

## Workplace Bullying and Harassment Policy

*Printed copies are for reference only. Please refer to the electronic copy in the Policy and Procedure Manager (PPM), the electronic policy management system (EPMS), to ensure you are referring to the latest version.*

### Purpose:

Murdoch University is committed to providing a workplace that is free from bullying and harassment. This policy describes those behaviours that are not acceptable so that all staff are informed as to acceptable standards of behaviour in the workplace.

### Audience:

Staff

### Objectives:

- Murdoch University is committed to providing a workplace free of bullying and harassment.
- Murdoch University aims to ensure all those participating in the workplace are treated with respect, dignity and fairness with an aim of creating an environment which promotes positive working relationships.
- Murdoch University has a responsibility to take action to eliminate and/or reduce risks to staff member's health and safety.

### Definitions:

*Any defined terms below are specific to this document. The definition of common terms appears in the Murdoch University Dictionary of Terms.*

- "Bullying" is defined as repeated, unreasonable or intimidating behaviour by an individual or group of individuals directed towards a worker, or group of workers, and that behaviour creates a risk to their personal health and safety. Unreasonable behaviour is that which a reasonable person, having regard to all the circumstances (those that the alleged bully would reasonably be expected to know), would expect to victimise, humiliate, undermine or threaten the recipient.
- "Harassment" is unlawful and covers a wide range of behaviours of an offensive nature. It is commonly understood as behaviour which disturbs or upsets and is typically repetitive. However, in some cases a one-off incident can constitute harassment.

## Policy Statement:

1. This policy is not limited to the workplace or working hours, and will include all work related events (which may or may not occur outside of standard working hours) including, but not limited to, lunches, work functions, meetings and conferences. This policy relates to, but is not limited by the following types of communication:
  - 1.1 Verbal communication either over the phone or in person in the workplace, and outside of it;
  - 1.2 Written communication including letters, notes, minutes of meetings and memos; and
  - 1.3 Internal and external communication including email, messages, intranet and social media.
2. There are three types of harassment which are considered to be unlawful:
  - 2.1 **Sexual harassment** – The *Sex Discrimination Act 1984* (Cth) defines sexual harassment as where:
    - 2.1.1. a person makes an unwelcome sexual advance or an unwelcome request for sexual favours to the person harassed; or
    - 2.1.2. engages in other unwelcome conduct of a sexual nature in relation to the person harassed,  
in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.
  - 2.2 **Racial harassment** is an act designed to intimidate, humiliate, ridicule or undermine the confidence of a person by reason of a person's race, colour, nationality, ethnic or national origins, religion or belief.
  - 2.3 **Disability harassment** occurs when someone intimidates, insults and/or humiliates a person with disability.
3. Examples of workplace bullying and harassment:

The following types of behaviours when repeated or occurring as part of a pattern of behaviours include but are not limited to:

  - 3.1 Abusive, insulting or offensive language;
  - 3.2 Behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling and screaming;
  - 3.3 Inappropriate comments about a person's appearance, lifestyle or their family;
  - 3.4 Teasing or regularly making someone the brunt of pranks or practical jokes;
  - 3.5 Interfering with a person's personal effects or work equipment;
  - 3.6 Harmful or offensive initiation practices;
  - 3.7 Isolation of workers from others;

- 3.8 Physical assaults or threats.
  - 3.9 Overloading a person with work or not providing enough work;
  - 3.10 Setting timelines that are difficult to achieve or constantly changing deadlines;
  - 3.11 Constantly setting tasks that are below or beyond a person's skill level;
  - 3.12 Ignoring or isolating a person;
  - 3.13 Deliberately denying access to information, consultation or resources; and
  - 3.14 Unfair treatment in relation to accessing workplace entitlements such as leave or training.
4. What is not considered to be workplace bullying and harassment?
- 4.1 From time to time differences of opinion, personal conflicts, and problems in working relationships will occur. These are not, of themselves, considered to be workplace bullying. However, if the behaviour of an individual involved in such a conflict is such that it could reasonably be considered to be or threatening towards a fellow staff member then that does constitute workplace bullying.
5. The following managerial actions are not considered to constitute workplace bullying provided that the actions are carried out in a reasonable manner in the circumstances (this list is not exhaustive):
- 5.1 Performance management processes;
  - 5.2 Action taken to transfer a staff member;
  - 5.3 Action taken to terminate the employment of a staff member;
  - 5.4 A decision not to promote a staff member
  - 5.5 Disciplinary and misconduct actions;
  - 5.6 Decisions on allocation of work;
  - 5.7 Handling of illness and injury issues;
  - 5.8 Institution of organisational change; and
  - 5.9 Grievance resolution processes.
6. Workplace bullying and harassment is considered by the University to be a breach of the Staff Code of Conduct, and instances will be dealt with in accordance with the relevant misconduct and health and safety procedures and in a confidential manner (to the extent practicable).

**Performance Indicators:**

There are no performance indicators.

**Related Documents:**

[Staff Code of Conduct](#)

[Managing Misconduct Guidelines](#)

[Managing Unsatisfactory Performance and Misconduct Policy](#)

[Managing Unsatisfactory Performance Guidelines](#)

[Equal Opportunity and Affirmative Action Policy](#)

**References:**

[Code of Practice: Violence, aggression and bullying at work 2010, Commission for Occupational Health and Safety, Government of Western Australia.](#)

**Approval and Implementation:**

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| <b>Approval Authority:</b>                           | Director People and Culture  |
| <b>Responsible Officer(s):</b>                       | Manager Employee Relations<br>Manager Safety, Health and Wellbeing |
| <b>Approval Authority for supporting procedures:</b> | There are no supporting procedures.                                |
| <b>Approval Authority for supporting guidelines:</b> | Director People and Culture  |
| <b>Approval Authority for supporting standards:</b>  | There are no supporting standards.                                 |
| <b>Contact Officer:</b>                              | Manager Employee Relations   |

**Revision History:**

| <b>Approved/<br/>Amended/<br/>Rescinded</b> | <b>Date Approved</b> | <b>Effective Date</b> | <b>Next Review<br/>Date</b> | <b>Resolution No.<br/>(if applicable)</b> |
|---|----------------------|-----------------------|-----------------------------|---|
|   |                      |                       |                             |   |
| Approved                                    | 19/12/2019           |                       | 19/12/2020                  |   |
| Administrative<br>amendments                | 03/04/2017           |                       |                             |   |
| Approved                                    | 05/06/2012           |                       | 05/06/2015                  |   |