



Australian
Human Rights
Commission

Fact sheet about the positive duty



Easy Read

humanrights.gov.au/positive-duty

About this fact sheet



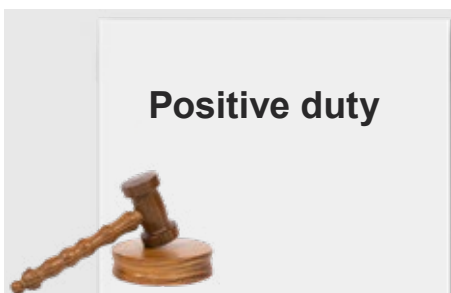
In 1984 the Australian Government made a law called the **Sex Discrimination Act**.



This law says it is not ok to treat someone in a bad way because of their **sex**.



Your **sex** means if you are a man or woman or other.



In 2022 the Australian Government added a new law to the Sex Discrimination Act.

It is called the **positive duty**.



Positive duty means workplaces need to make sure all staff feel safe and respected.

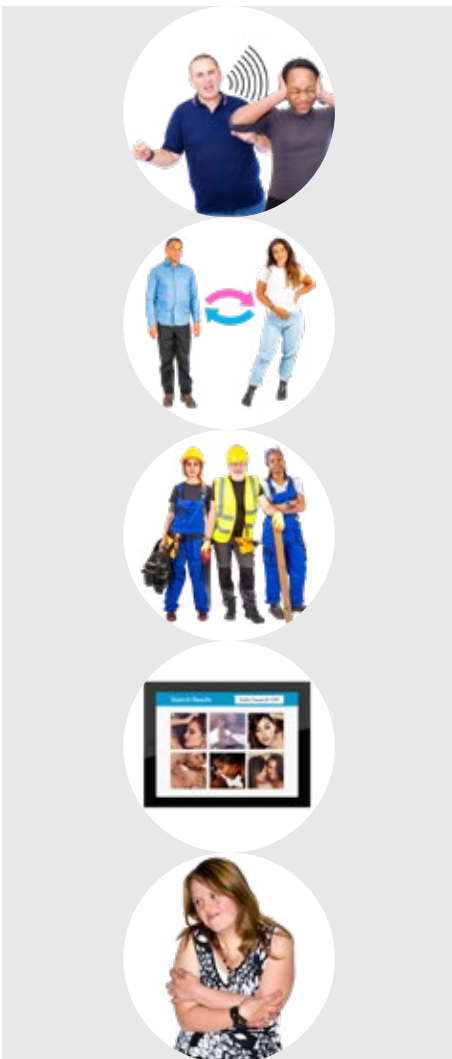
Bad behaviours at work



The positive duty is meant to stop **bad behaviours** at work.



Bad behaviours are things other people do that make you feel bad or unsafe.



The positive duty stops different bad behaviours at work like

- **Sexual harassment**
- **Sex discrimination**
- **Sex based harassment**
- **Hostile work environment**
- **Victimisation.**



When we say bad behaviours in this guide we mean those things.



Sexual harassment is when someone does or says something sexual to you that you do not want.



This might be when someone

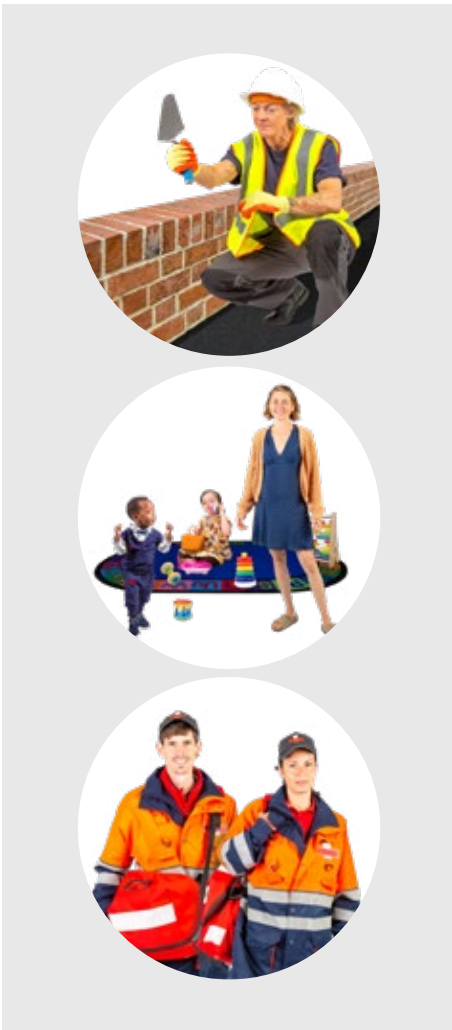
- Touches you
- Stares at you
- Keeps asking you on a date
- Makes sexual jokes.



