

Bullying & Harassment Policy

Overview

In line with its core values and its Code of Conduct, Promise of Performance and Rights & Responsibilities and Volunteering Policy, City Park Radio is committed to building and maintaining a positive work environment by providing all of its volunteers with a work space that is safe and conducive to productive activity.

This policy is aimed at achieving fair treatment and a safe volunteer environment that is free of bullying, harassment, vilification and victimisation.

Our non-bullying and non-harassment commitment

City Park Radio, together with all our volunteers, have mutual legal obligations not to endanger the health, safety or welfare of all volunteers, suppliers, clients, customers, visitors and guests or other people they meet during activities for City Park Radio.

How does this policy apply?

The policy applies to anyone associated with City Park Radio.

This policy applies to conduct:

- in the work space, including any place where you are present for any purpose connected with City Park Radio.
- that may affect the business of City Park Radio and its reputation, or any relationships at work or work performance;
- that occurs both within and outside normal business hours.

All volunteers are required to treat others respectfully and not engage in bullying or harassment of any kind. This applies particularly to avoiding any conduct of a sexual nature that may constitute bullying or harassment but is not limited to such conduct.

An important summary of the obligations under this policy

YOU MUST:

- accept your responsibilities to the people you deal with during the course of your volunteering;
- treat people with respect and courtesy at all times;
- respect the privacy of others in the workplace and avoid offensive conduct or behaviour; and
- report any breaches of this policy that you witness.

YOU MUST NOT:

- harass or bully a prospective member, volunteer, or any person in the work space; or
- victimise a person who has made a complaint, or any person involved in the investigation of a complaint, including a witness and/or the person complained about.

What is “Harassment”?

Harassment refers to any form of behaviour (physical, verbal or non-verbal) that is unwelcome and that a reasonable person would have anticipated would:

- humiliate someone;
- offend someone; or
- intimidate someone.

There is no requirement that the harasser intends to offend or harm for it to be unlawful. All that is required under the law is that a reasonable person would consider that the person being harassed would be offended, humiliated or intimidated by the behaviour in question.

Harassment may take the form of:

- Unlawful and general harassment
- Sexual Harassment or
- Bullying

Different people and cultures have diverse attitudes about verbal and physical actions. When in doubt, you should refrain from saying or do anything that may be perceived to be unwelcome, offensive, humiliating, belittling, abusive, threatening or intimidating

Examples of Harassment

Harassment (including sexual harassment and bullying) can be physical, verbal or written. It can include words, pictures or statements. It can be transmitted by post, phone, fax, video, text message, email, a screen saver or via social media such as Facebook or Twitter.

Some forms of verbal harassment include, but are not limited to:

- making fun of someone;
- telling offensive or insulting jokes;
- making derogatory comments or taunts about someone;
- asking repeated or intrusive questions about someone’s personal life;
- imitating someone’s accent;
- spreading rumours;
- obscene telephone calls, unsolicited letters, faxes, SMS or email messages;
- threats or insults;
- the use of language that is not suitable in the workplace; and
- name calling.

Some forms of non-verbal harassment include, but are not limited to:

- unwelcome practical jokes;
- displaying or circulating racist cartoons or literature;
- displaying offensive or pornographic posters or screen savers;
- sending explicit, offensive or sexually suggestive text messages, social media messages or emails;
- mimicking someone with a disability;
- ignoring someone or being particularly cold or distant with them;
- not sharing information;
- offensive hand or body gestures;

- unnecessarily leaning over someone; and
- continually ignoring or dismissing someone's contribution in a meeting or discussion.

Some forms of physical harassment include, but are not limited to:

- pushing, shoving or jostling; and
- putting your hand or an object on someone or into their clothes.

The most common form of workplace harassment is sexual harassment. Under Australian anti-discrimination law, there is a specific test for sexual harassment which differs from other forms of workplace harassment. This test has a lower threshold.

Sexual harassment of a fellow employee is unlawful even when it occurs outside of work hours and at a non-work location.

Sexual harassment includes but is not limited to:

- making a sexual advance or persistent or continual requests for dates;
- unwanted sexual compliments or excessive and unwelcome flirting;
- requests for sexual favours;
- suggestive comments about someone's appearance or body;
- remarks of a sexual nature about a person, their sex life or physical appearance;
- asking questions or divulging confidences of a sexual nature;
- leering or staring at a person or parts of their body;
- suggestive behaviour, unnecessary physical intimacy, unwanted body touching or
- physically molesting a person, including standing too close, excessively lengthy
- touching or body contact, touching; patting; pinching; kissing or embracing someone;
- physical conduct of a sexual nature;
- displaying or transmitting sexually offensive posters, handouts, emails or screen savers;
- suggestive letters and drawings, including email;
- gender-based insults or taunting;
- smutty or sexist jokes; or
- sexually suggestive behaviour including offensive body and hand movements;
- indecent exposure, stalking, sexual assault and rape.

Sexual harassment does not refer to behaviour which is based on mutual attraction (which is consensual and acceptable to both parties), friendship and respect.

What is “Bullying”?

