

Sexual Harassment

What is sexual harassment?

Any kind of unwanted sexual behaviour with the purpose or effect of violating the dignity of the individual concerned, particularly when such behaviour leads to intimidating, hostile, degrading, humiliating or offensive situations. Sexual harassment can be verbal, symbolic and/or physical in nature.

Examples of gender-based harassment, sexual harassment and violence:

Verbal	Symbolic	Physical
Pressure to provide sexual favours	Unwelcome sexual glances or other sexually suggestive behaviour	Rape or attempted sexual violence
Unwelcome sexual or gender-based teasing, jokes, comments or questions	Whistling after somebody	Shaking, hitting, kicking, biting or spanking
Personal questions about a person's private life or sex life; spreading rumours about sexual behaviour	Showing or sending sexual material via text messages, e-mail, social media, etc.	Unwelcome hugging, kissing, patting or stroking
Sexual or gender-based comments on a person's clothing or appearance	Hanging up posters, calendars or visual material with content that is sexual in nature or demeaning to a particular gender	Entering personal space in an unwelcome manner, e.g. by leaning over or cornering a person
Inappropriate and/or persistent requests for dates		Unwelcome touching, grabbing or groping
Making an employee wear sexual or gender-based clothing at work		

What can unions do?

Union representatives must recognise signs of sexual harassment and be ready to inform and talk to members.

Employers have a responsibility to provide a safe working environment and ensure that employees do not face unjust treatment at work. Each workplace should have in place a risk assessment and schedule on health and safety in the workplace which includes dealing with sexual harassment. Union representatives can request that such measures be undertaken and complied with.

Sexual harassment is a violation of the penal code. Such behaviour must therefore be reported to the police in consultation with the victim.

Any person found guilty of sexual harassment shall be imprisoned for up to 2 years. "Sexual harassment" here refers, amongst other things, to stroking, groping or probing the genitals or breasts of another person, whether under or through clothing, and also to suggestive behaviour or language which is extremely offensive, repeated or of such a nature as to cause fear. (Article 199 of Act No. 19/1940).