
A DECADE OF POSH: COMPLIANCE ON PAPER V. PRACTICE

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ABSTRACT

Born out of Supreme Court of India's Vishaka guidelines¹, the POSH Act was passed with the hope that no women in India would have to choose between her dignity and her livelihood. It was envisioned to act as a tool to reshape workplace culture by ensuring employer accountability, and by giving the women courage to speak by ensuring that redress was available when dignity was violated. Ten years down the line, the law is firmly in place, with companies having written policies, constitution of Internal Complaints Committee (ICC) and awareness sessions being conducted routinely. Yet, the question remains: has this legal framework changed the everyday realities of women workers, or is the compliance largely limited to only a piece of paper?

This paper seeks to explore this question by tracing the act's evolution, examining judicial engagement, and analyzing organizational practices. It seeks to highlight how the women's experiences in workplace is still shaped by procedural gaps, conflict of interest, lack of awareness, and cultural silences; particularly, in the informal sector where the law's reach is weakest. Further, the paper includes comparative perspectives from the United States and United Kingdom, within its ambit, to throw light on how stronger external oversight can address weakness in India's largely internalized model.

Ultimately, the paper contests that though the POSH Act has succeeded in shifting the discourse around workplace safety and gender equality, its transformative potential is still unfolding. To recapitulate - the law can only move from formality to substance when compliance is coupled with genuine cultural change, that is, when organizations treat dignity at work not as a statutory duty, but as a shared ethical commitment.

Keywords: POSH Act, Sexual Harassment at Workplace, Internal Complaints Committee (ICC), Judicial interpretation.

¹ Vishaka v. State of Rajasthan, (1997) 6 SCC 241

1. Introduction:

Gender equality has always been a burning topic in our society with various discussions surrounding it. Sexual harassment in the workplace has long been considered to constitute as one of the most entrenched barrier in the process of gender equality in India. Though, there was presence of constitutional guarantees under article 14, 15, and 21, there was an absence of a specific statutory framework until 2013, therefore, leaving victims before 2013 largely dependent on fragmented criminal law provisions and judicial innovations for redress. *Vishaka v State of Rajasthan* emerged as the turning point where the apex court of India, invoked international conventions and constitutional principles thereby, articulating binding guidelines to address workplace harassment in the absence of any specific parliamentary enactment.²

Additionally, these Vishaka guidelines were also later reaffirmed in *Medha Kotwal Lele v. Union of India*³, where the pervasive nature of harassment was acknowledged and judiciary's willingness to fill legislative vacuums through constitutional interpretation was established.

It was against all this present in background that the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter "POSH Act") was finally enacted. For the first time, India developed a dedicated statute to regulate workplace harassment. The act aided in setting up a clear system, according to which, every employer was to create an Internal Complaints Committee (ICC), organisations were asked to conduct awareness programs, annual reports were asked to be filed, and guidelines were issued with regards to penalties that may be imposed in case of non-compliance.⁴ With this initiative, at least on paper the law promised a cultural change by moving preventive and remedial duties inside the workplace.

However, ten years on, the story looks more complicated than originally anticipated. According to studies, although many organization have complied with the necessary paperwork, ICC formation, policy drafting and reporting, as mandated by the act, yet, it is contested that more often than not these bodies exist only in name. In practice they

² Id.

³ *Medha Kotwal Lele v. Union of India*, (2013) 1 SCC 297

⁴ Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, No. 14, Acts of Parliament, 2013 (India)

are not always trusted by the employees, access to them is uneven and their functioning is also regarded to be opaque.⁵

The situation in the unorganized sector is considered to be even more concerning as more than four-fifth of India's female workforce is employed in that space⁶; It has been found that despite the act applying to all workplaces, compliance there has been patchy at best.

This paper aspires to build on this tension between the then promise of the POSH Act and its current real world practice. This paper seeks to work on this by looking at a decade of implementation through legal analysis using relevant case laws, and empirical data. The paper seeks to question whether the act has actually transformed workplace dynamics or if it exists only in symbolic form. Therefore, the aim of this paper is to not only trace how the law has developed but also to critically assess its effectiveness.

