



## Sexual Harassment Prevention in your Workplace

Sexual harassment is any unwanted or unwelcome sexual behaviour where a reasonable person would have anticipated the possibility that the person harassed would feel offended, humiliated, or intimidated. It has nothing to do with mutual attraction or consensual behaviour.

Examples of sexual harassment include:

- staring, leering or unwelcome touching
- suggestive comments or jokes
- unwanted invitations to go out on dates or requests for sex
- intrusive questions about a person's private life or body
- unnecessary familiarity, such as deliberately brushing up against a person
- emailing pornography or rude jokes
- displaying images of a sexual nature around the workplace
- communicating content of a sexual nature through social media or text messages.

Sexual harassment is unlawful under the Sex Discrimination Act in different areas of public life, including employment, service delivery, accommodation, and education. Some types of sexual harassment may also be criminal offences.

Employers have a responsibility to take all reasonable steps to prevent sexual harassment in employment, such as implementing a sexual harassment policy and providing training or information on sexual harassment. [humanrights.gov.au](http://humanrights.gov.au)

In 2018, workplace sexual harassment cost \$2.6 billion in lost productivity and \$0.9 billion in other financial costs. Each case of harassment represents around 4 working days of lost output. Employers bore 70% of the financial costs, government 23% and individuals 7%. Lost wellbeing for victims was an additional \$250m, or nearly \$5000 per victim on average. Deloitte Access Economics.

### Respect @ Work Law in Australia

In November 2022, the Australian Federal Parliament passed a new *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022 (Respect at Work Act 2022)*.

This Bill creates a positive duty requiring employers to implement measures to prevent sexual harassment, sex discrimination and victimisation.





### Preventing Sexual Harassment in the Workplace

- Consider a staff survey to check if your business promotes respect for all employees. Check if employees feel comfortable to raise issues or make complaints.
- Tell your staff about sexual harassment policies and procedures for complaints.
- If you have policies and procedures in place for dealing with inappropriate behaviour by customers, ensure they include sexual harassment of staff. If not, consider developing them.
- Regularly train all employees to recognise and challenge sexual harassment.
- Challenge sexual harassment whenever you see it.
- Encourage and support your employees to challenge sexual harassment.
- Talk regularly with your employees about how they should behave.
- Be honest about sexual harassment and sexism in your workplace if you are sure that female employees will not be victimised as a result of these discussions.
- Have multiple people victims can go to for complaints so they can choose someone they trust.
- Have formal and informal options for reporting harassment.
- Make sure victims know about what happens when they report.
- Minimise the impact of reporting, e.g. don't make victims tell the story multiple times.

The Respect@Work website brings together a comprehensive set of resources to support individuals and organisations to better understand, prevent and address workplace sexual harassment. <https://www.respectatwork.gov.au/>

