



1.4 Workplace Harassment Policy

Ensuring Good Working Relationships

The HLLC is committed to providing a working environment that is free from bullying and harassment. It aims to ensure adequate measures are in place to both prevent workplace harassment from occurring and to effectively manage any complaints of harassment should any be made.

The essential elements of this workplace harassment policy are:

- A firm statement of the HLLC's commitment to harassment-free workplace
- definition of terms
- examples of harassment
- consequences of harassment
- what employees should do if they are harassed
- what the HLLC will do if complaint is made
- cross reference to grievance handling procedure
- responsibilities of managers and supervisors
- responsibilities of employees
- where to go for further information
- signed by Chairperson

Good working relationships at HLLC

At HLLC we value the diversity of our workforce and respect the differences between employees, recognising that each person has individual talents and skills to bring to their job. At HLLC we believe that all employees are entitled to work in an environment in which they can enjoy their work and their relationships with their colleagues, free from unwanted harassment of any kind.

It is against Centre policy and a breach of equal opportunity laws to harass an employee because of their sex, race, pregnancy, marital status, disability, age, or homosexuality. Harassment will also occur if it is based on a perception that a person has one of those attributes, even if they don't, in fact, have that attribute.

Harassment will not be tolerated at HLLC. If, after an investigation by a C.E.O., it is found that harassment has taken place, the person responsible will be disciplined. In serious cases of harassment, dismissal may be the result. Serious cases of harassment involving assault may also constitute a crime.

Workplace harassment is also against the company's Occupational Health and Safety Policy, as it creates an unsafe work environment.

What is harassment?

Harassment is any behaviour which is unwelcome and is based on a person's sex, pregnancy, marital status, race, disability, age or homosexuality.

Harassment will usually be repeated behaviour, but can also consist of a single act.

Harassment has the effect of offending, humiliating or intimidating the person at whom it is directed. It makes the work environment unpleasant and sometimes even hostile. If a person is being harassed then their ability to do their work is affected. They often become stressed and suffer health problems as a result.

Harassment can often be the result of behaviour which is not intended to offend or harm, such as jokes or unwanted attention. The fact that harassment is not intended does not mean that it is not unlawful. The differences between people should be acknowledged and respected -- never ridiculed.

Harassment often involves an abuse of power, for example, a manager may harass a person whom they are supervising. Abuse of power can also happen when certain groups are in a minority in the workplace and are therefore in a vulnerable position, for example, women or people from non-English speaking backgrounds.

Types of harassment

There are many types of harassment. These can range from direct forms, such as abuse, threats, name calling and sexual advances; to less direct forms, such as where a hostile work environment is created, but no direct attacks are made on an individual.

Examples of verbal harassment:

- sexual comments, advances or propositions
- lewd jokes or innuendo
- racist comments or jokes
- spreading rumours
- comments, jokes about a person's disability, pregnancy, sexuality, age, religion, etc.
- repeated questions about personal life
- belittling someone's work or contribution in a meeting
- threats, insults, or abuse
- repeated unwelcome invitations
- offensive, obscene language
- obscene telephone calls, unsolicited letters, faxes, email

Examples of non-verbal harassment:

- leering, eg staring at a woman's breasts
- putting offensive material on notice boards, computer screen savers, email, etc.
- wolf whistling
- nude or pornographic posters
- displaying sexist or racist cartoons or literature
- demoting, failing to promote, or transferring someone because they refuse requests for sexual favours
- following someone home from work
- standing very close to someone or unnecessarily leaning over them
- mimicking someone with a disability
- practical jokes which are unwelcome
- ignoring someone, or being cold or distant with them
- crude hand or body gestures

Examples of physical harassment:

- unwelcome physical contact, such as kissing, hugging, pinching, patting, touching, brushing up against a person
- indecent or sexual assault or attempted assault
- hitting, pushing, shoving, throwing objects at a person
- unzipping a person's attire

What to do if you are harassed

If you feel that you are being harassed, tell the person to stop, that their behaviour is unacceptable and that they must not do it again. It is important to say these things to the harasser as they might interpret silence as tacit consent. If, however, you are too frightened or embarrassed to say anything, this does not mean that your complaint will not be taken seriously.

If the behaviour does not stop, or even if it does stop but you wish to report it, tell your manager or supervisor. Alternatively, you may wish to speak to a grievance contact officer or the Complaints Officer, who will tell you what your options are. If you so wish, you may make a formal complaint under HLLC Grievance Handling Procedure. Copies of the procedure are available from the C.E.O.

It is a good idea to make a written note of any harassment, including details of dates, times, witnesses, what happened, and what you said/felt.

Be frank and open with the C.E.O. who is investigating the complaint about what happened. This will enable appropriate action to be taken.

You can also get advice from your union, or a government agency such as the Human Rights and Equal Opportunity Commission, or the Anti-Discrimination Board.

What HLLC will do in the event of a report?

It is HLLC legal responsibility to ensure that harassment does not happen in the workplace. If it does occur, complaints of harassment will be taken seriously by the Committee of Management. The complaint will be investigated in a sympathetic, fair and confidential manner. Action will be taken to make sure that the harassment stops. Appropriate warnings or disciplinary action will be taken where harassment is found to have occurred.

You will not be victimised or treated unfairly for making a harassment complaint.

Responsibilities of managers and supervisors

It is part of the role of managers and supervisors to ensure that harassment does not occur in the workplace. Managers and supervisors must ensure that they do not engage in harassing behaviour themselves -- either of other employees, other managers or supervisors, or customers.

When managers observe harassment happening in the workplace, they should take steps to stop it and warn the person involved of the consequences if the offending behaviour continues.

Managers and supervisors are also responsible for ensuring that all staff are aware that harassment will not be allowed in the workplace and that complaints will be dealt with in accordance with the terms of HLLC Grievance Handling Procedure.

If you tell a manager or supervisor about harassment, he/she is obliged to make sure that confidentiality is maintained.

If the manager or supervisor feels that he or she is not the appropriate person to be dealing with a complaint, he or she will refer the matter to a grievance contact officer or the Complaints Officer who will be able to assist you.

Responsibilities of employees

Employees are legally obliged to ensure that they do not harass other employees, managers, supervisors or customers of HLLC. Employees must also ensure that they do not encourage harassment.

If you become aware that someone you work with is being harassed, you can assist them in a number of ways. Tell them that you are willing to act as a witness if they decide to make a complaint. Back them up or support them in saying "no" to the harasser. However, it is not your responsibility to say anything to the alleged harasser. Remember that if you spread rumours about anyone, you may be subject to a defamation action.

Where to go for more information

For more information about workplace harassment, you can approach the following organisations:

- the Human Resources Department
- the Equal Opportunity Officer, members of the EEO/AA Committee
- your union
- the Human Rights and Equal Opportunity Commission or the Anti-Discrimination Board

Procedure

Reporting incidences of discrimination and/or work place harassment is a whole Centre responsibility. An incident can be reported by the person/s involved or witness/s.

Grievances are to be conducted in accordance with the Grievance & Disciplinary Policy.