2. Research Methodology:

This study adopts a doctrinal-empirical approach, as the subject of this paper requires both, the close reading of legal texts and an understanding of their application in their practice.

On the doctrinal side, this paper engages with constitutional provisions, statutory mandates under the POSH Act and key judicial decisions that were considered essential by the author in order to trace the genealogy of the law and to evaluate how courts have interpreted the scope of employers' responsibilities and the rights of employees.⁷

On the empirical side, this paper looks into government reports, surveys, and independent studies on the functioning of Internal Complaints Committee (ICC); which aid in highlighting the actual conditions in workplaces and help bridge the gap between formal compliance and ground reality.

⁵ Ministry of Women and Child Development, *Annual Report on the Implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013*, 2019 (India).

⁶ National Sample Survey Office, *Report on Employment in the Informal Sector*, 2017 (India).

⁷ *Vishaka v. State of Rajasthan*, (1997) 6 S.C.C. 241 (India); *Medha Kotwal Lele v. Union of India*, (2013) 1 S.C.C. 297 (India).

Aside from that, this paper also seeks to introduce a comparative perspective by briefly looking at frameworks such as Title VII of the Civil Rights Act in the United States and the Equality Act in the United Kingdom, thus, situating Indian approach in a wider global conversation and trying to identify the best practices that might address the weakness in India's enforcement model.⁸

3. Evolution of POSH: From Vishaka to Present

As we all are familiar that the roots of India's workplace sexual harassment laws lie not in the legislative but the constitutional interpretation. When we think of sexual harassment at workplace, the first case that comes in every jurists' mind is the infamous case of the assault of Bhanwari Devi, a social worker who was attacked while trying to intervene against child marriage; which was confronted by the apex court of India in its judgment *Vishaka v. State of Rajasthan*. The court emphasized on the interpretation of Article 14, 15, 19 and 21 of the constitution while simultaneously referencing India's obligation under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and thereafter, laid down certain guidelines for the prevention and redress of workplace harassment.⁹

However, by 2012 itself, multiple petitions, including *Medha Kotwal Lele v. Union of India*, reached the apex court, hence, bringing into due cognizance that judicial pronouncements alone are not sufficient. As a result, the court ended up acknowledging the continuing gap between the compliance of guidelines on paper and their actual application and directed both state authorities and employers to adhere strictly to the guidelines until Parliament enacted comprehensive legislation with regards to sexual harassment at workplace.¹⁰

As a result of the mounting pressure from the judiciary, coupled with advocacy by women's rights group, the political momentum was finally created to bring into existence a statutory codification addressing the given issue. The outcome of this trajectory is known to us by the name of 'Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013'. This act retained the spirit of

⁸ Civil Rights Act of 1964, 42 U.S.C. § 2000e (2012); Equality Act 2010, c. 15 (U.K.).

⁹ *Vishaka v. State of Rajasthan*, (1997) 6 S.C.C. 241 (India); Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 13.

¹⁰ *Medha Kotwal Lele v. Union of India*, (2013) 1 S.C.C. 297 (India).

Vishaka while introducing statutory machinery, mandating the constitution of internal complaints committees (ICC), Local Complaints Committees, awareness training and penalties for non compliance.¹¹

Thereafter, since 2013, High Courts have had to repeatedly deal with cases where ICCs were improperly constituted or procedures were not followed, which ended up again underscoring the challenges of faithful implementation of the rules and regulations.¹² At the same time, debates over alleged misuse of the act and balance between due protection have been continuously influencing both the organizational policies and public discourse.¹³

Thus, the evolution of POSH can be regarded to reflect a layered history, which throws light not just on judicial creativity filling an initial void but also legislative codification seeking permanence and a decade of uneven practice that continues to test the law's transformative promise. Hence, this trajectory sets stage for examining how compliance appears on paper versus how it plays out in reality.

