

Don't women like the attention? Even if they pretend not to, it makes them feel good and desirable.

Women who have experienced sexual harassment do not feel complimented by the behaviour. They feel the opposite. As most sexual harassment is used to control and degrade women, they are left feeling powerless and humiliated.

Women who wear sexy clothes are asking for it.

No one asks to be sexually harassed. When a rich man who dresses well is robbed, we don't blame him for the robbery. Likewise, no woman asks to be treated disrespectfully.

Only young and attractive women are sexually harassed.

Women of all ages, ethnicities, sizes, shapes and colours have been sexually harassed. As sexual harassment is about power, harassers do not have to be attracted to women in order to harass them.

Do only women get sexually harassed?

Most cases involve men harassing women. Relatively few men get harassed. Sometimes men get harassed by men. Occasionally, women also harass other women.

Just one joke can't be sexual harassment, can it?

One joke is rarely enough to be sexual harassment, but one incident may be. One example of a serious incident would be sexual touching, like grabbing a woman's breast. Believing you were 'just joking' doesn't mean you aren't harming someone.

In really serious cases, a single incident can create a "hostile environment" so offensive and intimidating that it interferes with a person's ability to work or learn. For example, an employer may suggest to an employee that her/his position will be affected by whether she/he gives in to sexual demands.

How can men help stop sexual harassment?

Men can probably help more than anyone to prevent sexual harassment . . . so, speak up! If your friends or colleagues are harassing other people in front of you, it is often to "show off". If you stay quiet, it means you think that their behaviour is okay. Tell them to stop and show some respect.

How can I help stop sexual harassment?

Talk about it. Most people don't think sexual harassment is a problem, so education is the first step. Malaysia has no law on sexual harassment; that's why we are saying it is time to legislate. Support the Bill - pass this pamphlet on!

How can I help someone who is being harassed?

Support your colleague who is being harassed. Make sure s/he knows of any complaints policy your company has, and if there is no policy, ask your employer to make one.

Give them this pamphlet and accompany them to a women's organisation in your area.

Everyone has the right to a safe and healthy workplace.
LEGISLATE NOW!

**SUPPORT JAG'S PROPOSED
SEXUAL HARASSMENT BILL**

For more information on the Proposed Sexual Harassment Bill, please contact WCC and ask for the Executive Summary or check out our website at www.wccpenang.org

Joint Action Group Against Violence Against Women (J.A.G) comprises:

- Women's Centre for Change, Penang – Chair
- Women's Development Collective
- All Women's Action Society
- Women's Aid Organisation
- Sisters In Islam
- Malaysian Trades Union Congress, Women's Section
- Persatuan Sahabat Wanita Selangor
- Women's Candidacy Initiative

PUSAT KESEDARAN WANITA
WOMEN'S CENTRE FOR CHANGE

WCC provides the following service:

- Counselling and emotional support
- Accompanying you to the hospital and/or the police station
- Legal advice
- Temporary shelter

WCC services are free and strictly confidential

For more information, contact



PUSAT KESEDARAN WANITA
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PUSAT KESEDARAN WANITA
WOMEN'S CENTRE FOR CHANGE (WCC)

This pamphlet deals with the issue of



SEXUAL HARASSMENT

Don't take it lightly!

You have been sexually harassed if you have experienced any unwanted attention of a sexual nature. This might be verbal, physical, visual or psychological. When it happens to you at work, it puts you in a difficult position. Sexual harassment is offensive and humiliating.

Sexual harassment is not new or unusual. Studies show that up to 70% of workers – the majority of them women – have been sexually harassed in the workplace. It is not a small matter because it takes away your self-respect.

WOMEN'S CENTRE FOR CHANGE (WCC)
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IF YOU ARE SEXUALLY HARASSED IN THE WORK-PLACE...

You want it to stop and the harasser to be punished. You want the harasser's employer to be held responsible.

You should first complain to your employer or management. If no action is taken, or if your employer is the harasser, then you should look for help outside the company you work for:

- you can complain to the Labour Department
- you can turn to the Police
- you can even try to sue the harasser

But the reality, is that the Labour Department cannot force employers to take action. The Police may charge the harasser but sexual harassment is difficult to prove. It is expensive for you to sue the harasser personally and it may take years.

ISN'T SEXUAL HARASSMENT A CRIME?

