

Workplace Behaviour Policy

Purpose of policy

The purpose of this policy is to ensure our organisation is an employer of choice with a workplace culture is positive, civil, respectful and inclusive.

Objective

The objective of this policy is to increase awareness of what workplace behaviours are appropriate and inappropriate, as well as to provide guidance on how to respond when inappropriate workplace behaviours are observed.

Scope

This policy applies to the conduct of employees as well as contractors, suppliers, temporary staff, visitors, vendors, customers, or others in the work environment. It also applies to employees' personal social media participation [refer to the Social Media policy].

Importance of positive workplace culture

Inappropriate workplace behaviours can impact the health and well-being of individuals and our entire organisation in that:

- they can create an unsafe and unhealthy working environment
- it can impact relationships between employees and teams, as well as relationships with customers and suppliers
- people who are the targets or observe others being targets can become distressed, anxious, withdrawn, depressed and can lose trust, self-esteem and self-confidence
- it can lead to high turnover including the loss of trained and talented workers, which in turn increases costs associated with hiring and training replacement workers.

Definitions and examples

Appropriate workplace behaviours

Appropriate workplace behaviours:

- respect the dignity of all of its employees, customers, suppliers and contractors;
- promote Equal Employment Opportunity (EEO) for all current and future employees. EEO means all employment and management practices operate in a way that gives everyone equality of opportunity in a work environment that is free from bullying, discrimination, harassment and sexual harassment.

Inappropriate workplace behaviours

The following sections summarise several common inappropriate behaviours, namely: workplace bullying, discrimination, harassment and sexual harassment. More information on these topics is available from the CEO or the following organisations:

Organisation	Phone	Website
WorkSafe Victoria	1800 136 089	worksafe.vic.gov.au/bullying
Fair Work Ombudsman	131394	fairwork.gov.au
Victorian Equal Opportunity and Human Rights Commission	1300 292 153	www.humanrightscommission.vic.gov.au
Victoria Police		www.police.vic.gov.au/
Unions and industry associations		

1. Workplace bullying

Workplace bullying is characterised by persistent and repeated negative behaviour directed at an employee that creates a risk to health and safety. It may occur in one-to-one situations, in front of managers or supervisors, co-workers, clients or customers or by written, visual, electronic communications such as letters, drawings, emails or telephone communications.

Examples of workplace bullying

- demeaning language or verbal abuse.
- threats, physical or verbal intimidation.
- outbursts of anger or aggression.
- excluding or isolating employees.
- giving employees impossible assignments.
- deliberately changing work rosters to inconvenience particular employees.

What is NOT workplace bullying

Reasonable management actions carried out in a fair and reasonable manner is NOT workplace bullying. If conducted in a reasonable manner, the following are not considered bullying:

- setting performance goals, standards and deadlines
- deciding not to select a worker for promotion
- informing a worker about unsatisfactory work performance
- informing a worker about inappropriate behaviour
- implementing organisational changes.

2. Discrimination

It is unlawful for employees to be discriminated against at work because of their:

- age
- carer and parental status
- disability (including physical, sensory and intellectual disability, work related injury, medical conditions, and mental, psychological and learning disabilities)
- employment activity
- gender identity, lawful sexual activity and sexual orientation
- industrial activity
- marital status
- physical features
- political belief or activity
- pregnancy and breastfeeding
- race (including colour, nationality, ethnicity and ethnic origin)
- religious belief or activity
- sex
- personal association with someone who has, or is assumed to have, one of these personal characteristics

Examples of discrimination

- offensive "jokes" or comments about another worker's racial or ethnic background, sex, sexual preference, age, disability, and the like
- display or dissemination of pictures, posters, emails or social media which are offensive or derogatory
- expressing negative stereotypes of particular groups
- judging a person based on religious or political beliefs, cultural practices, sex, age and the like.

3. Harassment

Workplace harassment includes any verbal or physical conduct that is not welcomed, and:

- is offensive to the recipient
- has the purpose or the effect of creating an unreasonably intimidating, hostile or offensive work environment, and
- has the purpose or the effect of unreasonably interfering with the recipient's work performance.

Harassment can be a single incident or repeated.

Examples of workplace harassment include:

- name calling, slurs or derogatory remarks
- verbal abuse, physical abuse, ridicule, intimidating or hostile acts focused on a personal or group characteristic
- placing on walls, bulletin boards, intranet/internet/email or elsewhere material that denigrates or shows hostility or aversion towards a person or a group because of a personal or group characteristic.

