

WHAT DO THE RULES SAY?

Rules and guidelines for
sexual harassment at work

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1.

THE RULES SAY:

As an employer, you have a duty to ensure that working conditions are fully justifiable in terms of safety and health. Employers who neglect their duty to act in situations of sexual harassment may be faced with an injunction or fined.

Source: The Working Environment Act

WHERE'S THE LIMIT?

2.

THE RULES SAY:

As an employer, it is your duty to prevent sexual harassment and other abusive acts just as you prevent other work environment problems.

Source: Executive order on psychosocial working environment

WHERE'S THE LIMIT?

3.

THE RULES SAY:

Persons who have harassed others may be sued for damages under the Danish Liability Act or be prosecuted for offenses against public decency under the Danish penal code.

Sources: Denmark's Penal Code and Liability Act

WHERE'S THE LIMIT?

4.

THE RULES SAY:

If an employee becomes ill from a single incident of sexual harassment, the employer must report the case as a work-related accident. If sexual harassment has occurred over a longer period and an employee took sick leave because of it, the employee's own doctor, psychiatrist, or other health professional must report it as a work-related injury.

Source: Executive order on psychosocial working environment

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5.

THE RULES SAY:

The general tone of communication in the workplace is no longer considered a mitigating circumstance and is no longer included in the assessment of whether there is sexual harassment. The law change came into force in 2019.

Source: Explanatory memorandum to The Equal Treatment Act

WHERE'S THE LIMIT?

6.

THE RULES SAY:

For it to be offensive behavior, it must be perceived as degrading by the victim or victims. It does not matter whether the actions are expressions of thoughtlessness or a definite desire to offend. It is the person's experience of the offensive behavior that is central.

Source: Executive order on psychosocial working environment

WHERE'S THE LIMIT?

7.

THE RULES SAY:

Sexual harassment refers to any form of unwanted verbal, non-verbal, or physical conduct with sexual undertones for the purpose or effect of violating a person's dignity, in particular by creating a threatening, hostile, degrading, humiliating, or unpleasant climate. It is thus the individual who defines whether he or she feels sexually harassed.

Source: The Equal Treatment Act

WHERE'S THE LIMIT?