



ENSURING SAFE AND RESPECTFUL WORKPLACES SURVEY

REPORT ON WORKPLACE
SEXUAL HARASSMENT

2021

COMMUNITY AND PUBLIC SECTOR UNION



Executive summary

Sexual harassment is a serious work health and safety issue causing physical, psychological, sexual and economic harm to Australian workers. The pervasiveness of sexual harassment in Australian workplaces was highlighted by the Australian Human Rights Commission's 2018 survey of our national experience. More recent public discussions have again shone a light on this significant issue and the need for governments, employers, unions and society to do more to stop sexual violence.

Ensuring safe and respectful workplaces is an important issue for the Community and Public Sector Union (CPSU) and its members. We are committed to working with delegates, health and safety representatives and members to eradicate this harm.

To better inform the union's approach to prevent and respond to workplace sexual harassment, we conducted a survey between 15 March and 15 April 2021, receiving 3,280 responses from across public sector and private sector workplaces. This includes workers from Commonwealth, ACT and Northern Territory public sectors, CSIRO, ABC, Australia Post and Telstra. We asked workers about their experience of workplace sexual harassment and of their concerns regarding existing workplace arrangements including policies, training, reporting, communication, leadership and culture.

Sexual harassment is evident in public sector and private sector workplaces. Our survey reveals 16% of respondents have experienced and 19% have witnessed sexual harassment in their current workplace. Consistent with broader research, sexual harassment disproportionately, but not exclusively, affects female workers, with 18% of female respondents and 11% of male respondents having experienced sexual harassment in their current workplace. Quantitative and qualitative data indicates some workers face 'intersecting' forms of discrimination which further impacts their experience of sexual harassment.

Concerningly, the survey reveals only one in three incidents of workplace sexual harassment are currently reported, and when they are reported, workplace responses are often perceived as being inadequate. While there are workplaces with effective communications, policies, processes, training and supports led by an active and engaged leadership, it would appear these workplaces are in the minority.

Sexual harassment in the workplace is preventable. There is more to be done – together employers with workers, health and safety representatives, and the union can address this important issue.

In your words:

SES and other senior leaders need to be showing leadership and speaking often and loudly about how sexual harassment is not acceptable and be very clear in how women will be supported if they come forward with complaints ...

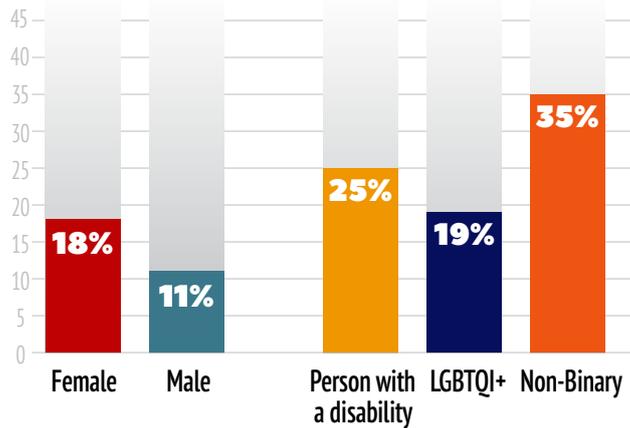
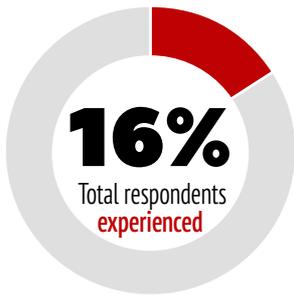
There is no culture of speaking opening about sexual harassment and creating frameworks for response. I am concerned that managers are not adequately supported to address sexual harassment and that corporate functions are not willing to engage in real conversation on the matter.

