



Call it Out — Towards an End to Sexual Harassment

National Executive
Council Statement
to 2023 ADM



Usdaw is committed to putting an end to sexual harassment in the workplace.

The issue of sexual harassment is not a new one. It has been on employers' agendas for decades and since 2017 it has received increased attention in the wake of the #MeToo movement. Despite this, most current approaches to preventing and addressing sexual harassment in the workplace are not only ineffective but often make things worse for workers who report it.

A large part of this is because employer responses are built around the premise that sexual harassment is a minor problem that results from the misbehaviour of a small number of workers and relies on those who have experienced or witnessed it coming forward to report it.

Usdaw is committed to changing the way employers approach sexual harassment in the workplace. Urgent action is needed to shift the narrative.

We need to tackle workplace cultures where everyday behaviour which violates the dignity of workers, predominantly women, is minimised and treated as acceptable banter. Only when this happens can we ensure that workers are safe to report incidents of sexual harassment and feel confident employers will respond appropriately.

Sexual harassment in the workplace is not acceptable or inevitable. It is entirely preventable and we must always call it out.

General Secretary's Foreword



Sexual harassment is not a new problem, but it is an ongoing one. Numerous studies show that sexual harassment is a persistent feature of life for far too many women and that at some point in their lives, most if not all women will experience it.

Sexual harassment can happen to anyone, but we know that overwhelmingly it is women who are harassed and this can be compounded by other forms of discrimination.

Usdaw's own research found that nearly three-quarters of women aged under 25 who are members of Usdaw had experienced sexual harassment at work in the last 12 months alone.

We know from TUC research that sexual harassment of LGBT+ people is very often linked to a perception that being lesbian, gay, bisexual or trans is an invitation to make sexualised comments or ask inappropriate questions about an LGBT person's sex life, particularly if an individual is 'out'.

Sexual harassment can relate to a range of different behaviours. It may be verbal or physical. It may take place in the workplace, online, by telephone or text, or at a work event such as a training course or a party. While the actual nature of the incident may vary, the common factor is that the incident involves unwelcome behaviour of a sexual nature that creates an intimidating, hostile or humiliating working environment.

Sexual harassment is therefore not a joke or a 'bit of banter'. It is a serious form of abuse that often leaves victim-survivors feeling distressed and embarrassed.

Workplaces where a culture of sexual harassment is allowed to flourish are unattractive and intimidating for women workers. This can create a significant barrier to women entering male-dominated sectors or working environments. Sexual harassment may drive those experiencing it to leave their job altogether.

Trade unions do not accept that sexual harassment or the cultures that enable it are acceptable or inevitable.

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We must lead by example; sexual harassment and the cultures of misogyny, sexism and discrimination that enable it do not belong anywhere, including in our own movement.

We need to ensure that women and men in our movement are safe, treated equally and treated with respect. Our responsibility to uphold decent standards of behaviour is one that we take with the utmost seriousness.

As in every other workspace, the Trade Union Movement has work to do if we are to uphold our values of safety, equality and dignity for everyone.

This National Executive Council Statement is an important opportunity for us to reaffirm our commitment to tackling sexual harassment.



Paddy Lillis
General Secretary

Section One – Understanding Sexual Harassment

For decades sexual harassment in the workplace and wider society was not talked about.

That silence was broken in 2017 when the #MeToo movement, founded in the US in 2006 by Tanara Burke to give a voice to survivors of sexual violence, went viral. Since then millions of women from across the world have stepped forward to share their own experiences of sexual harassment and assault. Their collective voice has put the issue of violence against women and girls at the centre of public and political debate.

What is Sexual Harassment?

Sexual harassment is a form of sexual violence.

Since the 1970s sexual harassment has been defined as:

'A range of unwanted, sexist and sexual intrusions that women and girls experience in their lives beyond the home, often done to them by men and boys, which are a product of sexism and which contributes to maintaining the unequal structural power relationships between men and women in society.'



