



VICTORIAN WOMEN'S TRUST

Ms. Kate Jenkins

Sex Discrimination Commissioner

Australian Human Rights Commission

Level 3, 175 Pitt Street

SYDNEY NSW 2000

4th March 2019

Dear Ms Jenkins,

Thank you for the opportunity to make a submission to this valuable and unprecedented inquiry.

Gender equality in our broader society will remain out of reach until women can be confident that they can undertake paid work in safety, with employers who accept unequivocally that everyone's well-being is their responsibility and priority.

Sexual harassment at work flourishes in places where sexual discrimination goes unchecked and full gender equality remains a distant hope. Sexual harassment is fuelled by organisations that remain overly masculine; are unequal from top to bottom; and which manifest cultures of permissiveness towards perpetrators and silencing of those harmed.

Legal and process reforms will still fall short in tackling sexual harassment as long as our workplaces defy the necessary transformation of becoming more diverse and equal places - from the senior echelons downwards.

At the Victorian Women's Trust, we strive towards the full realisation of gender equality for women and girls across the key focus areas of equal representation, health & safety and economic security. Sexual harassment denies women the ability to participate fully in, and receive the benefits from, meaningful work. The harmful effects of sexual harassment, however, will always extend beyond her work. Freedom from sexual harassment, abuse and violence is a pre-condition of equality.

It is commendable then, that the Australian Human Rights Commission has sought to undertake this Inquiry to reduce the unacceptable levels of harassment occurring at work by tackling systemic issues and launching a nationwide conversation about this endemic issue. We acknowledge efforts by workplaces during the inquiry to institute waivers for the submission duration to this Inquiry and leadership by regulators such as the Victorian Legal Services Commission to undertake their own inquiry into sexual harassment in the legal profession throughout 2019.

We commend the Commission on the evaluation intention to conduct "an assessment of any changes in the prevalence, nature and reporting of sexual harassment in Australian workplaces since the National Inquiry, and make any further recommendations necessary to address sexual harassment in the workplace."

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We believe that the evaluation will assist in ensuring that this issue both stays on the national agenda and is responsive to changes that have occurred after the Inquiry report once our community starts the work of addressing this issue. We would like to stress the importance of adequate resourcing and sustained political commitment to bolster this Inquiry as well as the evaluation and assessment to ensure that sexual harassment at work is eliminated from our society.

In our submission, we wanted to distil our learnings from our experience advocating on this issue as well as through our internal research, discussions and consultations with both the Commission and other groups.

Our submission will primarily respond to the following two Terms of Reference of the Inquiry:

- some workplace characteristics and practices are more likely to increase the risk of sexual harassment; and
- recommendations to address sexual harassment in Australian workplaces.

Our submission will first introduce the problem of sexual harassment in workplaces followed by actions that others have recommended which we endorse and finally, our own recommendations.

Our hope for this Inquiry is ambitious. That in years to come we look back and see that this is where the line in the sand was drawn, that the responses from employers, leaders, governments and our community generated ensured that we as a society had begun to take sexual harassment at work, as well as other forms of violence against women which affect their ability to engage fully in formal work, seriously.

Regards,

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SECTION ONE: THE BREADTH AND DEPTH OF OUR EXPERIENCE

'So, when we think about how much time we spend at work. When we think about how much our professional lives constitute our identity, about the relationships and the sense of self that we get from our work, to imagine and know that those workplaces are not safe places. Are not necessarily inclusive places for many women and men, one in ten men experience sexual harassment and discrimination in the workplace as well, we know that something needs to change.'

- Kristen Hilton, Victorian Sex Discrimination Commissioner, *Breakthrough 2016*

'Violence in the world of work is a threat to the dignity, security, health and well-being of everyone.'

-ILO Meeting of Experts on Violence Against Women and Men in the World of Work

The Victorian Women's believe that women and girls should be free to take up all of life's opportunities free from violence and harassment. The unacceptably high levels of sexual harassment Australian women and girls are subject to at work, coupled with their inability to confidently report due to stigma and inadequate responses from employers hinders their full participation in society, to which they have every right.