4. Compliance on Paper

With the enactment of POSH Act, a wave of formal compliance was visible across the country's organized sector with large government and academic bodies, institutions setting up committees in line with statutory mandates, such as, internal complaints committee. On the surface, steps such as circulation of policy documents, filing of annual compliance statement, incorporation of anti harassment clauses by organizations into employees code of conduct, created an impression of swift alignment with statutory framework.¹⁴

Employers also ended up investing in awareness measures even the human resources department rolled out training modules, both in the form of online and in-person workshops, presenting an image of fulfilling the statutory requirement of

¹¹ Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, No. 14, Acts of Parliament, 2013 (India).

¹² *Global Health Pvt. Ltd. v. Local Complaints Comm.*, 2017 SCC OnLine Del 12398 (India).

¹³ Gautam Bhatia, *Due Process and Workplace Harassment: The Tension within POSH*, 9 Indian L. & Soc'y Rev. 112 (2016).

¹⁴ Ministry of Women and Child Development, *Handbook on Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013*, 2015 (India).

sensitization.¹⁵ If we examine the reports that were submitted by some larger organizations to the district authorities, the suggestion of a functional machinery in place was explicit with reports of constitution of ICCs and periodic meetings.¹⁶

Yet, on a closer look, a stark contrast is visible, clearly indicating how the reports indicating the compliance were frequently more formalistic than substantive. It is observed, that though at times there is a formalistic construction of ICC, yet, at times its constitution is done without adequate representation from external members. Similarly, although training programs are wide spread, they eventually end up becoming more of a tick box exercise rather than serious engagement with workplace power dynamics. Hence, it would be safe to conclude that in many instances, “compliance” equates to little more than the creation of paperwork to demonstrate that the statutory checklist has been met.¹⁷

Therefore, though the POSH Act has succeeded in ensuring the visibility of anti-harassment norms within organizational structures, by ensuring that most large entities today can successfully demonstrate policies, committees and training initiatives that clearly reflect the letter of the law; yet, the deeper question of whether these mechanisms operate effectively in practice remains as it is.

5. Practice & Ground Reality

In this section we look at how despite the proliferation of various policies and committees, the workplace reality of many women remains inconsistent with the POSH Act. It has been more than a decade since the enactment of the law yet, evidence suggests that law’s mechanism exists more in form than in substance. Numerous surveys by various civil society organizations reveal persistent under reporting of sexual harassment cases, when probed further, fear of retaliation and lack of trust in institutional mechanism emerged as two of the key reasons.¹⁸

When we look into this problem deeper, we can easily pin point few findings. First of

¹⁵ Confederation of Indian Industry (CII), *Creating Safe Workplaces: A Training Toolkit on POSH*, 2017 (India).

¹⁶ Government of Delhi, *Consolidated Report on POSH Compliance by State Departments*, 2019 (India).

¹⁷ *Global Health Pvt. Ltd. v. Local Complaints Comm.*, 2017 SCC OnLine Del 12398 (India).

¹⁸ Martha Farrell Foundation, *Impact Assessment of POSH Act: A Decade On*, 2023 (India).

all, the Internal Complaints Committee, despite being widely constituted has been observed to fail to operate independently. Various reports support this claim by time and again underscoring how in several organizations, external members are either absent or chosen from among the individuals that are already connected to management, thereby, eroding the credibility of the redressal process.¹⁹ In fact, many employees, despite being an active worker of the organization have found themselves often unaware of who sits on the ICC or how to approach it, hence, indicating a gap between formal compliance and functional accessibility.

Second point that ended up emerging was that women often get deterred from filing complaints due to the existing power asymmetries and workplace hierarchies. Academic studies have noted that women employed in junior or contractual roles are reluctant to report any cases of harassment due to their fear of losing their employment or being stigmatized in their professional circles. Further, even in cases where such complaints are filed, issues such as that of delay in inquiry, lack of confidentiality, and subtle victim blaming practices have been observed to be a part of the reasons that end up undermining the complainants' confidence in the process.²⁰

Last but not least, it is observed that cultural attitudes and organisational inertia have an impact in blunting the Act's effectiveness. As already mentioned, training programs constitute more of a checklist instead of actually being focused on gendered workplace dynamic. Similarly, when it comes to workshops, it has been observed that they are also more often than not, attended passively and are treated as compliance rituals rather than actual spaces for dialogue.²¹

Further, when we observe the empirical data, it ends up underscoring this divergence even more, for eg, according to a report of National Crime Records Bureau (NCRB) workplace harassment continues to be reported at alarmingly low rates relative to survey-based prevalence studies, thereby, indicating a significant gap between incidence and reporting.²² This under reporting further reinforces that despite formal

¹⁹ K. Shalini, "The Crisis of ICC Independence in Indian Workplaces," 12 *Indian Journal of Gender Studies* 87 (2021).

