



Discrimination and sexual harassment

What is discrimination?

Discrimination occurs when someone treats one person less favourably than another because of a particular characteristic. There are federal and territory laws about equal opportunity, which make it unlawful to be treated unfairly on the basis of race, sex, sexual preference, age, intellectual or physical disability, family responsibilities, pregnancy or marital status, breastfeeding, political opinion, trade union activity, religion, irrelevant medical or criminal record, national extraction or social origin. You have the right to a workplace that is free from discrimination and so you should be treated fairly when it comes to getting a job, in opportunities for training and promotion, in your working conditions and if you are dismissed. This applies whether you work full-time, part-time, casual, as a contractor or as an unpaid employee.

What is sexual harassment?

Sexual harassment is unwelcome attention of a sexual nature. Sexual harassment is unlawful under both the NT Anti Discrimination Act and the Federal Sex Discrimination Act. Behaviour such as touching you, telling smutty jokes in your presence, repeated questions about your personal life or sexual habits, demands or requests for sexual favours (either directly or by implication), and sending offensive messages or pictures by e-mail or mobile phone are examples of sexual harassment. If this kind of behaviour offends you, or makes you feel nervous, humiliated or intimidated, then you may be being sexually harassed.

Perpetrators of sexual harassment may consider their behaviour is just 'fun and games', but sexual harassment in the workplace is against the law whatever its degree of seriousness, whether it's the actions of a single individual or a group, or whether it's a boss or a co-worker. You have the right to be treated with respect and you do not have to put up with it. Whether you are in paid or unpaid work your employer must make sure your workplace is free from sexual harassment.

What can I do?

There are a number of things you can do:

- talk to others at work, especially others who also may have been harassed or discriminated against. They may be able to support you;
- complain to your boss or supervisor;
- tell your harasser's superior if your boss or supervisor is the one harassing or discriminating against you;
- check if your workplace has a policy or grievance procedures for dealing with sexual harassment or discrimination;
- keep a written record of what has happened;
- get advice and perhaps lodge a complaint.

Whatever you choose to do, do it quickly. A time limit of 6 months applies to complaints under section 65 of the *NT Anti Discrimination Act* and 12 months under Federal legislation. Don't be discouraged by others who may not believe you or try to make you feel foolish for complaining. You don't have to resign to escape sexual harassment and discrimination at work. If you do feel like resigning, get advice first, as you may be able to claim constructive dismissal.

What if my boss sacks me because I've complained?

If you are sacked because you made a complaint or because you helped someone make a complaint, that counts as victimisation which is unlawful. You may be entitled to make a claim for unlawful termination, or to lodge a complaint under anti-discrimination legislation.

Where can I get more help?

NT Working Women's Centre
Ph: 8981 0655
Freecall: 1800 817 055
Web: www.ntwwc.com.au





NT Anti Discrimination Commission
Ph: 8999 1444
Freecall: 1800 813 846
Web: www.nt.gov.au/justice/ad

Human Rights Commission
Ph: (02) 9284 9600
Complaints Infoline: 1300 656 419
General enquiries and publications: 1300 369 711
Web: www.hreoc.gov.au

NT Workplace Advocate
Ph: 1300 852 899
Web: www.workplaceadvocate.nt.gov.au

Your Union
Unions NT
Ph: 8941 0001
Web: www.unionsnt.com.au

Telephone Interpreter Service
Ph: 131 450

National Relay Service (for people with a hearing and/or speech impairment)
Ph: 133 677
Freecall: 1800 555 677



**The NT Working Women's Centre provides free and confidential information, advice and assistance to women about work related matters.
Contact us on 1800 817 055, or www.ntwwc.com.au**

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