



# SEXUAL HARASSMENT

If it feels like sexual  
harassment,  
chances are it is.

**Equal Opportunity Tasmania**

(the office of the Anti-Discrimination Commissioner)

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Celebrating Difference  
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# SEXUAL HARASSMENT

Sexual harassment is sexualised behaviour that makes a person feel offended, humiliated, intimidated, insulted or ridiculed in circumstances where it could have been anticipated they would feel that way. Sexual harassment is against the law.

Sexual harassment can include:

- uninvited physical contact such as touching, brushing up against, kissing, massaging or hair stroking
- asking a person (either verbally or in writing) if they would like to have sex or to 'get closer'
- making comments with sexual connotations, such as telling someone they 'look sexy', saying 'you're not getting enough', talking about one's own sexual urges or needs, or telling smutty jokes
- asking about or commenting on a person's sex life
- gesturing, staring or leering at breasts or groin
- stalking or paying unwelcome attention to a person
- displaying sexual images that are unwelcome including in e-mails, posts on social media, text messages, screensavers or posters from a pornographic magazine or website.

Sexual harassment can happen to anyone regardless of their gender, sexual orientation or marital status. It does not have to happen more than once to be considered sexual harassment.

Sexual harassment is often not related to sexual attraction. For example, a heterosexual man asking unwanted and embarrassing questions about another man's private life may be sexually harassing that other man.

Acting on mutual attraction or making a respectful approach to a person you are attracted to is unlikely to be sexual harassment.

The key issue is how the behaviour makes the person feel and whether it is unwelcome.

## In what situations is sexual harassment against the law?

To be against the law, sexual harassment must be related to one of these places or activities:

- Work – whether the work is paid or voluntary
- Training or studying – for example at school, TAFE or university, or workplace training
- Providing or accessing facilities or services
- Buying or selling goods
- Club membership or club-related activities
- Hotels and pubs
- Housing and accommodation – including short-term accommodation such as a hotel or hostel
- Office and other business premises
- The design or implementation of state laws or programs
- Making or implementing industrial awards, enterprise agreements or industrial agreements

## What to do if you feel you are being sexually harassed

If you feel you have been sexually harassed you can contact our office to get more information or to make a complaint. This service is free. We cannot give legal advice, but we can explain how the law works and what it covers. We can also help with writing down a complaint.

## The law in action

The women at Rahul's work kept sending him e-mails and texts asking about his sex life and relationships. Rahul felt intimidated and humiliated by this unwanted attention and decided to make a complaint of sexual harassment.

Susan went to her company's Christmas lunch. During the lunch her colleague Paul patted her on the bottom. Susan felt uncomfortable and told Paul to stop. He assumed she was joking, laughed and did it again. The next day Susan reported Paul's behaviour to her manager and decided to make a formal complaint.

Ramila studied at TAFE. During a practical class some of the men in her group were watching pornography on a mobile phone and suggested she watch too. Ramila reported this to her teacher, who suggested she make a complaint of sexual harassment to the Anti-Discrimination Commissioner. The teacher also spoke to the class about appropriate classroom behaviour.