The term encompasses a wide range of behaviours including (but not limited to):

- Sexual comments, gestures or noises – for example, catcalling or wolf-whistling.
- Leering, staring or suggestive looks. This can include looking someone up and down.
- Sexual 'jokes', innuendos or suggestive comments.
- Unwanted sexual advances or flirting.
- Sexual requests or asking for sexual favours.
- Sending emails or texts with sexual content.
- Sexual posts or contact on social media.
- Intrusive questions about a person's private or sex life.
- Unwanted comments on someone's body, appearance or what they're wearing.
- Spreading sexual rumours.
- Not respecting someone's personal space.
- Displaying images of a sexual nature.
- Unwanted physical contact of a sexual nature – for example, brushing up against someone or hugging, kissing or massaging them.
- Stalking.
- Indecent exposure.
- Taking a photo or video under another person's clothing – what is known as 'upskirting'.

Sexual harassment in the context of the workplace refers to a more tightly defined range of behaviours that are unlawful under the Equality Act 2010 in England, Scotland and Wales and the similarly worded Sex Discrimination (NI) Order 1976 (as amended) in Northern Ireland. This is discussed in more detail in Section Three which outlines legal rights at work.

Understanding Sexual Harassment

Sexual harassment can only be understood within the broader framework of women's continued inequality. Women's unequal position within society puts them at greater risk of violence and abuse. The majority of victim-survivors of sexual harassment are women, the majority of perpetrators are men.

This is not to say that women are exclusively the victim-survivors and men exclusively the perpetrators. Young men, gay and trans men are more likely to experience sexual harassment than other groups of men.

Everyone has the right to live their life and go about their jobs without being exposed to sexual harassment.



There is nothing natural, flattering or inevitable about sexual harassment. Harassment is about power imbalances and harmful stereotypes and beliefs about men and women.

Whether it takes the form of a perpetrator abusing a position of power by harassing someone they see as less powerful than themselves, or whether the perpetrator feels powerless and is using sexual harassment as a means of disempowering their target, and in doing so, increasing their own power and status in the workplace – power is the common denominator.

It can be used to humiliate or belittle people with the goal of putting them in their place, for example, or create entertainment for others. Regardless of motivation it causes long lasting harm to those on the receiving end and to others in the workplace.

How Common is Sexual Harassment?

Not only is sexual harassment very common in UK workplaces, it is also common to be seen as acceptable (normalised). This can mean that the person being harassed might not understand that they are in fact being harassed, or they might not realise they have the right to demand that it stops, or the right to report it.

In the UK, there have been several research studies, polls and surveys that taken together build an accurate picture of the scale and extent of sexual harassment in the workplace.

A TUC poll found that half of women respondents had been sexually harassed at work during the course of their working lives.

A survey by Welsh Women's Aid found that 80% of women in Wales had been sexually harassed at work during the course of their working lives.

In the TUC research referred to above, 35% of women heard comments of a sexual nature being made about other women in the workplace, 32% had been subject to unwelcome jokes of a sexual nature and 28% had been subject to unwanted comments about their body or clothes.

Whilst inappropriate and offensive comments are more common than unwanted touching, touching and sexual assault are by no means rare.

In the TUC research nearly a quarter (23%) of women had experienced unwanted touching and one in eight had experienced unwanted sexual touching or attempts to kiss them.

BBC research conducted in 2017, found that in the 12 months prior, 4% of women had experienced unwelcome, verbal sexual advances, 2% had experienced sexual assault and 3% had experienced serious sexual assault or rape at work.

In 2017/18, Usdaw also ran its own comprehensive survey of members – the results of which mirror those of larger scale studies and are detailed later in this statement.



The Impact of Sexual Harassment

Sexual harassment can have devastating consequences for those that experience it.

Commonly reported reactions include stress, anxiety, depression, post-traumatic stress disorder, despair and physical health impacts including high blood pressure.

As well as causing profound and long lasting damage to personal health, experiencing sexual harassment can often have a negative impact on someone's career. This can include being dismissed or resigning from their job. These impacts arise not only from the harassment itself but also from the experience of retaliation and/or victimisation from managers and other workers for reporting it.

Workplace sexual harassment can also negatively affect employers. There is strong evidence that doing nothing to prevent or respond appropriately to sexual harassment in the workplace comes at a high price. It can result in lower productivity, lower organisational commitment, higher absenteeism, high staff turnover and low morale.

Employers cannot afford to ignore workplace sexual harassment. Employers who do not take positive steps to create safe workplaces for women, cannot expect to recruit, retain and promote women. In sectors such as retail, where the majority of workers are women, this is likely to have a negative impact on operations and ultimately profit margins.