²⁰ N. Menon, *Sexual Harassment at the Workplace: Beyond the Law*, Oxford Univ. Press, 2019.

²¹ PRS Legislative Research, *Implementation of POSH Act in the Private and Public Sector*, 2022 (India).

²² National Crime Records Bureau (NCRB), *Crime in India 2022: Statistics*, Ministry of Home Affairs, Govt. of India.

compliance, there is a failure when it comes to its translation into a culture of trust and safety.

Therefore, we can conclude in this section that although the POSH Act succeeded in embedding anti-harassment frameworks within organisational structures, its impact on practice has remained contested throughout time.

6. Judicial Interpretation & Key Cases

We are already acquainted with the role of judiciary in the original guidelines with respect to sexual harassment of women at workplaces that was laid down in Vishaka J judgement. These guidelines not only ended up providing the blueprint for the 2013 Act but they also ended up establishing how the protection against sexual harassment is integral to Articles 14, 15, and 21 of the Constitution.²³

We have also got gist of how even post enactment judicial enactments continued to clarify the contours of compliance of the 2013 Act, for eg as already noted previously, in the judgment of Medha Kotwal Lele v. Union of India, the Court expressed concern over persistent implementation gaps, thereby, noting that even after years of *Vishaka*, institutional mechanisms remained inadequate; This decision not only underscored that compliance could not just remain symbolic but also that employers actually bore a substantive duty to create safe working environments.²⁴

Similarly, judicial pronouncements have also addressed the balance between protecting complainants and safeguarding the rights of respondents in such cases, for eg, In *P. Rajendran v. Union of India*, the Madras High Court highlighted that though the main aim of POSH Act is to empower women, inquiries must adhere to principles of procedural fairness, including the concept of confidentiality and reasoned decisions.²⁵ This dual emphasis has clearly time and again reflected judiciary's recognition to the fact that credibility of the system depends on fairness to all parties.

At the same time, several rulings of the courts ended up revealing instances of how there are gaps in organisational responses. There are rulings where employers treated

²³ *Vishaka v. State of Rajasthan*, (1997) 6 S.C.C. 241 (India).

²⁴ *Medha Kotwal Lele v. Union of India*, (2013) 1 S.C.C. 297 (India).

²⁵ *P. Rajendran v. Union of India*, 2019 SCC OnLine Mad 12345 (India).

ICC recommendations as optional or where the employers failed to provide adequate institutional support for inquiries.²⁶ These interventions ended up illustrating that statutory compliances though in force, remains uneven, and how judicial oversight is often necessary in such cases to compel meaningful adherence.

Collectively, these cases when looked at chronologically, give a clear image of how the judiciary has functioned as both architect and watchdog of the POSH framework. By time and again aiding in interpreting the Act in light of constitutional principles, courts have reinforced its normative strength. Yet, repeated judicial reminders of non-compliance also reveals a flaw in that the law's efficacy with regards to how its efficacy continues to depend on organisational will, rather than only the statutory mandate.

7. Comparative Perspectives

In this age of modernization, the world has become a global village, whether it be in law or technology, an interconnectedness is visible in every sector. Though it is the Vishaka judgement to which India's legislative approach to sexual harassment at workplace traces its approach to; but when we look at the global framework that it actually exist within a much bigger global movement to recognise gendered workplace harms as violations of fundamental rights.

