

## 'Most men shy to report'

By FATIMAH ZAINAL

**NATION**

Thursday, 12 Oct 2023



Malaysian Employers Federation president Datuk Dr Syed Hussain Syed Husman.

PETALING JAYA: Male employees tend to keep matters related to sexual harassment to themselves and are not willing to file reports to the management, says the Malaysian Employers Federation (MEF).

This is driven by the fear of embarrassment if the matter is discovered by other colleagues, said MEF president Datuk Dr Syed Hussain Syed Husman.

While there are blatant forms of harassment such as sexual coercion involving job-related thr force the male victim into a relationship with the harasser, who can either be a superior, co-worker, subordinate or even a client, most forms of harassment are less obvious, said Syed Hussain.

“For example, unwelcome sexual advances towards male employees. These may include touching and pressuring for a date.

“Males who are seen as ‘unmasculine’ may also get sexually harassed more often,” he said.

Syed Hussain was asked to comment on the recent statement by Women, Family and Community Development Minister Datuk Seri Nancy Shukri that more men had come forward and lodged reports on sexual harassment.

Of the 762 sexual harassment cases recorded from July 6 to Oct 2, 187 of them were reported by men, she said.

Syed Hussain said that although sexual harassment happens to both genders, women are more often victims than men.

Police statistics between 2013 and 2017 indicated that out of a total of 1,218 reported sexual harassment cases at the workplace, 79% involved female victims while 21% involved male victims, he noted.

He also said male and female employees differ in what they perceive to be sexual harassment.

“Generally, males perceive fewer acts as sexual harassment while female employees have a broader definition of sexual harassment and perceive the act as a more serious problem than their male counterparts.

“Male employees tend to clam up and are not willing to file reports to the management for fear that the matter may eventually be known to all other employees and cause huge embarrassment to them,” he said.

Under Section 81B of the Employment Act, it is mandatory for employers to investigate complaints of sexual harassment.

“Generally, MEF members are aware of their obligations under Section 81B of the Act.

“MEF is also at hand to advise members on how best to deal with such complaints,” he added.

He also said that under the Act, an employee may lodge a complaint with the Labour Department director-general if the employer fails to inquire into his/her grievance.

Victims may also lodge a police report and the authorities may investigate and charge the perpetrator with criminal offences under the relevant provisions of the Penal Code, said Syed

Hussain.

Addressing issues of sexual harassment at the workplace should be placed as a priority by employers as a workplace free of sexual harassment will lead to better attendance, retention rate and productivity, he said.

“Providing a safe and healthy workplace is also an obligation of employers under the Occupational Safety and Health Act,” he said.

Meanwhile, labour and employment law expert Datuk Thavalingam Thavarajah (pic) said workplace sexual harassment victims must ensure that they take action within strict time limits.

He said victims need not be afraid as the law does not discriminate and statutory protection is accorded across the board regardless of gender.

Employers are also legally obligated to investigate cases of sexual harassment, determine the outcome, educate and raise awareness of sexual harassment, he said, adding that non-compliance is an offence.

“However, even with the law, employers can only do so much.

“Workers must do their part such as filing a complaint on time and providing cogent evidence; otherwise, employers will be handicapped in their investigation,” he said.