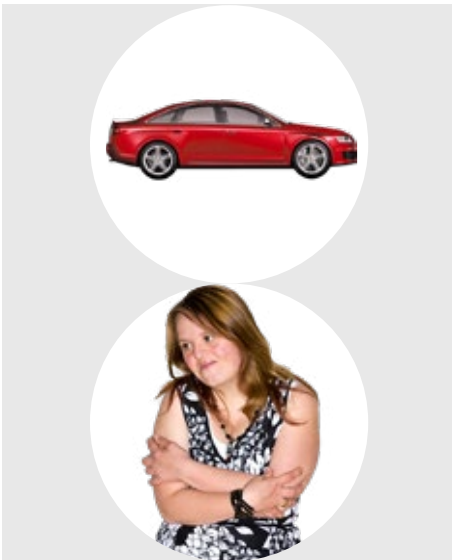
Sex discrimination is when you are treated in a bad way because of your sex.

This might be if people at your work

- Think that you can not do some work because of your sex
- Think that some people should do a job just because of their sex
- Do not want to work with you because of your sex.



Sex based harassment is when someone does or says mean things to you because of your sex.

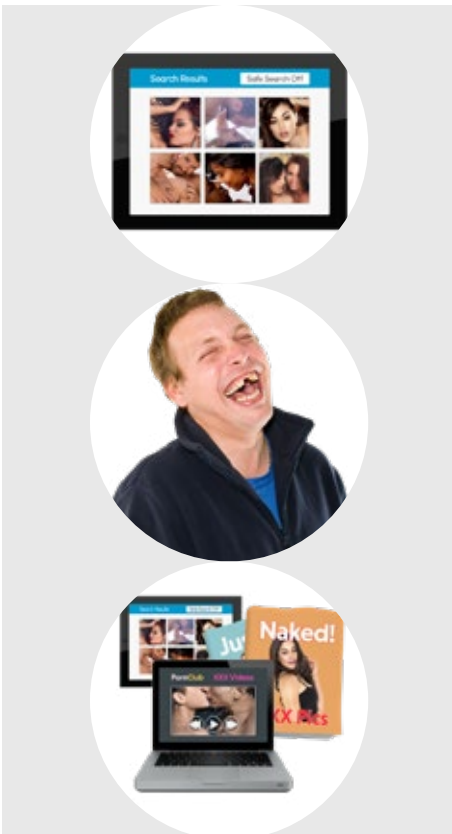


It could be things like

- Jokes like women can not drive
- Questions or words about your body that make you feel not ok.



Hostile work environment means something at your workplace makes you feel not ok because of your sex.



It could be that other people do things that upset you like

- Show each other rude pictures
- Tell each other rude jokes
- Have sexual or rude pictures that everyone can see.



Victimisation is when someone treats you in a bad way after something bad happened.



This might be because

- You spoke up about something
- You helped someone speak up
- They think that you spoke up about something.



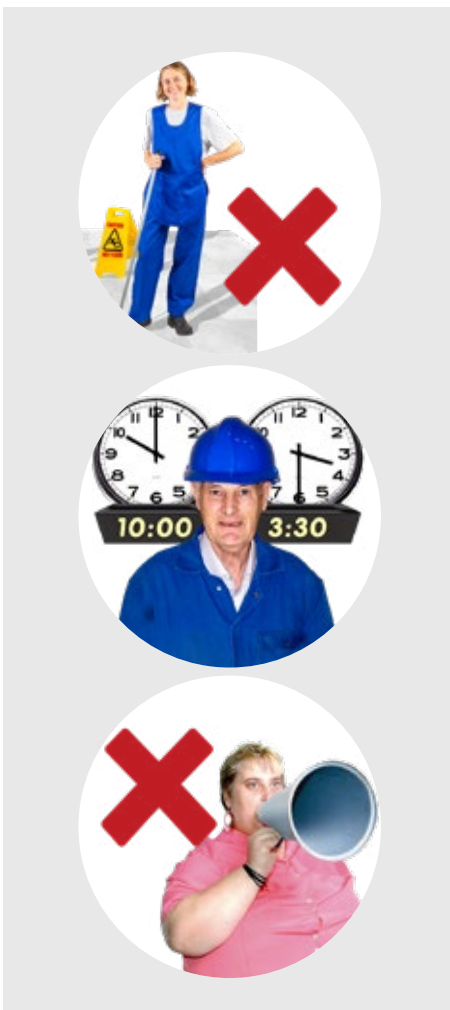
Everyone should feel safe to speak up about bad things when they happen.



