



## 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.*

## GUIDANCE

# Workplace policy on eliminating sexual harassment

Companies are strongly encouraged to have a number of workplace policies related to the workplace.

A specific policy or code of conduct that sets clear expectations about behaviours at the workplace, accommodation facilities and during work-related activities can assist all workers understand their responsibilities and safeguards<sup>1</sup>.

This may be covered in one document such as a workplace safety and health policy or there might be an overarching employee code of conduct with issue specific policies such as confidentiality, employment conditions or behaviour expectations etc.

### A policy dealing with sexual harassment could include:

- a clear statement that sexual harassment will not be tolerated at any time by anyone.
- define sexual harassment with examples of types of behaviours that are and are not allowed
- recognition that sexual harassment is unlawful and in some circumstances criminal
- acknowledgement that a person's experiences of sexual harassment can depend on context, but make clear that the behaviour is defined at that which reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated
- workplace standards about behaviours, attitudes and language that respects people regardless of gender, gender identity, sexual orientation or assumptions about gender stereotypes
- explain the role everyone plays in intervention and action when behaviour is inconsistent with expectations
- identify the additional responsibilities of leaders
- explain the workplace risk factors that could contribute to the risk of sexual harassment
- how risks will be addressed through a safety lens

<sup>1</sup> [https://humanrights.gov.au/our-work/sexual-harassment-code-practice-short-guide-code-practice-0#4\\_2\\_2](https://humanrights.gov.au/our-work/sexual-harassment-code-practice-short-guide-code-practice-0#4_2_2)

- the strategies and control measures to prevent sexual harassment relevant to your workplace
- what a worker should do if they experience or witness sexual harassment
- how workers can report sexual harassment
- Establish a complaint procedure that is transparent, efficient, confidential and fair
- what the company will do when receiving a report or dealing with a concern
  - focusing on supporting and protecting the impacted person
  - establish safeguards to protect against victimisation
  - informal and formal options for how a complaint can be addressed and
  - when an external or independent third-party may be engaged to investigate
- use of social media and technology
- the support services available and referral information for all people involved.
- Information on the consequences of sexual harassment, which may include disciplinary action up to termination of employment.

**An example policy is provided in the toolkit.**