

WORKPLACE HARASSMENT, DISCRIMINATION & BULLYING GUIDELINES

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INTENT

LiteHaus International employees have the right to be treated with fairness, dignity, and respect in accordance with our organisational values and the law. This procedure reinforces the commitment of LiteHaus International to eliminate harassment, discrimination and bullying behaviour in the workplace.

Harassment, discrimination and bullying are not acceptable behaviour within LiteHaus International workplaces. Under the *Queensland Anti-Discrimination Act 1991*, discrimination, victimisation, sexual harassment and vilification are illegal. Under work health and safety laws, employees and other people at the workplace must take reasonable care that they do not adversely affect the health and safety of others. LiteHaus International is committed to workplaces in which equal opportunity for all is an objective and which espouses and promotes gospel values and respect for the individual.

LiteHaus International employees are expected to:

- Behave in a responsible and professional manner
- Treat others in the workplace with courtesy and respect
- Listen and respond appropriately to the view and concerns of others
- Be fair and honest in their dealings with others

All employees are entitled to:

- Recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics
- A workplace free from harassment, discrimination, and bullying
- The right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised

SCOPE

This procedure applies to employees and volunteers of LiteHaus International Ltd.

INTRODUCTION

LiteHaus International recognises its duties and responsibilities as an employer in preventing and eliminating harassment, discrimination and bullying from the workplace and in protecting the health and safety of employees. It is equally the responsibility of all employees to ensure this is achieved by behaving in alignment with LiteHaus International values and the law and through incident reporting.

All employees have a duty to:

- Take reasonable care for personal health and safety while at work
- Take reasonable care that their acts do not negatively affect the health and safety of others
- Follow any reasonable instruction given by line managers and supervisors
- Co-operate with any reasonable LiteHaus International policies, guidelines and procedures

Engaging in harassing, discriminating or bullying conduct in the workplace constitutes a breach of this procedure and may result in a disciplinary process being undertaken which may include termination of employment. In some instances, harassment, discrimination or workplace bullying may also amount to a criminal offence.

COMMITMENT TO SAFE WORKPLACES

1. Employees

All LiteHaus International employees are responsible for ensuring that breaches of this guideline do not occur. All employees must:

- follow the standards of behaviour expected in the workplace;
- offer support to people who experience harassment, discrimination, and/or bullying, including providing information on how to make a complaint;
- avoid gossip and respect the confidentiality of complaint and resolution procedures;
- treat everyone with dignity, courtesy and respect.

2. Line Managers and Supervisors

Line managers and supervisors have a leadership role and are responsible for preventing incidents where possible and taking prompt action if they occur. They must:

- model appropriate standards of behaviour;
- take steps to educate and make employees aware of their obligations under this policy and the law;
- intervene quickly and appropriately when they become aware of inappropriate behaviour;

- act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard;
- help employees resolve complaints informally;
- refer formal complaints about breaches of this policy to the appropriate complaint handling officer for investigation;
- ensure employees who raise an issue or make a complaint are not victimised;
- ensure that recruitment decisions are based on merit and that no discriminatory requests for information are made;
- seriously consider requests for flexible work arrangements.

3. LiteHaus International

The organisation will:

- Take all reasonable steps to prevent harassment, discrimination, and bullying through a risk management process. This process includes, but is not limited to, identification of risk factors, assessment of the likelihood of abuse occurring from the risk factors identified, eliminating the risks, as far as reasonably practicable, reviewing the effectiveness of the control methods and training workplace participants about bullying, how to deal with it and its impact on the workplace
- Appoint and support the role of Harassment Referral Officer who will undertake training on an annual basis. Each Harassment Referral Officer is publicly known and easily identified in each workplace
- Inform all employees of this procedure and associated policies/guidelines/procedures
- Ensure reports of harassment, discrimination, bullying or other forms of abuse are treated seriously and addressed promptly, impartially and confidentially. A workplace investigation process may follow a complaint
- Take disciplinary action against anyone who is found to have engaged in behaviour that is substantiated as harassment, discrimination and/or bullying
- Consider disciplinary action against a person who makes a false complaint, a vexatious complaint or a complaint in bad faith where the intent was to get another person in trouble or where there is no foundation for the complaint.

HARASSMENT

Harassment in the workplace involves aggression or behaviour towards someone making them feel intimidated, insulted, or humiliated because of their age, disability, sexual preference, religion, skin colour or ethnicity and gender (including pregnancy, marital status, family/carer's responsibilities), or any other characteristic.

Sexual harassment is unwelcome behaviour of a sexual nature that targets a person's sexuality or gender, gains or reinforces power and dominance over that person, is unwelcome sexual attention and/or involves humiliation or offence to the victim.

DISCRIMINATION

Discrimination occurs when someone is treated less favourably than others because they have a particular characteristic or belong to a particular group of people. Protected traits include race, colour, sex, sexual orientation, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction or social origin.

Workplace discrimination can occur directly, when a person or group of people are treated less favourably than another person or group in a similar situation because of personal characteristics that are protected by the law. For example, an employee is harassed and humiliated because of their race, or an employee is refused a promotion due to their age.

Discrimination can also occur indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by the law. For example, redundancy is decided based on people who have had a worker's compensation claim rather than on merit.

BULLYING

Workplace bullying is repeated and unreasonable behaviour directed towards an employee or group of employees that creates a risk to health and safety. Repeated behaviour is behaviour which occurs more than once and may involve a range of behaviours over time. Unreasonable behaviour is behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Reasonable management action to direct and control the way work is carried out is not bullying. It is reasonable for managers or supervisors to allocate work and give feedback on an employee's performance. These actions are not considered to be workplace bullying if they are carried out lawfully and in a reasonable manner, taking the particular circumstance into account. A single incident of unreasonable behaviour or difference of opinion are not generally considered workplace bullying.

