

## Sexual harassment Your work health & safety duties

Positive duties under work health and safety laws require persons conducting a business or undertaking to do all they reasonably can to prevent sexual harassment.

Sexual harassment is a known cause of physical and psychological harm. Penalties for failing to meet WHS duties include fines and jail terms for the most serious breaches.

Persons conducting a business or undertaking, such as employers, have a WHS duty to eliminate or minimise the risk of sexual harassment at the workplace, so far as is reasonably practicable.



risk of sexual harassment just as

you do for any other WHS risk.

## This means:



identifying how, where and when sexual harassment might happen



assessing the likelihood that a worker may experience sexual harassment and how it may affect them

(e.g. their physical or mental health)



implementing the most effective control measures to prevent sexual harassment from happening



working out how you will address sexual harassment if it does happen



checking that your control measures are working and whether there is anything more you can do



You must do all of these things in consultation with your workers and health and safety representatives if you have them.

See the infographic <u>Steps</u> to prevent workplace sexual harassment for some ideas about how you can manage work health and safety risks.

## Further advice and support services

Detailed guidance on how you prevent and respond to sexual harassment can be found at www.swa.gov.au.

If you need help, please contact your <u>work health and</u> safety regulator.

Further information and advice can be obtained from:

- 1800Respect 1800 737 732
- <u>Sexual assault</u> <u>support services</u>