

Submission 378

This is my story and a summary of how my recent sexual harassment in the [REDACTED] [REDACTED] male dominated mining industry affected my career and mental health. After being with the company for 8 years, as of [REDACTED] I no longer work for the company but my perpetrator still does.

My manager organised a site trip to one of our remote mine sites in February [REDACTED]. He was unable to give me a clear agenda for the site trip and I felt tension when I continued asking. He organised the flight, accommodation and car rental. I requested to move the site trip on 2 occasions due to the chance of not meeting a deadline on a very important project that would affect business critical work but he said we could work on my draft of the project while on site. We left the city office around 2:30pm, [REDACTED] [REDACTED]. We purchased water from town and also went to the bottle shop. I chose three beers but he suggested purchasing the 6 pack. I said I only wanted 3 but he said he would also drink some so he purchased the 6 pack plus a can of pre mixed alcohol. We headed to our VIP accommodation which is normally reserved for senior staff but somehow he had organised. He asked if he could come into my room and I let him since there was no seating outside and we had previously agreed to work on the project which had a deadline in 2 days. I also thought that if I declined that he would think that I didn't trust him.

He then entered my room and said it was dark inside the room. I opened the blinds but he turned on a light, and closed the blinds.

We sat on opposite ends of a three seat couch and began discussing work related matters. He said he hadn't previously looked at my draft of the Scope of Work even though it was due in 2 days because it was so easy so he could write it in one day if there was any issues with my draft. He then started discussing alcohol and drinking. He asked the me:

"how many drinks can you drink?"

"what is the most you have drunk?"

"how many drinks does it take until you are drunk?"

We drank all the beer purchased and he said he wanted to purchase more alcohol. I said that I would come along as he had the only vehicle and we had to drive to the dry mess for dinner. He drove us to the bottle shop but it was closed. We went to another bottle shop but it was also closed. He then entered an adjacent motel and asked if he could purchase alcohol but they said it had to be consumed at the motel.

We then went to dinner. Prior to entering the dry mess he went to the wet mess and purchased 4 bottles of beer. After dinner we went to the wet mess and drank a bottle each.

After dinner we went back to my room and discussing work, general life matters. He suggested that I could be promoted soon however if I decided to have children it would mean I would not be promoted.

He finished drinking both his bottles of beer, while I was still drinking my first. He said I needed to drink faster as I was not keeping up with his drinking. I offered my unopened bottle, but he declined it.

He removed the bottle of beer from my hand and gave me the premix can of whisky and cola. He told me we could both drink it. I took a sip and said "it is too sweet, I don't like it". I gave the can back. He said that he likes premix whisky and cola because it contains 6.5% alcohol and quickly makes him intoxicated.

He asked if [REDACTED]. He picked up my hand and stroked it. He asked whether [REDACTED]. He said that my hand felt cold and began rubbing it. He said that my hand was soft and smooth. He whispered that 'this is nice' and 'your husband is lucky'. I tried to gently pull my hand away, but he would not let go. Then he gripped my ponytail and put his hand on my back. He said that my hair was short and asked why I does not have long hair. He moved his hand down my back and touched my rear. He commented that I always wore eyeliner. He touched my eyelashes and eyelid. He spoke about my makeup and asked my how long it takes to put on makeup in the morning. He touched my cheek. While this is was happening, my body was frozen while I thought about how many cars were in the parking lot, did I see anyone around, would anyone hear me if he got angry, and how do I get out safely without him getting aggressive. I rose from the couch and went to the kitchen to dispose of some rubbish. I asked what time they would meet in the morning to go to the mine site. He said that he did not want to leave as they had not finished the drinks. I said that I did not want to drink anymore and tipped the rest of my beer into the sink. I opened the door and told him to leave. I said it was late and we had to meet early in the morning. He said again that we hadn't finished our drinks yet. He got off the couch and walked to me and said that he had a good night. He held his arms out and asked if he could hug me. I nodded, I was scared he would become aggressive. As the he hugged me, he kissed and sucked on my neck. I told him to stop and pushed him away toward the door. Once he had exited my room I closed and locked the door.

