

## Policy 6 – Bullying

### Introduction

Alive 90.5 FM believes that all people should work in an environment free from bullying.

Alive 90.5 FM understands that workplace bullying is a threat to the health and wellbeing of its staff, volunteers, and customers.

Accordingly, Alive 90.5 FM is committed to eliminating, so far as is reasonably practicable, all forms of workplace bullying by maintaining a culture of openness, support, and accountability.

### Purpose

The purpose of this document is to communicate that Alive 90.5 FM does not tolerate any form of workplace bullying and to set out the process which is to be followed should any instances of workplace bullying be reported.

### Definitions

**“Bullying”** is repeated and unreasonable behaviour directed towards a person or group of persons that creates a risk to health and safety. It includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine, or threaten.

**“Repeated behaviour”** refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

**“Unreasonable behaviour”** is behaviour that a reasonable person, having considered the circumstances would see as unreasonable, including behaviour that is victimizing, humiliating, intimidating, or threatening.

**Examples of behaviour**, whether intentional or unintentional, that may be considered to be workplace bullying if they are repeated, unreasonable and create a risk to health and safety include but are not limited to:

1. abusive, insulting or offensive language or comments
2. unjustified criticism or complaints
3. deliberately excluding someone from workplace activities
4. withholding information that is vital for effective work performance.
5. setting unreasonable timelines or constantly changing deadlines
6. setting tasks that are unreasonably below or beyond a person’s skill level.
7. denying access to information, supervision, consultation or resources to the detriment of the worker
8. spreading misinformation or malicious rumour’s
9. changing work arrangements such as rosters and leave to deliberately inconvenience a particular workers or workers.

Workplace bullying can be carried out in a variety of ways including through email, text, or social media channels.

Workplace bullying can occur between workers (sideways), from managers to workers (downwards), or workers to supervisors/managers (upwards).

Reasonable management action is not considered to be workplace bullying if it is carried out lawfully and in a reasonable manner in the circumstances.

Examples of reasonable management action include but are not limited to:

1. setting reasonable performance goals, standards, and deadlines
2. deciding not to select a worker for promotion where a reasonable process is followed.
3. informing a worker about unsatisfactory work performance in an honest, fair and constructive way
4. taking disciplinary action, including suspension, or terminating employment.

Differences of opinion and disagreements are generally not considered to be workplace bullying.

Bullying that directly inflicts physical pain, harm, or humiliation amounts to assault and should be dealt with as a police matter (see below).

## Policy

Alive 90.5 FM has a duty of care to provide a safe workplace, and ensure, so far as is reasonably practicable, that workers and other people are not exposed to health and safety risks.

Alive 90.5 FM accepts and acts on its duty of care. any reported allegations of workplace bullying will be promptly, thoroughly, and fairly investigated.

Bullying complaints will be handled in a confidential and procedurally fair manner. Where confidentiality cannot be guaranteed this will be clearly communicated to the relevant parties.

All parties will be treated with respect.

The person against whom the allegation is made has the right to natural justice (the right to know what is alleged against them, the right to put their case in reply, and the right for any decision to be made by an impartial decision-maker).

## Policy 6 – Sexual Harassment

### INTRODUCTION

Alive 90.5 FM will fiercely defend the right of every employee and volunteer to perform their work without being subjected to sexual harassment. Every employee and volunteer are responsible for providing an environment that is supportive of this aim. Everyone must treat everyone else with respect and must aim to act as a beacon for good behaviour in the workplace.

It is the obligation and responsibility of every employee and volunteer to ensure that the workplace is free from sexual harassment. Everyone working at Alive 90.5 FM is responsible for the care and protection of our people and for reporting information about suspected sexual harassment.

Alive 90.5 FM is fully committed to its obligation to prevent and eliminate sexual harassment in the workplace.

### PURPOSE

The purpose of this document is to outline Alive 90.5 FM's position on sexual harassment and to document the process which is to be followed should any grievances arise.

### DEFINITIONS

Sexual harassment means any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated, or intimidated, and where that reaction is reasonable in the circumstances.

Examples of sexual harassment include, but are not limited to,

1. staring or leering
2. unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching.
3. suggestive comments or jokes
4. insults or taunts of a sexual nature
5. intrusive questions or statements about your private life
6. displaying posters, magazines, or screen savers of a sexual nature
7. sending sexually explicit emails or text messages
8. inappropriate advances on social networking sites
9. accessing sexually explicit internet sites
10. requests for sex or repeated unwanted requests to go out on dates.
11. behaviour that may also be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

## POLICY

Alive 90.5 FM will not tolerate sexual harassment under any circumstances. Responsibility lies with every Board Member, Manager, Supervisor, and employee/volunteer to ensure that sexual harassment does not occur.

Both federal and state Equal Employment Opportunity legislation provide that sexual harassment is unlawful and establish minimum standards of behaviour for all employees and volunteers.

This policy applies to conduct that takes place in any work-related context, including conferences, work functions, social events, and business trips.

No employee or volunteer at any level should subject any other employee, volunteer, customer, or visitor to any form of sexual harassment.

A breach of this policy will result in disciplinary action, up to and including termination of employment.

Alive 90.5 FM strongly encourages any employee who feels they have been sexually harassed to take immediate action. If an employee or volunteer feels comfortable in doing so, they can raise the issue with the person directly with a view to resolving the issue by discussion. The employee or volunteer should identify the harassing behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stops.

However, given the seriousness of sexual harassment, this discussion happens in consultation with a member of the Board, or the Chair.

Alternatively, or in addition, they may report the behaviour in accordance with the complaint's procedure. Once a report is made the organisation will determine how the report should be dealt with in accordance with its obligations and this policy.

Any reports of sexual harassment will be treated seriously and promptly with sensitivity. Such reports will be treated as completely confidential but the person the subject of the complaint must be notified under the rules of natural justice. The organisation will protect all those involved in the process from victimisation.

Complainants have the right to determine how to have a complaint treated, to have support or representation throughout the process, and the option to discontinue a complaint at any stage of the process. The alleged harasser also has the right to have support or representation during any investigation, as well as the right to respond fully to any formal allegations made. There will be no presumptions of guilt and no determination made until a full investigation has been completed.

No employee or volunteer will be treated unfairly because of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment, or against any employee or volunteer who has been alleged to be a harasser.

All employees and volunteers have the right to seek the assistance of the relevant tribunal or legislative body to assist them in the resolution of any concerns. Managers or Supervisors who fail to take appropriate corrective action when aware of harassment of a person will be subject to disciplinary action.