The idea for the Victorian Women's Trust's key project *Rosie* sprang from our internal research into the unacceptably high levels of sexual harassment at work faced by young women. We wanted to make sure that Australian girls entering the workforce were equipped with the knowledge they needed on their right to be safe and free from harassment at work. From there, our website *Rosie* was born, providing a learning space for girls, teenagers and young adults all centred around a theme of respect – for your body & mind, in your relationships, at work and for the world we live in.

In 2016 VWT partnered with *The Hunting Ground Australia* to screen their documentary revealing the issues of sexual assault and harassment on American university campuses which has since been taken up at Australia universities.

At the end of 2016 we ran a conference, *Breakthrough: the future is gender equality* which included a session called "Workplaces, Safe Havens" featuring experts on the topic of sexual harassment at work. Since then, we have worked with Dr. Skye Saunders who released her book *Whispers From the Bush* about sexual harassment at work experienced by Australian rural women, funding a documentary short called *Grace Under Fire* in 2017. *Grace Under Fire* tells the story of 20-year-old law student Grace Bramwell, who was forced to confront workplace sexual harassment in her hometown in Gippsland, Victoria, shining a light on the hidden epidemic of workplace sexual harassment facing young women in regional and rural Australia.

In 2017, the VWT engaged in the public consultation process with the federal Department of Communications and the Arts civil penalty regime for non-consensual sharing of intimate images, as the issue of online abuse and harassment is increasingly pervading young women and girls' entire lives, including at work.

SECTION TWO: WORKPLACES ARE NOT SAFE HAVENS

“The message at the end of the day needs to be that this strips women of dignity and confidence in their very own workplaces.”

-Dr. Skye Saunders, *Breakthrough*

What our advocacy on this issue has shown us time and time again is that this is an issue that has saturated women’s working lives. Many women have experienced multiple incidences of sexual harassment and have also seen their colleagues, workmates, family members and friends affected negatively and significantly. It has traumatised them, forced them to leave formal workplaces and left them psychologically and financially harmed, sometimes indefinitely, endangering their financial security over a lifetime.

Yet, sexual harassment at work is an issue that has been almost entirely concealed, with the Australian Human Rights Commission (AHRC)’s 4th national survey on sexual harassment found that only 17% of people who experienced sexual harassment at work in the last five years made a formal report or complaint about the harassment.¹

This is due to multiple powerful forces at play that combine to silence victims. Lack of confidence in management, organisational culture, workplace procedures and the legal system, along with feelings of shame and stigma contribute to non-reporting.²

A pilot study based on Australian sexual harassment complaints to human rights bodies reveals the underreporting and job loss that accompanies the trauma and harm that victims of sexual harassment experience. Through interviews, the study found:

Participants in this study viewed reporting sexually harassing behaviour in the workplace as the last avenue to confront and seek relief from harassment, with fear of reprisal by the harasser or by the organisation, fear of ridicule by colleagues, and the lack of knowledge of helping agencies acting as the main barriers to reporting. None of the participants even considered reporting to the police or seeking relief in courts of law. Even with the experience in their past, they do not advise anyone facing similar challenges to report. The common denominator in their advice is to leave the job before the situation gets worse.³

We are speaking of great, and often alarming, harm being wrought to people’s lives. The research evidence is there for all to see and understand, and not to ignore, brush aside or minimise. Sexual harassment in the workplace has serious social, psychological and physical consequences for those subjected to such harassment and a detrimental effect on the workplace environment and productivity.⁴

There has been a level of increased understanding in the legal arena reflected by increased damages payouts to victims. Josh Bornstein, an employment lawyer at Maurice Blackburn, commented at our Breakthrough session *Workplaces, Safe Havens*:

There has been something of a revolution, probably in the last four or five years. A particular case for legal boffins, Richardson and Oracle, three judges of the federal court loudly said that we need to change our approach, this is no good, we’re out of step with community attitudes, I don’t think that they went far enough in the critique but they set a new bench

mark so that now we're seeing much more substantial awards of compensation for sexual harassment.

