

WORKPLACE DIVERSITY AND INCLUSION: AN ANALYSIS FROM LEGAL AND MANAGEMENT PRISM

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1. Introduction and Objective of Study

The objective of the study has to be look at wide cross-section of interacting parameters which has a bearing on the workplace wellbeing from the standpoint of “inclusive” and “diversity” oriented growth and development which has a positive outcome and result on sustainable happiness. The objective of the study has been to segregate the varied points on which workplace wellbeing necessarily depends. It may include work-life balance, level of acceptance in work, social connectedness, personality development, recognition in work, innovation and creativity in work environment. The project looks at the parameters from the holistic and inclusive angle. A survey via questionnaire² has to be incorporate for the research study in this vital aspect of sustainable happiness at workplace. Examples drawn from team members personal experience and work place experiential know-how, has been leading and substantiating aspect which had added to the value of the study at hand.

2. Method of Study

A Survey was being conducted in a wide cross-section of respondents to the survey ranging from law school students, professionals from industry, people involved in household activities, daily labourers, mess workers, fellow students from varied technology backgrounds, college professors and research scholars studying in varied fields. Such a survey is based on details study to understand “Workplace Sustainable Happiness”³.

Objective of the Survey involved *Survey done on “Sustainable Happiness Goals” envisioned for workplace well-being with emphasis on ‘diversity’ and ‘inclusion’.*

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²The Survey (aforementioned) as conducted had 20 Questions in the Questionnaire to delve into vital facets of workplace diversity and inclusive leading to sustainable and wellbeing of all the stakeholders in the business ecosystem.

³Authur Miller, Entrepreneur cum Social Evangelist, states “Studies show that a trusting workplace increases employees level of happiness, work effort, productivity and engagement. It also provides an environment that encourages open communication and promotes people to share their ideas...”

The broader contour of the survey (Annexed with this report) involved:

Following Details may be filled by surveying students

1. **Name** (please mention in block letters):
2. **Department:**
3. **School/College name:**
4. **Degree or Course:**
5. **Age:**
6. **Gender:**

Following survey is a qualitative assessment (in a Likert Scale of 1 to 5), so kindly mark accordingly:

Scale 1 – Strongly disagree

Scale 2- Disagree

Scale 3 – Neutral stance (for sure/ prefer a middle path)

Scale 4- Agree

Scale 5- Strongly Agree

Questions (Mark yes or no in scale of 1 to 5)

1. *Did you believe that getting a “good job or work as per your liking” – would make me Happy ☺?*
2. *Do you agree that “Happiness” at workplace is possible?*
3. *Do you feel that “Happiness is based on self-satisfaction” at work?*
4. *I like to be happy, by sharing success stories with others ?*
5. *I like “diversity” at work?*
6. *I want the employer to be ‘inclusive’ in its initiatives?*
7. *I value the workplace friendship and camaraderie ?*
8. *I can vouch for my colleague at workplace whether he gives 100% in his/her work?*
9. *I like to go for picnic with my office colleagues, even if I have personal family commitments?*
10. *I value creativity in workplace?*

11. *I tend to buy products from bazaar or Mandi, where I want to have face-face interactions?*
12. *I get inspiration from seeing my boss or colleagues?*
13. *To me, TEAM achievements matters most rather than my sole success?*
14. *I like to be in happy and achieving oriented TEAMS?*
15. *I value emotions more than my rational thoughts when making decision?*
16. *Are you 'mindful' always while talking to colleagues or expect others to be so?*
17. *I like to share happiness with friends and colleagues*
18. *I am thinking long-term for development of my career and my work objectives?*
19. *I am optimistic to get a job/work of my liking in near future?*
20. *I value Happiness more than anything else in my life and applies to work too?*

An additional question/observation involved soliciting reply on the vital aspect, as enumerated in the survey, “Anything else which excites you or calls you to look for in your prospective work environment:”.

