

Bullying, Harassment & Occupational Violence Policy

Overview

Workplace bullying, harassment and violence are unacceptable codes of behaviour at our company. In New Zealand, occupational behaviour which can be classified as either bullying, harassing or violence is against the law.

Our company is committed to taking all practicable steps to ensure bullying, harassment and occupational violence does not occur in its workplaces, or that employees are not subject to such experiences when representing the company at other workplaces.

In the workplace bullying or harassment is considered to be repeated, unreasonable behaviour directed toward an employee, or group of employees, that creates a risk to health and safety.

No single incident of workplace bullying will be condoned or ignored as it could lead to repeated bullying behaviour.

Occupational violence is considered to be any incident where an employee is physically attacked or threatened in the workplace [either our workplace or a customer's workplace], whether by a co-worker, manager, subcontractor or customer.

Occupational violence is considered to be both a physical attack and a threat of attack by menacing behaviour or verbal intimidation.

Authorities and Responsibilities

Responsibility for implementation of this policy lies with the Manager or most senior person at each workplace or area.

Issues relating to this policy should be referred to your immediate KM Dass Site Contact. OH&S issue resolution procedure applies to this policy.

What is considered Harassment?

Harassment can be against the law when a person is treated less favourably on the basis of certain personal characteristics, such as race, sex, pregnancy, marital status, breastfeeding, age, disability, sexual orientation, gender identity or intersex status. Some limited exemptions and exceptions apply.

Harassment can include behaviour such as:

- Touching, hugging or any inappropriate contact or actions
- telling insulting jokes about particular racial groups

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- sending explicit or sexually suggestive emails or text messages
- displaying racially offensive or pornographic posters or screen savers
- making derogatory comments or taunts about someone's race
- asking intrusive questions about someone's personal life, including his or her sex life.

The law also has specific provisions relating to certain types of harassment.

- **Sexual harassment** is any **unwanted** or **unwelcome** sexual behaviour where a reasonable person would have anticipated the possibility that the person harassed would feel offended, humiliated or intimidated. It has nothing to do with mutual attraction or consensual behaviour.
- **Harassment linked to the disability of a person or their associate** is against the law.
- **Offensive behaviour based on racial hatred is against the law.** Racial hatred is defined as something done in public that offends, insults, humiliates or intimidates a person or group of people because of their race, colour or national or ethnic origin.

A one-off incident can constitute harassment. All incidents of harassment require employers or managers to respond quickly and appropriately.

What Is Considered Bullying?

The following behaviour is considered to be bullying:

- verbal abuse
- excluding or isolating employees
- psychological harassment
- assigning meaningless tasks unrelated to the job
- giving employees impossible assignments
- deliberately changing work rosters to inconvenience particular employees
- deliberately withholding information that is vital for effective work performance.

What Is Considered Violent Behaviour?

The following behaviour is considered to be violent:

- striking, kicking, scratching, biting, spitting or any other type of direct physical contact
- throwing objects
- attacking with knives, guns, clubs or any other type of weapon

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- Pushing, shoving, tripping grabbing
- any form of indecent physical contact

Physical attack is defined without consideration of the attacker's intent. Therefore, a mentally disabled person who does not have the capacity to have intent to harm, may still attack a person – this is still violence.

What Should You Do If You Experience Bullying, Harassment Or Violence?

1. Inform your KM Dass Site Contact of the incident, providing as many details as possible. If it is not appropriate to inform this Manager, refer to the next line Manager as appropriate.
2. The KM Dass Site Contact will follow the issue resolution procedure to deal with this problem whilst at all times, maintaining a level of confidentiality as required by law and according to the request of the individual reporting the incident.

This shall include:

- Gathering all the information and determining the facts of the incident
 - Consulting and communicating with the person/s involved as necessary to resolve the issue to the satisfaction of the person reporting the incident
 - Monitoring and following up to ensure no further incidents have occurred
 - Assessment of the need for any additional awareness or training for employees
3. Should further bullying, harassment or violence occur, our company Disciplinary Procedure shall be initiated.

Name: Soumik Mukherjee
Position: Managing Director
Company: KM Dass Cleaning Services Ltd

Date: 15th April, 2022