At approximately 11:15pm that night, he knocked on my door. I ignored the knocking for a few minutes, but he continued. I opened the door and spoke to him through the locked security door. He said that he could not fall asleep. He said that he had a good night and wanted to apologise if he had done anything to hurt me. He asked if I was ok. I said that I was ok, as I wanted to end the conversation so he would leave.

All night I thought how I was going to get home safely, I didn't want to be in the car with this man for the hour drive back to the airport. I didn't know anyone on-site well enough to report the incident. I didn't know where HR was on-site. I checked-in to my flight, hoping that if I disappeared the next day that the flight would know I was missing.

I met a contractor on site the next day as per the original site trip agenda and he offered to drive me to the airport if my boss was working on other things. I accepted, as my husband knew this contractor and knew where we located and our itinerary. On the way to the airport, this contractor joked about how he was a strange man and we were driving in the middle of nowhere. He had no idea that this was a better option than driving back to the airport with my manager.

When I got home that night, I told my husband what had happened and we discussed if I report and how do I report. While working at the company I was told that your leader is always who you talk to about everything. So I didn't know anyone in HR even though I had worked there for █ years. So my husband and I agreed that I need to find my manager's manager and report it to him first thing in the morning. When I got to work the next day and tried to locate my manager's manager, I found out he was off work

█. I felt like I couldn't call him. I thought HR was located in another office █ but still didn't know where their office was or a name or a number to call. I called my husband trying to work out how do I report this. I knew I had to report it that day because their policy is all safety incidences need to be reported before the end of the shift. I had already breached this policy but thought after the weekend would be too long. I ended up confiding in one of my male reports because I thought he was resourceful and he would be able to help me report it. He called a mate that worked in the building and explained what had happened and if he knew what to do. His mate called HR and a meeting was set up. My report sat with me till the booked meeting time and took me to the HR office in our office building. I had worked in the building for 12 months and didn't know HR was here. My report commented that it was my good bone structure to blame. I felt like defending this bone structure comment because I wore enclosed flat shoes, long pants, long sleeve baggy shirts with the button done up to the top.

I reported the incident to a female HR rep who took notes and said I could go home sick. She said the incident would be investigated and that my manager's manager would be notified and the General Manager. She gave me the details for their outsourced counselling service. She said that my manager would be told on Monday of my allegations, he would be suspended until the end of the investigation.

The investigation was ran by the perpetrators Manager and all his direct reports were interviewed. All his direct reports (except me) were male and my manager had requested my female reports were interviewed. I didn't request anyone to be interviewed as I trusted the process and followed all protocols. The male General Manager spoke to me during the investigation week and said "it takes courage to report these things and it is good that you did because normally when this happens it is swept

under the run and then you end up leaving” During the investigation I was told that he denied everything except that he was in my room. The company did not have CCTV footage at the VIP accommodation but did at the normal fly-in, fly-out accommodation. I was told that the amount of beer that he said he had was less than what I said but since he bought on his personal credit card not the business credit card they couldn't access the records.

2 weeks later I was told and received a letter that said the allegations were not substantiated but due to concerns regarding his management style he would be moved out of my workplace to another workplace. They said he had been heavily reprimanded for being in my room as that was the only thing they were able to prove. They said he said he was upset that he lost his team and he had to tell his wife. They said I should be careful who I tell about the incident because he may sue me for defamation. In this meeting, I was also told that one of my male colleagues would be my acting leader until my manager's role was recruited for. I was told that my acting leader does not want to know what I reported to lead to the investigation. I was told my manager's manager would no longer be acting and they had recruited for a new manager and that he would not be told of the incident unless I wanted to tell him myself. I asked if they would change any policy or if it would get reported and shared around the company like the other safety incidents. They said no they didn't identify any policies that required change but advised I shouldn't let work colleagues into my room.

As the weeks and months progressed, my perpetrator was visiting my workplace which was ■ kms from his new workplace. He came into my direct work area and I would run into him while going to the toilet, getting a drink of water or going to the kitchen to get my lunch from the fridge (and then eating at my desk to avoid him). I felt like I couldn't report this because none of my current leadership were aware of the incident and I was working with a psychologist to seek support from leadership. I then got 2 new leaders as the months progressed and they talked about a new role they were creating and I expressed interest in the new role as it was a promotion for me and they said “what took you so long” even though I expressed interest within 4 working hours. The role was written with me in mind and the projects I was trying to get off the ground.