Bullying behaviour can range from very obvious verbal or physical assault to very subtle psychological abuse. Examples of bullying conduct include, but not limited to:

- repeated verbal or physical abuse;
- yelling, screaming or offensive language;
- intimidating gestures or behaviours such as banging on tables;
- ongoing practical jokes or repeated pranks or jokes in relation to a particular employee (note that some so-called “pranks” or “initiation” events can be serious
- criminal matters such as assault or breaches of Work Health and Safety Laws);
- excluding or isolating employees;
- psychological harassment;
- intimidation;
- assigning meaningless tasks unrelated to the job;
- giving employees impossible jobs or setting unreasonable expectations;
- deliberately changing work rosters to inconvenience particular employees
- undermining work performance by deliberately withholding information vital for effective work performance;
- withholding work-related information or constantly changing work targets or guidelines;
- constant or public criticism or belittling;
- repeated sabotage, isolation, constant undermining or giving someone too little,
- too much or inappropriate work; and
- intrusive monitoring or micro-managing.

What is Not “Bullying”?

Any reasonable management action is not classified as bullying. Reasonable management action includes the setting of reasonable performance goals, reasonable supervision, reasonable legitimate and constructive performance management, counseling and discipline conducted in a reasonable manner and reasonable actions by a supervisor or Manager, including issuing reasonable and lawful directions.

What is “Vilification”?

Vilification is a particular form of harassment. It is also a criminal offence.

Vilification is inciting hatred of persons on the basis of their race, religion, disability, gender identity or sexuality.

For example it may be:

- equating a person with a particular attribute with an “animal”;
- displaying or communicating offensive material on the basis of an attribute;
- calling people names and making offensive comments on the basis of an attribute;
- emails, “jokes” or graffiti that incite hatred toward a person or group on the basis of an attribute; or
- threatening to harm a person with a particular attribute that affects how they dress (e.g. due to religious beliefs) unless they “learn to dress like everyone else”.

What is “Victimisation”?

Victimisation means any negative treatment of, or disadvantage imposed on, a person because they make a complaint or are involved in an investigation of a complaint about bullying or harassment under this policy. Victimisation also includes any conduct which disadvantages a person who is assisting or supporting a person who has been subjected to inappropriate behaviour.

Victimisation may take many forms including intimidation, exclusion from team or company activities, withholding opportunities, dismissing a volunteer, or threatening a person or limiting their access to benefits.

Assisting Bullying, Harassment, Victimisation or Vilification

You will also breach this policy and may be breaching applicable laws if you assist or encourage another person to engage in the conduct prohibited by this policy. It is your responsibility not only to ensure you do not engage in prohibited behaviour yourself, but also to ensure you do not contribute to such behaviour being carried on by another person.

Bullying or harassment outside the work premises

You should be aware that bullying and harassment that takes place outside the work premises can still be unlawful conduct in the context of your association with City Park Radio.

If you attend other work sites to perform work, you are also prohibited from bullying or harassing volunteers working there.

Consequences of a breach of this Policy

If you breach this policy, you will be subject to disciplinary action which may include:

- counselling;
- a verbal or written warning;
- dismissal, either with or without notice.

Our respective responsibilities

City Park Radio

City Park Radio has a responsibility to take reasonable steps to prevent bullying, harassment, victimisation and vilification from occurring in the workplace. This involves educating members and volunteers about inappropriate behaviour, putting this policy in place, implementing grievance procedures and ensuring compliance by all in the work space.

If an employee makes a complaint regarding the behaviours discussed in this policy, City Park Radio will deal with the complaint sensitively and in a confidential manner, so far as natural justice allows. The complaint will be investigated and, if substantiated, appropriate disciplinary action will be taken.

Any person making a complaint will not be treated adversely or victimised for making a complaint.

.Volunteers

Every volunteer has a responsibility to ensure that he or she does not bully, harass, victimise or vilify other volunteers, suppliers, customers, contractors or visitors, or aid, abet or encourage other persons in inappropriate behaviour.

You also have a duty to report conduct that you see happening to others. You should not simply let inappropriate conduct continue.

What to do if you consider you are being bullied, harassed, victimised or vilified or you witness such behavior

You must tell the person to stop.

This is often the simplest way of dealing with an issue as often the person concerned isn't aware that their behaviour is humiliating, offending or intimidating someone or in breach of this policy.

If it continues, you should speak to the President, who may insist on a formal complaint being made.

If the behaviour does not change, or you feel uncomfortable dealing with the issue directly, you may speak to the President.

You may make a formal complaint to the Secretary.

A formal complaint must be made in writing. or verbally. The complaint should set out who the complaint is about, what the issues complained about are, details of any information or evidence that support the complaint. City Park Radio will investigate and take whatever action is required to resolve the issue

Procedure for dealing with criminal conduct.

In relation to complaints about breaches of this Policy that are also about criminal offences such as assault, rape or sexual assault, or which breach the work health and safety laws, the matter must be referred to the President who will advise the complainant of the means to notify the appropriate authorities. Volunteers will be advised of the option of police support or intervention in the event the alleged circumstances are considered to warrant a report to the police.

Please note that City Park Radio will report alleged criminal offences such as rape or sexual assault to the police.