Your workplace should make sure no one treats you in a bad way if you speak up.



Victimisation can be from the person who did something bad or from their friends or family.



Victimisation can be that

- You get fired from your job
- You get less hours at work
- People tell you not to speak up or something bad will happen.



Bad behaviours are still not ok if they only happened 1 time.



They are also not ok even if the other person did not mean it in a bad way.

About the positive duty



Positive duty is about workplaces doing their best to stop bad behaviours before they happen.



Workplaces should also deal with bad behaviours in the best way if they do happen.



Positive duty means workplaces should find ways to make sure all staff

- Feel safe
- Are treated with respect.



When people feel safe at work they do better and more work.



Positive duty is something all workplaces must do.



It does not matter if they are big or small workplaces.



Workplaces also have to stop bad behaviours outside the workplace.



This might be

- At work events
- By another worker at a party
- When their boss drives them home.



Workplaces need to also keep their staff safe from bad behaviours from clients and customers.

Who the positive duty helps



The positive duty helps all staff at a workplace.



It also helps clients and customers of the workplace.



Bad behaviours can happen to anyone at any workplace.



But some people are more likely to have bad behaviours happen to them.

This might be



- Women



- LGBTIQA people



- People with disability



- People from different cultures



- Aboriginal and Torres Strait Islander people.



Workplaces should think about who bad behaviours could happen to most.

More information



The Australian Human Rights Commission has more information about the positive duty.



For more information and to read our other fact sheet and guide go to

humanrights.gov.au/positive-duty

You can



- Call us on 1300 656 419 and choose option 1



- Send an email to respect@humanrights.gov.au



For information in your language call the **Translating and Interpreting Service.**

Their number is 131 450.



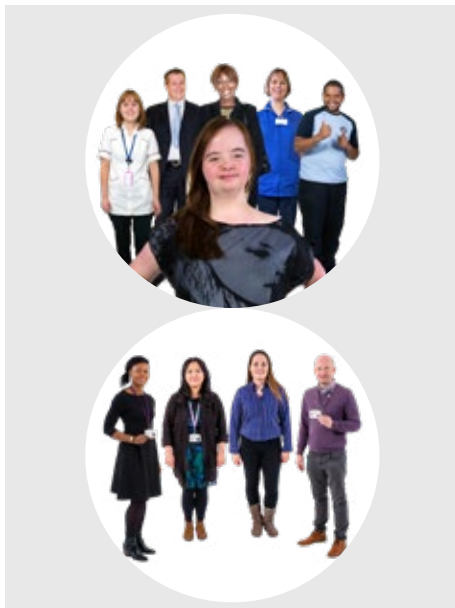
If you are deaf or have trouble hearing you can contact

- National Relay Service on 1300 555 727



- TTY on 1800 620 241.

Information for bosses and managers

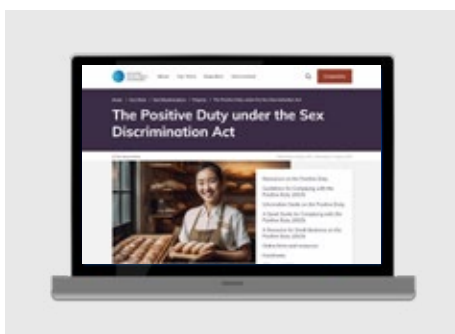


This fact sheet tells you

- About the positive duty
- What the positive duty means for your workplace.



It does not talk about all the things a workplace needs to do to meet positive duty.



For more information you can go to humanrights.gov.au/positive-duty

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