

Sexual Harassment in Australian Workplaces



Australian
Human Rights
Commission

Australia's third UPR | 2021

Background

Sexual harassment is a pervasive issue in Australian workplaces that affects people across all industries and at all levels, in all locations.

In March 2020, the Commission released [Respect@Work](#), the final report of the National Inquiry into Sexual Harassment in the Australian Workplaces (Inquiry). The goal of the 18-month Inquiry was to examine the nature, prevalence and drivers of sexual harassment in Australian workplaces; and measures to address and prevent it.

Respect@Work draws from evidence provided by a survey of 10,000 Australian workers, 460 written submissions and 60 public consultations with 600 participants, as well as comprehensive economic modelling by Deloitte Access Economics. The report was launched

alongside the Minister for Women, Senator the Hon Marise Payne, on Friday 6 March 2020.

The key findings of the report can be summarised as follows:

- **Sexual harassment is a common experience** that occurs in every industry, in every location and at every level in Australian workplaces. In 2018, [one in three Australian workers](#) had experienced workplace sexual harassment in the last five years, up from one in five workers in 2012.
- **The current system places the onus on the victim to complain.** Yet, only 17% of the people who reported being sexually harassed at work in the Commission's national survey made a complaint.
- **Sexual harassment happens in all workplaces** including rural, regional and metropolitan settings as well as small, medium and large workplaces.
- **Workplace sexual harassment has a high cost.** As well as having a devastating and profound impact on individuals, [Deloitte Access Economics estimated](#) that workplace sexual harassment cost the Australian economy \$3.8 billion in 2018.



Key Issue - Implementation of inquiry recommendations

Respect@Work concluded that the current system for addressing workplace sexual harassment in Australia is complex and confusing for victims and employers to navigate. It also places a heavy burden on individuals to make a complaint. There is an urgent need to shift from the current reactive, complaints-based approach to one that requires positive action from employers and a focus on prevention.

In *Respect@Work*, the Commission proposes a new approach, which is evidence-based, victim-focused, framed through a gender and intersectional lens, and based upon existing legal frameworks to avoid duplication, ambiguity or undue burden on employers.

The new approach builds upon Australia's existing policies and initiatives through 55 recommendations targeted across government, business and community sectors, under five key areas of focus:

1. **Data and research** to deliver useful, industry-based information about the nature of sexual harassment and effective responses.
2. **Primary prevention** of sexual harassment through education, media and community wide initiatives.
3. **A refocused legal and regulatory framework**, recognising mutually reinforcing roles of discrimination, workplace and safety laws.
4. **Better workplace prevention and response** which is leader-driven, victim-centered, practical and adaptable.
5. **Better support, advice and advocacy** for people who experience sexual harassment.

Through the *Respect@Work* recommendations, the Commission seeks to make a significant contribution to reducing workplace sexual harassment and creating safer, more respectful and productive Australian workplaces.

The Australian Government has undertaken to consider and respond to *Respect@Work*. The Australian Human Rights Commission is working with government, business and community sectors to implement recommendations from *Respect@Work*.

Recommendation

Government, in partnership with the business and community sectors, implement the recommendations of the National Inquiry into Sexual Harassment in Australian Workplaces.