ENSURING SAFE AND RESPECTFUL WORKPLACES SURVEY – OVERVIEW

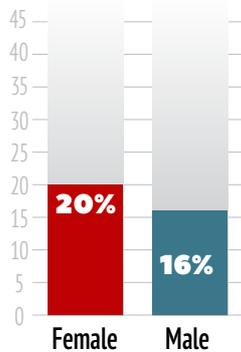
3280 RESPONDENTS | 67% FEMALE | 31% MALE

IN RESPONDENTS' CURRENT WORKPLACE ...

WHO HAS EXPERIENCED WORKPLACE SEXUAL HARASSMENT?



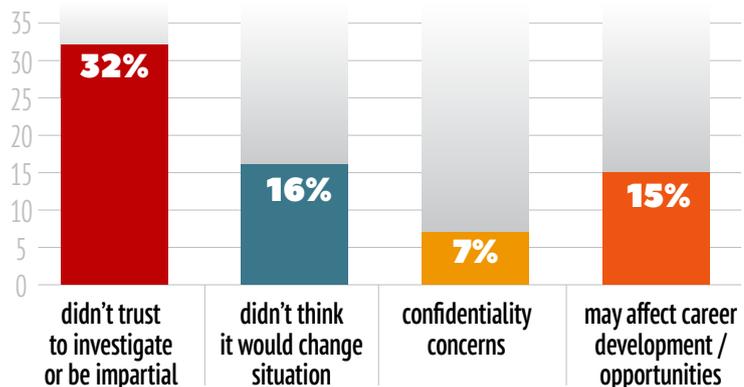
WHO HAS WITNESSED WORKPLACE SEXUAL HARASSMENT?



WAS WORKPLACE SEXUAL HARASSMENT REPORTED?



WHY NOT?





Workplaces

Over 3,200 workers responded to the union's survey from across public sector and private sector workplaces. This includes workers from Commonwealth, ACT and Northern Territory public sectors, CSIRO, ABC, Australia Post and Telstra. The spectrum of public sector workplaces includes service delivery, policy and program agencies.

Gender

Workplace sexual harassment has a disproportionate impact on female workers.

Eighteen per cent of female respondents, 11% of male respondents and 36% of respondents who identify as non-binary (noting a low sample size) experienced sexual harassment in their current workplace. Sixteen per cent of total respondents experienced sexual harassment.

The survey also asked whether respondents had witnessed sexual harassment in their current workplace with 20% of female respondents, 16% of male respondents and 19% of total respondents having witnessed sexual harassment.

Interestingly, the survey findings reveal around 4% of respondents were unsure if they had experienced workplace sexual harassment. This is reflected in the qualitative data about the current lack of understanding and training about what sexual harassment is (or is not), and how to respond when situations of sexual harassment arise in personal situations and/or when witnessing situations involving colleagues.

In your words:

This must be considered a priority in a male dominated workplace. It is a difficult topic to handle and involves going out on a limb reporting it. I do not feel comfortable reporting instances of sexual or inappropriate conduct in the workplace.

As it was the reverse of the more common male perpetrator/female victim, management had no desire to deal with the situation and expected staff to wear it. I consider the perpetrator to be experienced in their behaviour and would have flipped the script had anyone complained formally.

My employer needs to recognise the power imbalance that is often associated with sexual harassment. For example, a manager or older man harassing a much younger woman who feels unable to complain because of the effect on her career.

Younger workers

Recent research by the Australian Human Rights Commission shows sexual harassment disproportionately effects younger workers. Our survey sample sizes for younger age groups, 18–24 years of age and 25–34 years of age were small as compared to other age groups and so it is difficult to appreciate their experience based on quantitative data. Amongst younger workers, 6% of 18–24 years old and 16% of 25–34 year olds reported experiencing sexual harassment. However, qualitative data indicates young workers, particularly those new to the workplace, who experience sexual harassment are



not confident in reporting and are often unaware of processes for reporting including available supports.

