

**SEEKING JUSTICE: A STUDY ON SEXUAL HARASSMENT IN THE  
WORKPLACE IN MALAYSIA**

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## **ABSTRACT**

Sexual harassment in the workplace is receiving serious attention of all concerned in Malaysia in recent years. Malaysian has been relying on the law made by the Parliament to ensure justice when there is an offence. The Penal Code is the in criminal matter, but unfortunately there is no special provision for sexual harassment offence and thus it is not possible for the offence of sexual harassment to be regarded as a criminal matter. In the law of tort, sexual harassment may fall under the tort of battery. However, not many employees in the Malaysian working force are well aware about the legal matters. The Code of Practice on the Prevention and Eradication of sexual harassment in the workplace was introduced by the Ministry of Human Resources in 1999. The problem with the code is it was not a law; it is only a code which may voluntarily be adopted by the company or corporation. The objectives of this study are to analyze the factors and effects of the problem on the subject of sexual harassment on employees and employers in the workplace. The study is to examine the practicality of the existing regulations concerning the issue of sexual harassment; the Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace and the Penal Code and to review on the necessitation for a specific legislation regarding the issue of sexual harassment in the workplace. In the findings, the awareness level of most of the respondents was at a low level.. Based on the study, most of the respondents had never experience of sexual harassment; only the minority of them had been harassed but did not sure where to report if they were being harassed. Most of respondent had experience sexual harassment and the popular types of sexual harassment in the workplace are the unwanted sexual intention.

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