



Australian
Human Rights
Commission

Fact sheet on how to do the positive duty



Easy Read

humanrights.gov.au/positive-duty

About this fact sheet

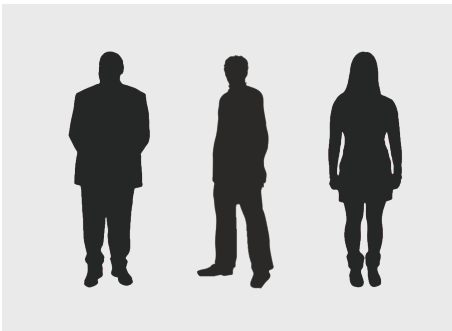
Sex Discrimination Act



In 1984 the Australian Government made a law called the **Sex Discrimination Act**.



This law says it is not ok to treat someone in a bad way because of their **sex**.



Your **sex** means if you are a man or woman or other.

Positive duty



In 2022 the Australian Government added a new law to the Sex Discrimination Act.

It is called the **positive duty**.



Positive duty means workplaces need to make sure all staff feel safe and respected.



This fact sheet talks about what workplaces should do to help with their positive duty.

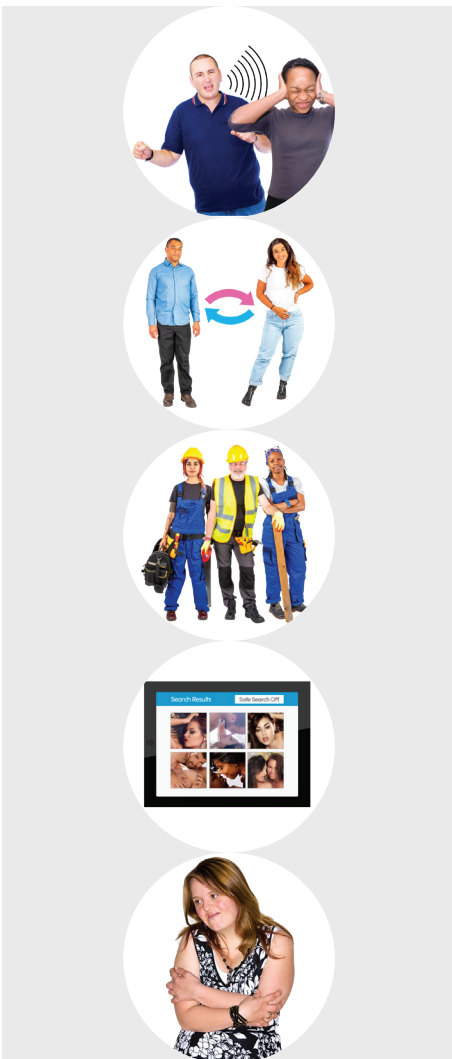
Bad behaviours at work



The positive duty is meant to stop **bad behaviours** at work.

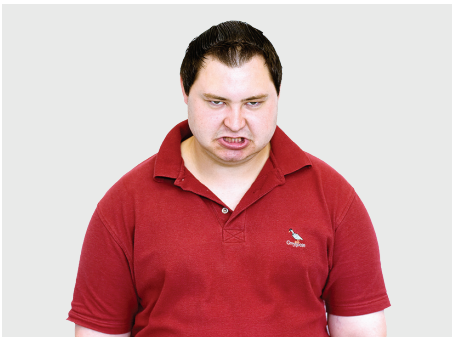


Bad behaviours are things other people do that make you feel bad or unsafe.



The positive duty stops different bad behaviours at work like

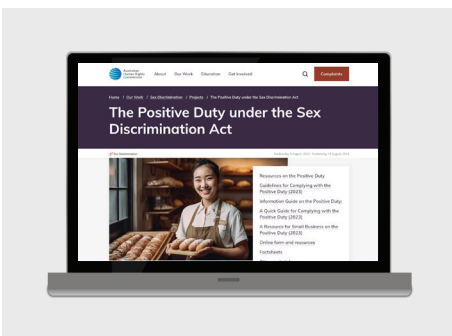
- **Sexual harassment**
- **Sex discrimination**
- **Sex based harassment**
- **Hostile work environment**
- **Victimisation.**



When we say bad behaviours in this fact sheet we mean those things.



