

EMPLOYMENT LAW

VIDEO 5 ACTIVITIES

SEXUAL HARASSMENT AND BULLYING

ACTIVITY A: BULLYING, SEXUAL HARASSMENT, DISCRIMINATION AND VICTIMISATION

BULLYING

Bullying is repeated unreasonable behaviour that creates a risk to health and safety. Unreasonable behavior may include physical, psychological, social or verbal attacks. E.g. publicly humiliating someone, spreading bad rumours or gossip and verbal abuse.

SEXUAL HARASSMENT

Sexual harassment is any unwanted or unwelcome sexual behaviour, which makes a person feel offended, humiliated or intimidated. E.g. sexual comments or jokes, unwelcome touching, sending sexually explicit emails.

DISCRIMINATION

Discrimination is:

- treating someone unfairly;
- refusing to offer them a job; or
- firing them from a job

because of one of the characteristics in the table below:

Sex	Age	Parent or carer status
Disability	Religious belief or activity	Sexual orientation
Marital or relationship status	Lawful sexual activity	Gender identity or intersex status
Political activities or beliefs	Physical features	Pregnancy or breastfeeding
Race	Employment or industrial activity	Friend or relative with any of these characteristics

VICTIMISATION

Workers have the right to make complaints if they feel like they have been bullied, sexually harassed or discriminated against at work.

Victimisation is when a worker is punished (or threatened with punishment) because they:

- stood up for their rights under equal opportunity law
- made a complaint
- helped someone else make a complaint.

Victimisation is against the law.

YOU SHOULD TELL SOMEONE IF YOU THINK YOU ARE BEING BULLIED, SEXUALLY HARASSED, DISCRIMINATED AGAINST OR VICTIMISED.

For each of the examples below, tick the box that you think best describes the treatment of the worker.

a	<input type="checkbox"/> Discrimination <input type="checkbox"/> Victimisation <input type="checkbox"/> Sexual harassment	<p>Judy asks to start work late and finish early as she needs to drop her kids off at school. Her boss decides to fire her.</p>
b	<input type="checkbox"/> Discrimination <input type="checkbox"/> Bullying <input type="checkbox"/> This is ok	<p>Thomas has been underperforming at work lately. He has made lots of mistakes. His boss tells him what he is doing wrong and that if his performance does not improve, he could lose his job.</p>
c	<input type="checkbox"/> Discrimination <input type="checkbox"/> Victimisation <input type="checkbox"/> Sexual harassment	<p>At the work Christmas party, a group of Corinne's work colleagues begin dancing very close to Corinne and touching her on the shoulders. Corinne moved away and asked them to stop touching her. Her colleagues followed and told Corinne she was sexy.</p>
d	<p>This could be:</p> <input type="checkbox"/> Discrimination on the basis of race <input type="checkbox"/> Discrimination on the basis of religion <input type="checkbox"/> Discrimination on the basis of parental or family responsibilities <input type="checkbox"/> Discrimination on the basis of age <input type="checkbox"/> Discrimination on the basis of relationship status <input type="checkbox"/> All of the above	<p>Ali comes from Saudi Arabia and is a manager who has worked on big projects all over the world. He is 60 years old. He applied for a job at an international company in Melbourne. He has good references. In the interview, he asks the interviewers where the prayer room is. He also talks about the fact that he married late in life and has a very young family – which is why he wants to settle in one place. He does not get the job, even though he is by far the best candidate.</p>
e	<input type="checkbox"/> Discrimination <input type="checkbox"/> Victimisation <input type="checkbox"/> Bullying	<p>Jasmine works at a bar as a casual employee. She feels like some of the other staff at the bar are behaving inappropriately towards her. She thinks this might be sexual harassment. She tells her boss about her concerns. Afterwards, her boss stops rostering her to work.</p>
f	<input type="checkbox"/> Discrimination <input type="checkbox"/> Bullying <input type="checkbox"/> Victimisation	<p>Since Henry started his new job, Joseph had been making his life difficult. Whenever they have to work together, Joseph tells Henry "you are hopeless" and "I don't know why they decided to hire you". Joseph has started spreading nasty rumours about Henry behind his back and now a group of people at work ignore him in the lunch room.</p>

ACTIVITY B: SEXUAL HARASSMENT AND BULLYING

Watch the video and answer the questions.

- 1 What are some examples of **bullying** in the video?
- 2 What are some examples of **sexual harassment** in the video?
- 3 Why does Anna think she has to put up with the Manager's behaviour?
- 4 Why is Anna worried about reporting the behaviour?
- 5 Where does Ricki tell Anna to go to get help?
- 6 Can a community legal centre share Anna's information with her boss or her family?