

# WORK HEALTH AND SAFETY POLICY



## WORKPLACE BULLYING, HARASSMENT AND DISCRIMINATION POLICY

Policy number	1	Version	1
Drafted by	Kate Saunders	Approved by Board on	2016_11_14
Responsible person	David Pescud	Scheduled review date	2019_06_01

### PURPOSE

SWD is committed to ensuring, as far as is reasonably practicable, the health, safety and welfare of the working environment for its staff, volunteers, contractors and visitors to its premises.

### SCOPE

This policy applies to:

- all workers, including employees, interns, volunteers and Board members
- all aspects of employment including recruitment, working conditions and benefits, training and promotion, leave arrangements and workload
- dealings between workers and other employees, job applicants, volunteers, interns, clients, donors, Board members, vendors, suppliers and members of the public who interact with any SWD worker while the worker is on duty
- any location where work is being conducted including on-site at SWD's office, or on boats
- off-site or after hours, at work related activities including conferences, training sessions and social functions

**Policies** can be established or altered only by the Board: **Procedures** may be altered by the CEO.

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# POLICY

## **Overview**

SWD supports the rights of all persons covered by the policy to work in an environment that is, so far as is reasonably practicable, safe and without risks to health.

SWD is committed to the promotion of a joint and united approach to consultation and resolution of Work Health and Safety issues.

SWD is committed to improving health and safety with a view to improving workplace efficiency and productivity. This will be accomplished through the ongoing development of management systems and procedures designed to, so far as is reasonably practicable:

- identify, assess and control workplace hazards;
- reduce the incidence and cost of occupational injury and illness; and
- provide a rehabilitation system for those affected by occupational injury or illness.

Work Health and Safety statutory requirements, including regulations and codes of practice, are minimum standards and so the aim is for them to be improved upon, where practicable.

## **WORKPLACE BULLYING, HARASSMENT AND DISCRIMINATION**

Bullying, harassment and discrimination of workers or applicants are prohibited and will not be tolerated. SWD will take appropriate measures in response to any such incidents and will make every good-faith effort to fulfil the objectives of this policy.

Bullying is repeated, unreasonable behaviour directed toward a person, or a group of persons, that creates a risk to their health and safety.

Examples of bullying can include:

- verbal abuse;
- excluding, ignoring or isolating a person;
- psychological harassment;
- intimidation;
- assigning meaningless tasks unrelated to a person's job;
- giving a person impossible assignments and deadlines;
- unjustified criticism or complaints;
- deliberately withholding information vital for effective work performance; and
- constant taunting, teasing or playing practical jokes on a person who is not a willing participant.

Bullying can be verbal, or in writing (including online).

Workplace harassment occurs when someone is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin, gender, disability, sexual preference or some other characteristic specified under anti discrimination or human rights legislation. It can also happen if someone is working in a hostile or intimidating environment.

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Examples of behaviour that could be considered harassment include, but are not limited to:

- telling insulting jokes about particular racial groups
- sending offensive or insulting emails or telephone messages
- displaying offensive or pornographic material
- making derogatory comments or taunts about someone's race or religion
- asking intrusive questions about someone's personal life, including their sex life.

Sexual harassment is sexually related behaviour that is unwelcomed, unsolicited and unreciprocated and would cause a reasonable person in the circumstances to be offended, humiliated or intimidated. It does not refer to occasional compliments or other mutually acceptable behaviour.

Examples of behaviour that could be considered sexual harassment include, but are not limited to:

- unwanted physical contact, sexual suggestions or demands
- making obscene or sexually suggestive remarks, insults or jokes
- sending explicit or sexually suggestive emails
- intrusive enquires into a worker's private life.

The issue of whether behaviour constitutes harassment or discriminatory conduct may depend on how the person subjected to the behaviour views it. Some people may consider some forms of conduct offensive which are considered acceptable to others.

Discrimination occurs when a person, or a group of people, is treated less favourably than another person or group because of characteristics such as their race, age, gender, colour, national or ethnic origin, pregnancy or marital status, family/carer's responsibilities, disability, religion or sexual preference, or association with a person with any of these attributes. As well as being against State and Federal laws, discrimination in the workplace is also against SWD's policies and values.

#### ***WHAT IS NOT WORKPLACE BULLYING OR HARASSMENT?***

Management actions when done in a reasonable manner do not constitute bullying or harassment.

Examples of reasonable management actions include, but are not limited to:

- justified transfers, demotions, retrenchments or terminations
- implementing organisational changes or restructuring
- performance management actions and disciplinary processes
- informing a worker about unsatisfactory work performance in a constructive way
- informing a worker about inappropriate behaviour in an objective and confidential way.

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However, management action may be considered to be workplace bullying or harassment where it is used primarily to offend, intimidate, humiliate or threaten workers or to create an environment where workplace harassment is more likely to occur.

Other behaviours that do not constitute bullying or harassment include:

- social interactions, jokes and bantering, which are mutually acceptable, provided the interactions are respectful and there is no negative impact for others
- disagreements, misunderstandings, miscommunication and/or conflict situations, provided the behaviour of the individuals involved remains professional and respectful.

### ***BULLYING, HARASSMENT AND DISCRIMINATION POLICY***

If a person does not object to inappropriate behaviour at the time, it does not mean that they are consenting to the behaviour. It may be difficult for the offended person to object, especially if the harasser is in a position of authority.

Any worker who initiates or persists in such behaviour assumes the risk of violating this policy. Accordingly, the worker may be subject to discipline even if his or her conduct may not have been intended to offend.

### ***BREACH OF THIS POLICY***

Any breach of this policy may result in counselling and/or disciplinary action, which, in the case of employees, may lead to dismissal, or, in the case of volunteers, may lead to the cessation of their engagement.

Any breach of this policy by a contractor may result in cancellation by SWD of the services provided by that contractor.

### ***OCCUPATIONAL HEALTH AND SAFETY COORDINATOR***

The CEO/General Manager will be held accountable for coordinating SWD's management of health and safety.

### ***DEALING WITH COMPLAINTS***

If a worker feels that they have been bullied, they should not ignore it. There are a number of options available. If a worker feels comfortable doing so, they should address the issue with the person concerned. The worker should identify the bullying behaviour, explain that the behaviour is unwelcome and offensive and ask that it stop.

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This is not a compulsory step. If a worker does not feel comfortable confronting the person, or the worker confronts the person and the behaviour continues, the worker should report the issue to their supervisor. If the manager is the alleged perpetrator, then the matter can be reported to one of the following persons:

- Chief Executive Officer/General Manager
- Any Board member

## **AUTHORISATION**

Kate Saunders

14<sup>th</sup> November 2016

SWD

Signed: David Pescud

A handwritten signature in black ink, appearing to be 'DP', enclosed in a light grey rectangular box.

Signed: Niel Burling

A handwritten signature in black ink, appearing to be 'N. Burling', enclosed in a light grey rectangular box.

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