

Sexual Harassment Policy

Sexual harassment and discrimination is unlawful and is unacceptable in the workplace and will not be tolerated under any circumstances by Mass. The company believes that all employees are entitled to work in an environment free from sexual harassment. Legal action could be taken against employees for sexual harassment and they could also expose the company to liability.

Sexual harassment and discrimination are outlawed by both Federal Legislation (The Racial Discrimination Act 1975, The Sex Discrimination Act 1985, Human Rights and Equal Opportunity Act 1986, Privacy Act 1989) and State Legislation (the Anti-Discrimination Act 1991, and Equal opportunity in Public Employment Act 1992). These Acts define sexual harassment as unwelcome conduct of a sexual nature that is intended to, or could have been reasonably expected to, offend, humiliate or intimidate another person. The person who determines whether such behaviour is unwelcome is the person subjected to the behaviour.

Sexual harassment occurs if a person:

- Subjects another person to an unsolicited act of physical intimacy; or
- Makes an unsolicited demand or request (whether directly or implied) for sexual favours from the other person; or
- Makes a remark with sexual connotations relating to the other person; or
- Engages in any unwelcome conduct of a sexual nature in relation to another person either:
 - With the intention of offending, humiliating or intimidating the other person; or
 - Would anticipate the possibility that the other person would have been offended, humiliated or intimidated by the conduct.

Some examples of sexual harassment are:

- Physical contact such as patting, pinching or touching in a sexual way;
- Unnecessary familiarity such as deliberately brushing against a person;
- Sexual propositions, gender-based insults or taunting;
- Offensive jokes or statements of a sexual nature, either verbal or written;
- Suggestive comments or innuendo about a person's appearance or body;
- Any material on display in the workplace that may be considered offensive; or
- Intrusive questions asked at pre-employment interviews.

These are examples only and are not an exhaustive list of the conduct which may constitute sexual harassment. Harassment may be a single instance, or ongoing or repeated unwanted invitations.



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