In your words:

As a younger employee in a predominantly male environment, it was difficult to navigate a safe / supportive process of reporting sexual harassment that didn't result in adverse action against myself. Additionally, behaviour/actions that are clearly not acceptable now, may in the past been regarded as the cultural norm. To report may have been seen as an overreaction and unlikely to have resulted in appropriate change.

I have experienced sexual harassment in the past 5 years (as a graduate). The incident was laughed off by my manager and no action was taken.

There needs to be a clearer narrative that these behaviours are unacceptable. As a younger employee I witnessed and was subjected to behaviours that could be deemed sexual harassment and later found out this was known behaviour from these two men. However, I did not report them as I did not have clear information from my employer that I could...

Other vulnerable groups

Broader research by the Australian Human Rights Commission has identified that power disparities within our communities and workplaces enable sexual harassment. Some individuals may experience 'intersecting' forms of discrimination which may increase their experience of sexual harassment. The survey identifies vulnerable groups including workers identifying as Aboriginal and Torres Strait Islander, LGBTQIA, culturally and linguistically diverse, workers with disability, younger workers and those in insecure work. However due to small sample sizes it is difficult to fully appreciate their experiences based on quantitative data alone. To better understand workers' experience of sexual harassment in the workplace we rely on both quantitative and qualitative data.

Of the vulnerable groups, 25% of respondents with a disability, 19% of respondents who identify as LGBTQIA and 35% of respondents who identify as non-binary (noting small sample size) experienced sexual harassment in their current workplace. This compares with 18% of female respondents and 11% of male respondents.

Qualitative data indicates vulnerable workers who experience or witness sexual harassment do not feel confident to report due to power imbalances within the workplace.

In your words:

Giving graduates, casual staff, staff from CALD background and younger staff greater authority to speak up for themselves without fear of it ruining their careers ... Power imbalance - not a lack of awareness that sexual harassment is inappropriate ... is the apparent progenitor of many sexually inappropriate interactions between staff. Amongst my graduate cohort of a few years ago, most of the women had been victims of inappropriate behaviours...



The instances of homophobia were at micro aggression level and I live with this everyday so chose not to pursue.

I think it's important to be careful around SOGI status with sexual harassment training and campaigns. Sexual harassment as it occurs in LGBTI communities is entirely different to how it occurs with heterosexual people. Often, the materials that I have seen in other workplaces (I don't think this one has any) have been borderline offensive in their assumptions about my sexuality and behaviours related to that.

I reported it to HR and was advised the victim must submit the complaint. The victim was too distressed as a contractor to submit a report.

Reporting

Sexual harassment is significantly underreported. Only one in three of cases of workplace sexual harassment are reported by the complainants to their manager or organisation.

Respondents who had experienced sexual harassment were asked the reasons that contributed to them not reporting.

32% of respondents don't trust their manager/agency would investigate or treat matter impartially

16% of respondents didn't think it would change the situation

7% of respondents were concerned about confidentiality

15% of respondents were concerned it may affect career development and opportunities

While some respondents indicated each of the above factors contributed to their not reporting, other reasons cited included the harasser was their manager; being discouraged from reporting; being a young employee in a male dominated workplace and fear of ongoing repercussions; being male and feeling they would not be taken seriously; and uncertainty about the behaviour constituting sexual harassment.

In your words:

For fear of retribution, loss of job and then having a target on my back.

I didn't think anything would come of it and then I'd have to deal with coming to work everyday to face this person.

Did not know that it was specifically sexual harassment till I did a course and by that time I had already moved on.

Didn't want to make things uncomfortable in my office.

Reporting any form of harassment is very difficult. There is no clear pathway for reporting or for what managers should do if they have someone report to them. I sought to find information about another harassment issue and there are clear system failures and difficulty in navigating process.



