

## **HARASSMENT AND BULLYING POLICY**

### **About**

The Company is committed to providing a workplace free of all forms of harassment and bullying, as prescribed by Commonwealth and state legislation. All workers have the right to be treated with dignity and respect, and are required to treat each other accordingly.

This policy applies to all employees and any other workers such as contractors engaged by the Company. It applies in the workplace, when you are working off-site and during any activity undertaken in the course of employment, including work-related events such as business trips, meetings, social events and training programs.

Any grievances raised under this policy will be treated seriously and as confidentially as possible. You will not be penalised or disadvantaged as a result of raising any genuine concern or complaint.

Relevant and appropriate disciplinary action will be taken against anyone found to have breached this policy, which may include, but is not limited to summary dismissal.

### **Harassment**

Harassment is not permitted, and means any unwelcome behaviour which a reasonable person in the circumstances would find offensive, humiliating or intimidating. The fact that no offence was intended does not mean that harassment has not occurred. If the behaviour has the effect of being offensive, humiliating or intimidating, that is usually enough.

Harassment may occur as a single act, or as a series of incidents. It may be subtle or openly hostile and occur in private or public settings.

Examples of harassment may include, but are not limited to:

- (a) swearing in the workplace;
- (b) gossiping about a person, or asking intrusive questions about another person's private life, including their religion, family or other matters;
- (c) constantly monitoring what someone else is doing, giving unsolicited or unreasonable criticism or 'nitpicking';
- (d) openly displaying pictures, graffiti or other written materials which might be offensive; and/or
- (e) sending communications via phone, email or computer networks which may be threatening, abusive or offensive.

### **Sexual harassment**

Sexual harassment means any unwelcome behaviour of a sexual nature which a reasonable person in the circumstances would find offensive, humiliating or intimidating. Such behaviour is unlawful and not permitted.

Examples of sexual harassment may include, but are not limited to:

- (a) sexual advances or requests for sexual favours;
- (b) inappropriate or unsolicited physical contact, such as patting or pinching;
- (c) sexual violence or indecent and/or sexual assault;
- (d) public displays of nudity;
- (e) verbal comments or unwelcome questions about someone's appearance, dress or private life;
- (f) lewd jokes or wolf whistling; and/or
- (g) communications of any form that create a hostile workplace environment, including displaying offensive material or pornography, such as posters or calendars.

### **Bullying**

Workplace bullying means repeated and unreasonable behaviour directed towards another person or group of people that creates a risk to health and safety, with:

- (a) repeated behaviour referring to the persistent nature of such behaviour, which can be in reference to a range of actions over time; and
- (b) unreasonable behaviour referring to behaviour that a reasonable person would consider unreasonable in the circumstances. It includes behaviour that is victimising, humiliating, intimidating or threatening.

Such behaviour may be unlawful and is not permitted. Single incidents of such conduct may also present a risk to health and safety and will not be tolerated.

It may include obvious verbal or physical assault to very subtle psychological abuse and can include:

- (a) physical intimidation or actions such as punching a person;
- (b) verbal abuse, threats, sarcasm or other forms of demeaning or intimidating language or communication;
- (c) psychological harassment;
- (d) excluding or isolating another person;
- (e) deliberate change of work duties, sabotaging another's work or placing unreasonable work demands on another person; and/or
- (f) communications of any form that create a hostile workplace environment.

### **What is not workplace bullying?**

Reasonable management action taken in a reasonable way is not bullying. Managers have a responsibility to conduct performance reviews, manage employees and to provide feedback on

performance and work-related behaviour. On occasion, this may include negative review or comment which you may find uncomfortable, but will not amount to bullying or harassment.

Workplace bullying does not include:

- (a) legitimate and relevant counselling, comments or advice relating to your performance or conduct at work; and/or
- (b) discussion or counselling designed to assist you to meet performance targets.

### **Conduct that breaches this policy**

Conduct that breaches this policy is unacceptable and, depending on the severity and circumstances, may lead to disciplinary action, regardless of the seniority of the particular employee/s involved.

The Company shall take appropriate disciplinary action against any employee who is responsible for, or engages in, any form of bullying or harassment behaviour.

Disciplinary action may include, but is not limited to, the following:

- (a) Demotion;
- (b) A requirement to provide a written or verbal apology;
- (c) A formal warning;
- (d) A requirement to attend training or counselling; or
- (e) Dismissal.

It is also unlawful and against Company policy to victimise or otherwise disadvantage a person who alleges that they have been bullied or harassed. Any worker including an employee or contractor who victimises, threatens, intimidates or otherwise places at disadvantage a person who alleges they have been bullied or harassed will be subject to disciplinary action including, but not limited to dismissal.

### **What to do if you have a complaint**

If you believe you have been bullied or harassed by another worker, please notify HR Manager. If you do not feel comfortable discussing the behaviour with HR Manager, you can contact General Manager.

If it is safe to do so, you can also speak with the person responsible for the conduct in the first instance and ask them to stop. If this doesn't work, or you don't feel comfortable doing this, you can still notify the designated contact directly.

Your complaint will be investigated and if established, appropriate disciplinary conduct will be taken against the person engaging in unlawful conduct. Your complaint will be treated seriously, and we will respect and maintain your confidentiality and privacy as much as possible.

If you have any questions in relation to this policy please contact HR Manager or General Manager, as appropriate.

