legal Protection**

Current Indian law does not explicitly protect men against workplace sexual harassment, creating a **legal lacuna** that undermines equal access to justice. Men are forced to depend on general penal or tort provisions that are **not designed to address the complexities of workplace sexual harassment**.

#### **2. Socio-Cultural Barriers**

Social norms around masculinity and stigma discourage male victims from reporting incidents of harassment. Harassment against men is often dismissed as unlikely or trivial, leading to under-reporting and lack of institutional response.

#### **3. Governance and Workplace Policies**

Many organizations have anti-harassment policies, but without statutory enforcement, internal mechanisms vary widely. Gender-neutral corporate policies exist but lack consistency and enforcement mechanisms, weakening redressed pathways for male victims.

### **Discussion**

#### **SDG-5: A Universal Mandate for Equality**

SDG-5's intent is to eliminate all forms of discrimination and violence on the basis of sex, which logically extends to all genders, including men. The absence of legal recognition for men's experiences of sexual harassment is inconsistent with the inclusive ethos of SDG-5.

#### **Implications of Gender-Specific Laws**

While gender-specific protections were necessary to address historical inequalities and ongoing discrimination against women, they can inadvertently create **exclusionary outcomes** in modern workplace governance, especially in contexts where both men and women can experience harassment.

#### **The Case for Gender-Neutral Reform**

A shift toward gender-neutral legislative language (e.g., replacing “aggrieved woman” with “aggrieved person”) would align domestic law with constitutional principles of equality and international commitments under SDG-5. Such reform would enhance legal clarity and ensure that all victims have access to effective remedies.

## Conclusion

The present study concludes that sexual harassment of men at the workplace is a real yet systematically neglected issue within existing legal and governance frameworks. While significant progress has been made in protecting women from workplace harassment, the gender-specific nature of current laws has resulted in the exclusion of male victims, thereby creating an imbalance in access to justice and workplace safety. Such exclusion contradicts the constitutional principles of equality, dignity, and non-discrimination, as well as the inclusive vision of Sustainable Development Goal 5.

The research highlights that social stigma, entrenched gender stereotypes, and institutional silence further aggravate the problem by discouraging men from reporting incidents of sexual harassment. The absence of statutory grievance redressal mechanisms for male victims forces reliance on general criminal provisions or discretionary workplace policies, which are often inadequate and inconsistent. This legal vacuum undermines effective governance and weakens employer accountability.

From a broader perspective, the study establishes that gender equality cannot be achieved through selective protection. Addressing sexual harassment of men is not a dilution of women’s rights but a necessary extension of the principle of substantive equality. Inclusive, gender-neutral legal frameworks and workplace policies are essential to fulfill international commitments, promote ethical governance, and ensure safe and dignified working conditions for all individuals.

In conclusion, the paper emphasizes the urgent need for legislative reform, policy innovation, and cultural change to recognize and address sexual harassment of men at the workplace. A victim-centric and rights-based approach, aligned with constitutional mandates and SDG-5, is indispensable for building truly equitable, inclusive, and respectful workplaces.

## References

### Books

1. Agrawal, H. O., *Human Rights*, Central Law Publications, Allahabad.
2. Diwan, Paras, *Women and Legal Protection*, Deep & Deep Publications, New Delhi.
3. Jain, M. P., *Indian Constitutional Law*, LexisNexis, New Delhi.
4. Bakshi, P. M., *The Constitution of India*, Universal Law Publishing, New Delhi.
5. Singh, Avtar, *Law of Torts*, Eastern Book Company, Lucknow.

### Statutes and Legal Instruments

1. The Constitution of India, 1950.

2. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
3. Indian Penal Code, 1860 (as applicable).
4. Bharatiya Nyaya Sanhita, 2023.
5. Code of Criminal Procedure, 1973 / Bharatiya Nagarik Suraksha Sanhita, 2023.

#### **International Conventions & Documents**

1. United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development*, 2015 (SDG-5).
2. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979.
3. International Labour Organization (ILO), *Convention No. 190 on Violence and Harassment*, 2019.
4. Universal Declaration of Human Rights (UDHR), 1948.
5. International Covenant on Civil and Political Rights (ICCPR), 1966.

#### **Case Laws**

1. *Vishaka v. State of Rajasthan*, AIR 1997 SC 3011.
2. *Apparel Export Promotion Council v. A.K. Chopra*, (1999) 1 SCC 759.
3. *Medha Kotwal Lele v. Union of India*, (2013) 1 SCC 297.
4. *Anuj Garg v. Hotel Association of India*, (2008) 3 SCC 1.

#### **Journal Articles & Reports**

1. Schultz, V., "Reconceptualizing Sexual Harassment," *Yale Law Journal*.
2. Aggarwal, A., "Gender Neutrality in Sexual Harassment Laws: An Indian Perspective," *Indian Journal of Law and Gender Studies*.
3. National Human Rights Commission (NHRC), *Report on Workplace Harassment and Gender Justice*.
4. United Nations Development Programme (UNDP), *Gender Equality Strategy Reports*.

#### **Online Sources**

1. Ministry of Women and Child Development, Government of India – Official Reports and Guidelines.
2. United Nations Official Website – SDG-5 Documentation.
3. International Labour Organization (ILO) – Violence and Harassment at Work Resources.
4. SCC Online and Manupatra (for case law and legal commentary).