

BULLYING AND HARASSMENT POLICY



Type	Policy
Category	Human Resources
Policy Number	011
First Issued/Adopted	January 2016
Minutes Reference	29 February 2024
Review Period	36 months
Last Reviewed	February 2024
Next Review	February 2027
Applicable Legislation	<ul style="list-style-type: none"> • <i>Local Government Act 1999</i> • <i>South Australian Work Health and Safety Act 2012</i> • <i>South Australian Work Health and Safety Regulations 2012</i> • <i>South Australian Equal Opportunity Act 1984</i> • <i>Fair Work Act 1994</i>
Related Documents	<ul style="list-style-type: none"> • <i>Behavioural Standards Policy</i> • <i>Privacy Policy</i> • <i>Sexual Harassment Policy</i> • <i>WHS Administration Policy</i> • <i>Code of Practice on Managing Psychosocial Hazards at Work</i>
Consultation Undertaken	<ul style="list-style-type: none"> • <i>Audit & Risk Committee</i>
Responsible Officer	Manager Business Services

SIGNED:

General Manager

Date: 29 / 02 / 2024

Chairperson

Date: 29 / 02 / 2024

Introduction

At East Waste, we are committed to providing a safe and respectful workplace for all employees, contractors and anyone who interacts with our organisation. Bullying and harassment have no place in our workplace, and we are committed to preventing and addressing these behaviours.

Policy Statement

East Waste is dedicated to creating a work environment free from bullying and harassment, which includes but is not limited to verbal, physical, psychological, psychosocial and cyberbullying. We uphold our commitment to treating all individuals with dignity, respect, and fairness, regardless of their race, ethnicity, religion, gender, sexual orientation, age, disability, or any other characteristic.

This Policy has been established to:

- Provide clarity of what workplace bullying and harassment is and isn't.
- Safeguard the psychosocial wellbeing of employees.
- Assist with ensuring all persons working at East Waste are free from discrimination, bullying and harassment.
- Provide employees with information on how to report any concerns pertaining to bullying and/or harassment.
- Meet required legal and organisational obligations.

The implementation of this Policy and associated procedures and training will assist to foster a constructive work environment. The Policy aims to promote the following constructive behaviours:

- Resolving conflicts constructively; and
- Encouraging and supporting others.

Behaviour that constitutes bullying and harassment can have significant impacts on employees physical and mental wellbeing in addition to other potential workplace impacts such as decreased productivity, increased staff turnover, increased absenteeism, and poor morale. Therefore, East Waste has a zero-tolerance approach towards any bullying and harassment behaviour.

Workplace bullying

Bullying is defined as repeated and unwelcome behaviour or actions that cause an individual to feel threatened, intimidated, degraded, or humiliated. It may be carried out by an individual or a group and may include activities such as verbal abuse, offensive jokes, sharing of content, or spreading malicious rumours.

Examples of bullying behaviour can be, but is not limited to:

- Abusive, insulting, threatening or offensive language or comments
- Behaviour or language that frightens, humiliates, belittles or degrades
- Teasing or regularly making someone the brunt of practical jokes
- Spreading gossip, rumours and innuendo of a malicious nature
- Deliberately excluding, isolating or marginalising a person from normal workplace activities
- Deliberately denying access to information, consultation or resources
- Setting unreasonable timelines or constantly changing deadlines
- Setting tasks that are unreasonably below or beyond a person's skill level
- Tampering with a person's belongings or work equipment;
- Unfair treatment in relation to accessing workplace entitlements such as leave or training
- Changing work arrangements, such as rosters and leave, to deliberately inconvenience a particular worker or workers
- Excessive scrutiny at work.

While bullying is considered a form of aggression, the actions can be both obvious and subtle, whether intentional or unintentional, the behaviours may be considered to be workplace bullying if they are repeated, unreasonable, unwanted and/or create a potential workplace health and safety risk.

Workplace Harassment

The impacts/effects of harassment are similar to workplace bullying, the difference being that practices of unfair treatment named as harassment are informed by and concerned with the same grounds as those described under anti-discrimination and equal opportunity laws. This includes harassment based on grounds of gender, sexual preference, race, age, disability and other factors.

