Bullying & harassment

Everyone has the right not to be bullied or harassed at work.

Find general information here about:

- What is bullying?
- What isn’t bullying?
- How is bullying different from discrimination?
- Who is protected from bullying in the workplace?
- Where to get help

What is bullying?

A worker is bullied at work if:

- a person or group of people repeatedly act unreasonably towards them or a group of workers
- the behaviour creates a risk to health and safety.

Unreasonable behaviour includes victimising, humiliating, intimidating or threatening. Whether a behaviour is unreasonable can depend on whether a reasonable person might see the behaviour as unreasonable in the circumstances.

Examples of bullying include:

- behaving aggressively
- teasing or practical jokes
- pressuring someone to behave inappropriately
- excluding someone from work-related events or
- unreasonable work demands.

What isn’t bullying?

Reasonable management action that’s carried out in a reasonable way is not bullying.

An employer or manager can:

- make decisions about poor performance
- take disciplinary action
- direct and control the way work is carried out.

Management action that isn't carried out in a reasonable way may be considered bullying.

How is bullying different from discrimination?


Adverse action includes firing or demoting someone because of a person’s characteristics, like their race, religion or sex.

Bullying at work happens when:

- a person or group of people repeatedly act unreasonably toward a worker or a group of people workers
- the behaviour creates a risk to health and safety.

This behaviour doesn’t have to be related to the person (or group's) characteristics. Adverse action doesn’t have to have happened.


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Who is protected from bullying in the workplace?

The national anti-bullying laws cover most workplaces (or those that are constitutionally covered businesses (www.fairwork.gov.au/Dictionary.aspx?TermID=2155)). These laws also cover:

- outworkers
- students gaining work experience
- contractors or subcontractors
- volunteers.

The Fair Work Commission (the Commission) is the national workplace relations tribunal that deals with anti-bullying claims under the Fair Work Act. To find out whether you're covered by the national anti-bullying laws, visit the Commission's website (https://www.fwc.gov.au/).

Not covered by these laws? Each state or territory has a workplace health and safety body that can provide advice and assistance about workplace bullying. For contact information, go to our list of workplace health and safety bodies (www.fairwork.gov.au/website-information/related-sites#workplace-health-and-safety).


Where to get help

For employees

In the workplace

If you think bullying or harassment has happened at your workplace, you can talk to:

- a supervisor or manager
- a health and safety representative
- the human resources department
- a union – visit the Unions and employer associations page (www.fairwork.gov.au/Website-information/Related-sites/union-and-employer-associations) to find registered unions in your industry.

Fair Work Commission

If you're still employed, you can take action with the Commission. You can apply to the Commission to stop bullying by:


You can also get our assistance if:

- you have an order from the Commission to stop bullying in the workplace
- the order hasn't been followed.


Other bodies

You can also take action by contacting your state or territory workplace health and safety body (https://www.fairwork.gov.au/website-information/related-sites#workplace-health-and-safety). They can provide:

- advice and assistance about workplace bullying
- appropriate referrals to other bodies.

There are also national bodies that may be able to help including the Australian Human Rights Commission (AHRC) (https://www.humanrights.gov.au/). The Australian Human Rights Commission accepts complaints of workplace bullying, harassment or discrimination based on a person’s race, sex, age, sexual orientation, religion or disability under federal laws. The AHRC uses conciliation between parties to reach a resolution.

For employers

Fair Work Commission assistance

To learn more about the Fair Work Commission’s role in dealing with complaints of bullying at work, download their Anti-bullying


**Performance management**


**Preventing bullying at work**


**Discrimination**


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You might also be interested in


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