

Bullying and harassment at work

Young Workers Legal Service

46 Greenhill Rd, Wayville, SA 5034
Phone: (08) 8279 2233
Fax: (08) 8279 2223
ywls@saunions.org.au
www.ywls.org.au

What is bullying?

Workplace bullying is defined as negative treatment by a boss and/or co-worker(s) that is repeated, systematic, and directed towards you personally. Bullying is humiliating and threatening and can undermine your position and sense of worth. It can also create a serious risk to your safety and mental and physical health.

If you suspect that you are being bullied in the workplace ask yourself:

- Has the negative treatment occurred repeatedly?
- Has it made you feel threatened, isolated, insecure or humiliated?
- Do you feel that your mental health or physical health has been affected by this treatment?

What is harassment?

Harassment exists in many forms. One of the most serious forms is sexual harassment. This is sexual conduct at work that is unwelcome and makes you feel humiliated, offended or threatened. Sexual harassment is usually verbal or physical, but also extends to text messages and virtual communication.

If you suspect that you have been sexually harassed ask yourself:

- Did your colleague or employer ask you inappropriate questions about your personal life?
- Did your colleague or employer touch you inappropriately?
- Did your colleague or employer tell smutty jokes in your presence or ask you for sexual favours?
- Was pornographic or explicit material displayed in the workplace?
- If a third party, like a customer harassed you did your employer take steps to prevent it from happening again?

How are you protected?

Bullying and harassment at work are unlawful. If you are being bullied you can complain to SafeWork SA. If you are being sexually harassed you can make a complaint to the Equal Opportunity Commission of SA or the Australian Human Rights Commission. Remember, it is important to keep a written record of all the times you feel you were bullied or harassed.

Where can you get help?

If you are a union member contact your union representative. With their support you may wish to complain to a Contact Officer or your boss. However if you do not feel comfortable doing this, or if your issue is not dealt with adequately, you can contact us for more help on (08) 8279 2233.

This material has been funded by the Australian Government through a Fair Work Ombudsman initiative to produce educative materials on the Fair Work Act 2009.

The Fair Work Ombudsman (FWO) is committed to providing useful, reliable information to help you understand your rights and obligations under workplace laws.

The information contained in this publication within the FWO's jurisdiction as set out in the Fair Work Act 2009 is:

- *general in nature and may not deal with all aspects of the law that are relevant to your specific situation; and*
- *not legal **advice**.*

Therefore, you may wish to seek independent professional advice to ensure all the factors relevant to your circumstances have been properly considered.

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