

## Workplace Harassment & Bullying Policy

### Policy Statement

At Recruitment Edge we are committed to providing a work environment that is pleasant for employees to work in and conducive to good workplace relations.

This policy is aimed at ensuring that employees are not subjected to any unwanted workplace harassment or bullying. Harassment and bullying in the workplace decreases productivity, increases absenteeism, and is also against the law. For these reasons harassment will not be tolerated at Recruitment Edge. All staff should be aware of their rights and responsibilities regarding harassment and ensure that any issues, which may arise, are dealt with promptly.

All staff has the right to be treated fairly and with respect. The Company seeks to promote an environment, which supports the productivity, self-esteem and personal work goals of all staff.

### What is workplace harassment?

The most common form of workplace harassment is sexual harassment. Sexual harassment is behaviour of a sexual nature that is unwelcome and has the effect of offending, intimidating or humiliating the person being harassed. Sexual harassment most often happens against women, but men can also be subjected to sexual harassment.

Workplace harassment can also be based on other grounds including race, disability, age, pregnancy, marital status, homosexuality, transgender, or HIV/AIDS status.

**For the purpose of this policy, 'harassment' includes bullying.**

Harassment in the workplace can create an unpleasant or even hostile work environment. Harassment makes work difficult for everyone - the person being harassed, as well as employees witnessing the harassment. The harasser also is not concentrating on their work when he/she engages in this type of behaviour.

Workplace harassment usually consists of a pattern of unwelcome behaviour, however, it can consist of just one act where this is of a serious nature. Also there is no requirement that the harasser intend to offend or harm in order for it to be unlawful. All that is required under the law is that a reasonable person would consider that the person being harassed would be offended, humiliated or intimidated by the behaviour in question.

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Harassment has traditionally been classified as:

- racial harassment,
- sexual and sexist harassment, or
- based on the characteristic or condition of another person.

It is important to ensure that any form of behaviour that is offensive, humiliating or intimidating to people is eliminated. Any form of personal harassment or victimization is likely to undermine professional relationships and efficiency in the workplace. All that is required under the law is that a reasonable person would consider that the person being harassed would be offended, humiliated or intimidated by the behaviour in question.

### Examples of unlawful harassment:

Harassment in the workplace may take the form of (but is not limited to):

- suggestive comments about a person's body or appearance
- leering or staring at a person or parts of their body
- demands that revealing clothing be worn
- tales of sexual performance
- persistent, unwelcome proposals of marriage
- gender based insults or taunting
- sexist or racist jokes
- derogatory or offensive material sent through the mail including electronic mail systems or other computer systems, pornographic, homophobic or nude posters in the workplace
- verbal or written abuse directed at a transgender person
- touching a person in a sexual way
- sexual assault (criminal offence)
- 'flashing' (criminal offence)
- obscene telephone calls (criminal offence)
- asking questions about a person's sex life
- unwanted confidences about a person's sex life or lack thereof
- persistent requests for a night out where these are rejected
- requests for sex where these are unwelcome
- making jokes at the expense of a person with a disability
- verbal abuse or derogatory comments based on race
- abuse based on a person's age

In some instances the harassment might take place outside the workplace: at the office Christmas party. If you go to another workplace to do your work there, it is also against the law to harass someone who is working there.

## Management Responsibilities

Recruitment Edge has a legal responsibility to take reasonable steps to prevent harassment and bullying from happening in the workplace. If you make a complaint of workplace harassment or bullying it will be taken very seriously and will be dealt with sympathetically and in a confidential manner.

Although the Company does not have the right to intrude into personal relationships freely entered into, it does have a responsibility to ensure that proper standards of conduct are maintained at all times. The Company, as an employer, is liable under the relevant legislation for any unlawful harassment committed by an employee, unless it can establish that it took all reasonable steps to prevent such conduct by the employee.

All forms of harassment are potentially misconduct and may result in disciplinary action. The Company has a proper concern where the behaviour of staff towards others:

- creates an intimidating, hostile, offensive or distressing environment,
- adversely affects an individual's prospects for employment or promotion or other work related benefits,
- adversely affects the work performance of individuals or groups,
- undermines morale or causes distress,
- leads to physical or emotional stress, which may force an employee to take sick leave or recreation leave to cope with the behaviour, or to seek transfer or resignation,
- reflects adversely on the integrity and standing of the Company.

## Managers' and supervisors' role

Managers and supervisors have a responsibility to deal with harassment as part of their role in maintaining a productive environment in which to work and promoting proper standards of conduct.

They have a responsibility to:

- ensure that all employees are aware of appropriate and acceptable standards of behaviour
- ensure staff have an awareness and understanding of the harassment policy
- take early corrective action to deal with behaviour which may be offensive or intimidating
- move to stop behaviour such as teasing or continual banter which may develop into harassment, and
- monitor the workplace environment so they become aware of any intimidation or victimization that may occur

- If a person approaches them with a complaint about harassment, they should take appropriate steps to resolve it. If this is not possible or is inappropriate, then the Managing Director should be informed.

Depending on the circumstances, the actions that supervisors should take when they become aware of any harassing or intimidating behaviour could include:

- explaining why another staff member may be interpreting behaviour as harassment
- drawing attention to the Company's policy
- discussing appropriate behaviour
- or reporting a case to the Managing Director for consideration as to whether it is a disciplinary matter.

## Employees' Responsibilities

Each employee must ensure that they do not engage in harassing or bullying behaviour towards other employees, managers or supervisors, clients or customers.

Employees should be aware that they can be held legally responsible for their unlawful acts. Employees who aid, abet or encourage other persons to harass or bully can also be held legally liable.

If you are not satisfied with the way in which the company has dealt with your complaint, you can seek further advice from an outside agency such as the Human Rights and Equal Opportunity Commission or the Anti-Discrimination agency or other relevant government agency.

## Resolving Cases of Harassment

Harassment is most satisfactorily resolved if action of some kind is taken swiftly. The longer the situation continues the more complicated the path to a resolution becomes. A complaint may be formal or informal and may be resolved with or without reference to management.

If you believe that you are being harassed or bullied there are a number of important steps you should take:

- Tell the person that their behaviour is unacceptable, and that it must stop. It is important to say these things to the harasser otherwise they may interpret your silence as consent. If you would feel too uncomfortable saying these things to the harasser, this will not mean that you don't have a valid claim.
- Report the behaviour or incident to your manager, the Equal Opportunity Office (Managing Director); you may wish to lodge a grievance under the company's Grievance Handling Policy.

- If the alleged perpetrator is a manager then report the manager to the Managing Director.

## Resolution by Management

Management may resolve the situation either formally or informally. The method will depend upon the seriousness of the complaint and the wishes of the complainant. Informal measures are the desirable way to resolve all but the more serious, intolerant cases of harassment. Informal resolution allows the complaint to be settled quickly, can focus on putting future working relationships onto a proper basis by clarifying what is regarded as acceptable behaviour, and allows individuals concerned to take positive action themselves to correct or alter their behaviour.

Types of formal and informal resolution can include:

### **Informal**

- conciliation or mediation of the parties concerned which is designed to assist parties reach a mutually agreed resolution option, and
- where appropriate, or where behaviour is a group phenomenon, a range of actions including positive EEO actions, moving staff in the area, re-education aimed at attitude changes,
- informal counselling of the person/s concerned.

### **Formal**

- formal counselling
- disciplinary procedures

The major formal process for serious or repeated cases of harassment would be lodging a complaint in writing to the Managing Director who would then decide on appropriate action.