Not Everyone Experiences Harassment in the Same Way

Sexual harassment is targeted disproportionately at the most vulnerable workers. Young women, disabled women, Black and Minority Ethnic women and lesbian, bisexual and trans men and women are most at risk because they are more likely to be marginalised in their workplaces and lack power.

We know that workers in insecure work, in male dominated environments and in customer-facing roles are at increased risk.

Section Two of this statement describes the specific experiences of Usdaw members in more detail.

Section Two – The Workplace

A number of factors heighten the risk of Usdaw members being exposed to sexual harassment at work.

Women make up the majority of employees in the retail sector and the majority of Usdaw's members. Women also remain concentrated in lower paid jobs at the bottom of grading structures, often on low hours and insecure contracts.

The majority of Usdaw members also work in public-facing roles. The 'customer is always right' approach taken by managers can mean there is a reluctance to challenge the behaviour of customers.

Pressures and competition in the sector to increase footfall and improve customer experience can add to this issue. Together with the low status and low value society attaches to retail jobs, this makes women working in the sector particularly vulnerable to sexual harassment.

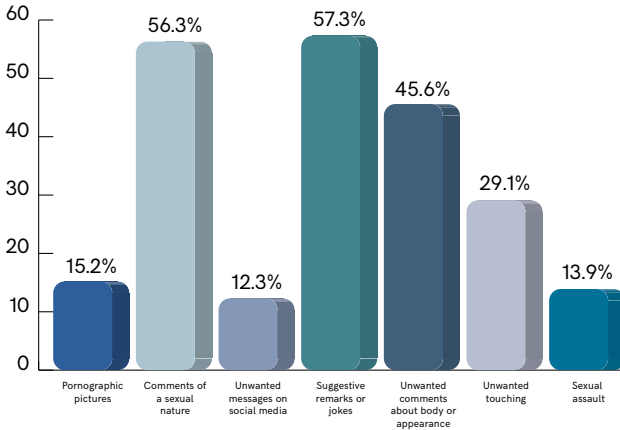
The Experience of Usdaw Members

In 2018, Usdaw conducted a survey to find out more about members' experience of sexual harassment. The vast majority of respondents were women (70%) suggesting the issue is particularly relevant to their lives. Our findings showed:

- The majority of Usdaw's women members – seven out of 10 – have experienced sexual harassment at some point in their working lives.
- Six out of 10 women had experienced sexual harassment in the previous 12 months.
- Nearly three-quarters of young women (aged under 25) had experienced sexual harassment in the previous 12 months.
- For most women sexual harassment consists of banter, so-called jokes and remarks about their physical appearance.
- Nearly one in every 10 women has experienced sexual assault.
- For most women sexual harassment happens at work.
- Most women did not tell their employer about the harassment.

The graph opposite shows the percentage of women who have experienced different forms of harassment over the last 12 months.

The percentage of women experiencing harassment in the last 12 months and the form of harassment.



Jokes and Banter - More than half of women (57.3%) had either experienced or witnessed suggestive remarks or jokes.

The view that sexual harassment is just a joke, and that women who are upset or offended by it lack a sense of humour, is still widespread. Women shared experiences of how hard it can be to get colleagues or managers to take sexual harassment seriously.

Comments like 'he doesn't mean anything by it', 'that's just his way' or 'can't you take a joke' are common.

This kind of ongoing banter makes women feel undervalued, demoralised and isolated. Women highlighted the damaging 'drip-drip' effect of being exposed to banter and jokes day in, day out. One member told us:

"When I first started working in my store we had to wear jackets that said we were happy to help. On several occasions customers asked me how far I would go to help them - one man asked would I help in the bedroom."

Comments about Appearance - Just under half (45.6%) of women who responded to the survey had experienced unwanted comments of a sexual nature or about their body or appearance in the last 12 months.

Women shared examples of comments from customers and colleagues that make them feel uncomfortable and embarrassed:

"Some men at work always comment on my body and what I am wearing. It makes me feel really uncomfortable. I always think about what to wear so I don't attract attention."

"If I am going to be working with that man, I won't wear certain clothes or shoes and will feel like I have to cover myself up as much as I can."

These comments describe a workplace culture where women are regarded as public property and comments about their bodies are just something women are expected to put up with.