At a later stage, when I was having a one on one meeting with one of my new leaders she said I wasn't myself and was I ok, I said I slept poorly the night before and started crying profusely saying “This is the worse year of my life.” I told her how my previous manager had organised a site trip to remote location and what he did and how he was moved to another workplace even though they couldn't substantiate my allegations. She said “but he walks around this place all the time, that's not right.” I said I hadn't asked for support because her new manager didn't know because I was told he would only know if I told him. She asked if I was seeing the company counselling service, I said yes but I have already had my allocated 6 sessions and the counselling service had requested another 6 sessions from the company which I was advised takes 2 weeks but it was 10 weeks and no one had got back to me. She found out that someone did tell

her manager and that it hadn't been supported at all with no one checking in on me and the perpetrator coming into my workplace when he wants.

At 5pm on a Friday night I was working late on a project and my perpetrator walked up to the desk opposite me and spoke to the staff member. There was no one else in my work area and all leaders had already left for the day. I left the office straight away and headed to my car where I had a panic attack. I reported the incident to my leaders on Monday and said it wasn't acceptable and they had a meeting that afternoon with the perpetrators leader to discuss a plan. I was told as of Monday my perpetrator would not visit the floor I worked on, would not be in the building after 4:30pm and that he would give my manager's manager 48 hours notice of coming in my workplace so I could work in the other workplace ■ kms away. 4 days later, I came within a metre of my perpetrator because he was in my closest kitchen to my desk and I walked around the corner to put my lunch in the fridge and he was walking around the corner in the opposite direction. I ran to find my leaders that weren't there then to find my manager's manager who wasn't there. Then I grabbed my report who I had reported the incident to and went to a meeting room. I said I can't breathe and started crying. I was having a panic attack. I found my leader later than morning and reported the incident. She escorted me to my car so I could drive the ■ to the other workplace. She said there would be a meeting later that day with her manager and the perpetrator's manager to discuss the breach. She said maybe I could look into getting a restraining order via the legal system.

The next week, he came to my work area again. My leader sent me a text when I was already at work saying this is a courtesy that he is at your workplace today. I couldn't find her to discuss this but I started having trouble breathing again so found my report again to help me through the panic attack. I called my husband and told him what was going on and that I'm not coping and I shouldn't be at work. I'm crying all the time, it is unprofessional, my reports had mental health issues and I couldn't support them when I was so ill. I contacted my personal psychologist that I was seeing at my own cost to see if she was able to write me a medical certificate because I couldn't see my GP with such short notice to get a medical certificate. I found my leader and said I'm not coping, I can't be here while so unwell, she agreed she said I had destructive behaviour in meetings and disagreements that was out of character for me. She noticed I was having sick days fortnightly. She said that my perpetrator was saying he is innocent so he can come to my workplace when he wants. I said he wasn't found guilty but he wasn't found innocent. I felt like he was given the benefit of the doubt but I wasn't.

When I left work, I talked to my husband about the option of getting a restraining order so my workplace would be safe.

The following is a summary of what happened after I was signed off as unfit for work and my interactions and support from my company.

Week 1

- Requested by leader to talk to Injury Management Advisor (IMA) to visit private Occupational Physician. I agree
- IMA called to discuss my situation, I said I was having panic attacks and my perpetrator was in my workplace even though he was supposed to have moved out. I said I was seeing my GP and Psychologist weekly and having suicidal thoughts. She said I had enough support and didn't need to see an Occupational Physician.

