

# Sexual harassment – Your work health & safety duties

**Positive duties under work health and safety laws require persons conducting a business or undertaking to do all they reasonably can to prevent sexual harassment.**

Sexual harassment is a known cause of physical and psychological harm. Penalties for failing to meet WHS duties include fines and jail terms for the most serious breaches.

Persons conducting a business or undertaking, such as employers, have a WHS duty to eliminate or minimise the risk of sexual harassment at the workplace, so far as is reasonably practicable.

**You have a duty to manage the risk of sexual harassment just as you do for any other WHS risk.**

**This means:**



**identifying how, where and when sexual harassment might happen**



**working out how you will address sexual harassment if it does happen**



**assessing the likelihood that a worker may experience sexual harassment and how it may affect them**

(e.g. their physical or mental health)



**checking that your control measures are working and whether there is anything more you can do**



**implementing the most effective control measures to prevent sexual harassment from happening**



**You must do all of these things in consultation with your workers and health and safety representatives if you have them.**

See the infographic [Steps to prevent workplace sexual harassment](#) for some ideas about how you can manage work health and safety risks.

## **Further advice and support services**

Detailed guidance on how you prevent and respond to sexual harassment can be found at [www.swa.gov.au](http://www.swa.gov.au).

If you need help, please contact your [work health and safety regulator](#).

Further information and advice can be obtained from:

- 1800Respect  
1800 737 732
- [Sexual assault support services](#)