Young Women - Younger women are at particular risk of sexual harassment. Almost three-quarters (73.6%) of women aged 16 to 24 had experienced harassment in the last 12 months. For women aged 25 to 39 this figure rose to almost 79.4% - that is almost eight out of 10 women.

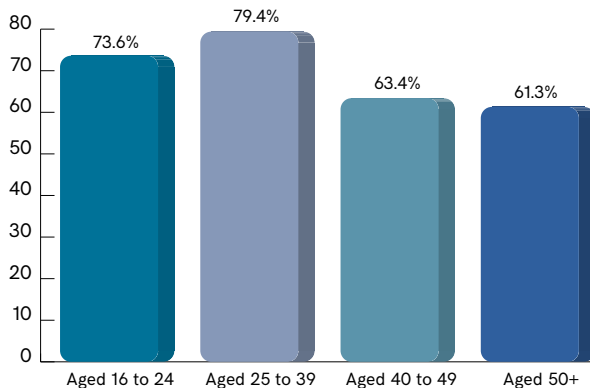
One rep told us about an older male colleague who made sexually explicit remarks to young women workers on a regular basis. This was often done in front of customers - women felt embarrassed and upset:

"His excuse was that it was just banter - that's always the excuse. But it was offensive and shocking and no one found it funny."

In most industries, including retail, younger workers are more likely to be working on low hours, part-time and insecure contracts and be less aware of their rights than older workers. Young workers are twice as likely to be underemployed than workers in general, meaning they are more dependent on the goodwill of their manager to get the additional hours they need. Many studies have highlighted the link between insecure work and sexual harassment. A lack of labour market power makes younger women more vulnerable to harassment, particularly by those in more senior roles, and makes it even more difficult for younger women to speak out and report harassment at work.

The graph below shows the percentage of women who have experienced harassment in the last 12 months by age.

The percentage of women who experienced harassment in the last 12 months by age.



LGBT+ Workers - For many LGBT+ members, sexual harassment takes the form of intrusive and offensive questions about their sex life and/or body. One member said:

"Several years ago I transitioned from female to male and got constant questions most days from colleagues about my body - what genitals did I have, what did my body look like etc, I felt embarrassed and upset. When I complained to my manager they said 'well people are curious and bound to talk'. They did nothing to help."

A gay man told us that he asked a manager to help him look after a customer who had collapsed in the toilets at work:

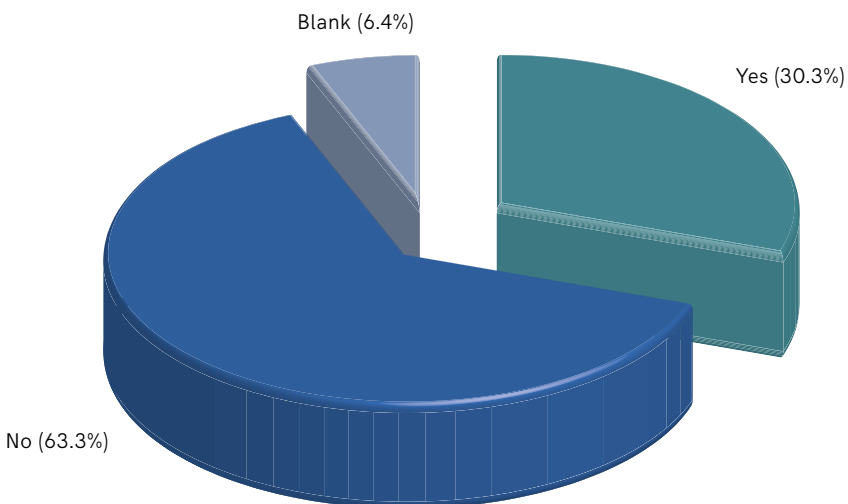
"The manager made it clear that he was unwilling to go into the toilets with me as I am a gay man."

Reporting Sexual Harassment - Two-thirds of women did not report the sexual harassment to their employer. Of those that reported harassment the majority - seven out of 10 women - were either unhappy with the response or felt that nothing had changed.

Many women do not report sexual harassment because they feel their experiences are disbelieved, minimised, not taken seriously or they are told to 'laugh it off'. In addition, many worry reporting harassment will make life difficult for them in work. There is often a fear of losing additional hours and overtime that they rely on to make ends meet.