Justice Susan Kenny, a Judge of the Federal Court of Australia says there is now 'a deeper appreciation of the experience of hurt and humiliation that victims of sexual harassment experience and the value of loss of enjoyment of life occasioned by mental illness or distress caused by such conduct.'⁵ So this is a small positive cultural change that has occurred in the legal arena.

However, victims of sexual harassment who are awarded damages represent an insignificant proportion of those who have been harmed. The legal system is still adversarial at its core which further harms people who have already been harmed in their workplace. Josh Bornstein spoke about the traumatic nature of our legal system at *Breakthrough*:

The legal system wants to know about the facts; the legal system is about interrogating the facts, its adversarial. So, it involves repeated retelling, questioning, interrogation and for the person in that situation it can be very, very, very traumatic. She's already traumatised and I have to wrestle with this issue every day.

The framing of sexual harassment as an interpersonal workplace issue requiring individualised responses has not only underestimated the harm done but also the systemic magnitude of this problem.

If we are to get to unpacking and challenging this systemic issue there are a number of historical and culturally observed norms and behaviours that we must contend with and dismantle. We will address this in Section 3 along with our recommendations to the Inquiry.

SECTION THREE: VALUABLE AND WIDE-RANGING RESPONSES

Many people have put a deal of careful thought into the nature of changes required to eliminate sexual harassment.

We would want to endorse much of this thinking and effort in recognising the expertise and experience of others, especially:

- The need for collecting data on teenagers and young adults experience of sexual harassment including prevalence.
- Expansion of 1800 RESPECT remit to respond specifically to sexual harassment (including vicarious sexual harassment experienced by bystanders at work).
- Specific resources and training to target groups at higher risk of harassment (individuals with disabilities, individuals from diverse backgrounds or cultural groups, LBGTQIA individuals, Indigenous and Torres Strait Islander women, international students, migrant workers, among others).
- Expand statute of limitations in bringing forward civil charges from 6 months to 6 years, in line other employment rights.
- Statutory timeline to be mandated for the settlement of complaints so that they are resolved as quickly as possible.
- Exploration of whistleblower protections by this Inquiry to better protect those who reveal systemic sexual harassment at work.

- Increase vicarious liability threshold to “all reasonable steps”, to be made consistent across all Australian jurisdictions.
- When a complaint of sexual harassment is received, employers should apply standard of proof principles that are commensurate with the civil sphere (viz, ‘on the balance of probabilities’) rather than criminal realm (viz, ‘beyond all reasonable doubt’).

SECTION FOUR: CIRCUIT BREAKING CHANGE

Seismic shifts are needed in our society’s thinking around the issue of sexual harassment.

Sexual harassment reflects an unequal gendered world, where men remain dominant and advantaged while women are relegated to the being ‘the other’ – lacking the same rights, access to resources and opportunities in life. Significantly reduced sexual harassment will only occur with significantly advances towards full gender equality.

Much groundwork is required to achieve full gender equality including closing the gender pay gap, the abolition of rigid and hierarchical power structures within workplaces, and gender parity as well as cultural diversity at the top echelons of companies and businesses.

Targeted and sustained commitment to reducing sex discrimination, all forms of gendered violence including ‘dripping tap’ or everyday sexism will have to be undertaken by organisations, workplaces, and our community to resolve the issue of sexual harassment at work.

4.1 Still a man’s world

“Now sexual harassment is a harm that is driven by a quest to be powerful.”

-Dr. Skye Saunders, *Breakthrough*

Despite the unprecedented levels of both formal education and work participation by women in Australia, the world of work remains masculine. This masculinity is embedded in systems, structures, mechanisms and reflected in masculine representation, culture and workplace norms which treat women as “outsiders”.

Sexual harassment is about harassers reinforcing their power in the workplace, excluding those who don’t conform and maintaining a status quo. Even without conscious recognition, perpetrators are in fact acting with unconscious and gendered predispositions which make women feel unwelcome and powerless at work.

The way we conceptualise and structure work is crucial to reducing harassment, and ensuring that all individuals can undertake their work in safety. Any change and movement forward must be cognisant of the way work has been gendered thus far and involves power in order to undo the ways that formal work allows and even encourages abuses of power to occur of which sexual harassment is but one.

