Equal Protection Clause of the 14th Amendment

The equal protection clause of the 14th Amendment to the U.S. Constitution prohibits states from denying any person within its jurisdiction the equal protection of the laws. The laws of a state cannot treat any individual differently from another individual in similar conditions and circumstances. This clause creates public institutional liability for institutional sexual harassment of employees, including compensatory and punitive damages.

Common Law Torts

The common law torts involved in cyberstalking are torts of invasion of privacy. Cyberstalking is the use of information technology, such as e-mail or the Internet, to repeatedly threaten or harass another individual, group, or organization with false accusations, identity theft, solicitation for sexual purposes, or the gathering of information for further harassment. These common law torts help identify the common law actions that may be filed by harassed workers. The following are the objectives of common law torts:

- To identify the tort actions most commonly connected with sexual harassment cases
- To explain, in general, the circumstances under which each tort action may be filed
- To identify the reasons that harassed workers may choose to file, or to avoid filing, any tort actions
- To explain the relationship between sexual harassment law and workers' compensation

State and Municipal Laws

These laws concern rape, sexual abuse, sexual assault, and child molestation. They advise employees of the name, address, and telephone number of each of the state and federal agencies to which inquiries and complaints concerning sexual harassment may be made. The laws set out the deadlines for filing a complaint of sexual harassment with state and federal agencies.

Australian Laws on Sexual Harassment

Australia has adopted laws for sexual harassment and discrimination. The following are some laws concerning sexual harassment:

- Sex Discrimination Act 1984
- Equal Opportunity for Women in the Workplace Act 1999
- Anti-Discrimination Act 1991
- Workplace Relations Act 1996

Sex Discrimination Act 1984

The Sex Discrimination Act 1984 attempts to eliminate discrimination involving sexual harassment in the workplace, educational institutions, and other public areas. Under this law, it is unlawful for an employee to sexually harass a fellow employee or someone who is seeking to become an employee of the same organization. This law also covers contract workers and employment agents.

Equal Opportunity for Women in the Workplace Act 1999

The Equal Opportunity for Women in the Workplace Act 1999 provides equal rights to women in the workplace. The following are the objectives of the act:

- To promote the principle that employment for women should be dealt with on the basis of merit
- To promote, amongst employers, the elimination of discrimination against, and the provision of equal opportunity for, women in relation to employment matters

Anti-Discrimination Act 1991

The purpose of the Anti-Discrimination Act 1991 is to promote equality of opportunity for everyone by protecting them from sexual harassment. It prohibits sexual harassment. It also allows someone who has been sexually harassed to make an official complaint.