At the moment, sexual harassment is not a specific crime. If the Police prosecutes, it is usually for the crime of "outrage of modesty". As society considers such acts as trivial and harmless, few women lodge complaints and even fewer offenders are charged in court.

THE CODE

Recognising that sexual harassment is a problem that is widespread, the Ministry of Human Resources launched the Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace (the Code) in 1999.

The Code is not law. It is voluntary for employers to adopt the Code. As of March 2001, only 1.12% of companies in Malaysia had adopted it. The Code gives guidelines for internal inquiry only.

THE PROPOSED SEXUAL HARASSMENT BILL

As victims of sexual harassment have very limited options, the Joint Action Group Against Violence Against Women (JAG) submitted the Proposed Sexual Harassment Bill to the Ministry of Human Resources on March 30, 2001.

The Bill seeks to prevent sexual harassment in the workplace and provide concrete mechanisms to deal with the problem. When the Bill becomes law, it will be easier for sexual harassment victims to get help and to stop the harassment.

The Bill requires:

- employers to set up workplaces safe from sexual harassment
- employers to investigate when they receive complaints
- employers to be held responsible if they do nothing to stop sexual harassment
- the setting up of an independent body to receive and investigate complaints
- faster and hassle-free action to resolve the complaint

HOW THE BILL WORKS

WHO CAN MAKE A COMPLAINT UNDER THE BILL?

Anyone who is sexually harassed, or who witnesses sexual harassment, can make a complaint to the independent body, even if their company has its own policy. The complaint must be made within two years of the last incident.

WHO IS COVERED BY THE BILL?

Unlike the existing employment laws, the Bill takes a very broad meaning of "workplace" and "employee". The bill will protect contract workers, domestic workers, students, members of clubs, athletes, customers and members of industrial organizations.

WHAT HAPPENS TO THE COMPLAINT?

All complaints will be investigated by an independent body. If you agree, a meeting will be held with you, the harasser, and the independent body's representative to try and settle the problem. Any agreement made can be enforced by the court. If that does not work, or if you don't want a meeting, then a hearing will be held before a Tribunal.

WHAT HAPPENS IF THE HARASSER IS FOUND GUILTY?

The harasser will have to apologise, and may have to pay compensation. The harasser will be disciplined, dismissed or suspended. These orders can be enforced by the court. The company may have to re-employ or promote you.

WHAT YOU CAN DO TO SUPPORT THE BILL

- Talk to your friends and co-workers
- Urge your employer to have a policy on sexual harassment
- Write a letter of support to the newspaper
- Send a "Support the Sexual Harassment Bill" e-mail to: (i) The Minister of Human Resources and (ii) The Minister of Women and Family Development.
- Visit the WCC website at <http://www.wccpenang.org>

Frequently Asked Questions (FAQs) About Sexual Harassment

What is sexual harassment?

It is any unwelcome sexual behaviour. It may be unwanted patting or pinching. It could be comments about someone's body, whistling, or repeated requests for a date. It could be the hanging of nude pictures or the suggestion that sexual favours would improve someone's job (or the suggestion that a refusal would harm someone's job). **Sexual harassment is an abuse of power.**

Isn't it just flirting?

Sexual harassment is not the same as flirting. It is behaviour that is unwanted and disrespectful. If someone is interested in another person, they watch for the other person's responses, and respect them. Flirting is fun for both people; sexual harassment makes people feel bad.

It doesn't really hurt anyone

Sexual harassment is not harmless fun. It damages a person's emotional and physical health. Women have reported that harassment has led to depression, headaches, sleep disturbances and anxiety, resulting in reduced productivity in their jobs. It also harms morale in the workplace and affects everyone who witnesses or hears about it.

Can't you just ignore it if you don't like it?

Women often accept sexual harassment as unavoidable. Most cope by trying to ignore it. Few report the sexual harassment because they fear the consequences at work and they doubt that they will be believed. But sexual harassment does not stop when it is ignored. Pretending it isn't happening only adds to feelings of helplessness.

How do you know if sexual behaviour is "unwelcome"?

If you sense that someone is feeling uncomfortable or embarrassed by what you do, then it is probably unwelcome behaviour.

If the behaviour gets no encouragement, if s/he begins to avoid you or becomes emotionally distressed, it is a sign that the attention is unwelcome. The person need not state a clear "No."

STOP SEXUAL HARASSMENT

LEGISLATE NOW !