Recommendation 1: All Australian workplaces and employers should be encouraged to adopt gender equality principles which consciously and positively disrupt and replace overtly masculinist workplaces. Government should consider providing incentives for companies and businesses which deliberately put in place affirmative action plans, including gender parity at Board levels and senior echelons of decision-making and gender pay gap audits.

Recommendation 4.1(b): The Australian Human Rights Commission should be resourced to provide training and advice guides to employers and organisations to enable them to achieve best practice models for their workers.

4.2 All forms of work

While workplaces will continue to be an important part of the picture, workers are becoming less and less tethered to a physical workplace than previously and any responses should reflect this changing reality.

We know through research that, 'in Australia, temporary workers, part-time workers and those with limited, short-term contracts were found to be more vulnerable to unwanted sexual advances.'⁶ As women constitute a majority of these workers, this reconceptualisation and expansion of our understanding of work is a crucial cultural shift which needs to occur.

Work is changing rapidly and responses to harassment at work must remain flexible and responsive to changing employment trends so that the effects on workers can be mitigated as much as possible. In 2015, this was reflected in a recommendation made by the International Labour Organization (ILO) that all Member states 'take immediate measures to address the unsafe and unhealthy working conditions that often characterize work in the informal economy; and promote and extend occupational safety and health protection to employers and workers in the informal economy.'⁷

Only by including all forms of work, not just those in traditionally structured workplaces in our conception of this issue will we be able to a suite of effective solutions to eliminate sexual harassment at work.

Recommendation 2: The Australian government should support the adoption of the proposed *ILO Convention on Violence and Harassment in the Work of Work* at the 108th session of the International Labour Conference in 2019.

4.3 Trivialising the serious

"[Sexual harassment] can be used quite subtly at first so that the victim...would almost feel silly taking the moment to call that bad behaviour. She would probably be regarded as having created a storm in a teacup or having made a fuss for nothing."

-Dr. Skye Saunders, *Breakthrough*

Historically and more recently with the global #MeToo movement, we have seen a challenging of norms around sexual harassment and assault at work. However, education and awareness around this issue remains insufficient while a diminishing and downplaying on the behaviour remains a common response.

Overemphasis on extreme examples of sexual harassment as evidence of this problem dominate the public conversation. While these examples are important in showing extreme abuses of power, it is the small, every day, persistent behaviours that (mostly) women are faced with at work which are the most common and are least likely to be called harassment.⁸

Lack of proactive education at work has had a silencing effect on women who might not speak out at the time, but who may never speak out because they don't believe that their experienced is noteworthy despite the harm it has caused them.

Reflecting on the results of the 2018 AHRC survey into sexual harassment, the authors of *Everyone's Business* reflected that 'there remains a large gap between the proportion of the population who identify as having experienced sexual harassment when given a legal definition, and those who identify having experienced sexual harassment when they are provided with a specific list of sexual harassment behaviours. This suggests that there is still a lack of understanding among Australian adults as to what actually constitutes sexual harassment.'⁹

Researchers Victor Sojo, Robert Wood, and Anna Genat have found in their meta-analysis of harmful workplace behaviours that dripping tap and overt sexual harassment are both equally detrimental to women's wellbeing but that organisations have typically privileged the overt behaviours as requiring a response.¹⁰

Academics Paula McDonald and Dr. Michael Flood reflect on why employers have privileged overt behaviours rather than dripping tap sexism. They argue that a misreading of sexual harassment by employers as 'confined to a pursuit of sexual expression and gratification' rather than an expression of power explored above, has 'led to policies that focus on policing sexual behaviour at work rather than more covert or less blatant acts that perpetuate gender inequality.'¹¹ This has the effect of 'ensuring that only the more blatant forms of sexual harassment are recorded rather than lower level, yet persistent behaviours that can have a significant effect on the victim/survivor compared to one high level incident.'

We must understand that not only does dripping tap sexual harassment harm women, this type of abuse is what allows more overt behaviours to occur in the first place, through normalising of workplace culture towards sexism and harassment of women. Victor Sojo and researchers outline the powerful connection between dripping tap sexism and workplace culture, 'Permissiveness or tolerance of sexual harassment in an organization has been identified as a key predictor of increased incidences of sexual harassment.'¹²

These work cultures must be questioned, problematised, dismantled and rebuilt.

