

# Sexual Harassment

## What is sexual harassment?

Sexual harassment is any unwelcome sexual behaviour that results in you feeling offended, humiliated, intimidated, insulted or ridiculed in circumstances where a reasonable person would feel that way. Sexual harassment is against the law.

If you are experiencing unwelcome sexual behaviour, there are options available to you.

## What can sexual harassment look like?

Sometimes it can be hard to identify the difference between what is acceptable sexual behaviour between consenting adults, and what is unlawful sexual harassment or assault.

Sexual harassment can include the following unwelcome behaviour:

- touching, brushing up against, kissing, massaging or hair stroking,
- asking a person (either verbally or in writing) if they would like to have sex,
- making comments with sexual connotations such as telling someone they 'look sexy',
- asking about a person's sex life,
- staring or leering at a person's breasts or groin,
- displaying sexual images that are unwelcome - emails, posts on social media, text messages, screensavers or posters.
- sending sexually explicit emails or text messages.

## Sexual harassment in the workplace

A workplace culture that is sexually pervasive or hostile can also contribute to unlawful sexual harassment.

The person who sexually harasses another person at work is responsible under the law, and in certain circumstances, employers can also be held responsible.

## How do I make a complaint?

Most organisations have a formal policy that outlines how sexual harassment is dealt with. Finding a copy of this policy and reading it is a good place to start.

You can speak to a lawyer for advice. The lawyer will be able to help you understand if what you are experiencing is sexual harassment or assault, and can let you know the options available to you.

Complaints can be made to the Australian Human Rights Commission or Equal Opportunity Tasmania. Equal Opportunity Tasmania can give information about how the complaint process works, but cannot give you legal advice.

## Who can make a complaint for sexual harassment?

You can make a complaint if you are:

- the person who was affected by the harassment,
- the person who was affected and you want to make a complaint on your own behalf and on the behalf of other people who were also affected,
- a trade union with members affected by the conduct,
- an organisation affected by the conduct,
- a person on behalf of a person affected, with the Anti-Discrimination Commissioner's approval.

There is no age limit on who can make a complaint.

## When to make a complaint

You should do this as soon as you can because time restraints apply. Generally, you need to report within six months of the sexual harassment if reporting to the Australian Human Rights Commission, or within twelve months if you are reporting to Equal Opportunity Tasmania.

## Can you report sexual harassment anonymously?

Yes – you can report sexual harassment anonymously to Equal Opportunity Tasmania through their website. Reporting is not a formal complaint but it helps to tell the Government that there is a problem that needs to be addressed.

## Contacts

- Call Women's Legal Service Tasmania telephone advice line for free and confidential assistance, on **1800 682 468**. We can offer advice, information and referral to women and girls experiencing sexual harassment. Our lawyers are trauma informed and understand the impact this behaviour can have on you.
- Equal Opportunity Tasmania can be contacted on **1300 305 062**. Their website is **[www.equalopportunity.tas.gov.au](http://www.equalopportunity.tas.gov.au)**

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February 2021