The practices of harassment and workplace bullying can therefore be the same: the difference being in how they are informed and consequently what legislative action can be taken.

Harassment can be a single or sequence of unwelcome offensive comment(s) or actions. Some of these practices include:

- Intimidation, ridiculing or teasing
- Offensive jokes
- Negative, insulting or belittling comments
- Sharing of offensive content
- Unreasonably setting different conduct or work standards
- Exclusion from activities, facilities and resources.

What does not constitute Bullying and Harassment?

A single incident of unreasonable behaviour is not considered to be workplace bullying. However, if it is not dealt with appropriately there is a possibility the behaviour could continue and/or escalate at which stage it may be considering bullying.

Reasonable direction from a line manager/supervisor or performance management conversation/process does not constitute workplace bullying or harassment. This includes setting reasonable performance goals, standards and deadlines, organisational changes or restructuring, and taking disciplinary action, including suspension and/or terminating employment.

Responsibilities

East Waste are responsible for:

- creating a safe and respectful work environment.
- providing adequate support to employees to complete tasks.
- providing training and awareness programs to prevent bullying and harassment.
- providing access to a free employee assistance program.
- investigating and addressing any reported incidents promptly and impartially.
- taking appropriate corrective actions in cases where bullying or harassment is substantiated.

Managers and supervisors are responsible for:

- leading by example and promoting a respectful workplace culture.
- addressing and preventing bullying and harassment in their teams.
- responding to complaints promptly and taking appropriate actions.
- ensuring that employees are aware of this Policy.

*Electronic version on the Intranet is the controlled version.
Printed copies are considered uncontrolled.
Before using a printed copy, verify that it is the current version.*

All employees, contractors, and volunteers are responsible for:

- treating all colleagues and individuals with respect and courtesy.
- reporting any incident(s) of bullying or harassment to their Line Manager(s).
- cooperating with investigations if they witness or experience such behaviour.

Reporting of Bullying and Harassment

All staff are encouraged to report incidents of bullying and/or harassment to their direct Team Leader, Supervisor, Coordinator and/or Manager. Staff reporting bullying and/or harassment will be provided complete confidentiality so far as possible. Where the complaint relates to the staff member's direct Supervisor or Manager, the incident is to be reported to the General Manager.

In the event the report is regarding the General Manager then the report should be directed to the East Waste Chairperson whose contact details are available via the East Waste website. East Waste would also encourage staff to raise the concerns confidentially with another member of the executive leadership team who can assist with providing support/direction if required.

Reports of bullying/harassment can be made by any communication method including verbally, via telephone, email or in writing. However, where deemed necessary by a line manager/supervisor the person making the report may be asked to provide detail in writing taking into account all applicable circumstances.

Resolving complaints about Bullying and Harassment

All reported bullying and/or harassment incidents will be investigated thoroughly by the relevant Supervisor or Manager taking into account East Waste's *Incident Reporting & Investigation Procedure*.

Any complaints about the application of the Policy to the workplace shall be brought to the attention of East Waste's General Manager.

Following an investigation any staff contravening the *Bullying and Harassment Policy* will be subject to appropriate disciplinary action including, but not limited to, written warnings, attendance at training sessions, mediation, and/or termination of their employment.

Training

All East Waste staff will attend a bullying and harassment training/awareness session with refresher training being provided at least every three (3) years.

Counselling and Support

East Waste is dedicated to fostering a workplace environment that is devoid of any form of bullying or harassment. We urge our employees to promptly report any concerns they may have to their respective manager or supervisor, who will offer necessary support and assistance. Additionally, all East Waste staff members have access to an external counselling service via the Employee Assistance Program. East Waste is committed to covering reasonable costs incurred by staff for external counselling sessions.

Bullying & Harassment Policy

Document History:	Version No:	Issue Date:	Description of Change:
	1.0	January 2016	New Document
	2.0	March 2018	No Changes
	2.1	March 2021	Job Title changes
	3.0	November 2023	Updated to current Policy format, updated legislation, related documents, policy statement, workplace bullying and workplace harassment section of the Policy. Other minor wording changes.
	3.1	February 2023	Inclusion of reference to psychosocial harm. Punctuation format updated.