

Prevention better than a cure in sexual harassment report

"We need to change workplace culture. The law needs to make clear that it's the employer's role to provide a safe workplace, free of harassment."

Principal Solicitor at Women's Legal Service NSW Pip Davis was pleased that the Respect@Work report identified non-disclosure agreements as an important issue, but disappointed that the report did not make a specific recommendation for the law to be changed.

"The #MeToo movement has drawn attention to the many ways that perpetrators and employers silence women, including the use of non-disclosure agreements that stop women from talking about sexual harassment," said Ms Davis.

"Non-disclosure clauses should be prohibited unless a victim of sexual harassment requests confidentiality, and such clauses should never stop women from speaking about their own experiences of sexual harassment."

Case study – Amanda and Jill

Amanda is employed as a casual cleaner by a small business. One of the contracts held by the business is to provide cleaning services in a nursing home. Amanda, her colleague Jill, and the cleaning business owner were cleaning the room of a patient when he pulled his penis out and started to masturbate. When Amanda and Jill complained to the business owner about being subjected to the patient's conduct, he told them *"Just ignore it. Keep working: the patient is harmless."* The following day when they complained again, the business owner stopped giving each of them shifts.

Further case studies are included in the #MeToo: Legal Responses to Sexual Harassment at Work, which is available [here](#).

Ends...

#

Emma Golledge, Kingsford Legal Centre – (02) 9385 9566

Shar00583(ar)7(0)3(d)0(in t)9(h)2(e)8()IEQ36.48 344.45 450.46 97.3 reW*nB# .104 25 256.3 in0 G()IEQ.00ao in t5(h,

