

Sexual harassment

Don't put up with it



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Equal Opportunities Commission

Equality and
Human Rights
Commission

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Sexual harassment is unwelcome behaviour of a sexual nature.

Sexual harassment is often dismissed by those not suffering from it as 'just a bit of fun' or 'a bit of harmless flirting'. In reality, it is a very specific form of sex discrimination and is against the law.

This leaflet sets out some of the actions you can take if you have suffered sexual harassment at work.

Any of the following may count as sexual harassment:

- indecent or suggestive remarks
- questions or comments about your sex life
- the display of pornography
- the circulation of obscene material (by email, for example)
- inappropriate touching
- requests or demands for sexual favours
- any unwelcome behaviour of a sexual nature that creates an intimidating, hostile or humiliating working environment.

Harassment by a third party

- Your employer has a duty to protect you from harassment by a third party, e.g. if you are a carer and someone who you look after is making remarks of a sexual nature to you.
- Your employer must know that it is happening and there have to be at least three incidents, although not necessarily all by the same person.

Sex based harassment

You are protected from unwelcome behaviour related to your sex or the sex of someone else.

- This does not have to be of a sexual nature but makes you feel intimidated or creates a hostile or degrading environment for you to work in.
- The behaviour does not have to be directed at you personally but still makes you feel intimidated.
- An example of this could be if a woman is being bullied at work and the harasser would not treat a man in this way.

Prolonged harassment can lead to serious health problems, including depression. Don't put up with this type of behaviour.

Take the following steps:

- tell a friend or trusted colleague what is happening
- ask the harasser to stop
- if the problem persists, ask the harasser to stop in writing, explaining that you find their behaviour objectionable
- report the harasser to your employer or trade union.

Report any harassment early in order to protect yourself and others.

Your employer should:

- take your complaint seriously and stop the harassment
- explain how they intend to deal with it
- speak to the person concerned about their behaviour
- make sure that you do not suffer any reprisals as a result of reporting the sexual harassment.

If you are not satisfied with your employer's response you can consider raising a formal grievance about the incident.

You can take your complaint to an employment tribunal where it will be heard under the Sex Discrimination Act. The law now says that, in most cases, you must raise a written grievance with your employer before you make a tribunal claim.

There are strict time limits for making an employment tribunal claim. You may need to do this within 3 months from the date of the last incident of harassment, so it is important to get advice as soon as possible.

For further information on sexual harassment and making a tribunal claim, visit the Commission's website, call the Commission's helpline, or contact your union.

All employers have a duty to protect their employees from sexual harassment, and they can be held liable for the unlawful action of those who work in their organisation.

You could advise your employer that they can obtain information on dealing with sexual harassment from the Commission's website.

This leaflet can be downloaded from our website:
www.equalityhumanrights.com

If you require this leaflet in a different format, for example large print, contact our helpline.

This leaflet was originally produced by the Equal Opportunities Commission which, from 1 October 2007, became part of the Equality and Human Rights Commission.

While every effort has been made to ensure that the information in this reprinted publication is correct, the Equality and Human Rights Commission cannot guarantee its current factual or legal accuracy, and cannot take responsibility for any loss arising out of its use.

Contact us:

You can find out more or get in touch with us via our website at: www.equalityhumanrights.com or by contacting our helpline:

Telephone: 0845 604 6610

Textphone: 0845 604 6620

Fax: 0845 604 6630

Mon, Tue, Thur, Fri: 9am–5pm.

Wed: 9am–8pm

Free, confidential advice and information

Calls from BT landlines are charged at local rates, but calls from mobiles and other providers may vary. Calls may be monitored for training and quality purposes. Interpreting service available through Language Line, when you call our helpline.

Equality and Human Rights Commission

Great Britain

Arndale House, Arndale Centre,
Manchester, M4 3AQ

Telephone: 0161 829 8100

Textphone: 0161 829 8341

Fax: 0161 829 8110

Email:

info@equalityhumanrights.com

3 More London Riverside,
Tooley Street, London, SE1 2RG

Telephone: 020 3117 0235

Textphone: 020 3117 0238

Fax: 020 3117 0237

Email:

info@equalityhumanrights.com

Media enquiries

Telephone: 020 3117 0255

(out of hours mobile

07767 272 818)



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