Recommendation 3: Change worker's compensation legislation to enable coverage which includes claims arising from harm and damage caused by sexual harassment at work.

Recommendation 4: Consistent, compulsory, tailored and periodic training of workers on sexual harassment behaviours and harms should be facilitated by the Australian Human Rights Commission and other regulatory bodies such as the Workplace Gender Equality Agency or workplace health & safety bodies to ensure education on sexual harassment remains a priority at work.

Recommendation 5: Workers must be given independent, safe, victim-centred and effective reporting and grievance mechanisms to support them in recording sexual harassment incidents including holistic support to help them remain in the workforce should they wish.

Recommendation 6: Legal Aid and women's community legal centres should be adequately resourced to increase its capacity to represent individuals who have been sexual harassed at work if they decide to pursue legal remedies to their mistreatment at work.

4.4 Work mirrors society

“While we live in a society that tolerates sexism and victim blaming, no space feels truly safe.”

-Melissa Davey, *Breakthrough*

People who work are products of their socialisation and the society that they live in. The results of the 2017 National Community Attitudes towards Violence against Women Survey paint a conflicting picture of attitudes that Australians hold towards women who are sexually harassed in their workplace.

The response to the statement ‘if a woman is sexually harassed she should sort it out herself rather than report it has encouragingly decreased from 20% agreement in 1995 to 7% agreement in 2017.¹³ Responses to questions regarding whether a woman who waits weeks and months to support sexual harassment and assault are lying is about 1 in 10 respondents.¹⁴ Australian researchers have found similarly, that ‘A large proportion of the population think that sexual coercion and unwanted sexual attention at work are not acceptable.’¹⁵

However, 42% of respondents said that it is common for sexual assault accusations to be used as a way of getting back at men and 23% of respondents agreed that ‘women find it flattering to be persistently pursued, even if they are not interested.’¹⁶ 21% of respondents also agreed to the statement ‘Since some women are so sexual in public, it’s not surprising that some men think they can touch women without permission.’¹⁷

So while there is only nominal support for women reporting sexual harassment and assault, there remains blame and distrust directed towards women who are seen to be encouraging sexual harassment and assault by being “sexual in public” while also using claims of sexual harassment to attack men.

Supporting and believing victim/survivors of sexual harassment is a cultural change that must be practised in broader society if we are to move any way towards eliminating sexual harassment at work.

Recommendation 7: The Australian Government along with state and territory governments should resource long-term public initiatives and campaigns on gender equality which problematise victim-blaming of individuals, as well as sexism. This should include education for all school children throughout their lives to instil the importance of gender equality in young people.

4.5 Closing ranks

“It happens because workplaces want to condemn assault until it happens to their own, and within their own power structures. It is too difficult to look inwards, to change systems that hold people including friends, colleagues and themselves to account. It is too shameful to admit an error. It costs too much.”

-Melissa Davey, *Breakthrough*

After just over a year of the #MeToo movement, there have been countless public unmaskings from many arenas of work where egregious examples of sexual harassment or assault have been allowed to go unchecked by employers and governing bodies. Indeed, what we know about sexual

harassment tells us that in the majority of sexual harassment incidences in workplaces were carried out by a single perpetrator against multiple individuals.¹⁸

Perpetrators are promoted, defended, and forgiven by employers with few consequences. They may be moved on without any change in status yet employers can hardly be surprised when they continue to cause harm at work. Perpetrators may be forced to withdraw for a short time but are then welcomed back easily into their previous positions of influence. All is forgiven. But mostly, employers wrap themselves around powerful perpetrators when they are accused like a shield, insisting that they must be saved for the good of the organisation, though their behaviour has directly harmed others.

One defence used by employers is that these high-powered perpetrators are indispensable to the organisation, justifying their right to harm their colleagues and others at work. It is the maverick myth. That the unbridled genius this perpetrator brings to an organisation is worth a dozen sexual harassment incidents!