3. Findings and Reflections

The sense of fulfilment, acceptance in work, social connectedness and building an ambience of *camaraderie* goes a long way in not only attaining a sense of self-efficacy in output, but also attainment of self-esteem and self-actualization in providing something for the wider community and society at large. An example to drive home the point that, say working in a Research and Development (R&D) oriented environment which provide a push towards societal development along with a sense of fulfilment that working for the company with betterment of the stakeholders associated with business value chain, would go a long way in job satisfaction, engagement, better customer satisfaction, inherent development of the latent potential of the employees, making them an asset in the company setup⁴. Looking at win-win scenario for all stakeholders in an organisation where conflict resolution via arbitration⁵,

⁴Instant paper is an attempt to look at vital facets of workplace wellbeing and happiness segregates into parameters *inter alia* of “personality pattern, social connectedness, autonomy and decision making, financial security, scope for innovation and creativity, acceptance and empathy, challenges and diversity at work and work-life balance...”

⁵Section 8 of Arbitration and Conciliation act, 1996 states, “Power to refer parties to arbitration where there is an arbitration agreement.—

(1) A judicial authority before which an action is brought in a matter which is the subject of an arbitration agreement shall, if a party so applies not later than when submitting his first statement on the substance of the dispute, refer the parties to arbitration.

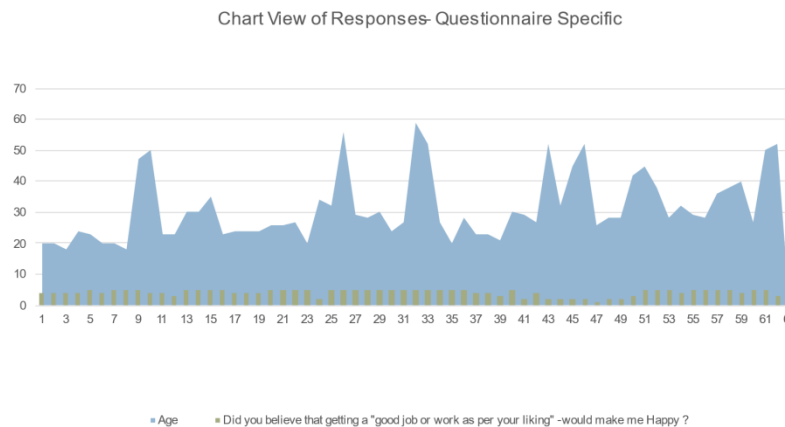
mediation and conciliation are some of the ways to reach to amicable solution from an alternate dispute resolution perspective.

Analytical and Contemplative Learning in Workplace



Graphical Representation 1: Depicting the Graphs of various data inputs and its analysis

Analytical and Critical Thinking – Going Forward: The Key to Sustainable Happiness



Graphical Representation 2: Depicting Graph of variance based on age & on “Good work”

- (2) The application referred to in sub-section (1) shall not be entertained unless it is accompanied by the original arbitration agreement or a duly certified copy thereof.
- (3) Notwithstanding that an application has been made under sub-section (1) and that the issue is pending before the judicial authority, an arbitration may be commenced or continued and an arbitral award made...

4. Diversity and Inclusion

It is pertinent to note that the development of the economy is one of the dynamic paradigm which has to be dovetailed to the development of the society and nation as a whole. The job environment provides the platform to explore the talent of the individual which would lead to happy customers, suppliers, wholesalers, retailers, stakeholders and the wider community in the business ecosystem of growth and development. The development of economy, environment and social facets has to be seen in a synergized, harmonized and a complete whole. It should not be bereft of the essential factors of societal wellbeing and the development of the community, in which the business performs to meet the needs of the society. The vital facet of “diversity” and “inclusion” has to be seen in the context specific to the needs of the society so that equitable and an equal opportunity of development for all the classes and strata of the society becomes a reality. India is a land of umpteen diversity and in its very diversity lies the joy and the beauty of oneness. The goals, missions and the wider vision envisaged by the company has a bearing on the well-being of their employees, their stakeholders, the society and the nation in its business endeavor for the happiness which is not only sustainable but also self-efficacious.

