

## **AIHS Position: Managing Work-Related Sexual Harassment Risk**

### **Purpose**

The Australian Institute of Health and Safety (AIHS) is committed to safeguarding the health, safety and wellbeing of workers by preventing and managing work-related sexual harassment as a serious work health and safety (WHS) risk.

This sets out the AIHS position on sexual harassment as a psychosocial hazard and recommends risk mitigation priorities for stakeholders across the Australian WHS ecosystem, including regulators, policymakers, businesses, industry leaders and WHS professionals.

Sexual harassment includes unwelcome conduct of a sexual nature where a reasonable person would anticipate the conduct would offend, humiliate or intimidate in the circumstances. It is a recognised workplace hazard that can cause significant psychological, physical, social and economic harm. It undermines worker wellbeing, organisational performance and public trust. Preventing sexual harassment requires systematic, prevention-focused approaches and should not be treated as an isolated behavioural issue or an individual failing.

This position draws on findings from the 2025 AIHS Member Survey on Sexual Harassment, and a review of relevant legislation, guidance and research. It is intended as a foundation for continued leadership in policy, practice and advocacy.

As Australia's peak body for WHS professionals, the AIHS plays a central role in supporting and empowering the profession to address work-related sexual harassment through evidence-based guidance, education and advocacy.

This position focuses on prevention and risk management and does not address compensation entitlements or civil prosecution pathways.

## Context

Persons conducting a business or undertaking (PCBUs) have a primary duty under WHS legislation to eliminate or, so far as is reasonably practicable, minimise risks to health and safety, including those arising from sexual harassment. Sexual harassment is also prohibited under anti-discrimination and industrial relations laws, including the Sex Discrimination Act 1984 and the Fair Work Act 2009, clarifying overlapping legal obligations for employers and officers.

The 2025 AIHS Member Survey demonstrates strong professional capability, with 82 per cent of respondents reporting confidence in advising on sexual harassment risk management. However, significant gaps remain between formal systems and lived experience. Only 60 per cent believe workers feel safe to report, and substantial proportions are unsure about investigative fairness and organisational responses.

Survey findings also indicate that most organisations rely heavily on administrative controls such as policies and training, while comparatively underutilising prevention-by-design approaches, psychosocial risk management and environmental controls. This imbalance limits the effectiveness of prevention strategies, particularly where policies and training are not supported by stronger controls, work design changes and leadership accountability.

Workers in insecure employment, young workers, migrant workers, culturally and linguistically diverse workers, LGBTQIA+ workers, and those in male-dominated or remote workplaces face heightened risk and barriers to reporting.

These findings highlight the need for integrated governance, trauma-informed practice, collaboration between WHS and HR, and stronger focus on work design, leadership and culture.

Work-related sexual harassment can occur anywhere work is performed, including at client or supplier sites, during work-related travel, training or events, in employer-provided accommodation, and through work-related technology and online platforms such as email, messaging applications and virtual meetings. It can also be perpetrated by third parties including customers, clients, patients, students, visitors and others.

## **The AIHS Position on Sexual Harassment and WHS**

The AIHS affirms that sexual harassment is a preventable work-related harm that must be managed through systematic WHS risk management.

We recommend the following risk mitigation priorities for key stakeholders in the Australian WHS ecosystem.

### **Regulators and Policymakers**

- Strengthen and harmonise regulatory frameworks to ensure sexual harassment is clearly recognised and enforced as a WHS risk.
- Provide integrated guidance explaining overlapping obligations under WHS, anti-discrimination and industrial relations laws.
- Support national data collection, reporting and research on work-related sexual harassment, including prevalence, risk factors and prevention effectiveness.
- Fund validated psychosocial risk measurement tools and include sexual harassment indicators in national surveillance systems.
- Promote trauma-informed regulatory practice and investigation standards.

### **Businesses and PCBUs**

- Embed sexual harassment risk management within WHS management systems, using hazard identification, risk assessment, control and continuous improvement processes.
- Prioritise prevention by design, including:
  - Workload and supervision arrangements
  - Safe physical environments
  - Secure accommodation and transport
  - Reduction of isolated and remote work risks
  - Clear organisational structures and reporting lines
- Move beyond reliance on policies and training by implementing higher-order controls that address root causes.



- Establish psychologically safe, confidential and accessible reporting mechanisms, including options outside line management.
- Manage sexual harassment risk arising from interactions with third parties, including customers, clients, patients, students, visitors and contractors.
- Ensure investigations are independent, competent, timely and trauma-informed.
- Provide proportional responses and ongoing support to affected workers.
- Demonstrate visible leadership commitment through consistent action and accountability.

### **WHS Professionals and HR Practitioners**

- Recognise sexual harassment as within the core scope of WHS practice.
- Work collaboratively across WHS, HR, legal and wellbeing functions to deliver integrated prevention and response systems.
- Apply systems thinking to identify organisational, cultural and structural drivers of risk.
- Build competence in trauma-informed practice, receiving disclosures, investigation processes and bystander intervention.
- Advocate for prevention-by-design and continuous improvement within organisations.

### **The Australian Institute of Health & Safety**

The AIHS commits to:

- Providing evidence-based guidance, tools and education to support prevention and response.
- Supporting professional development through CPD programs, webinars and specialist training.
- Encouraging transparent learning from incidents and systemic failures.
- Actively engaging in policy and legislative reform discussions at state and national levels.
- Collaborating with regulators, unions, professional bodies, industry and researchers.

## Conclusion

Sexual harassment is a preventable workplace health and safety risk. Through strong leadership, integrated systems, prevention-by-design and positive workplace cultures, organisations can eliminate sexual harassment.

WHS professionals play a critical role in this effort. The AIHS is committed to supporting the profession to lead systemic, evidence-based and worker-centred approaches to prevention and response.

## References

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