What is really happening here is employers are justifying their decision to hire and promote individual harassers while failing to act when something doesn't feel right or rumours start spreading. They choose a path of self-interest over their duty of care to all of their employees. This must change. As employment expert Dasher Keltner wrote for the *Harvard Business Review*, 'We need to take on the myths that sustain the abuses of power. Social scientists have documented how coercive power structures sustain themselves through social myths, which most typically justify the standing and unfettered action of those at the top.'¹⁹

Evidence suggests inadequate responses from employers when sexual harassment complaints are made. A 2012 Australian study into formal sexual harassment complaints lodged with human rights and equal opportunity commissions found that 91 percent of organisations did not accept the complainant's version of the sexual harassment while only 2.9 percent of organisations partially accepted the complainant's version and only 5.3 percent completely accepted the complainant's version.²⁰ There was also distinctly gendered employer response, 'male complainants were more than twice as likely to have their version completely accepted by the respondent organisation than female complainants (14% v 5%).'²¹ Female complainants were also more likely to have respondent organisations dispute the interpretation of facts, claim that it was already dealt with, or rely on an exception, compared to male complainants.²²

The defence of the most powerful individuals needs to end in workplaces. The health of all employees must be prioritised regardless of their position at work. The behaviour of harassers who choose to perpetrate harassment and the culture which gives them permission has to be disrupted. Perpetrators will need to be supported to change and understand how their behaviour was wrong so that they can work with others without harming them.

It is not acceptable for employers to wait until the harassment has happened to act. Ensuring that the organisational culture, reporting, support and organisational norms eliminate the chance of harassment must be the goal of every employer as mentioned above in this submission's third recommendation.

Recommendation 8: Legal reform should be undertaken to ensure that employers have a positive duty to prevent sexual harassment, as well as other forms of gender-based violence within workplaces.

4.6 Sanctions? What sanctions?

“people who perpetrate sexual harassment regardless need to understand that there are very specific consequences. The zero tolerance approach means significant consequences for those who choose to engage in that sort of conduct.”

-Dr. Skye Saunders, *Breakthrough*

What has been missing from organisational and sector responses to sexual harassment, whether it is treated as a sex discrimination issue; a workplace health and safety issue, an interpersonal issue or harm to mental health issue, is the “stick”.

Regulatory bodies like the Human Rights Commissions, Fair Work and others have relied on mediation, conciliation, training, compliance notices, enforceable undertakings, fines and individual payouts. What is missing is a suite of sanctions for workplaces and perpetrators which are transparent and responsive to the level of harm caused combines with investigatory powers. Both employers and perpetrators need to know that if an employee is sexually harassed that there will be consequences followed by sanctions and then organisational change to ensure that it doesn't happen again. This system needs to be consistent and enforced by regulators.

Recommendation 9: Mandatory reporting by all employers to a regulatory body such as WGEA on the allegations that have been made, the gender and type of work of the parties, what investigation has occurred, and the outcomes in a deidentified manner. This system should be designed so that obfuscation by employers and organisation is difficult.

Recommendation 10: WGEA should be given investigative powers and resourcing to survey/audit any employer. This is especially so in organisations or companies who has had a significant amount of sexual harassment complaints or if WGEA suspect has been providing inaccurate data with a suite of sanctions available to them which would be consistent, clear, tailored and enforceable.

Recommendation 11: WGEA and other regulatory bodies should provide training including facilitators to assist employers to effectively and efficiently collect and report data on sexual harassment complaints within workplaces.

4.7 Sexual harassment as abuse and violence

Ever since women have entered workforces, from the late nineteenth century in this country, their presence in male-dominated institutions and organisations has been problematic-inimical to the dominant culture. Sexual harassment is an inherently abusive activity. It is abusive because it is behaviour founded on disrespect, founded on the objectification of women and founded on the presumption that masculine entitlement knows no bounds. All male violence towards women reflects this world view sustained and maintained by unequal power relations.

Sexual harassment persists in workplaces which are skewed to male dominance and power at all levels in an organisation, Board and senior decision makers in particular. Increased diversity, including gender parity, is the only likely positive disruptor of persistent, negative cultures at work.

