

South Bank Corporation Policy

Corporate Services

SUBJECT: Workplace Harassment Prevention Policy
DATE CREATED: January 2009
REVIEW DATE: January 2010

Ethical statement

South Bank Corporation is committed to ensuring a healthy and safe workplace that is free from workplace harassment. Workplace harassment is unacceptable and will not be tolerated under any circumstances.

Definition of workplace harassment

- A person is subjected to 'workplace harassment' if the person is subjected to repeated behaviour, other than behaviour amounting to sexual harassment, by a person, including the person's employer or a co-worker or group of co-workers of the person that –
 - is unwelcome and unsolicited; and
 - the person considers to be offensive, intimidating, humiliating or threatening; and
 - a reasonable person would consider to be offensive, humiliating, intimidating or threatening.
- 'Workplace harassment' does not include reasonable management action taken in a reasonable way by the person's employer in connection with the person's employment.
- In this section - 'sexual harassment' see the *Anti-Discrimination Act 1991* section 119.

Detailed below are examples of behaviours that may be regarded as workplace harassment, if the behaviour is repeated or occurs as part of a pattern of behaviour. This is not an exhaustive list – however, it does outline some of the more common types of harassing behaviours. Examples include:

- abusing a person loudly, usually when others are present;
- repeated threats of dismissal or other severe punishment for no reason;
- constant ridicule and being put down;
- leaving offensive messages on email or the telephone;
- sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways;
- maliciously excluding and isolating a person from workplace activities;
- persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters;
- humiliating a person through gestures, sarcasm, criticism and insults, often in front of customers, management or other workers;
- spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.
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Actions that are not workplace harassment

Legitimate and reasonable management actions and business processes, such as, actions taken to transfer, demote, discipline, redeploy, retrench or dismiss a worker are not considered to be workplace harassment, provided these actions are conducted in a reasonable way.

Effects of workplace harassment on people and the business

Workplace harassment has detrimental effects on people and the business. It can create an unsafe working environment, result in a loss of trained and talented workers, the breakdown of teams and individual relationships, and reduced efficiency. People who are harassed can become distressed, anxious, withdrawn, depressed, and can lose self-esteem and self-confidence.

Workplace strategies to eliminate workplace harassment

South Bank Corporation will take the following actions to prevent and control exposure to the risk of workplace harassment:

- provide all workers with workplace harassment awareness training;
- develop a code of conduct for workers to follow;
- introduce a complaint handling system and inform all workers on how to make a complaint, the support systems available, options for resolving grievances and the appeals process;
- regularly review the workplace harassment prevention policy, complaint handling system and training.
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Responsibilities of workers

South Bank Corporation requires all workers to behave responsibly by complying with this policy, to not tolerate unacceptable behaviour, to maintain privacy during investigations and to immediately report incidents of workplace harassment to Supervisor, Manager, Human Resource Coordinator or Operations & Safety Coordinator.

Managers and supervisors must also ensure that workers are not exposed to workplace harassment. Management are required to personally demonstrate appropriate behaviour, promote the workplace harassment prevention policy, treat complaints seriously and ensure where a person lodges or is witness to a complaint, that this person is not victimised.

Where workers can go for assistance

A worker who is being harassed can contact their Supervisor, Manager, Human Resource Coordinator or Operations & Safety Coordinator for information and assistance in the management and resolution of a workplace harassment complaint.

Commitment to promptly investigate complaints

South Bank Corporation has a complaint handling system which includes procedures for reporting, investigating, resolving and appealing workplace harassment complaints. A grievance process is outlined in the Enterprise Bargaining Agreement (EBA) section 2.3 Grievance and dispute settling procedures are in place. Any reports of workplace harassment will be treated seriously and investigated promptly, fairly and impartially. A person making a complaint and/or who is a witness to workplace harassment will not be victimised.

Consequences of breach of policy

Disciplinary action will be taken against a person who harasses a worker or who victimises a person who has made or is a witness to a complaint. Complaints of alleged workplace harassment found to be malicious, frivolous or vexatious¹ may make the complainant liable for disciplinary action.



Review of policy

This policy and the actions outlined above will be reviewed by January 2010, unless required earlier because of changes to the risk profile of the workplace or relevant legislation. If necessary, further changes and actions may be introduced to ensure that workplace harassment is prevented and controlled.

Endorsement

We have committed to this policy and its implementation, and to ensuring a healthy and safe work environment that is free from workplace harassment.

Malcolm Snow
Chief Executive Officer
South Bank Corporation
October 2008

¹ Malicious, frivolous or vexatious complaints include complaints that are deliberately harmful, spiteful, trivial or unworthy of serious attention or resources.