The graph below shows the percentage of women reporting harassment to their employers.

The percentage of women reporting harassment to their employers.



This is an entirely rational response. Women who speak out often face negative personal consequences in work. They are marked out as troublemakers, which can impact their opportunities and progression and they can become vulnerable to retaliation and victimisation.

Women sharing their stories with the Union asked to remain anonymous for the same reasons. One member who had been sexually assaulted at work said:

"Please don't mention my name as I don't want a backlash at work."

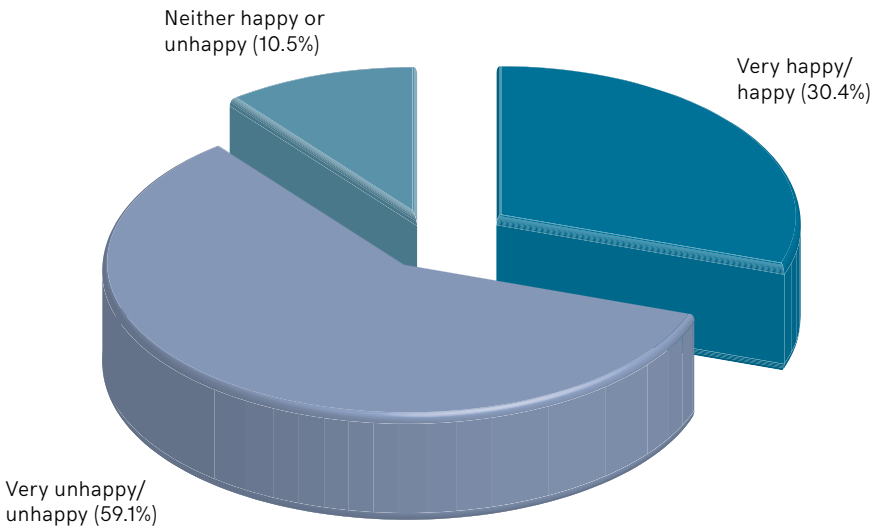
When members do complain all too often management's response is to move the member not the harasser, making employees lack faith that their employer will respond properly. One Usdaw rep said:

"What kind of signal does this send to other members and how do we encourage them to speak up if they feel they will be punished by being moved?"

By contrast, when women report sexual harassment to the Union the majority are happy with the response they get. Our members say that having someone on their side, who believed them and helped to speak up for them, made all the difference.

The graph below shows the percentage of women who are happy with their employer's response to complaints of harassment.

The percentage of women who are happy with their employer's response to complaints of harassment.



Section Three – What the Law Says

Available workplace statistics (referred to in Section One) on sexual harassment make it clear that sexual harassment cannot be dismissed as something that only happens to a small number of women.

At an absolute minimum sexual harassment is experienced by 40% of women in the workforce over the course of their working lives. It is a common and a serious form of sex discrimination.

Given that we know that almost half of all women experience sexual harassment at work and we also know that far less than half of incidents are reported, employers would be wrong to assume that it is not something that happens in their workplace. The fact that an employer has received no complaints of sexual harassment does not mean that it isn't happening.

The Legislation

Workplace sexual harassment is unlawful under the Equality Act 2010 in England, Scotland and Wales and the similarly worded Sex Discrimination (NI) Order 1976 (as amended) in Northern Ireland.

The specific definition of workplace sexual harassment as outlined in the above legislation is:

'Unwanted conduct of a sexual nature that has the purpose or effect of:

- *Violating the worker's dignity, or*
- *Creating an intimidating, hostile, degrading, humiliating or offensive environment for that worker.'*

Conduct of a sexual nature covers a wide range of verbal, non-verbal or physical conduct including (but not limited to):

- Unwelcome sexual advances.
- Touching, hugging, massaging or kissing.
- Sexual jokes or innuendos.
- Sending emails of a sexual nature.
- Intrusive questions about a person's private or sex life.

Sexual harassment can be a one-off incident or part of an ongoing pattern of behaviour.

Sexual harassment can happen in a range of different places including (but not limited to):

- The workplace.
- At a work social event.
- On social media.
- By telephone.
- By email.

The harasser could be a manager, a colleague, a supplier or a customer.