Examples of behaviour, whether intentional or unintentional, that would be work-related bullying include, but are not limited to:

- Abusive, insulting or offensive language or comments
- Unjustified criticism or complaints
- Deliberately leaving someone out of work-related activities
- Setting unreasonable timelines or constantly changing deadlines
- Setting tasks that are unreasonably below or beyond a person's skill level

- Not giving someone the information, supervision, consultation or resources they need to get the job done
- Spreading misinformation or mean rumours
- Changing work arrangements, such as rosters and leave, to deliberately cause inconvenience.

Note: Unreasonable behaviour that involves physical violence, for example, a physical assault or threat of physical assault does *not* count as workplace bullying. Behaviour that involves violence or the threat of violence should be reported to the police.

Harassment, discrimination and bullying at work can be harmful to the person being bullied and also to those who see it happening. Bullying affects workers in different ways and the effects of bullying could include:

- Distress, depression and/or anxiety
- Physical illness, for example muscle tension, headaches, fatigue and digestive problems
- Loss of self-esteem and self-confidence
- Feeling isolated
- Deteriorating relationships with colleagues, family and friends
- Negative impact on work performance, concentration and decision-making ability

HARASSMENT REFERRAL OFFICER

To assist with LiteHaus International's commitment to safe work environments, each workplace will have a Harassment Referral Officer. The Harassment Referral Officer is responsible for:

- Supporting employees in their understanding and adherence to the policy and associated procedures
- Explaining informal, formal and external resolution options for responding to issues
- Providing professional information and resources to inform decision making by listening and suggesting strategies
- Attending appropriate training as requested and applying knowledge and skills to support employees with harassment, discrimination and bullying issues
- Ensuring all reports of harassment, discrimination and bullying or other forms of abuse are treated seriously, impartially and with confidentiality
- Informing the delegated person of any significant complaints, particularly formal complaints

- Assisting with raising awareness in the school community regarding policies and procedures for employees experiencing harassment, discrimination, or bullying.

The Harassment Referral Officer does not:

- Investigate complaints
- Undertake the role of a counsellor or mediator or provide personal advice.

GUIDELINES

This procedure applies to behaviour that occurs during work or in connection with work, inside and outside of normal working hours, work related events, or on social media. It is imperative that all LiteHaus International employees understand the Staff Code of Conduct, policies, procedures/guidelines, values and expectations aligned with working within LiteHaus International.

An employee who believes they have experienced harassment, discrimination, or bullying may initiate this procedure through:

1. **Informal Resolution** – LiteHaus International encourages employees to communicate and work harmoniously together. If the employee feels comfortable doing so, they may try to resolve the conflict directly with the other employee/s. They should calmly inform the other person that they object to their behaviour and ask that it stop. An employee may engage their Harassment Referral Officer, Union representative, supervisor, or a Human Resources Officer for assistance and support in how to approach a resolution, this includes having the support person accompanying the employee during the process.
2. **Written Complaint** - Employees may choose to make a written complaint to their Supervisor or Lead Person. Based on the nature of the complaint, this may be dealt with informally or formally. If it is decided the complaint should be dealt with formally this will initiate an investigation and potential disciplinary action in accordance with the LiteHaus International's Managing Employee Misconduct and Discipline Procedure.
3. **Harassment Referral Officer** - Employees may choose to contact their Harassment Referral Officer for advice and assistance on how to proceed following exposure to workplace bullying.
4. **External Body** - An employee may choose to refer their complaint to an external body for advice or resolution. These bodies may include the Union, Fair Work Commission, or Queensland Anti-Discrimination Commission.

Employees who believe they have been subject to harassment, discrimination, or bullying are encouraged to confidentially document the details, facts, dates, times, places, witnesses and action taken.

If an employee is unsure what they should do about the behaviours they have experienced or witnessed they may wish to seek advice from an independent person. Advice should be sought from a person who is objective and impartial and who has knowledge of the options available for dealing with workplace bullying.

This may include:

- Supervisor/Manager
- Human Resources Manager
- Harassment Referral Officer
- Health and Safety Representative
- Union Representative
- Employee Assistance Programs.

DISCIPLINARY PROCESS

An employee who is alleged to have participated in harassment, discrimination, or bullying behaviour will be subject to a workplace investigation and if substantiated face a disciplinary outcome. Depending on the nature of the behaviour this may include:

- Corrective guidance;
- Verbal warning;
- Formal warning;
- Show cause process; or
- Termination of employment.

The investigation of the behaviour and implementation of these consequences will be done in conjunction with LiteHaus International's managing employee misconduct and discipline procedures stipulated in its Human Resources Policy.

RELATED POLICIES

- *LiteHaus International – Codes of Conduct*
- *LiteHaus International – Human Rights Statement*
- *LiteHaus International – Equal Employment Opportunity Policy*
- *LiteHaus International – Work Health & Safety Guidelines*
- *LiteHaus International – Standard Operating Manual*

REFERENCES

- *Anti-Discrimination Act 1991 (Qld)*
- *Disability Discrimination Act 1992 (Commonwealth)*
- *Racial Discrimination Act 1975 (Commonwealth)*
- *Australian Human Rights Commission Act 1986 (Commonwealth)*

- *Fair Work Act 2009 (Commonwealth)*
- *Workplace Gender Equity Act 2012 (Commonwealth)*
- *Sex Discrimination Act 1984 (Commonwealth)*
- *Age Discrimination Act 2003 (Commonwealth)*