



Sexual Harassment at Work

An Advice Guide
for Usdaw Members



What is Sexual Harassment?

Sexual harassment is behaviour which is imposed on another person and is of a sexual nature. It is unlawful under the Equality Act 2010*. The Act describes harassment as:

'unwanted conduct related to a woman's sex, or that of another person, that has the purpose or effect of violating her dignity, or of creating an intimidating, hostile, degrading, humiliating or offensive environment for her'.

It can take many forms including: physical contact of any sort; suggestive remarks or so called 'jokes'; sexual

propositions; unwanted comments on dress or appearance; verbal abuse of a sexual nature; leering; and displaying pornographic pictures or pin-ups.

The common feature of all this conduct is that it is unwanted by the person on the receiving end. Whether or not the harasser intended to be objectionable is not the point. If the behaviour is unwelcome and the attention is not wanted by the other person, it may well amount to harassment.

*The Sex Discrimination
(Northern Ireland) Order 1976



Sexual Harassment at Work

Sexual Harassment in the Workplace

Sexual harassment is an important issue for Usdaw. It is overwhelmingly a problem experienced by women. However, harassment can be directed by women to men. Young men and gay men can be particularly vulnerable. But generally it is women, of all ages, who are faced with harassment from colleagues, from a manager or from members of the public.

Examples of sexual harassment include:

- So-called 'jokes' about a colleague's sex life.
- Indecent remarks.
- Unwelcome hugging, touching, kissing.
- Requests for sexual favours.

Sexual Harassment is a Trade Union Issue

Sexual harassment creates an atmosphere and environment in the workplace which is not acceptable. Usdaw believes that everyone has a right to work in a situation which is safe and supportive, free from fear of harassment or discrimination.

- Sexual harassment can seriously damage your health. Sexual harassment can make a worker feel threatened, humiliated, patronised. It is demeaning and distressing and can affect a person's mental and physical well-being. It is therefore an important health and safety issue.
- Sexual harassment is a widespread and serious form of sex discrimination.
- Black women can be particularly vulnerable – the dividing line between racial and sexual harassment is often blurred.
- Lesbian, gay, bisexual and transgender workers can also face harassment and offensive behaviour – often involving intrusive and inappropriate comments about their sex life or body. There are specific protections in the Equality Act for LGBT+ workers.

- Black workers, gay men, lesbians and trans workers may feel particularly vulnerable and reluctant to complain about sexual harassment. This makes it even more important to spread the Union's message that sexual harassment will not be tolerated.
- Usdaw is totally committed to opposing all forms of discrimination and to ensuring the rights of all women and men to fair and decent treatment.
- Studies show that women are more likely to be harassed whilst at work than in any other setting.

Taking Action Against Sexual Harassment – Employers' Responsibilities

Employers are required to take action to prevent sexual harassment occurring. They have a duty to ensure that employees are aware that such behaviour is not acceptable. Employers are responsible for their own actions and those of their employees, so if an incident of sexual harassment does occur, it is up to the employer to take steps to deal with the incident and prevent any reoccurrence.

Studies show that most women who are harassed at work don't tell their employer because they are either too embarrassed or worry they won't be believed.



Tackling Sexual Harassment Directly

If you are being sexually harassed, there are a number of things you can do. It is not your fault, you have a right not to be harassed.

- Do not try to deal with this on your own; tell your Union rep, confide in family and friends – get as much support as you can. You can always contact a woman union official to discuss any matter in strict confidence. Call your local Usdaw office on **0800 030 80 30**.
- If you feel able to you might want to tell the harasser that their behaviour is unwelcome and ask them to stop. Very often an early word prevents the matter escalating. Do it in writing if you do not wish to talk to them, or go with your union rep. This prevents the harasser claiming that since you did not complain personally, they did not believe you objected to their behaviour. Keep a note of what happened and a copy of any letter that you send them. This can be important evidence.
- Express objection doesn't have to be made for it to be deemed unwanted.
- If you don't feel able to approach and speak to the person harassing you, your rep can do this on your behalf.
- If they do not stop, keep a diary of what happens, noting incidents, witnesses, if any, dates and times. Let your union rep have copies.



Taking Action as a Union Member

Everyone can take action to help stop sexual harassment happening in the workplace.

- Be aware of the issue. Sexual harassment is not a joke. It is a very real problem which can have serious consequences for all concerned.
- Make sure your own behaviour does not cause offence or misunderstanding.
- Take a stand against sexist language and behaviour and pornography and support workmates who are experiencing sexual harassment.

Union Action

Usdaw is here to work with you to make sure that there is no place for sexual harassment in your workplace. Prevention is better than taking action after the event. Usdaw's priority is to establish an environment which is free from sexual harassment. Action can be taken in a variety of ways including:

- Running workshops and get-togethers for union members and reps to raise awareness of this issue, and to give confidence to people who may wish to bring this matter out into the open.

- Drawing up policy statements with employers and negotiating workplace procedures which can deal with any incidents fairly, quickly and confidentially.
- It is important to ensure that sexual harassment is seen and dealt with as a disciplinary matter by employers. Equally, as Usdaw's Rule Book makes clear, action will be taken by the Union against any member who sexually harasses another person during the course of union business or activity.
- Find out whether or not sexual harassment is an issue in your workplace by running a survey (available online at www.usdaw.org.uk/SHsurvey). Given the nature of sexual harassment, those who are experiencing it find it very difficult to report it, therefore, just because you haven't received any complaints about sexual harassment in your workplace doesn't necessarily mean that it isn't an issue.



More Information

Usdaw Nationwide

Wherever you work, an Usdaw rep or official (Area Organiser) is not far away. For further information or assistance, contact your Usdaw rep or local Usdaw office. Alternatively you can phone our Freephone Helpline **0800 030 80 30** to connect you to your regional office or visit our website: **www.usdaw.org.uk**

You can also write to the Union's Head Office. Just write **FREEPOST USDAW** on the envelope and put it in the post.

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