We have another fact sheet that tells you more about the bad behaviours.



To read the fact sheet go to

humanrights.gov.au/positive-duty

Guiding principles

**guiding
principles**

There are 4 things workplaces should think about when they do the positive duty.

They are called **guiding principles**.

Guiding principle 1 says workplaces should talk to all staff about what helps them feel

- Safe
- Respected
- Ok to speak up about things.



Guiding principle 2 says that everyone at work should



- Be treated in a fair way



- Have the same rights



- Be able to do the same things.



Guiding principle 3 says that many different things make people who they are.



You might be a woman and also a person with disability.



Some people are more likely to have bad behaviours happen to them.

This might be

- Women
- LGBTIQA people
- People with disability
- People from different cultures
- Aboriginal and Torres Strait Islander people.





Workplaces should think about who bad behaviours could happen to most.



Guiding principle 4 says that workplaces should support staff in a way that

- Is safe
- Thinks about the person and what they need first.



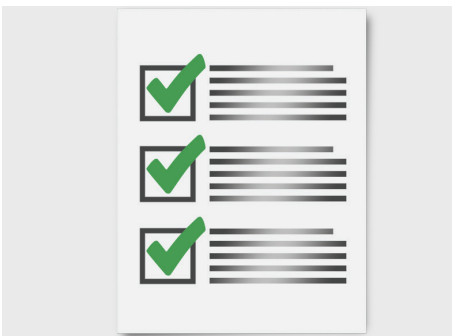
Workplaces should try to support someone in a way that does not hurt them more.

7 standards



There are 7 things that workplaces should do to help with their positive duty.

They are called **standards**.



Every workplace should do all of the standards.

They might do them in different ways.

Standard 1. Bosses and managers



Bosses and managers need to understand the positive duty.



Bosses and managers need to make sure all staff know what is ok and not ok at the workplace.



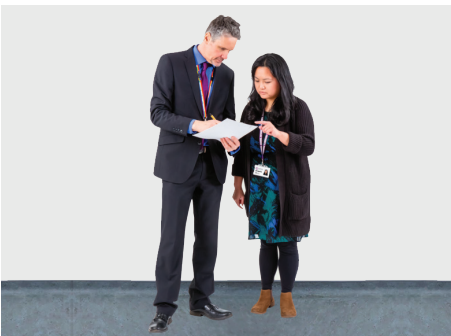
Bosses and managers should also know about any bad behaviours that happen in their workplace.



It is their job to make sure there are ways to stop and deal with bad behaviours.



They should tell all the staff about these ways.



Bosses and managers need to check these ways are working.

Standard 2. Culture



Good **culture** at a workplace means you feel good and safe to work there.



Workplaces should make sure

- All staff feel safe and welcome
- Everyone is treated in a fair way.



Staff and clients should treat each other with respect.



If the culture at a workplace is good it helps people speak up if something is not ok.



It also means bad behaviours do not happen as much.



People will also feel ok to tell others when they do something that is not ok.

Standard 3. Rules and training



Workplaces should have a **policy** about what is ok and not ok to do at work.



Policy means rules for all staff at a workplace.



Workplaces need to make sure everyone knows about the policy.



Workplaces should have training for all staff about

- How to treat other people at work
- What is not ok to do at work and what happens if you do it
- Rights at work
- What to do if something bad happens to you or others at work.



This training should happen often and for all new staff.

Standard 4. Dealing with risk



Risk means that something bad might happen.



Workplaces should check what risks there are of people doing bad behaviours.



They need to have a plan for what they will do if they find a risk.



They need to check if their plans work or need to be changed.