A key part of the definition of harassment is that it is unwanted by the person on the receiving end. Whether or not the harasser intended to be objectionable or create an intimidating environment is not the point. If the behaviour is unwelcome and the attention is not wanted by the other person it may well amount to harassment.

The law also protects those who may not be the intended target of harassment or unwanted conduct, but who witness or overhear harassment or work in an environment where harassment takes place. In order to raise a complaint you would have to show that the unwanted conduct had the effect of violating your dignity or creating an intimidating, hostile, degrading or offensive environment.





The Code of Practice to the Equality Act gives the following example:

'During a training session attended by both male and female workers, a male trainer makes a number of remarks of a sexual nature to the group as a whole. A female worker finds the comments offensive and humiliating to her as a woman. She would be able to make a claim for harassment, even though the remarks were not specifically directed at her.'

Sexual harassment is different to harassment related to a person's protected characteristics, for example sex, race, disability, sexual orientation or gender reassignment. However, harassment that is of a sexual nature often accompanies or happens at the same time as other types of harassment meaning someone can experience more than one type of harassment at the same time, or separately.

In their guidance on sexual harassment Acas give the following example:

'Tracey is the only woman in her team. Her supervisor Michael regularly makes comments about women that Tracey finds insulting, for example saying their industry should not let women in. This is harassment related to a person's sex.'

Michael starts making sexual comments about Tracey's body, getting very close to her and resting his hand on her arm. It makes Tracey feel very uncomfortable and intimidated. This is sexual harassment.'

Tracey makes a complaint that includes both types of harassment – harassment related to sex and sexual harassment.'

Who is Responsible?

Anyone who sexually harasses someone at work is responsible for their own actions.

The fact that sexual harassment is unlawful means that employers must act to prevent and address it. Failure to do so means that they can also be held liable – this is called 'Vicarious Liability'.

Employers also have responsibilities under health and safety legislation to protect workers from third parties such as customers, for example, who are physically or verbally abusive in a way which harms their workers and where there were foreseeable risks.

Victimisation

It is also unlawful to victimise or treat people badly because they have submitted to, or rejected, harassment or because they have reported, or intend to report it, for example: *A manager invites one of his team out on a date. She says no and from then on she is no longer offered any overtime which she firmly believes she would have got had she not refused his offer of a date.*

For more information about what the law says, what the courts have established and what practical steps reps can take to prevent sexual harassment from arising in their workplace and/or support members who have experienced sexual harassment, see *Usdaw's guide for reps – Sexual Harassment at Work* (leaflet 301).



Section Four – Reps Make all the Difference

In far too many workplaces there is still a perception that sexual harassment is a normal part of workplace culture that women should put up with. Changing workplace culture is often the first step in preventing sexual harassment, this section focuses on some of the ways in which reps are doing this.

The culture of an organisation is one of the greatest predictors of the level of sexual harassment within a workplace. Where sexual harassment goes unchecked by managers and bystanders, workers are far less likely to report sexual harassment and perpetrators will feel they can get away with it.

We know from studies by the TUC and others that there are several other organisational risk factors for sexual harassment. These include (but are not limited to):

- **Workplaces where workers are on low hours, temporary or other forms of precarious contracts can be a high risk environment for sexual harassment.** Workers with insecure forms of employment are less protected by the law and more reliant on goodwill for their next work opportunity. The worst example of this is the gig economy where rates of sexual assault and harassment are higher and where women are far more likely to have been told that career advancement depends on sexual favours.
- **Jobs where workers are exposed to male third parties including customers and contractors also carry a higher risk of sexual harassment.** Most of the research in this area has focused on the hospitality industry but this will resonate with Usdaw members working in retail and other customer-facing environments.

Studies have consistently shown that sexual harassment is higher in workplaces with more men than women, where the leadership of a workplace is dominated by men and where managers shy away from difficult decisions and do not respond to problems. There are many Usdaw workplaces where management is male-dominated with women occupying lower paid shop and factory floor roles.

Changing the Culture

Sexual harassment and the cultures that enable it are not inevitable. There are a number of practical steps that employers can take to change workplace culture and you can find out more about these by visiting www.acas.org.uk/sexual-harassment/steps-for-employers-to-prevent-sexual-harassment

The rest of this section focuses on the actions that Usdaw reps are taking to bring about change in their workplaces.