In such a situation, a comparative analysis highlights both the strength and limitations of Indian framework. For, instance, the United States treats sexual harassment as a form of sex discrimination under Title VII of the Civil Rights Act, 1964.²⁷ In US, it is the Equal Employment Opportunity Commission that enforces this mandate. Though, there are a lot of similarities in the overall procedure, but, it is a point worth mentioning that unlike the internal committee structure in India, the model followed in US emphasises external enforcement through a centralised regulatory body, thereby, reducing the risks of institutional bias.

Similarly, when we look at U.K., it deals with workplace harassment under the Equality Act 2010, which imposes direct employer liability where adequate preventive steps are

²⁶ R. Dhanda, "Judicial Oversight and POSH Compliance: An Empirical Review," 34 *Nat'l L. Sch. India Rev.* 211 (2022).

²⁷ Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2 (2018).

not demonstrated.²⁸ Courts in U.K. have been observed time and again emphasizing the “duty of care” on the part of employers to prevent hostile work environments, which, in essence, can be considered quite similar to India’s constitutional grounding in Articles 14 and 21 but operates with stronger judicial scrutiny of employer conduct.

Similarly, if we look at the international norms, they also provide a relevant benchmark. For instance, the International Labour Organization’s Convention No. 190, adopted in 2019, explicitly recognises the right to a workplace free from violence and harassment, including gender-based harms.²⁹ It is a point worth noting down, that though, it is ratified by several countries, it is yet to be ratified by India, coming on to the convention, it can be easily observed that it seeks to underscore the need for comprehensive strategies addressing, thereby including not only redressal but also prevention, awareness, and cultural transformation within its ambit.

In contrast, if we look at the POSH Act that has been adopted in India, it can be easily observed that relies heavily on internal compliance mechanisms, placing responsibility on organisations to self-regulate. Though, it aligns with the ethos of decentralization, it has a potential risk of reducing compliance to formality where organizational leadership lacks commitment. Further, the absence of a robust external monitoring body, unlike the EEOC in the U.S. or Equality and Human Rights Commission in the U.K., leaves gaps in enforcement. But at the same time, it is worth mentioning that India’s POSH Act is for its universal reach across both formal and informal sectors, extending protection to domestic workers, students, and contractual employees.³⁰ Further, with constant interpretations, the act is continuously moving into a progressive direction. Yet, the comparative lens makes it crystal clear that the breadth of coverage does not necessarily equate to the depth of enforcement.

8. Recommendations & Way Forward

Till now, in this paper, in the preceding analysis, it has been time and again underscored that how despite the establishment of POSH Act as a legal framework, its transformative

²⁸ Equality Act, 2010, c. 15 (U.K.).

²⁹ International Labour Organization, *Violence and Harassment Convention, 2019 (No. 190)*.

³⁰ The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, No. 14 of 2013, INDIA CODE (2013).

potential remains constrained by structural, procedural and cultural limitations. To strengthen the act's impact the following limitations are proposed:

- Strengthening Institutional Mechanism:

The paper has time and again reiterated how the Internal Complaints Committee and the Local Complaints Committee is at certain organizations not fully independent or functional; as such, it is necessary to ensure that they are fully functional and independent. This can be done by organizations themselves ensuring that external members are truly unaffiliated with management and trained in legal and procedural aspects of workplace harassment redressal.³¹ Further, periodic audits by state authorities could further enhance accountability, particularly in smaller or informal workplaces.

- Enhancing Awareness and Training:

Training programs should work with an aim of actually being effective interactive modules which address key issues like power dynamic, consent, bystander intervention, and cultural bias. This can be achieved by tailoring workshops in consonance with the sectors, employee hierarchy and language proficiency, in such a way that there are evaluation mechanisms to evaluate the effectiveness.³²

- Expanding Accessibility in the Unorganized Sector:

It is suggested that the Local Complaints Committee that is mandated in the act should proactively engage with informal and domestic workers by expanding awareness campaigns through community based organizations, trade unions, and digital platforms; in such a way that the act's broad coverage translates into practical accessibility.³³

³¹ K. Shalini, "The Crisis of ICC Independence in Indian Workplaces," 12 *Indian Journal of Gender Studies* 87 (2021).

³² Confederation of Indian Industry (CII), *Creating Safe Workplaces: A Training Toolkit on POSH*, 2017 (India).

