



Sexual harassment

What is sexual harassment?

Sexual harassment is any unwelcome behaviour of a sexual nature that makes you feel offended, humiliated or intimidated. Sexual harassment can be physical, verbal or written.

Examples of sexual harassment include:

- sexually suggestive comments or jokes made in person, on the phone, in emails, or on social media that make you feel offended
- unwelcome or inappropriate touching, hugging, cornering or kissing
- inappropriate staring or leering of a sexual nature that makes you feel intimidated
- intrusive questions about your private life or physical appearance that make you feel offended
- sexual gestures, indecent exposure or inappropriate display of the body
- requests or pressure for sex or other sexual acts
- repeated or inappropriate invitations to go out on dates
- sexually explicit pictures, posters or gifts that make you feel offended
- any other unwelcome conduct of a sexual nature that happened online or on some form of technology.

In what areas is sexual harassment against the law?

Sexual harassment is against the law in certain public places, including:

- workplaces, such as when you apply for a job, while you are at work or when you volunteer
- when you serve customers
- when you access goods and services, such as when you go shopping, do your banking or access medical services
- state education, such as when you apply for study and during your studies
- accommodation, such as when you rent accommodation
- when you buy or sell real estate
- at registered clubs (clubs that sell alcohol or have gambling machines), such as when you try to enter or join a club
- in organised sports competitions, such as when coaching a team, participating in an event or administering events
- when carrying out state laws or programs on behalf of the state government.

What are my rights at work?

You are entitled to a safe working environment and your employer has a duty to provide this to you. This includes ensuring your working environment is free of sexual harassment.



What can I do if I am sexually harassed?

If you feel you have been sexually harassed, you can try speaking to the person or organisation directly to express how you feel. If you don't feel comfortable doing this, or if it isn't appropriate, you can contact us to make a complaint.

If you are unsure if you have experienced sexual harassment or need more information, you can contact our enquiry service.

If you have experienced a serious incident of sexual harassment or assault, we recommend that you report this to the NSW Police.

Useful contacts

Translating and Interpreting Service – 131 450

Law Access – 1300 888 529

1800RESPECT – 1800 737 732

Complaint case study

Rita* was participating in a program for subsidised accommodation and casework support and had a male social worker named Tony*.

Tony propositioned Rita for sex. He also bombarded her with sexually explicit text messages and phone calls and invitations to take drugs.

Rita declined all of Tony's advances and made a complaint to the funding body for the program, resulting in Tony's employment being terminated.

Rita also lodged a complaint with ADNSW of sex discrimination and sexual harassment against Tony and the welfare services provider.

At conciliation, the matter was resolved when the welfare service provider provided an unreserved apology and substantial payment to Rita for her suffering.

*Name has been changed to protect the privacy of the individual.

This fact sheet has general information about harassment and there are exceptions to the law. Please contact us if you have questions about sexual harassment or you would like information about how to make a complaint.

Anti-Discrimination NSW

Enquiries

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Email: complaintsadb@justice.nsw.gov.au

Postal address

Locked Bag 5000

Parramatta NSW 2124

Website

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