

NUJ Guidelines for Women's Safety

<https://www.nuj.org.uk/rights/women-in-the-nuj/>

The NUJ has a zero tolerance for sexual harassment – in the workplace and in our union.

The employer's duties: Your employer has a duty to ensure that members of staff can work without having to worry about issues like sexual harassment. It's called a duty of care and is covered by health and safety legislation. Employers also have a duty to make sure that the member of staff who perpetrating the harassment is made aware that such behaviour is not acceptable and a matter that is likely to lead to the discipline procedure being invoked, possibly up to and including dismissal. The employer is not only responsible for dealing with an incidence of sexual harassment but also to make sure that there is no reoccurrence of this behaviour and to make sure you don't suffer because you have raised the issue. Under the equality legislation in both the UK and Ireland, this would be considered to be victimisation and is unlawful.

What other members of the NUJ can do: It's not just reps that can take action on sexual harassment. All members should be aware of this issue and realise that it can have serious consequences for all concerned. Members can make it clear that sexist behaviour – in the workplace or in union meetings – is just not acceptable and they can give clear support to those experiencing sexual harassment. It's only when everyone demonstrates that sexist behaviour is to be met with zero tolerance that such behaviour will begin to become socially unacceptable and those who think they can get away with it will realise that they can't. NUJ action: We want to make sure there is no place for sexual harassment in workplaces or in our union. Always speak to your local rep first. If you don't have a local rep and need advice, the NUJ's website lists names of officials in the UK and Ireland – see – www.nuj.org.uk/contacts Or you can ring your local NUJ office and there will always be someone to assist or ring you back.

Supporting an NUJ member – guidance for reps: 1. Make it clear that you support the member and treat the issue seriously, taking up the case as quickly as possible. Maintain confidentiality at all times. 2. Be discreet, but find out whether other members have experienced similar problems. 3. Talk with the member and make sure they understand how the issue will need to be handled and how the grievance procedure will be invoked. Make them feel more confident about taking the issue further by showing you support them. 4. Ask the member if they have asked the harasser to stop. If not, ask them if they want to do this with you present or whether they want you to speak to the harasser whilst they are present. 5. Check with the member whether they have any evidence of the offending conduct and ask them to give you (if possible) detailed information of incidents including dates and times and possible witnesses. 6. Inform management as soon as possible but make sure the member agrees to this and knows you are going to do this and when. 7. If you feel out of your depth it is always important to seek advice from an NUJ organiser at an early stage in the proceedings. This is particularly important if you believe that the issue may eventually need legal intervention. 8. Keep your documentation safe and confidential. Keep your notes in order and up-to-date. You may need to provide these if legal advice is sought. 9. Keep the member fully informed at all times on how the issue is progressing. 10. Be mindful of the need to submit a written grievance with the employer. In the UK a member will need to wait 28 days from the date of submitting the grievance before being able to lodge a claim with a tribunal. 11. Make sure management do not delay with dealing with this issue. 12. If the matter cannot be resolved fully through internal procedures, advise the member of their right to resolve the issue via an Employment Tribunal and remember that claims must be lodged within strict time limits, normally three months from the date of the complaint. Negotiating a workplace policy: Rather than dealing with a sexual harassment case or waiting for one to happen – it's a much better idea to make it clear that your workplace considers sexual harassment unacceptable behaviour and a matter that will invoke the disciplinary procedure.