WORKPLACE RESPONSE

Respondents who reported an incident of sexual harassment were asked to provide information about the outcome in terms of the workplace response. An analysis of the qualitative data indicates about one third of respondents perceived the workplace response to be satisfactory or sufficient. Some of the inadequacies related by respondents include having no reported or communicated outcome; unclear, lengthy and non-transparent complaint handling processes; a perceived indifference shown by some managers when issues are raised, and negative consequences for the complainant, including in relation to career opportunities, performance, health and well-being and in relation to interactions with colleagues. On the other hand, qualitative data revealed that some workplaces have effective processes and supports for employees where senior leadership is active and the importance of issues is reflected by managers at all levels of the organisation.

In your words:

Immediate action was taken. The victim was supported and provided with options. Perpetrator was informed of consequences. As a result they are no longer employed with us.

The offender was counselled for their behaviour.

I was told my reporting it was inappropriate. No-one was going to take on that high a level perpetrator.

There was no official report made. I told my manager who then made excuses for the person and their behaviour and I was made to feel like a trouble maker.

The manager and agency heard the complaint but did not resolve the issue. They actively discouraged making a formal complaint.

The outcome was nothing, no action or acknowledgement.

Nothing, we are expected to accept that our clients can treat us in this manner.

I had to address the perpetrator no matter how uncomfortable I felt. He was significantly older than me. Another incident was with a manager which was never reported as there would have been consequences for my progression.

IMPACT ON WORKERS

The qualitative data indicates some victims of sexual harassment have moved to other sections within their organisation. Some respondents indicate experiencing psychological harm because of the incidents, as well as the stressful nature of reporting processes and lack of organisational support. These findings are concerning and reflect the significance for employers to address sexual harassment, alongside broader concerns of bullying and harassment and gender equality.



In your words:

Despite multiple reports from multiple witnesses, department did very little and the perpetrator remains in the same position.

The person who harassed me got promoted ... I was moved away to a different team.

I was moved to another area and the person who harassed me got to stay in the team with no actions taken.

Policies and training

PREVALENCE OF WORKPLACE POLICIES

Qualitative data indicates many workplaces in the public sector do not have a specific policy on workplace sexual harassment and instead seek to address related concerns through a broader work health and safety or bullying and harassment policy. Of those organisations that do have a specific workplace sexual harassment policy, findings reveal most are not widely promulgated by the organisation and only a minority have been developed in consultation with workers. The survey reveals there is an appetite amongst worker respondents for a 'refresh' and 'review' of existing policies and procedures.

AWARENESS OF WORKPLACE POLICIES

Findings indicate workplaces do not regularly inform, disseminate and/or communicate with their employees about policies and processes concerning sexual harassment, this includes information about their rights and obligations, expected standards of behaviour, avenues to report and for support.

- 70%** of respondents know who to talk to about sexual harassment in the workplace
- 52%** of respondents' workplaces have made staff aware of what behaviour constitutes sexual harassment
- 45%** of respondents' workplaces have made staff aware that sexual harassment, including by third parties must be reported
- 26%** of respondents strongly agree/agree their manager talks to them about relevant policies and expected behaviours
- 17%** of respondents strongly agree/agree workers are involved in developing policies aimed at the prevention of workplace sexual harassment

PROCEDURAL CONFIDENCE

As discussed earlier, there is a significant level of under-reporting of sexual harassment incidents reflected in survey findings. In 69% of cases the victim did not report the incident to their manager or organisation. In some senses, this data may be seen to be reflective of employees' lack of awareness and/or confidence in relation to policies and complaint handling procedures, amongst other factors.



There is clear scope for a majority of organisations to turn their attention to the development and implementation of policies to better prevent and address workplace sexual harassment in consultation with employees and their union. Those workplaces that have policies need to do more work to increase awareness, understanding and enforcement of the policies and procedures.

In your words

There needs to be a separate policy dealing specifically with sexual misconduct. It is currently buried in our health and safety policy. Given the apparent prevalence of this issue, there clearly needs to be a separate policy which clearly states expectations and therefore promotes accountability.