4. Sexual harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature.

Examples of prohibited sexual harassment include the following:

- demands for sexual favours
- threatening/taking adverse employment actions if sexual advances are rejected
- unwelcome physical contact, flirtations, propositions, whistling, leering, staring, ogling
- improper and offensive gestures or remarks, including unwelcome comments about an individual's physical appearance
- sexual jokes or the inappropriate use of sexually explicit or offensive language
- displaying or distributing sexually explicit objects, images or pictures.

Responsibilities

Employee responsibilities

Kilsyth Basketball requires all employees to:

- behave responsibly by complying with this policy
- not tolerate inappropriate workplace behaviour
- if requested, participate in and maintain privacy during investigations, and
- immediately report incidents of inappropriate workplace behaviour to your manager or CEO.

Employer responsibilities

Management personnel are required to personally demonstrate appropriate behaviour, promote this policy, treat complaints seriously and ensure that where a person lodges or is witness to a complaint, this person is not victimised.

How to report inappropriate workplace behaviour

If you believe you are being bullied:

- You can try to resolve the problem yourself with the person(s) involved as soon as possible. You may find that they didn't mean to do what they did.
- If you're unsure of how to handle the problem yourself, you can report your complaint verbally by talking to your manager or CEO or in writing by completing a [incident report form/hazard report form] and giving it to your manager or CEO.
- If your complaint is about your manager or CEO you can report your complaint directly to the CEO or to your HR department or contractor.

If you observe an incident in which another employee is being bullied, bring it to the attention of your manager or CEO.

If you make allegations about inappropriate workplace behaviour, you must ensure that you:

- make the complaint honestly and in good faith
- provide all the facts relevant to the complaint
- co-operate with the investigation and resolution processes.

Management responsibility for responding to allegations

Upon receiving allegations of inappropriate workplace behaviour:

DO NOT

- Ignore the complaint or tell the employee to put up with the behaviour
- Tell the employee making the complaint to sort it out themselves
- Make a judgement about whether the complaint is true or not
- Talk to anyone about the issue except those involved in the investigation and its resolution.

DO

- Be sympathetic, sensitive and serious
- Enquire into the matter within [2 working days], and attempt to resolve it as soon as possible.

Manager's action steps

1. Notify the CEO immediately.
2. Document the complaint using [incident report form/hazard report form].
3. The CEO or their designate will determine the appropriate person to investigate the complaint. The investigator must be someone who is immediately available, impartial and trained in conducting investigations. If the organisation cannot identify a suitably qualified internal employee to conduct an investigation, they may source a person from BV.
4. Investigation must begin within [2 working days] of the allegations being lodged.
5. The investigation report must include:
 - conclusion of the investigation
 - recommendations
 - information on how to seek review of decision.

Examples of recommendations (from investigation)

- mediation (only where both parties agree to the mediation and to the mediator)
- gaining commitment to cease the behaviour
- running an awareness campaign
- individual/workgroup/organisation wide training(eg communications skills, diversity awareness, interpersonal skills)
- providing coaching, counselling support and/or mentoring
- reviewing procedures with all workers and managers
- structured program to re-integrate a person into the workplace
- move the perpetrator away from the affected person
- implement disciplinary action (eg termination, employee file note, first and final warning letter)
- require an apology
- any other action deemed fair and reasonable.

Consequences of breach of policy

Disciplinary action, including possible termination of employment, will be taken against anyone who victimises a person who has made or is a witness to a complaint.

If a complaint of alleged inappropriate workplace behaviours is found to be malicious, frivolous or vexatious, the complainant may receive disciplinary action.

Review of policy


This policy and the actions outlined above will be reviewed by June 30 each year unless required earlier because of changes to the risk profile of the workplace or relevant legislation. If necessary, further changes and actions may be introduced to prevent inappropriate workplace behaviour.

Further information

- Workplace Bullying: Prevention and Response (WorkSafe Victoria).
- Occupational Health and Safety Act 2004.
- Inappropriate Behaviour Policy (see document 1.1).

Endorsement

Kilsyth Basketball has committed to this policy and its implementation, and to ensuring a civil, respectful and inclusive work environment.



Garry Conner
Chief Executive Officer
Kilsyth Basketball
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