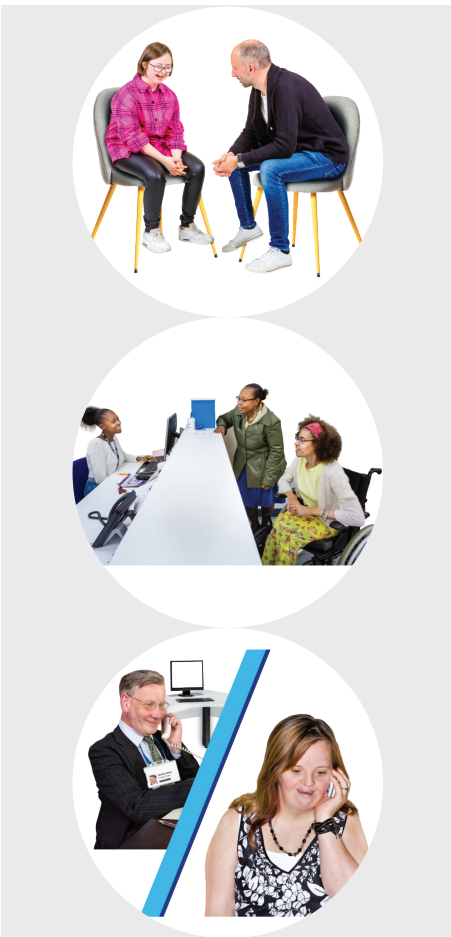
Standard 5. Support



Workplaces should have the right support for staff that had bad things happen to them.



There also needs to be support for people that saw something bad happen at work.

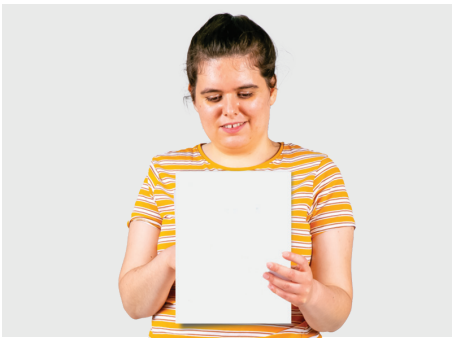


Support can be

- Talking to the person about what would help them
- Making changes to the workplace to help the person feel safe
- Calling a support service.



All staff need to know about the supports they can get.



All staff should be able to use the supports even if they did not talk about what happened.



Supports need to be provided in a way that make all staff feel safe.



Workplaces should think about all their staff and what they need.

Standard 6. Reports



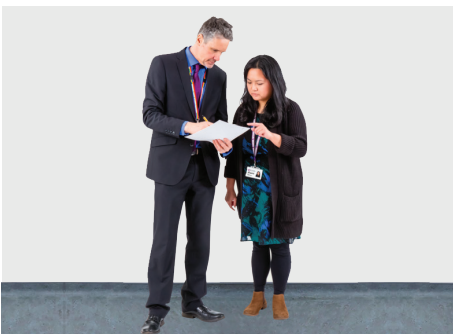
Workplaces should make sure that there are different ways for people to **report** bad behaviours.



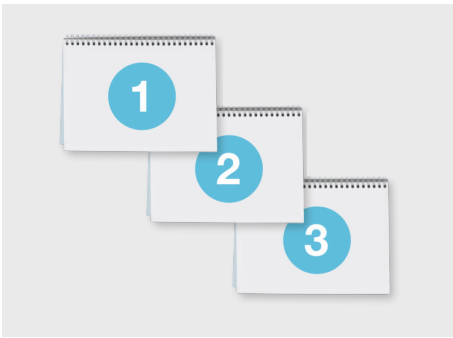
Report means that you tell someone what happened.



All staff should know how they can report bad behaviours.



Staff also need to know that workplaces will look into all reports.



Workplaces should also make sure everyone knows what the next steps are after the report.



The next steps after the report should

- Always be the same
- Not take too long.



Workplaces need to make sure they take care not to hurt the person more.



They should also make sure you are not treated in a bad way if you report bad behaviours.

Standard 7. Making sure that things work



Workplaces should keep information so they know

- Why bad behaviours happen
- How often they happen.



They should use this information to make the workplace safer and better.



Workplaces should tell their staff how they deal with bad behaviours.