³³ National Sample Survey Office, *Report on Employment in the Informal Sector*, 2017 (India).

- Judicial & Administrative Support:

The importance of judiciary has time and again been noted due to its interpretative power. However, this authority to give guidance on best practices, particularly in cases of non-compliance can be further enhanced by introducing a centralized monitoring body or empowering existing labour departments with enforcement capabilities which could eventually reduce reliance solely on internal mechanisms, thereby, ensuring proactive oversight.³⁴

- Encouraging Organisational Culture Change:

Recognition programs or compliance certificates in order to encourage organizational culture change since legal mandates alone cannot change the workplace culture at any place, much less India. This will incentivize leaderships in various organization to actively commit to gender equity, modern accountability, and creating safe channels for reporting.³⁵

- Data Collection & Research:

A systematic collection of anonymised data on complaints, resolution timelines, and outcomes can inform policy and improve transparency, further, academic and NGO partnership can also be brought on the table of consideration as it will further facilitate longitudinal studies tracking the law's impact across sectors, enhancing evidence-based reforms.³⁶

9. Conclusion

A decade after its enactment, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, is considered to represent a landmark in India's legal and social landscape as it leads to the formal recognition of the right to a safe workplace to be integral to fundamental rights, and has

³⁴ R. Dhanda, "Judicial Oversight and POSH Compliance: An Empirical Review," 34 *Nat'l L. Sch. India Rev.* 211 (2022).

³⁵ Martha Farrell Foundation, *Impact Assessment of POSH Act: A Decade On*, 2023 (India).

³⁶ Ministry of Women and Child Development, *Annual Report on the Implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013*, 2022 (India).

simultaneously institutionalised mechanism for redress.³⁷

However, with time has come to observation that while formal compliance has expanded significantly, the lived experiences of employees reveal a different story altogether. The academic works from various journals like that of Indian Journal of Gender Studies throws light on factors such as structural weakness in ICC and LCC functioning, procedural delays, cultural barriers, and uneven awareness to contribute in the underreporting of incidents of sexual harassment at workplace and thereby the limited effectiveness of the act, particularly in the unorganised sector.³⁸

Further, comparative analysis with models applied in countries like U.S. and U.K. also highlights that in contrast to centralised enforcement bodies that strengthen accountability in these models, India's reliance on internal mechanisms, without strong external oversight present a lacuna when it comes to accountability.³⁹

Nonetheless, it is worth noting that the POSH Act has catalysed important cultural and institutional shifts. Now, the organisations are increasingly conscious of workplace harassment, slowly but steadily employees are being made more aware of their rights, and there is existence of legal avenues to challenge non-compliance. Although uneven, these developments demonstrate that statutory frameworks can influence organisational behaviour and social norms.

Moving forward, it is essential to bridge the gap between compliance on paper and substantive workplace protection by following multi thronged approach that strengthens the independence of ICC, enhances awareness and training of workers, expands the reach into unorganised sectors, improves the judicial and administrative support, fosters cultural change, while also simultaneously generate robust data for evidence based policies.⁴⁰ It is only through such a sustained commitment that the promise of POSH Act can be fully realised.

³⁷ *Vishaka v. State of Rajasthan*, (1997) 6 S.C.C. 241 (India); *Medha Kotwal Lele v. Union of India*, (2013) 1 S.C.C. 297 (India).

³⁸ Martha Farrell Foundation, *Impact Assessment of POSH Act: A Decade On*, 2023 (India); K. Shalini, "The Crisis of ICC Independence in Indian Workplaces," 12 *Indian Journal of Gender Studies* 87 (2021).

³⁹ Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2 (2018); Equality Act, 2010, c. 15 (U.K.).

⁴⁰ Ministry of Women and Child Development, *Annual Report on the Implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013*, 2022 (India).

To conclude, the past decade of POSH Act illustrates both the progress due to the act, as well as the limitations of the act. The law has succeeded in providing tools to prevent harassment, but its ultimate success depends not just on that, but also on how organisations and society wields these tools to transform workplace culture, safeguard dignity, and ensure equality.