By running Usdaw's sexual harassment campaign in their workplace reps have been able to have a positive impact on how workers and management think about the issue. The Usdaw 'Call it Out' Campaign offers reps support and resources to make a difference in their workplace.

Reps can order campaign materials in any of the following ways:

- Emailing equalitymatters@usdaw.org.uk
- Phoning Usdaw Head Office on **0161 224 2804**
- Following this link www.usdaw.org.uk/SHorder

A 'Call it Out' Campaign box has everything reps need to run a workplace sexual harassment campaign including leaflets, posters and stickers. Workplace campaigns are a really effective way to help change the culture because they:



- Show members we are on their side and signal that we will support them. By campaigning on this issue reps can show their colleagues and managers, that this is an issue Usdaw is serious about. Campaign days also open up space for conversations about sexual harassment.
- Campaigns can influence the approach managers take to an issue. Our sexual harassment campaign can put the onus on the employer to do the right thing next time there is a sexual harassment complaint. If the manager has given the go ahead for an Usdaw campaign on site it becomes that much harder for them to ignore complaints. One Usdaw rep said:

"I think the campaign days have helped; progress is being made. I think managers are more likely to address the issue. In the past it was swept under the carpet and they would simply 'move the problem'."

Running a workplace sexual harassment survey can help to show the employer there is an issue and can open up the space for a conversation between them and the rep team about what actions are needed. The Usdaw sexual harassment survey can be found online at www.usdaw.org.uk/SHsurvey

One rep who ran the survey in his workplace, a call centre with around 1,000 employees on site, was inspired to do so by the behaviour of a manager who regularly made inappropriate comments to women workers. The Usdaw survey was handed out to all staff and the results shared with management who were shocked by them. Training for all staff took place and Usdaw sexual harassment posters continue to be displayed around the site as a reminder that this is an issue we are serious about.



Supporting members who have experienced sexual harassment is one of the most important steps reps can take. Not only does this offer vital support to the member concerned, it also shows other members that we are serious about tackling sexual harassment and that workers who speak out will be supported.

Usdaw reps can help by doing the following:

- Treating all cases of sexual harassment seriously and supporting the members involved.
- Taking up cases as quickly as possible.
- Establishing whether other workers have experienced similar problems.
- Let the member know about the grievance procedure.
- Before invoking a formal procedure, you may want to advise the complainant to ask the harasser to stop. If they wish you, as their rep, to do so on their behalf you can do. However, the Code of Practice to the Equality Act makes it clear that express objection doesn't have to be made for the conduct to be deemed unwanted. A serious one-off incident can amount to harassment.
- Report the incident(s) to management.
- Keep a record of each occurrence of the offending conduct, copies of any letters sent to the alleged harasser about their conduct and notes of any meetings about the incident.





Finally, one of the most powerful steps we can take to support a member facing sexual harassment at work is to be a supportive bystander. Anyone can do this. You don't have to be a rep or to have been on any training courses. If it's left up to one person to challenge the jokes and banter they just end up feeling more isolated and alone.

You could use the statements below to point out to people that what they are saying and doing may be upsetting and embarrassing to others.

- I'm not happy with what you said.
- I don't agree.
- I don't think that's funny.
- A lot of people would find that offensive.
- How do you think that comment makes the women here feel?

You can find out more about being a good bystander in this short film - *Sexual Harassment... 'Call It Out'* which can be found on the campaign page at www.usdaw.org.uk/CallItOut

Section Five – Taking Action

The current approach to tackling sexual harassment is fundamentally flawed in that it relies on victim-survivors coming forward after an incident has occurred to report harassment. This can be incredibly traumatic and make them even more vulnerable.

Relying on an individual response to an institutional problem isn't good enough. It cannot result in the culture shift that is necessary to prevent harassment from arising in the workplace, or ensuring that it is effectively addressed.

We need a change in culture so that society and organisations don't tolerate sexual harassment.

Existing Government and employer responses to workplace sexual harassment are inadequate and fail to protect workers from sexual harassment. We echo the Women and Equalities Select Committee's call for a change in the law, they recommend that *'Employers must have greater and clearer responsibilities for protecting workers from sexual harassment.'*



Government Action

Whilst employers currently have a duty of care towards employees, it is clear from the scale of sexual harassment set out in this statement, that current legal protections are inadequate.

