

## About us

The Victorian Equal Opportunity & Human Rights Commission (VEOHRC) has responsibilities under three laws:

- The Equal Opportunity Act 1995 (Vic)
- The Racial and Religious Tolerance Act 2001 (Vic)
- The Charter of Human Rights and Responsibilities Act 2006 (Vic).

These laws protect your right to a fair go by making discrimination, sexual harassment, and racial and religious vilification against the law.

The Commission helps people resolve complaints of discrimination, sexual harassment and racial or religious vilification by offering a confidential, free and impartial resolution service with the aim of achieving a mutual agreement. Our other services include:

- a free telephone Advice Line
- publications and workshops
- an education and consultancy service tailored to the needs of workplaces.

The Commission is not a tribunal or court. We do not prosecute, make judgments for or against either side, nor can we award compensation.



### Victorian Equal Opportunity & Human Rights Commission

3/380 Lonsdale Street Melbourne Victoria 3000

Advice Line: (03) 9281 7100  
Telephone: (03) 9281 7111  
Facsimile: (03) 9281 7171  
TTY: (03) 9281 7110  
Interpreters: (03) 9280 1995  
Toll Free: 1800 134 142 (Country Callers)

Email: [information@veohrc.vic.gov.au](mailto:information@veohrc.vic.gov.au)  
[www.humanrightscommission.vic.gov.au](http://www.humanrightscommission.vic.gov.au)

**DISCLAIMER:** This information is intended as a guide only. It is not a substitute for legal advice.

**YOUR PRIVACY:** The VEOHRC complies with Victorian privacy laws and the confidentiality provisions of the Equal Opportunity Act 1995. Our privacy policy is available online at [www.humanrightscommission.vic.gov.au/privacy](http://www.humanrightscommission.vic.gov.au/privacy) or by contacting the Commission.

Authorised by the Victorian Equal Opportunity & Human Rights Commission.

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# Resolving complaints of **sexual harassment**

## Your right to a fair go



Victorian Equal Opportunity  
& Human Rights Commission

## Sexual harassment

Sexual harassment is unwelcome conduct of a sexual nature. It involves behaviour that could reasonably be expected to make a person feel offended, humiliated and/or intimidated. Sexual harassment can be physical, verbal or written. Sexual harassment is against the law.

Sexual harassment can involve:

- unwelcome sexual propositions or continued requests for dates
- unwelcome comments about a person's sex life or physical appearance
- sexually offensive comments, anecdotes or jokes
- displaying sexually offensive material (such as photos, posters, magazines or objects)
- physical contact such as touching or fondling
- sexually offensive material transmitted by fax, telephone, e-mail, office intranet, videoconference or any other means of communication.

## Where does sexual harassment occur?

Sexual harassment is against the law when it occurs in public life, not when it is private conduct. Public areas covered by the law are:

**Employment** – includes recruitment, how you are treated at work, conduct outside work hours and workplace, dismissal. This also applies to contract workers and job applicants.

**Goods and services** – includes retail, public venues, dealings with service providers. It does not matter whether the goods and services are paid for or free.

**Education** – includes enrolment, entry terms, access to benefits, and expulsion.

**Accommodation** – includes rented accommodation and business premises, temporary and holiday accommodation.

**Clubs** - includes social, recreational, sporting or community service clubs that are on Crown land or receive direct or indirect funding from the Government or a municipal council.

**Example:** at a function celebrating her soccer team's grand final win, the club president sexually harasses Sonia. Sonia can lodge a complaint against the club and the club president with the Commission. A negotiated resolution could include an apology, compensation and sexual harassment training for club members and employees.

**Sports** – includes selection or exclusion from participation in team and individual pursuits. This applies to players, coaches, umpires, administrators and officials.

**Land sales or transfers**

**Local government**

### Victimisation

It is against the law to victimise a person for making a complaint of sexual harassment.

## How to handle sexual harassment

### Step 1. Try to resolve the matter informally

If possible, talk to the person who is sexually harassing you, tell them how their behaviour is affecting you, and ask them to stop. If the harassment is occurring in the workplace you may prefer to talk to your manager or human resources staff if you are uncomfortable speaking directly to the person concerned.

### Step 2. Get advice

If you are unable to talk to the person concerned, or if they continue to harass you contact the Commission. We provide advice over the telephone or in person and can provide a free interpreter.

### Step 3. Make a complaint

Our Education and Complaint Officers can help you prepare a written statement of complaint and are available by telephone or in person.

To learn more about the Commission's complaints, investigation and conciliation process, read the 'Resolving a complaint' brochure.

### Representative Complaints

Depending on the nature of your issue, you may:

- lodge a complaint yourself
- have a person lodge a complaint on your behalf, if that person has also experienced the same type of treatment
- have an organisation lodge a complaint on your behalf, if that organisation has sufficient interest in the complaint.

The Education and Complaints Officer will advise you which of these options are available to you.