In the context of business, the conceptual understanding of “*Vasudeva Kutumbakam*”⁶. A business involved in Non-Governmental Organization (NGO) work is described a Section 8⁷ Company, which is not strictly a company for the development of the business objectives. The case in point of ensuring a suitable, equitable, opportunity driven environment and career-growth oriented development has to be mapped to the growth of the nation, where sustainable happiness is one of the vital pillars on which the edifice and the foundation is

⁶Conceptual understanding of “*Vasudeva Kutumbakam*”, as a philosophy of father of the nation, Mahatma Gandhi becomes relevant

⁷Section 8 of Companies Act, 2013, “Formation of companies with charitable objects, etc

(1) Where it is proved to the satisfaction of the Central Government that a person or an association of persons proposed to be registered under this Act as a limited company--

(a) has in its objects the promotion of commerce, art, science, sports, education, research, social welfare, religion, charity, protection of environment or any such other object;

(b) intends to apply its profits, if any, or other income in promoting its objects; and

(c) intends to prohibit the payment of any dividend to its members,

the Central Government may, by licence issued in such manner as may be prescribed, and on such conditions as it deems fit, allow that person or association of persons to be registered as a limited company under this section without the addition to its name of the word "Limited", or as the case may be, the words "Private Limited", and thereupon the Registrar shall, on application, in the prescribed form, register such person or association of persons as a company under this section..."

built for any company. An apt example to quote is that of “Gross National Happiness”⁸. Such “Happiness Index”⁹ is the essence of appreciation of the vital facets of life-style, diversity of culture and environment, among a vast array of nine dimensions which are incorporated and subsumed in the calculation of the ranking in the aforementioned index.

5. Psychology and Wellbeing at workplace

The development of Sustainable happiness has a ‘psychological angle’ too where the varied models of the development has emotional, social, economical, rational considerations, which gets reflected in the policy decision undertaken by the business entities, firms, organizations, concerns and enterprises in a dynamic change oriented environment. Managing the ‘change’ which is inherent in the system is the need of the hour. The value-based consideration is at best hedonic happiness and is short lived. However, the edifice of the long term driven and sustainable happiness can only be built on the foundation of the ‘eudaimonic’ happiness, which is not affected by personal or attitudinal consideration, but rather which is based on objective listed criteria and values. It is vital to understand that the values inculcated by the employees in their upbringing has a direct and correlated effect on the diversity and inclusion parameters. The case of Japan encouraging a value based development which has withstood the effects of war, tsunamis, economic fallouts and still marching forward in a value driven society which encourages entrepreneurship, traditional business oriented environment is a case in point. It is quintessential to note that businesses would always flourish in an environment which is forward looking, ready to experiment with new things, an environment which opportunity driven, which welcomes diversity with an inclusive approach and which merits creativity and innovation¹⁰. The business scenario is no different, where the value-based growth and growth driven by employees in an inclusive environment is always long term oriented and self-sustaining, where the self-efficacy is not only tenable but also a reality as it is based on resilience and realistic optimism. The sense of pragmatism is at the heart of any societal growth and cannot be compromised in any setup. The diversity can become the strength if the situation so warrants that harnessing the inbuilt talent of every individual is dovetailed to the growth of the workplace, society and the nation.

⁸“Gross National Happiness” as propounded by Kingdom of Bhutan so as subsume the vital facet of happiness as a sustainable narrative, so that the world’s growth and development takes place in line with the economic growth.

⁹Ibid.