As both forms of violence against women are experienced across our society, there will be a number of individuals who may be experiencing both sexual harassment at work and domestic violence at home, especially if they work with their partner. In fact, experiencing domestic violence at home may make an individual more vulnerable to sexual harassment at work especially if they undertake their work at home. The workplace and work has the potential to be a key site for the support of those who are experiencing domestic violence and sexual harassment, or both.

The ILO Meeting of Experts summed up this role for workplaces below:

‘Whether it occurs outside work or originates at work ‘[w]orkplaces are increasingly prominent sites for domestic violence prevention and intervention’²³ and that ‘countries are increasingly acknowledging this role of the workplace as a privileged entry point for addressing domestic violence, for example, by requiring or allowing workers (and workers’ organizations) and employers to assume a positive role in identifying and protecting victims.’²⁴

Work-based solutions to the issue of sexual harassment at work would be greatly enhanced if support of employees who are experiencing domestic violence are also taken into account.

Recommendation 12: The Australian Government should dramatically increase investment in remedies to address male violence including frontline support services for women, legal reform, protections from internet-facilitated violence and abuse and cultural change campaigns.

Recommendation 13: Government should legislate for 10 days domestic violence leave within the Fair Work Act to provide for 6 million employees.

Endnotes:

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- ¹ Gebicki C., Meagher A. & Flax., G 2018 *Everyone's business: Fourth national survey on sexual harassment in Australian workplaces*, Sydney: Australian Human Rights Commission, 6
- ² Birinxhikaj M., & Guggisberg M 2017 'The wide-ranging impact of sexual harassment in the workplace: An Australian pilot study', *International Journal of Employment Studies*, vol. 25 no. 1, 21.
- ³ Ibid., 20.
- ⁴ See: Ibid., 6.
- ⁵ Summers A 2018, '#MeToo: where it came from, where it's going (and how it will hit Australia) I'm Australian Financial Review, viewed online 8 January 2019, <https://www.afr.com/brand/afr-magazine/metoo-where-it-came-from-where-its-going-20180814-h13xty>
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- ⁷ ILO 2018 *Ending violence and harassment against women and men in the world of work*, 36.
- ⁸ Charlesworth S., McDonald P., Worley A., Graham T., & Lykhina A. 2009 *Formal Complaints of Workplace Sexual Harassment Lodged with Australian Human Rights and Equal Opportunity Commission 1 July 2009-31 December 2009*, Centre for Work + Life, University of South Australia, Adelaide, 15.
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- ¹¹ P. McDonald & M. G. Flood 2012, 'Encourage. Support. Act! Bystander Approaches to Sexual Harassment in the Workplace', Human Rights Commission, Australia, 5.
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- ¹⁴ Ibid., 11.
- ¹⁵ Victor E. Sojo, Robert E. Wood, and Anna E. Genat 2016, 'Harmful Workplace Experiences and Women's Occupational Well-Being: A Meta-Analysis', *Psychology of Women Quarterly*, Vol. 40(1), 15.
- ¹⁶ Politoff 2018., 12.
- ¹⁷ Ibid., , 12.
- ¹⁸ Gebicki C., Meagher A. & Flax., G 2018, *Everyone's business*, 32.
- ¹⁹ Kelner D 2018, 'Sex, Power and the Systems that Enable Men Like Harvey Weinstein', *Harvard Business Review*, 13 October viewed online 19 December 2018, <https://hbr.org/2017/10/sex-power-and-the-systems-that-enable-men-like-harvey-weinstein>
- ²⁰ Charlesworth S., McDonald P., Worley A., Graham T., & Lykhina A. 2009, 'Formal Complaints of Workplace Sexual Harassment', 23.
- ²¹ Ibid., 23.
- ²² Ibid., 23.
- ²³ Holmes, S. and Flood, M. 2013. *Genders at work: Exploring the role of workplace equality in preventing men's violence against women*, White Ribbon, Sydney, 15 cited in ILO 2018 *Ending violence and harassment against women and men in the world of work*, 51.
- ²⁴ ILO 2018 *Ending violence and harassment against women and men in the world of work*, 51.