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| Description: Description: Description: cid:image001.jpg@01CB5F1D.A4AD4420 | **STAFF HANDBOOK**  **HARASSMENT, GRIEVANCES AND VIOLENCE** | Doc: SH-003 |
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**Harassment – Legislation**

Intimidation, hostility, offensiveness, sexual harassment, and unfair discrimination in the workplace is unacceptable behaviour and will not be tolerated under any circumstances.

Sexual harassment is recognised as a form of sex discrimination and is illegal under the Queensland Anti-Discrimination Act 1991 and the Commonwealth Sex Discrimination Act 1984. It is also considered by the company to be inappropriate workplace behaviour.

bd05896_**What is Harassment?**

Harassment is intimidation, hostility, offensiveness or sexual harassment. Harassment also includes unfair discrimination.

Personality clashes between staff do **not** constitute harassment.

**Definitions of Harassment**

***Intimidation*:** Any form of behaviour by a person that inspires fear in another person in order to influence conduct.

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***Hostility*:** Opposition of thought, unfriendly behaviour or active dislike of another person, which causes that person to feel great discomfort in the offending person’s presence and which consequently affects work performance and satisfaction.

***Offensiveness*:** An aggressive, physical act in the form of an attack; or insulting language that is intended to cause anger, outrage, feelings of annoyance, hurt or humiliation.

***Sexual Harassment*:** Sexual harassment is any form of sexual attention that is unwelcome. It may be unwelcome touching or other physical contact, remarks with sexual connotations in relation to a person’s body, smutty jokes, offensive telephone calls, unwelcome and uncalled for remarks or insinuations about a person’s sex or private life, indecent exposure, demands or requests for sexual favours, leering, the display of offensive material, indecent molestation or sexual assault/rape.

Sexual harassment can be a single incident or a series of repeated incidents - it depends on the circumstances. Obviously, some actions or remarks are so offensive that they constitute sexual harassment in themselves, even if they are not repeated.

Other single incidents, such as an unwanted invitation, compliment or a trivial joke may not constitute sexual harassment if they are not repeated.

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bd06990_**Preventing Harassment**

Prevention of harassment is a key goal of the company.

**Role of Staff**

All employees have a responsibility to prevent harassment from occurring in the workplace. You should become familiar with the definitions of behaviour constituting harassment.

**Complaints of Harassment**

Employees are encouraged to discuss a complaint of harassment with management who will aim to resolve the situation quickly, confidentially and fairly.

In the event that employees are dissatisfied with the outcome of an internal process, or they do not want to follow the internal procedures, they have a right to use external procedures. They may lodge a complaint as entitled under relevant legislation.

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Disciplinary action will be taken against any one who is found to have harassed a co-worker. Discipline may involve a warning, counselling, demotion, dismissal or transfer, depending on the circumstances.

All employees have an important role in implementing this Policy and committing to the achievement of a safe and productive work culture.

**Grievances**

Should you, as an employee, have a grievance or believe that a certain procedure or practice can be modified or changed to the benefit of your work output and the company, you are encouraged to contact management to resolve the matter.

If the matter is not resolved satisfactorily or it is inappropriate for the employee to discuss the problem with their supervisor, a [*Grievance/Complaint Form*](file:///I:\Master%20Forms\Human%20Resources\Grievance%20Complaint.doc) should be completed.

You will then be advised of a plan of action to resolve the matter.

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**Work Related Violence**

The definition of violence in the context of the workplace is any incident in which a member of staff perceives that they have been unacceptably abused, threatened or assaulted by a fellow worker, client or other person with whom they come into contact in the course of their job. This would include physical attack, whether injury occurs or not and serious verbal and non-verbal abuse, when an unacceptable threat has been made.

It also includes an attack on property, theft and deliberate damage to company property or personal property.

In providing a safe working environment the company has an obligation to try to eliminate danger from violence at work by:

* minimising the risks (e.g. staff are not left alone at a potentially dangerous worksite, if at all possible);
* providing safety procedures and an emergency plan for staff who are working alone;
* providing training in handling difficult or threatening situations;
* not tolerating any form of violence on company premises;
* recording and investigating all violent incidents and taking remedial action; and

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* providing personal support for anyone who is a victim of violent behaviour.

bd07151_***Staff responsibilities include:***

* to take reasonable care for their own safety and that of others;
* to report any violent incidents to their supervisor, even if they do not wish further action to be taken; and
* to follow the guidelines below.

***Staff should:***

* report any potentially violent situations;
* try to ensure the presence of a second person where you are concerned that a difficult situation might arise;
* treat threats of violence seriously;
* be alert to early signs of aggression, (e.g. be sensitive to body language);
* avoid arguments; never provoke a situation; and
* react in a calm manner to anger and control your own emotions and body language.

For more information please see Section 2 – Dispute Resolution and Consultation Procedures in the Drake Trailers Pty Ltd Employee Collective Agreement 2007.