¹⁰The aforesaid discussion is seen in the context of ‘Sustainable Developmental Goals (SDG) where SDG 3 and 4 which points to efficacy of ‘Good Health and well-being’ and ‘Quality Education’ as of paramount importance. The entire goals has to imperatively follow the cycle of “Discuss, Think, Explore, Watch and Reflect”

6. Workplace diversity and inclusion

6.1 Importance of inclusion of women in different workplaces:

Everyone benefits from working in an environment that encourages diversity and inclusivity, regardless of their demographic profiles or organizational roles. Diversity includes a variety of characteristics, including race, social class, cultural background, and a range of personal histories, experiences, and viewpoints.

Organizations can gain from a diverse range of thoughts, viewpoints, and approaches to problem-solving by fostering an environment that appreciates diversity and encourages inclusivity. These environments can encourage creativity, boost innovation, and produce better results all around¹¹. Women's leadership may play a vital role in encouraging and achieving diversity and inclusion, which are essential components for a productive and healthy workplace.

7. Innovation and Creativity

A vital aspect in the context of 'workplace wellbeing' is that of encouraging creativity, curiosity, open-mindedness, love and passion for learning, sharing knowledge, development the talent base, capacity building, need for sustainable learning and its practices for the wider development of the individual employees in an organisation, community development and its wellbeing, societal and national development endeavours. The positive mindset along with character and personality strength goes a long way in defining the three pathways of sustainable happiness, that is 'pleasant life', 'engaged life' and 'meaningful life'¹² among others. The humanity has evolved with the growth of civilisation. The age of knowledge¹³ and insightful learning¹⁴ has to be endeavour of transcendence and forging connection with the inherent values of 'gratitude', 'appreciation of talents', 'caring for others', 'persistence', 'hope', 'humour' and 'perspective towards responsive systemic growth of employees', to cite a few.

¹¹Ibid

¹²Prahalad, C.K. and Hamel, G. (1990) The Core Competence of the Corporation. Harvard Business Review, pg 79-91

¹³Hamel G. (1990), Competition for competence and interpartner learning within international strategic alliances, Strategic management journal 12 (S1), pg 83-103

¹⁴G Hamel, YL Doz, CK Prahalad (1989), Collaborate with your Competitors and Win, Harvard business review 67 (1), pg 133-139

8. Conclusion and Way Forward

The conceptualization of inclusiveness and the diversity is a context specific and a dynamic one which is based on one's subjective analysis, interpretation and evaluation of sustainable happiness. What may be sustainable happiness for one individual, may not apply to another individual. The basic philosophy of 'subjective well-being' is based on the aforesaid exposition as has been seen in varied models of 'sustainable happiness' and 'life satisfaction'. The concept of workplace ethics and values is contextualised in the broader canvas of sustainability and self-efficacious paradigm and which lends support to the fact that vision to life and humanity at employee level in an organisation is equally important facet which cannot be discounted. The quintessence of eudaimonic happiness is based on objective criterias which has to be subsumed in the 'paradigm' and in the context of workplace individual ethics, values, traits, emotion, behaviour and affective components. The three vital pillars of analysis on the rational ground of 'cognitive development', 'affective orientation' and 'behavioural aspects' form the basis for any deliberation in this context.

Training the minds of the employees in another facet which warrants for analysis based in stimulating values within the employees so that they are able to empathise, sympathise, develop a sense of acceptance, caring for the colleagues in the work environment, practice the essential traits of 'emotional intelligence', 'inter-personal intelligence', 'contemplate intelligence' among an array of varied factors which has a bearing in the output of the company. It is vital to understand the tread of connection whether, social or emotional or sensitization based behavioural approach should be built on the edifice of 'contemplate intelligence' and the same has to be showcased, which gets demonstrated via varied manifestation *inter alia* 'behavioural study programmes', 'intelligent learning modules', 'human resource development', 'research and development', 'quality training', 'orientation and induction programmes', 'leadership summits', 'talent development programmes' and 'molar approach to learning'. It is *fait accompli* that holistic and molar approach to behavioural and psychological studies is ingrained with the philosophy of 'looking into the wholesome' rather than piece meal approach of activities in silos. The 'integrated' envisaging and envisioning of a issue at hand is the best approach which has to be seen in totality. Such an approach which is based on wholesome analysis, a typical approach is the 'bird eye view' which has to be manifested with psychological, philosophical, physiological and the foundations of which has to be 'context-specific' and a dynamic one. A case in point is the