The current protections under the Equality Act 2010 require an act of harassment to have taken place before an individual can bring a legal claim in an employment tribunal. In addition, although a duty of care exists, the Equality and Human Rights Commission cannot currently take enforcement action for failure to take preventative steps.

As an active member of the TUC's #Thisisnotworking alliance, a broad coalition of trade unions and other organisations in the fight against sexual harassment, Usdaw is continuing to press Government to stand by their commitment to:

- Introduce a new preventative duty for employers.
- Introduce more explicit protections from harassment by third parties.
- Consider extending time limits for Equality Act claims in the employment tribunal from three to six months (this has subsequently been caught up in a disagreement with The Ministry of Justice).
- Reinstate the power for employment tribunals to make recommendations where employers are found liable for cases of sex discrimination and sexual harassment, brought under the Equality Act 2006. Sexual harassment is often part of a workplace culture of bullying and harassment, and where an employment tribunal finds this to be the case, a Chair should be able to make specific recommendations to remedy this and influence workplace cultural change.

This should be accompanied by the introduction of:

- Compulsory guidance to explain exactly what employers need to do to prevent harassment - things like mandatory training.
- Ability to report anonymously to an independent regulator, bypassing toxic workplace environments that leave victim-survivors unable to speak out.
- Penalties for employers who don't comply with the measures, making sure the onus lies not with individuals but with employers.

Employer Action

More proactive and robust action is needed from employers to shift workplace cultures and support workplaces to be free from sexual harassment. Organisational culture flows from the top - leaders in organisations should demonstrate they take sexual harassment seriously by unequivocally stating their commitment to eliminating it in the workplace and holding their peers, and themselves, to account.



Without this overall approach, any single action to prevent sexual harassment risks falling flat. A number of measures need to be adopted and embedded to tackle workplace sexual harassment, including:

- A commitment from business chief executive officers and managers at all levels to tackling sexual harassment in their organisations and workplaces.
- A stand alone, accessible workplace policy developed with unions and employees and communicated to all workers.
- Implementing specific training for managers and investigators enabling them to effectively and sensitively handle complaints and put an end to sexual harassment at work.
- Implementing training for all employees during the induction process on what sexual harassment is, who is targeted and by whom, the harm it causes, how to report it and the importance of preventing it.
- Offering confidential anonymous reporting, via multiple channels with employees able to report formally or informally.
- Establishing transparent outcomes for perpetrators outlined in policy.
- Establishing an employee-centred reporting and response process that treats workers with respect and empathy and provides ongoing support and signposting for victim-survivors.
- Putting in place regular monitoring of workplace attitudes and the effectiveness of managers' responses to it.

Usdaw Action

Unions have a vital role to play in ending sexual harassment in the workplace. We have members' trust and as such we are best placed to listen and respond to members' concerns. We can help them to express their collective voice and we can raise awareness of workplace rights.

When members share with reps their experiences of workplace discrimination and harassment, we gain important insights into individual workplace cultures and as such we are uniquely placed to work with employers in order to eliminate sexual harassment on a collective basis.

In recent years we have made significant progress in raising awareness of rights and establishing workplace policies as well as equipping reps and members with the tools they need to help put an end to sexual harassment in the workplace. However, there is always more to do.

In view of this, Usdaw commits to continue to:

- **Campaign for action to tackle sexual harassment from Government and employers.**

Usdaw will continue to make the voices of low paid women members heard in conversations about how to tackle sexual harassment and call for changes in laws and policies that address the specific concerns of members in Usdaw workplaces.

- **Promote our 'Call it Out' Campaign.**

Usdaw will continue to campaign in the workplace to raise awareness of what sexual harassment is, what rights at work victim-survivors have and let members know that we are there to support them.

- **Work with employers to develop stand alone policies.**

Usdaw will continue to work with National Officers, reps and negotiators to develop effective workplace policies that work towards preventing sexual harassment and support victim-survivors.

- **Lead the way on tackling sexual harassment at work by ensuring that we have robust internal policies and procedures that prevent and effectively respond to sexual harassment.**

Usdaw does not accept that sexual harassment or the cultures that enable it are acceptable or inevitable. We must lead by example, sexual harassment and the cultures of misogyny and sexism that enable it do not belong in any workplace. That is why we are committed to implementing policies that ensure our own members are treated equally and with respect in the Union's own structures and spaces.



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