

Managing the risk of gender-based violence in construction – Case study

Gender-based violence is behaviour that humiliates, intimidates or threatens a person because of their sex, gender, sexual orientation or because they don't conform to gender stereotypes. It includes not just physical violence, but also sexual harassment, verbal abuse, bullying, and offensive language and behaviours.

Gender-based violence is a serious issue that affects workers across industries. Every workplace must take steps to prevent and respond to it. This fictional case study highlights how these issues may emerge in the construction industry, and how they can be addressed through practical controls.

A person conducting a business or undertaking (PCBU) (e.g. employers, contractors) is responsible for managing both physical and psychosocial risks in the workplace. They must eliminate or minimise risks as much as they reasonably can.

PCBUs must consult with workers and other duty holders in managing WHS risks.

Printer Construction Group Pty Ltd is a construction management company and the principal contractor for a large development project.

The company directors have heard reports from supervisors and health and safety representatives (HSRs) about gender-based violence on site, including sexual harassment.

The directors appoint a team of WHS leaders, HR and HSRs to address the issue. They review the [Model Code of Practice: Managing psychosocial hazards at work](#) and the [Model Code of Practice: Sexual and gender-based harassment](#) which provide practical guidance on managing psychosocial hazards in the workplace, including harmful behaviours.

The team considers information from previous incident reports, complaints, human resource data and risk assessments to build a picture of how often, how long and how severely workers may be exposed to harmful behaviours at the workplace. An anonymous survey is carried out to further identify and understand psychosocial risks at work. The survey includes questions about workplace culture and whether workers have experienced or witnessed behaviour on-site that has made them, or others, feel uncomfortable or unsafe.

What gender-based harmful behaviours are found?

While many workers feel positive and supported in the workplace, a number of responses described harmful behaviours that were gender-based. These ranged from low-level incivility to more serious forms of sexual harassment, violence and aggression.

Gender inequality and power imbalances are key drivers of sexual harassment and discrimination. Addressing these drivers supports the management of WHS risks.

Harmful behaviours can start with low intensity behaviours, such as being ignored or talked over. These are early warning signs that other harmful behaviours and psychosocial hazards may be present. If left unmanaged, these less intense harmful behaviours have the potential to escalate.

Multiple hazards in the workplace can interact and combine, increasing the risk of harm.

Hazard	Examples found
Bullying	<p>Hazing of apprentices, young and new workers is still occurring even though it is banned under workplace policies.</p> <p>A male worker commented they are being isolated because they are seen as 'too soft' and different from the predominantly male dominated workforce.</p> <p>Some contractors repeatedly and intentionally hold back information from other workers, so they are blamed for errors or delays.</p>
Sexual harassment	<p>Some female workers are subjected to sexual harassment. This includes sexist comments disguised as banter, sexual touching which is passed off as 'accidental', unsolicited text messages and photos from male workers.</p> <p>Gender-diverse workers raised behaviours such as comments about their appearance, questions about sexual preferences, offensive language and crude jokes.</p> <p>A worker who identifies as LGBTQIA+ gets asked intrusive questions about their sexual orientation.</p>
Discrimination	<p>Women in leadership positions are undermined by co-workers and feel unsupported by management.</p> <p>Lack of role clarity and gender stereotypes have influenced task allocation, with women and gender-diverse workers assigned menial tasks not within their role, causing them to miss out on building skills.</p> <p>Female contractors comment they are overlooked in favour of male colleagues.</p>
Violence and aggression	<p>Verbal threats and aggressive behaviours like hostile shouting, standing over people in threatening ways and being cornered have occurred, particularly during times of high workloads.</p> <p>The survey reveals a serious incident between a female and male worker that was not previously reported. The female worker was forcibly detained in a locked room by the male worker "as a joke".</p>

Who is most at risk of experiencing gender-based violence?

Anyone can experience gender-based violence, however, some workers will be at greater risk, including:

- women
- people who are lesbian, gay, bisexual, transgender, queer, intersex or asexual (LGBTQIA+), non-binary or gender diverse
- people who don't follow socially prescribed gender roles and stereotypes
- people with disability
- people who are Aboriginal and Torres Strait Islander
- people from culturally and linguistically diverse backgrounds
- migrant workers and people holding temporary visas
- minors and people under 30 years of age
- people who are new to the workforce or inexperienced
- apprentices, and
- people in insecure work arrangements (e.g., those on fixed-term contracts, casual employees, labour hire).

Controlling gender-based harmful behaviours

The company directors hold several meetings to address harmful behaviours and psychosocial risks. They consult workers and HSRs to discuss ideas and develop reliable and effective control measures. Some controls address multiple hazards.

Note: The control measures are examples only. Consult workers and HSRs (if available) on the best controls to manage health and safety risks at the workplace.

Job and work design

The project management team develops new position descriptions, responsibilities and relevant reporting lines.

Supervisors meet weekly to improve communication across trades.

Additional workers are rostered on when there are project delays or changes to timelines necessitate extra staffing.

Ratios for the number of female workers to male workers are considered when allocating shifts to ensure a female worker is not working alone with a male worker without access to support from other workers.

Apprentices, young workers and new workers are assigned both a supervisor and another experienced worker whom they can go to for questions.

Physical work environment and facilities

Toilets, bathrooms and change rooms are upgraded to improve privacy and security, with men, women and gender diverse people having access to appropriate facilities where reasonably practicable.

Managers do regular walkthroughs to have informal chats with workers, monitor interactions and ensure workers are not being excluded.

CCTV is installed on-site to identify and deter harmful behaviours such as sexual harassment and violence.

Posters are displayed around the site on gendered violence and other harmful behaviours with information on what to do if it happens and how to report it.

Training, safe work practices and behaviours

Multiple reporting pathways are made available, including informal, formal, anonymous, and confidential options. Harassment contact officers are clearly identified on-site.

All workers receive induction and refresher training on gender-based violence, workplace behaviours and active bystander actions. Toolbox talks regularly cover psychosocial hazards and harmful behaviours.

Policies and the Code of Conduct explicitly address gender-based violence and are widely communicated (signage, hard copies and via email) and reinforced through inductions and ongoing communication.

Contracts include behavioural expectations with clear consequences for breaches.

Supervisors and site leaders are trained on modelling respectful behaviour, calling out inappropriate conduct. Reports are handled confidentially, promptly and using a trauma-informed approach.

Checking the controls are working as intended

The company commits to making sure the control measures are working effectively by carrying out annual reviews in consultation with workers.

Reviews will also take place:

- if there are changes in how work is done which may change WHS risks
- if an HSR requests a review or issues are raised by workers, or
- in response to workplace incident trends, WHS incidents or new or increased hazards.

The project management team commits to reviewing the control measures regularly.

For further information see the [Model Code of Practice: Managing psychosocial hazards at work](#) and the [Model Code of Practice: Sexual and gender-based harassment](#) on the [Safe Work Australia website](#).