development of a 'learning mindset' in an organisation should be based on critical, rational oriented approach harmonised with 'due consideration' to reflective thinking, resilience, optimism, engaging constructively with others and having a positive mindset. The criticality of such model is based on the vital facet of cultivating skills which is based on 'introspection' and which is synergistically balanced with 'experiential learning'. The Human Resources (HR) policies of the company has to be mapped with multiple factors of job description, job planning, work diversity, inclusive work culture, flexible timing of work, commonly called flexi-timing, culture assimilation and development of cognitive and emotional components on an equal footing. An atmosphere of equity is the vital cog in the wholesome development of the personality of the individual. The courage, commitment, dedication, honesty and value based development is inclusive growth of the individual as well as diverse in its approach of assimilating varied views and opinions as it finds in growing importance in daily day to day client meetings, round table conference, client counselling programmes, among others. It is pertinent to note that the wider application of the well-being philosophy should go beyond the vision, mission, goal and objectives set forth for the company and the development of the individual.

Businesses and sectors are investing more money in programmes that support inclusion and diversity in the workplace. This is especially true for women, as more businesses recognise the need to diversify their workforce and foster a more welcoming environment. These measures include setting up diversity and inclusion committees that aid in identifying and resolving any workplace discrepancies, flexible work schedules, mentorship programmes, and tuition support.

Companies and industries provide infrastructure facilities in the workplace for women, including private and secure restrooms, separate prayer or meditation rooms for female employees, childcare services and breastfeeding rooms. They should also ensure that women have access to transportation facilities, and that the office environment is designed to reduce any gender bias in the workplace. Yoga and Meditation¹⁵ have become a clique in workplace for peace of mind.

¹⁵Yoga and Meditation as stress busters have been acclaimed world-over. Even the Maslow hierarchy of need has stages, "Physiological needs, safety needs, love and belonging, Social need and Self-Actualization". The transcendence to higher levels of "Self-Actualization" has vital components of "Emotional Intelligence, Intra-personal and Inter-personal behavioral Intelligence".

Some programmes offer women additional opportunity to network with one another and make important contacts by giving them leadership positions on boards of directors and in executive teams. In order to prevent gender-based discrimination in the workplace and to end the pay gap between the genders, businesses are also implementing new regulations. Also, businesses are putting a lot of effort into fostering a culture in the workplace where everyone is recognized and valued, regardless of their gender identity or mode of presentation.

These measures are generally being put in place to make sure that businesses create a climate where everyone is welcome and can succeed, regardless of gender. By doing this, businesses and sectors strive to level the playing pitch and advance equality, diversity, and equality in workplace

By taking these steps, companies can better promote gender diversity and inclusion in the workplace, and create an environment that is more equitable and supportive of all employees. Such initiatives can help to improve employee morale and productivity, while also leading to a more inclusive culture.

The pathway for flourishing involves 'inclusivity and diversity' at its core where the well-being of the employees in an organisation has to be seen as more than sum total of the individual values of the employees in an flourishing and progressive environ including leading to better 'emotional awareness' and 'control over mind', very essential for increasing productivity, engagement among employees, better customer satisfaction, better efficacious output, wellbeing based programmes leading to life satisfaction.

The key to sustainable learning is taking the education of the work which will or is required in the current industry or in the upcoming future projects. So that the team is ahead in giving their best input to the industry with their skills. Also, the team's relation among their colleagues and competitive teams from other projects keep motivating and inspiring to cope up with new skills. The more the team shares the knowledge and improve bonding, the greater is the growth.