



Australian Government



Australian  
**Small Business and  
Family Enterprise**  
Ombudsman

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National Inquiry Project Team  
Australian Human Rights Commission

**By email: [SH.Inquiry@humanrights.gov.au](mailto:SH.Inquiry@humanrights.gov.au)**

### **Sexual Harassment in Australian Workplaces**

We acknowledge the three part focus of the inquiry and would like to make comment on one part, measures to address sexual harassment in Australian workplaces. As an advocate for small business owners I want to raise the particular challenges they face.

We acknowledge that sexual harassment can occur in both small and large businesses. But, large businesses have the resources to seek expert advice, implement policies and procedures to address and resolve matters and a sizeable workforce that enables the relocation of staff quickly to an alternate working environment while issues are being addressed.

By comparison, small and micro businesses do not have separate human resource departments or spare cash to engage expert legal advice to interpret the current sexual harassment laws. Small businesses will most likely be in one location with no option to provide an alternate working environment while a claim is being investigated.

These challenges can be offset in a small business by the direct relationship between the owner and the employees. Good operators can set best practice by direct example and address improper behaviour quickly before it escalates into harassment. Unfortunately, this direct relationship can also compound the issues where the perpetrator is the owner. A further consideration is the large number of micro business owners from other countries which may have a different understanding of appropriate behaviour to our Australian laws.

We consider it vital that measures to address sexual harassment are not delivered in a one size fits all approach. Particularly as these are often shaped by well resourced, well informed, large businesses with the resources to time to contribute to inquiries such as this.

Thank you for the opportunity to comment. If you would like to discuss this matter further, please contact Jill Lawrence [REDACTED]

Yours sincerely

[REDACTED]

**Kate Carnell AO**

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