

## **6. Bullying and Harassment**

North Gold Coast Sub-Branch Inc is committed to ensuring a healthy and safe veteran family environment, free from hostility, offensiveness, intimidation and harassment and any form of unlawful discrimination. These forms of behaviour within the places where we meet or gather are unacceptable will not be tolerated.

Bullying or harassment may cause the loss of trained and talented veterans and/or their family members and damage our member's morale and involvement/participation. This policy reflects the belief that all members should be able to work, participate and enjoy themselves in an environment free of intimidation and harassment.

You are responsible for your own behaviour. If you think your behaviour may offend, then don't do it.

### **Definition of Workplace Bullying**

Bullying occurs when:

- a person or group of people repeatedly behaves unreasonably towards a person or a group of people at our meeting places or other events where we gather, and
- the behaviour creates a risk to health and safety.

Bullying does not include reasonable management action taken in a reasonable way by North Gold Coast Sub-Branch Inc in connection with your employment.

Detailed below are examples of behaviours that may be regarded as bullying behaviour, especially if the behaviour is repeated and unreasonable and creates a risk to health and safety. Examples include:

- aggressive or intimidating conduct,
- belittling or humiliating comments,
- spreading malicious rumours,
- teasing, practical jokes or 'initiation ceremonies',
- exclusion from veteran-related events,
- unreasonable participation expectations or participation below or beyond a member's skill level,
- displaying offensive material, or
- pressure to behave inappropriately.

### **Definition of Harassment**

Harassment covers a wide range of behaviours of an offensive nature. It is commonly understood as behaviour intended to disturb or upset and it is characteristically repetitive.

### **Definition of Sexual Harassment**

Sexual harassment is any form of unwelcome sexual attention. It has nothing to do with mutual attraction or friendship between people, which is normal and positive.

Sexual harassment involves humiliation or offence to the victim. It's not fun, flattering or flirting. Sexual harassment can happen to anyone and it's against the law wherever and whenever it occurs.

Sexual harassment could be:

- unwelcome physical touching, hugging, massaging or kissing;
- sexual or suggestive comments, jokes, taunts or name calling;
- unwelcome requests for sex;
- insinuations about a person's private or sex life, or sexual preference;
- offensive gestures or staring;
- sending SMS messages or emails;
- unwelcome or uncalled for remarks or insinuations about a person's appearance;
- posting of inappropriate comments, pictures, video's or blogs on websites; or
- the display or circulating of clearly sexual material (such as photos, pin-ups, screensavers or pictures) or reading matter (such as emails, faxes, social media links or letters).

Sexual harassment doesn't have to be repeated or ongoing to be against the law. Some actions or remarks are so offensive that they're clearly sexual harassment, even if they're not repeated. Other incidents, such as an unwanted invitation or compliment, are probably not harassment if they are "one-offs".

The harassment doesn't have to be deliberate. It can also occur in cases where a reasonable person would have expected that the behaviour was going to be offensive.

Some sexual harassment matters, such as sexual assault, indecent exposure and stalking are also criminal offences.

### **Actions That Are Not Bullying or Harassment**

Legitimate and reasonable management actions and business processes are not considered to be bullying or harassment, provided these actions are conducted in a reasonable way.

This includes:

- performance management processes,
- disciplinary action for misconduct,
- informing a member about unsatisfactory performance or inappropriate behaviour,
- asking a member to perform reasonable duties in keeping with their job, or
- maintaining reasonable Sub-Branch goals and standards.

### **Effects of Bullying or Harassment on People and North Gold Coast Sub-Branch Inc RSL**

Bullying or harassment have detrimental effects on people and North Gold Coast Sub-Branch Inc. It can create an unsafe environment, resulting in a loss of trained and talented members and/or their families, the breakdown of individual relationships and reduced efficiency. People who are bullied or harassed can become distressed, anxious, withdrawn, depressed and can lose self-esteem and self-confidence.

## **North Gold Coast Sub-Branch Inc Strategies to Eliminate Bullying and Harassment**

North Gold Coast Sub-Branch Inc will take the following actions to prevent and control exposure to the risk of workplace bullying or harassment:

- provide all members with bullying and harassment awareness information/training;
- develop a code of conduct for members to follow;
- introduce a complaint handling system and inform all members on how to make a complaint, the support systems available, options for resolving grievances and the appeals process; and
- regularly review the bullying and harassment prevention policy and complaint handling system.

### **Responsibilities of Members**

North Gold Coast Sub-Branch Inc requires all members, their families and guests to behave responsibly by complying with this policy, to not tolerate unacceptable behaviour, to maintain privacy and confidentiality during investigations and to immediately report incidents of bullying or harassment to the Secretary and/or Sub-Branch Executive.

If you believe you have seen behaviour towards another member, which you consider amounts to bullying or sexual harassment, you are encouraged to discuss the matter with the Secretary and/or Sub-Branch Executive.

### **Responsibilities of Board Members**

Board Members must ensure that members are not exposed to bullying or harassment. Board Members are required to personally demonstrate appropriate behaviour, promote the bullying and harassment prevention policy, treat complaints seriously and ensure where a person lodges or is witness to a complaint, that this person is not victimised.

### **Vicarious Liability**

Under the Anti-Discrimination legislation, the Sub-Branch can be held liable for the actions (including sexual harassment) of their members or agents. This is called vicarious liability and the Sub-Branch needs to take reasonable steps to ensure that they protect their members from sexual harassment and other types of discrimination and vilification and to try to make sure our meeting places/events are free of this type of behaviour.

The Sub-Branch can't avoid our liability under the Act simply because we were not aware of the sexual harassment done by our members.

### **Commitment to Promptly Investigate**

Any reports of bullying or harassment will be treated seriously and investigated promptly, fairly and impartially. A person making a complaint and/or who is a witness to workplace bullying or harassment will not be victimised.

### **Consequences of Breach of Policy**

Disciplinary action will be taken against a person who harasses or bullies a member, client, or supplier or who victimises a person who has made or is a witness to a complaint. Complaints of alleged bullying or harassment found to be malicious, frivolous, or vexatious may make the complainant liable for disciplinary action. Discipline may involve a warning, counselling, or dismissal, depending on the circumstances in accordance with the RSL Constitution.