

SEXUAL HARASSMENT IN THE WORKPLACE



FACTSHEET

Sexual harassment is any unwelcome conduct of a sexual nature. If a reasonable person would anticipate this behaviour might make you feel offended, humiliated or intimidated, it may be sexual harassment. Sexual harassment is unlawful under the Sex Discrimination Act 1984 (Cth).

Sexual harassment is detrimental to workers and their employer's business. It takes a whole of business attitude to create a respectful workplace and to ensure such behaviour is prevented. Workplaces should have appropriate policies and procedures in place if an incident occurs.

Sexual harassment can involve one or more incidents and actions constituting harassment and may be physical, verbal and non-verbal. Examples of sexual harassment include, but are not limited to:

- staring or leering,
- unnecessary familiarity, such as deliberately brushing up against a person or unwelcome touching,
- sexually suggestive comments, taunts or jokes,
- repeated and unwanted social invitations for dates or physical intimacy,
- intrusive questions or statements about a coworkers private life,
- sending sexually explicit emails or text messages,
- inappropriate advances on social networking sites,
- repeated and unwanted requests to go out on dates, and
- behaviour that may also be considered an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

I'm worried about what will happen if I make a complaint...

Many people are worried they will make things worse if they report their experience of sexual harassment to their employer. Under federal legislation it is unlawful for an employee to be disadvantaged because they've reported sexual harassment. For example, it may be unlawful for your employer to move you to a position with fewer responsibilities or give you a critical reference just because you've reported sexual harassment.

What can I do if I'm experiencing sexual harassment at work?

- Raise the issue directly with the harasser and tell them that their behaviour is unwelcome
- Talk to a colleague for support
- Make a complaint to your manager/employer
- Talk to a union delegate for advice
- Contact a community legal centre or working women's centre for legal advice
- Contact 1800 RESPECT for telephone and online counselling, information and referral
- Contact the Australian Human Rights Commission or state and federal anti-discrimination agencies for information or to make a complaint.