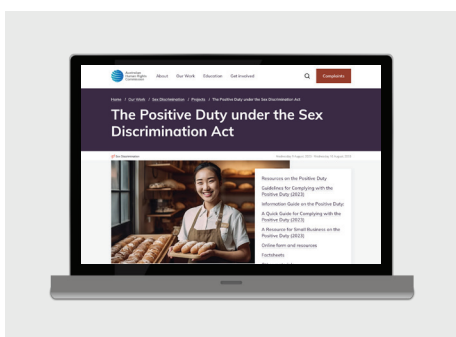


Workplaces need to keep checking that what they do is working.

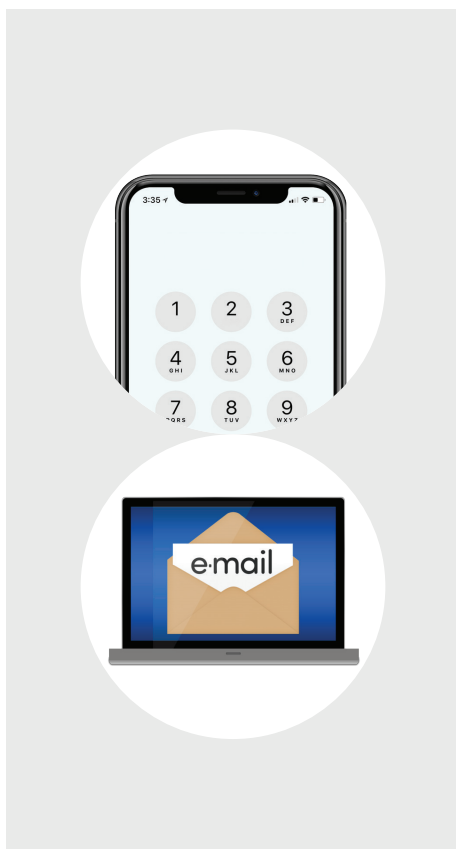
More information



The Australian Human Rights Commission has more information about the positive duty.



For more information and to read our other fact sheet and guide go to humanrights.gov.au/positive-duty



You can

- Call us on 1300 656 419 and choose option 1
- Send an email to respect@humanrights.gov.au



For information in your language call the **Translating and Interpreting Service.**

Their number is 131 450.

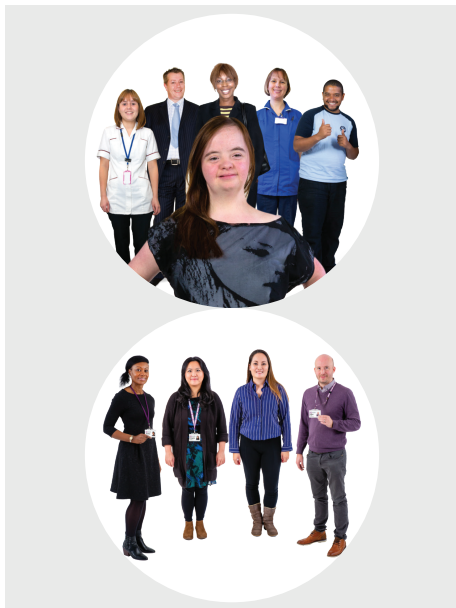


If you are deaf or have trouble hearing you can contact

- National Relay Service on 1300 555 727

- TTY on 1800 620 241.

Information for bosses and managers

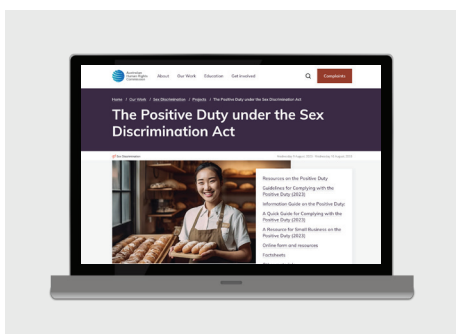


This fact sheet tells you

- About the positive duty
- What the positive duty means for your workplace.



It does not talk about all the things a workplace needs to do to meet positive duty.



For more information you can go to humanrights.gov.au/positive-duty

This website is not in Easy Read.

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