



## MCA INDUSTRY TOOLKIT

*The minerals industry is committed to eliminating sexual harassment in its workplaces and has adopted a national Industry Code that provides clear expectations on members to establish both preventative and response measures to address sexual harassment.*

*This document is part of the MCA Industry Toolkit that has been developed for our members and their employees and comprises a suite of Fact Sheets, Guidance and Templates.*

## FACT SHEET

# Who is vulnerable to sexual harassment?

Anyone can be vulnerable to or affected by sexual harassment – those directly harassed, bystanders, colleagues and friends and families.

[Everyone's Business: Fourth National Survey on Sexual Harassment in Australian Workplaces \(2018\)](#) notes that there is limited research on what can make an individual or groups vulnerable to sexual harassment, however particular individuals and groups are more at risk of workplace sexual harassment than others.

The survey results show a number of factors can increase the likelihood of a worker experiencing sexual harassment<sup>1</sup>.

- being of the female sex
- workers under 30 years of age
- workers who identify as LGBTIQ+
- Aboriginal or Torres Strait Islander workers
- workers with a disability
- workers from culturally and linguistically diverse backgrounds
- migrant workers or workers holding temporary visas, and
- people in insecure working arrangements, e.g. casual, labour hire or part-time work.

Workplace discrimination and inequality can intersect with experiences of sexual harassment for workers in these groups, its impacts and how this may affect their willingness to report it.

The Australian Human Rights Commission<sup>2</sup> describes these in detail, and below is a summary.

### Sex

Women in Australia are more likely than men to have experienced sexual harassment at work. However, rates of sexual harassment are also high among men. The 2018 National Survey found that almost two in five

<sup>1</sup> *Everyone's Business: Fourth National Survey on Sexual Harassment in Australian Workplaces (2018)*

<sup>2</sup> *Respect@Work: Sexual Harassment National Inquiry Report (2020)*

women (39%) and just over one in four men (26%) said they experienced sexual harassment in the workplace in the last five years.

## Age

The 2018 National Survey asked people who had been in the workforce at any time in the last five years whether they had experienced sexual harassment at work in that period. It found that, when compared to the average prevalence rate of 33%, people aged 18–29 experienced the highest rates of workplace sexual harassment of all age groups (45%).

People aged 15–17 years experienced workplace sexual harassment at a rate of 20%. While this rate is lower than that for other age groups, it should be noted that workers aged 15–17 were unlikely to have been in the workforce for as long as workers in older age groups.

## Sexual orientation, gender identity or intersex status

The 2018 National Survey found that people who identify as gay or lesbian (47%), bisexual (57%) or with another sexual orientation (55%) were significantly more likely than people who identify as straight or heterosexual (31%) to be sexually harassed in the workplace in the last five years.

People with an intersex variation were also more likely than those without such a variation to have been sexually harassed in their workplace in the last five years, (77% compared to 32%)

## Aboriginal and Torres Strait Islanders

The 2018 National Survey found that more than half of Aboriginal and Torres Strait Islander workers said they had experienced workplace sexual harassment in the last five years (53%). This was substantially higher than the rate for the general population (33%). Broken down by gender, 55% of Aboriginal and Torres Strait Islander women and 50% of Aboriginal and Torres Strait Islander men, said they had experienced workplace sexual harassment in the last five years.

## Disability

Nearly one in five Australians have disability - around 4.3 million people, and about half of all people with disability in Australia are of working age (15–64 years). The prevalence of disability among Aboriginal and Torres Strait Islander people is almost twice that experienced by other Australians.

Both women and men with disability were more likely than those without disability to have experienced workplace sexual harassment during this period. In the last five years, 52% of women and 35% of men with disability said they experienced workplace sexual harassment, compared to 39% of all women and 26% of all men.

## Culturally or linguistically diverse background

The survey notes limited data on prevalence of sexual harassment in this demographic. In 2018, the Senate Select Committee on the Future of Work and Workers found that people of CALD backgrounds were particularly vulnerable to exploitation in the informal economy, and likely to be overrepresented in insecure employment arrangements—particularly, if they were women, refugees, or very young or older migrants.

Societal and cultural norms can reinforce gender inequalities, gendered roles and identities. They can also affect attitudes to authorities or government agencies. These cultural factors can also influence understanding and recognition of sexual harassment.

## Insecure workers

Data is limited but the report notes that there may be a number of risk factors that contribute to greater risk of sexual harassment of insecure workers, such as lack of control over working conditions or hours; reduced bargaining power between workers and employers; lack of employment protections and power to exercise them and over representation of females and persons of culturally and linguistically diverse backgrounds.