Processes/procedures/policies for reporting and handling reports of sexual harassment are not very clear. Also any training that may be available (if any) is not well publicised or known about – I definitely do not know whether such training is available.

Having policies is one thing, talking about them is another thing.

PREVALENCE OF WORKPLACE TRAINING

A significant number of respondents indicated a lack of workplace sexual harassment training, rather issues were addressed as part of Code of Conduct and broader bullying and harassment sessions. Where limited on-line training was available it was considered inadequate with calls for in-face customized training. There is a need for specific training on what behaviours constitute sexual harassment, how to report should a worker be personally affected or witness an incident, what are the complaint handling/ reporting procedures and outcomes, what to expect from the organization in terms of support. Additionally, workers have raised the need for by-stander training and specific training for managers on how to better respond to workplace sexual harassment.

45% of respondents strongly agree/agree access to sexual harassment training is a high priority for the workplace

46% of respondents said expectations about related behaviour was covered in induction

26% of respondents have attended training on sexual harassment in their current workplace

22% of respondents are aware of by-stander training/ education available in the workplace

21% of respondents are aware of additional training for managers on preventing and responding to sexual harassment



In your words

Start by educating everyone on what sexual harassment is - and not just with a web based multiple choice assessment. These things do not allow for people to discuss the nuances of behaviour and how to evaluate them correctly and this sort of training is needed.

Provide the training, we currently only have WHS training and Code of Conduct training, not specific sexual harassment and awareness/ bystander training.

Increase awareness, actively prioritise and provide information and training to staff at all levels regarding the policies and procedures in place at the workplace regarding sexual harassment, what it is and isn't and preventing and responding to concerns about sexual harassment. In consultation with workers and HSRs, review and update the workplace policies and procedures to reflect current understanding and experience of this issue, standards and research.

More training for line management on how to prevent, address inappropriate behaviours and have better conversations with affected staff that builds trust that issues will be managed with discretion and sensitivity.

Assessment of overall workplace approaches

The survey invited respondents to provide additional feedback about existing workplace approaches to address sexual harassment.

An analysis of the qualitative data indicates current workplace approaches to preventing and responding to sexual harassment are largely insufficient. The typical approach relies on complainants coming forward to report, contributing to their psychological harm. There is also a significant lack of awareness of behaviours that constitute sexual harassment, the reporting processes for victims and witnesses, the transparency of such processes and the levels of support that can be expected from the employer.

Respondents are calling on Senior Executive leaders to be more proactive, engaged and vocal in creating safe and respectful workplaces, recognizing the impacts of sexual harassment on individuals and workplace culture. Respondents are calling on employers to comprehensively review and refresh existing policies, reporting processes, risk management, training and sanctions for perpetrators. Respondents have raised the need to change the culture on reporting, so workers feel supported and confident to report.

On training, respondents indicate a need for training customized to the workplace, that is not a 'tick and flick' online learning module. Respondents have emphasized a need for bystander intervention training and specialised training for leaders and line managers including on gender equity and specialised training for those personnel who handle complaints. Respondents have raised the need to specifically consider the implications for vulnerable groups who are likely to experience 'intersecting' forms of discrimination and potentially higher rates of sexual harassment. Respondents have said work areas designated to manage sexual harassment complaints must be adequately resourced so workers have greater assurance in the management of their complaints and concerns.



In your words

Ensuring there is support available to anyone that disclose[s]. People who have had specialised training to respond and not managers who are not equipped.

Adequately resource the areas that manage such complaints to ensure that staff have confidence that any complaints will be managed appropriately and in a timely manner. There may be policies but questionable capacity to investigate and address this.

This organisation seems silent on issues of sexual and gendered violence. Anything could be done to raise awareness and foster an environment in which employees might feel empowered to report issues.

Make clear what expectations and policies are. Make clear what behaviour is unacceptable. Make training available. Make training mandatory for all managers. Do a survey of all staff to gauge experiences.

