

Sexual Harassment

**It's unacceptable, illegal
& can be stopped**



SDA Sexual Harassment Policy

The Shop, Distributive and Allied Employees' Association is totally committed to eliminating sexual harassment from our members' workplaces.

Sexual harassment is unacceptable behaviour and is a breach of the fundamental right of an employee to work in a physically and psychologically safe environment, and to be treated fairly and with respect.

Sexual harassment can create an intimidating, hostile, offensive work environment. It is distressing and can affect a person's mental and physical wellbeing. It is therefore an important health and safety issue.

Sexual harassment is a serious form of sex discrimination. It is demeaning, and threatens and undermines the individual concerned.

The SDA undertakes to treat all complaints seriously and sympathetically, and to deal with them promptly and confidentially.

The SDA will ensure, to the extent that we are able, that complaints will be fully investigated by the company, in an impartial manner and, to the extent that we are able, that the resolution is just and equitable.

The SDA will act to ensure that steps are taken by the employer to prevent further sexual harassment occurring in that employer's workplace(s).

What is Sexual Harassment?

Sexual harassment is any physical/verbal conduct or visual display, which is:

1. of a sexual nature,
2. unwelcome or uninvited, and
3. offensive, humiliating or intimidating.

Sexual harassment is not about occasional compliments and has nothing to do with the mutual attractions of friendship, which are consensual and acceptable to both parties. These are private concerns.

Grounds for sexual harassment can exist whether the harassment was intended or unintended.

Sexual harassment can take many forms, including:

- ◆ suggestive remarks,
- ◆ sexually explicit conversations,
- ◆ unwelcome jokes of a sexual nature in your presence or about you,
- ◆ sexual graffiti/offensive pictures, and
- ◆ sexual propositions.

Sexual harassment may also constitute a criminal offence, including:

- ◆ obscene communications (such as telephone calls, e-mail, SMS/text messaging, letters, etc.), and
- ◆ touching a person where the touching is sexual in nature, which is also sexual assault.

Sexual harassment can be perpetrated by anyone within your workplace, including a customer, manager, co-worker or contractor.

Your Employer's Duty

Every employer has a legal duty, under the Federal Sex Discrimination Act, to protect their employees from sexual harassment.

Your employer must take reasonable, practical steps to prevent sexual harassment from occurring, or else they are legally liable. These steps include issuing a strong sexual harassment policy and grievance procedure, which:

- ◆ clearly outlines what is acceptable and unacceptable behaviour,
- ◆ expresses strong disapproval of sexual conduct in the workplace,
- ◆ tells employees what to do if confronted by sexual harassment,
- ◆ explains who to contact with a complaint, and
- ◆ explains what they can expect the company to do in response.

The employer must also train all staff and supervisors, giving them an understanding of what sexual harassment is, explaining the company policy and procedures, and having them available in a written form for them.

What You Can Do

Sexual harassment can be stopped.

Don't ignore the problem.

If you feel comfortable, make it clear to the harasser that the behaviour is unacceptable to you and they should not do it again.

Don't feel guilty and don't feel flattered. Do not be verbally abusive or physically violent.

If you are not comfortable confronting the harasser, the behaviour is of a criminal nature, or if the behaviour continues, you should contact the Union immediately. You may speak with a male or female Union Official if you prefer.

Make a detailed record of what happened (place, date, time, person), what was said or done and whether there were any witnesses. This may be useful later.

Silence allows the harasser to continue intimidating you and/or others. If you don't say something, the harassment will get worse.

You have protection under the law from being victimised or losing your job if you make a complaint of sexual harassment, or if you appear as a witness for a co-worker who is making a complaint.

What the SDA Will Do

The Union takes this problem seriously and offers you support and assistance in endeavouring to resolve the problem in your workplace, and through any investigation.

Your Union Organiser will explain to you your rights and options in regard to dealing with the problem and will respect your wishes.



A Message from Your Secretary, Barbara Nebart

Sexual harassment is unacceptable behaviour.

Employers, in consultation with the SDA, should develop, implement and monitor appropriate and effective sexual harassment policies, procedures and preventative measures to ensure that sexual harassment is eliminated from our workplaces.

Don't suffer in silence. If you are experiencing sexual harassment, call your Union now.

Let's stop sexual harassment.

**For more information, advice or assistance,
don't hesitate to contact the SDA...**

- ◆ **Postal address:** PO Box 118,
Hamilton NSW 2303
- ◆ **Phone:** (02) 4961 4694
- ◆ **Fax:** (02) 4962 2598
- ◆ **Website:** www.sdan.org.au
- ◆ **E-mail:** secretary@sdan.org.au



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