Week 2-3

- GP signed me unfit for work
- Leader called me once

Week 4-7

- Previously planned annual leave
- Cried everyday and didn't enjoy this annual leave

Week 8

- I said I would go to work for a meeting to discuss return to work with leaders if they could guarantee my perpetrator would not be there
- They asked if I would see the Occupational Physician – I agreed (again)
- Visited OP, he gave me actions to improve my severe anxiety, depression and stress and sign me off work for 3 weeks
- The OP gave the company's IMA actions to put the rules in place that the company had already put in place so I can safely get to the toilet or kitchen
- Myself, OP and IMA would meet in 3 weeks to discuss

Week 9-12

- I had actioned all my actions
- Leaders called me once a week to check in – I said I'm keen to come back to work and good that you are making my workplace safe
- Met with OP and IMA – OP was very happy with my progress of actions and said I went above and beyond. IMA said the company can't enforce the perpetrator to not come to my workplace because he wasn't found guilty
- I said he wasn't innocent and the company needs to provide a safe workplace and that the letter I received after the investigation said he would be located to a different workplace
- I asked if the General Manager knew I had been off work for 3 months with mental health issues due to his workplace. She said no, he doesn't get report about employees that are "unfit for work"

- I said that didn't sit right with me because of the words he previously said to me
- She asked if I would speak to himself if she set up a meeting – I agreed
- She said he has a very busy schedule, I should bring my husband and how much notice would my husband require to attend a meeting – I said that my husband would need 24 hours notice
- She said she would get back to me within 2 days
- My GP prescribed anti- depressants
- Week 12 was the last time my leader or IMA called me

Week 13-15

- I cleared my whole calendar, so I was ready at any minute for the meeting with the general manager including all the things the OP and my psychologist had given me to improve my mental health
- I waited every day for the phone call about when the meeting was going to be
- I cried everyday
- I was working with my psychologist about the meeting with the General Manager
- After more than 2.5 weeks and not hearing from my leaders or the IMA and 2 days away from the Christmas break. I called the IMA to asked about the meeting with the General Manager, she said she didn't have authority to set up the meeting and would I come into the office in 3 weeks time to discuss with my leader about coming back to work
- The next day, I spoke to my psychologist about the distress of the last 2.5 weeks of preparing myself of something and then they change their minds again and now it's going to be █████ Christmas holidays. I had a panic attack while driving home and my husband had to leave work to come to my location where I parked on the side of the road.

Week 16-18

- I couldn't do anything to get back to work so tried to enjoy the █████ Christmas break

Week 19

- Attended meeting with my leader and IMA to discuss coming back to work
- They said how do I feel if he minimises his time in my workplace and it is only a courtesy because he is not guilty. I asked what the definition of 'minimise' was. They could not advise.
- I showed them the letter I was given after the initial investigation almost a year previous where it stated 'he was removed from my workplace'. They suggested the interpretation of this statement was true. He was removed from his 'primary workplace' however he could still visit mine. This was the first time they had seen this letter, so how could they advise on the interpretation of this statement.
- I said they need to provide me with a safe workplace and it is not safe if I can not go to the toilet or kitchen without running into my perpetrator

- I said I should be able to do overtime when I want without worrying if he may come into my workplace after hours
- I said he was not proven innocent so he should not be treated as innocent. He is being given the benefit of the doubt but I am not.
- I said I want to come back to work and be part of my team
- I was told to work with my psychologist to create strategies to manage the panic attacks. I said I can't create strategies when I don't know what "minimise" means, to me that means I may run into him at any moment during my working day.
- I said there was issues with the investigation – his manager lead the investigation, none of my first responders were interviewed and no CCTV footage was requested from the public spaces.
- The IMA agreed that a third party should have led the investigation

Week 20

- I was made redundant
- My manager said "I hope you see this as a fresh start"

A few years ago, the company's female Managing Director spoke as a guest at [REDACTED] about how women are leaving the male dominated mining industry as they progress in their careers and climb the ladder. At the time, when I heard this I didn't understand – I thought I love working in mining and engineering but now losing my job in the male dominated field I question whether it is the right work environment for me moving forward. I am also saddened that she most likely isn't aware of my story that happened while she was my Managing Director.

Now I have no job, poor mental health, low self-confidence, lost my working network over the last [REDACTED] whilst off work which affected my reputation in the industry and medical fees from GP, Psychologist and medication. This is not the image that this company portrays in the media about how they believe in equal opportunity, inclusion and diversity. This public image verses my experience breaks my heart every day.