
WORKPLACE BEHAVIOUR POLICY

1. General Policy Statement

The Australian Water Association (“the Association”) is committed to providing all employees with a workplace that is safe, conducive to productive activity and free from discrimination, bullying, harassment (including sexual harassment), victimisation and vilification.

Discrimination, bullying, harassment, victimisation and vilification are unacceptable and unlawful behaviour and will not be tolerated.

Breaches of this policy may result in disciplinary action and/or termination of employment.

2. Commitments and Responsibilities

The Association

The Association has a responsibility to take reasonable steps to prevent discrimination, harassment, bullying, victimisation and vilification from happening in the workplace. This involves educating employees about inappropriate behaviour, putting this policy in place, implementing grievance resolution guidelines and ensuring compliance by all in the workforce.

If an employee makes a complaint regarding any of the behaviours discussed in this policy, it will be taken seriously and will be dealt with sensitively and in a confidential manner. The complaint will be investigated and, if substantiated, appropriate disciplinary action will be taken.

Any employee making a complaint will not be victimised or treated unfairly for making a complaint.

Employees

Each employee must ensure that he or she does not discriminate against, harass, bully, victimise or vilify other employees. Employees should be aware that they can be held legally responsible for their unlawful acts and may also be subject to disciplinary action. This also applies to employees who aid, abet or encourage other persons in inappropriate behaviour such as harassment or victimisation.

Volunteers and Elected Officials

This policy applies to all employees (whether full time, part time or casual), contractors, temporary staff, volunteers and elected officials engaged by the Association.

3. Equal Opportunity Commitment

Fair employment practices

The Association aims to be an equal opportunity employer.

The Association is committed to selecting, recruiting, training and promoting the best qualified persons in all job classifications in a fair and non-discriminatory manner. The Association will ensure that this occurs by measuring applicants against objective selection criteria.

Fair access to opportunities and benefits

The Association will give every employee fair access to all workplace opportunities and benefits. All managers and supervisors will make fair, non-discriminatory decisions about work related matters. This includes such things as:

- training and development opportunities;
- promotion opportunities;
- work allocation;
- hours of work;
- salary levels and packages;
- leave arrangements (of all types);
- parental leave;
- performance assessment;
- disciplinary procedures; and
- re-structuring.

4. Workplace Harassment and Bullying

What is workplace harassment?

Harassment is any form of behaviour that is unwelcome and that a reasonable person would have anticipated would:

- humiliate someone;
- offend someone; or
- intimidate someone.

Workplace harassment can be based on sex, race, disability, age, pregnancy, marital status or homosexuality.

Sexual harassment

A common form of workplace harassment is sexual harassment. Sexual harassment is behaviour of a sexual nature which is unwelcome and has the effect of offending, intimidating or humiliating the person being harassed. There is no requirement that the harasser intend to offend, humiliate or intimidate another person. A person's **intention** is **irrelevant**.

Examples of harassment

Examples of harassment include:

- comments about a person's body or appearance;
- staring at a person or parts of their body;
- gender based insults or taunting;
- sexist or racist jokes;
- asking questions or divulging confidences of a sexual nature;
- sexually suggestive behaviour;
- physical conduct or comments of a sexual nature;
- making jokes, verbal abuse or derogatory comments based on a personal characteristic;
- pornographic or sexual emails or screensavers;
- bullying (as discussed below); and
- behaviour that could reasonably be perceived as offensive.

Bullying

Bullying in a workplace context consists of a repeated, unreasonable pattern of behaviour, directed towards an employee by another person or group of people that would humiliate, intimidate, undermine or threaten. Examples of bullying a particular employee or group of employees may include:

- verbal or physical abuse;
- excluding or isolating employees;
- psychological harassment;
- deliberately undermining work performance, for example, by refusing to give sufficient instructions, imposing unnecessary deadlines or impossible assignments;
- publicly belittling an employee's contribution or opinion;
- the misuse of a performance management system, or a return to work process; and

- publicly criticising an employee or employees.

Discrimination, harassment or bullying outside the office premises

Employees should be aware that discrimination, harassment and bullying that takes place outside the office premises can still be unlawful conduct in the context of employment.

5. Victimisation

Victimisation is any conduct which disadvantages a person because he or she has complained, or intends to complain about, being harassed, sexually harassed, discriminated against, bullied or vilified. Victimisation also includes any conduct which disadvantages a person who is assisting or supporting a person who has been subjected to inappropriate behaviour.

6. Vilification

Vilification is engaging in acts or using words (whether spoken or written) in public which provoke hatred, ridicule or contempt for a person or a group of people.

7. Grievance Resolution Guidelines

Employees who believe that they are being discriminated against, harassed, bullied, victimised or vilified should take the steps set out below.

- Where possible, tell the person that their behaviour is unacceptable, and that it must stop. This is important as silence may be misconstrued as consent.
- Report the behaviour or incident to their manager.
- Keep the complaint confidential – this will minimise gossip and the possibility of defamation proceedings against either party.

Any reports of discrimination, harassment, bullying, victimisation or vilification will be treated seriously and will be investigated thoroughly and confidentially.

Employees should be aware that they are responsible for their own actions and that claims of discrimination, harassment, bullying, victimisation and vilification may be brought against them directly (for example, if they are the alleged perpetrator or if they permit or somehow assist in the alleged behaviour) and against the Association (if it is alleged that the Association somehow authorised the behaviour). Disciplinary action including termination of employment could result.

8. Contact point

If you have any queries about this policy, or inappropriate behaviour, please contact your Manager, the Chief Executive or Human Resources.

9. Variations

The Association reserves the right to vary, replace or terminate this policy from time to time.

Policy version and revision information

This Policy replaces the Workplace Bullying and Anti-Discrimination and Equal Employment Opportunity policies dated 010715.

Workplace Behaviour Policy	Created 200617	Introduced 050717