

ANTI-DISCRIMINATION, BULLYING AND HARRASSMENT POLICY

Under federal and state legislation, discrimination in employment is against the law. Discrimination also undermines proper working relationships and may cause low morale, stress related illness, absenteeism or resignations.

1. Northern Occupational Support Service Inc (NOSS) is an Equal Opportunity Employer with a positive awareness of the spirit and intent of the Equal Opportunity and Anti-Discrimination laws.
2. NOSS adopts the principle of Equal Employment Opportunity regarding selection and promotion within NOSS underpinned by the merit principle and the elimination of discrimination.
3. NOSS will not tolerate any form of discrimination, bullying or harassment.
4. NOSS acknowledges that all employees and clients have the right to enjoy an environment free of discrimination and harassment and expects all employees to behave in a professional manner and to treat each other with dignity and respect.
5. All employees at all levels are responsible for adherence to this Policy.

DEFINITIONS

1. Discrimination

1.1. Discrimination occurs when someone is treated unfavourably because of one of his or her personal characteristics including, but not confined to, the following areas:

- Gender
- Age
- Disability
- Physical characteristic
- Parental status
- Family responsibilities
- Pregnancy and breastfeeding
- Religious belief
- Sexual preference
- Political belief and activity
- Marital status
- Race
- Irrelevant criminal record
- Irrelevant medical record
- Lawful industrial activity
- Lawful sexual activity

1.2. Discrimination may involve, but is not confined to, the following:

- (i) 'jokes' or comments about another workers racial or ethnic background, sex, sexual preference, age, disability or physical appearance.
- (ii) displaying pictures or posters which are offensive or derogatory, expressing negative stereotypes of particular groups.

- (iii) judging someone on their beliefs, origins, appearance, sex rather than their work performance.
- (iv) undermining a person's authority or work performance because you dislike one or some of their personal characteristics.

2. Equal Employment Opportunity

2.1. Equal Employment Opportunity is

- (i) Recruiting all employees on the basis of merit regardless of personal characteristics which do not impede their ability to perform duties safely effectively.
- (ii) Treating all staff according to their job performance and their skills, qualifications, abilities and achievements regardless of their personal characteristics which do not impede their ability to perform duties safely and effectively.
- (iii) Providing opportunities for promotions, transfers, vacancies and career progression on the basis of merit.

3. Bullying and Harassment

3.1. Harassment is any unwanted, unwelcome or uninvited behaviour, which makes a person feel humiliated, intimidated or offended.

3.2. Bullying is repeated, unreasonable behaviour directed towards a worker or group of workers. It creates a risk to personal and workplace health and safety.

- (i) Differences of opinion, conflicts and personality clashes can happen in the workplace and they are not bullying. If the behaviour goes beyond a one-off disagreement, if it increases in intensity or becomes offensive or harmful to someone, it is bullying.
- (ii) Bullying can be verbal, physical, written or electronic (such as emails and texting) including:
 - insults and constant criticism that makes you feel humiliated or intimidated
 - cruel and malicious rumours, gossip and innuendo
 - deliberately and repeatedly being ignored, excluded or undermined
 - behaviour or language that frightens or degrades you. This might include swearing, threats, yelling.
- (iii) Bullying may be linked to work tasks and duties. For example, as an employer or manager, you are bullying a worker if you deliberately:
 - give them work that is unreasonably above or below their ability
 - give them meaningless work that is unrelated to their job
 - give them inconvenient rosters, or change their hours on a whim or to inconvenience them
 - deny them information or resources to do their job
 - scrutinise their work excessively and unreasonably.

4. Sexual Harassment

- 4.1. Sexual Harassment is a legally recognised form of sex discrimination
- 4.2. Acts of sexual harassment can take many different forms, including but not confined to:
 - unwanted physical contact such as kissing, patting, touching, grabbing;
 - sexual propositions;
 - sexual intercourse under threat of loss of employment;
 - unwelcome remarks or insinuations about a person's sex or private life;
 - suggestive comments about a person's appearance or body;
 - sexually explicit conversations;
 - sexual or smutty jokes;
 - inferences to sexual morality i.e. prude, tart, slut;
 - offensive telephone calls;
 - gender-based insults or taunting;
 - being followed home from work or repeated requests for dates or drinks particularly after prior refusal;
 - offensive hand or body gestures
 - offensive, humiliating or intimidating displays of sexually graphic material including posters, pictures, cartoons, graffiti or messages left on boards, desks or lockers.
- 4.3. Behaviour that constitutes sexual harassment is illegal during any work-related function and will be subject to disciplinary action.
- 4.4. Sexual harassment is not consensual sexual behaviour between two people who are attracted to each other. However, such behaviour is still inappropriate in the workplace.

PROCEDURES

1. NOSS Responsibilities

- 1.1. Do all that is reasonable to prevent discrimination from occurring at the workplace or work related environment;
- 1.2. Treat all employees on their merits without regard to race, age, gender, marital status, sexual preference, disability, religion or political conviction.
- 1.3. Investigate complaints of discrimination in the workplace professionally, confidentially and in a non judgemental manner ensuring there is no presumption of guilt.
- 1.4. Provide information and support to complainants and advise on available options
- 1.5. Implement training and raise the awareness of appropriate standards of conduct;
- 1.6. Not tolerate any victimisation or reprisals for making complaints;
- 1.7. Maintain confidentiality of all matters relating to a complaint
- 1.8. Not tolerate any misuse of this policy.

2. Employees' Responsibilities

- 2.1. Report any form of discrimination observed within the workplace.
- 2.2. Offer support to victims by directing them to the most appropriate channel for help
- 2.3. Maintain confidentiality of all matters relating to a complaint

3. Action in response to an Incident

- 3.1. If possible, the victim should tell the offender of their objection to the behaviour and that it should not be repeated.
- 3.2. If the matter cannot be resolved, the victim should submit a Complaint Form as soon as possible.
- 3.3. The incident will be dealt with in accordance with the NOSS Complaints Policy.

4. Penalties

- 4.1. Disciplinary action will be taken against anyone who discriminates against another person in the workplace or work related environment in accordance with the NOSS Counselling and Discipline Policy.
- 4.2. Anyone who harasses or victimises a person who makes a complaint under this policy will face disciplinary action.
- 4.3. Any person who, without authorisation from the Manager, passes on confidential information regarding an investigation under this policy will face disciplinary action.
- 4.4. Disciplinary Action may involve a warning (verbal or written) or termination of employment.
- 4.5. Serious breaches of this policy may result in employment being terminated without notice.