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155. How does the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 address quid pro quo sexual harassment?

Quid Pro Quo in the context of **Section 3** of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 refers to situations where a woman is subjected to sexual harassment at work in exchange for some benefit or in fear of retaliation. The Latin phrase "quid pro quo" means "something for something" and, in this context, it describes a situation where sexual favours are either demanded in return for employment benefits or are threatened to be withheld if the favours are not provided.

Section 3(2) specifically outlines circumstances that can amount to **quid pro quo** harassment, with clear examples of how this might happen in the workplace:

Examples:

1. **Implied or Explicit Promise of Preferential Treatment in Employment (Section 3(2)(i)):**
   - A manager tells a female employee that if she goes out with him, she will receive a promotion or raise. In this case, the offer of preferential treatment (a promotion or raise) is contingent upon the employee submitting to his sexual advances.
   - **Example**: A supervisor offers to give a positive performance review if a female employee agrees to have dinner with him.
2. **Implied or Explicit Threat of Detrimental Treatment in Employment (Section 3(2)(ii)):**
   - A male colleague tells a female worker that if she doesn't comply with his inappropriate requests, her workload will be doubled or her project will be rejected. Here, a threat of negative consequences is linked to non-compliance with the harassment.
   - **Example**: A female employee refuses a superior's inappropriate advances and is then given undesirable assignments or excluded from important meetings as a result.
3. **Implied or Explicit Threat About Present or Future Employment Status (Section 3(2)(iii)):**

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- A woman is told by her boss that if she doesn't agree to a sexual relationship, her contract will not be renewed, or she might be fired.
- **Example**: A woman on a probationary contract is told by her superior that her job will become permanent if she complies with his personal requests, or she risks losing her job otherwise.

Connection to Quid Pro Quo:

In all the above examples, the key element is the **exchange of sexual favours for employment-related benefits or threats**. This form of sexual harassment exploits the power dynamic between employer and employee, where the woman is coerced into compliance either to gain favour or avoid punishment. The **quid pro quo** situations listed under Section 3 are specifically prohibited under the law to protect women from such exploitation in the workplace.

Additionally, Section 3(2)(iv) and (v) extend the scope of harassment by including circumstances where the workplace is made hostile or humiliating for a woman, which may also arise as retaliation when sexual advances are resisted.

Overall, quid pro quo harassment involves leveraging power to extract sexual Favors, while the law aims to safeguard women by ensuring no such coercive, abusive, or threatening behaviour is tolerated in the workplace.

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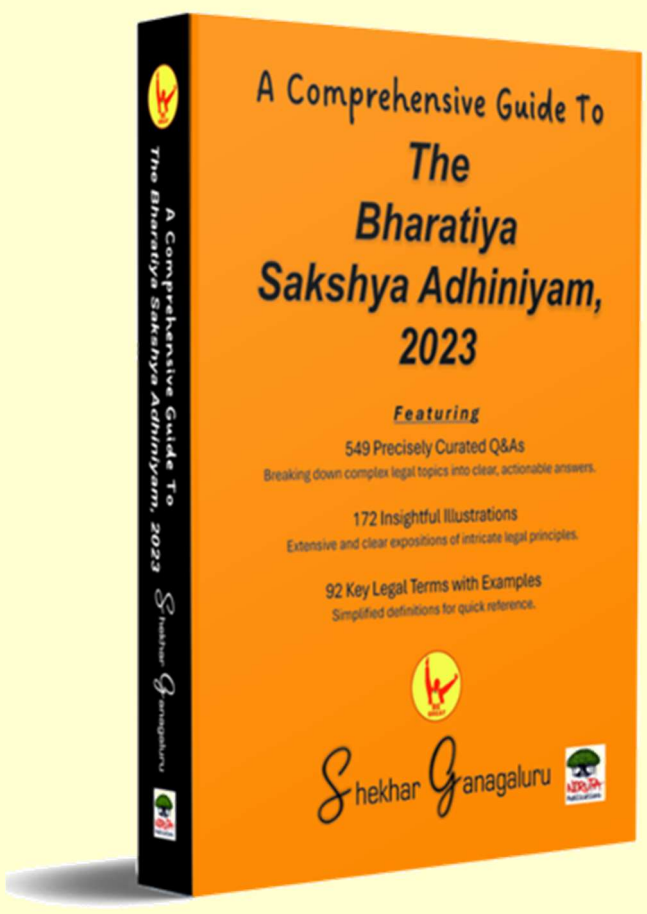

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