

APPROPRIATE WORKPLACE BEHAVIOUR



Policy

Author	Sarah Murphy, Human Resources Manager
Approved By	Andrew Barker, Director Support Services
Document Replaces	HR02 Anti-Discrimination and Equal Opportunity; HR21 Harassment and Bullying; HR42 Sexual Harassment
Effective Date of Document	28 August 2012
Due for Review	28 August 2014
Related Policies	Code of Conduct, Grievance Policy, Counselling and Discipline
Relevant Procedures	Grievance Resolution

Aim

AIA is committed to providing a workplace that values teamwork, respect and recognition and integrity. We place great emphasis on our values and ask all employees to adhere to them as they are the foundation of our culture and reputation.

This policy articulates and supports the integration of these values in day to day behaviour and decision making. It will be updated from time to time and additional content may be added as particular needs arise.

Scope

All staff of AIA must be aware of and comply with this policy.

Policy

If, at any time, you are unclear about the application of these guidelines, or require further information, you should speak with your supervisor or the HR Manager.

Non-compliance with this policy may result in disciplinary action, up to and including summary dismissal in the most serious of cases. Employees who breach the law may also be personally liable for their action.

EQUAL EMPLOYMENT OPPORTUNITY

AIA is committed to providing a workplace for all employees that is inclusive of difference. AIA values the diversity of our workforce and aims to provide a work environment that recognises, respects, and enables everyone to work effectively towards the achievement of our goals.

Recognising diversity acknowledges that different people have different needs, at different times in their lives; and that treating everybody in the same way at all times, may not account for these differences. Managing diversity is the process of recognising, utilising and benefiting from the variety of backgrounds amongst our people.

AIA practices Equal Employment Opportunity. Equal employment opportunity (EEO) ensures that all employment decisions are made on the basis of merit, taking into account all relevant skills and experience, without bias or

APPROPRIATE WORKPLACE BEHAVIOUR



prejudice. We strive to achieve diversity in applicant groups, short-listed candidates and overall appointments for recruitment and promotion purposes.

Special measures intended to achieve equality, otherwise known as positive discrimination, are permitted in certain circumstances by federal and state legislation. Where AIA intends to implement special measures for the purpose of achieving substantive equality between diverse groups, AIA will advise the people who may be affected by this decision and the reason for adopting the special measure.

ANTI-DISCRIMINATION

It is our aim to have a work environment where individual difference and diversity is encouraged and people can work and relate in an environment free from discrimination.

What is discrimination?

Discrimination occurs when an employee is treated less favourably in their employment based on irrelevant factors or characteristics.

Employment decisions are unlawful if they are made on the basis of a person's physical appearance, race, nationality or ethnic origin, colour, social origin, ethical belief, political conviction, trade union activity, religious belief, employment status, criminal record, gender, sexuality or sexual orientation, transgender, marital status including occupation of spouse or partner, parental status and family responsibilities, pregnancy or potential pregnancy, age, disability (including HIV or AIDS), physical impairment or carer's responsibilities.

Discrimination can be both direct and indirect. Direct discrimination occurs when a person is treated differently because of a certain factor or characteristic. Indirect discrimination can occur when a requirement, which is the same for everyone, has an unfair effect on some people because of a specific attribute they possess (eg sex, race, disability).

HARASSMENT/ SEXUAL HARASSMENT

AIA does not tolerate any behaviour that creates a hostile or distressing environment, undermines morale, or reflects adversely on the integrity of our organisation.

All forms of harassment and bullying are unacceptable and depending on the severity can lead to disciplinary action or dismissal.

What is harassment?

- Harassment is any uninvited, unwelcome, behaviour that offends, humiliates or intimidates another person, whether or not that effect is intended.
- It may be specifically aimed at people with particular or different characteristics or be general behaviour that isn't directed at any particular person.
- Behaviour constituting harassment is often a matter of personal perception and interpretation, and tolerance for what is considered 'acceptable behaviour' may vary widely among individuals.
- Harassment may occur as a single act, or as a series of incidents, persistent innuendoes or threats. It can happen in the workplace or at a work-related function.



APPROPRIATE WORKPLACE BAHEUIOUR

- Harassment can take many forms, it may be silent or loud, subtle or openly hostile, it can be private or public.
- Harassment of another person on the basis of his or her physical appearance, race, nationality or ethnic origin, colour, social origin, ethical belief, political conviction, trade union activity, religious belief, employment status, irrelevant criminal record, gender, sexuality or sexual orientation, transgender, marital status including occupation of spouse or partner, parental status and family responsibilities, pregnancy or potential pregnancy, age, disability (including HIV or AIDS) or carer's responsibilities may be unlawful if it is hurtful or offensive to the recipient and has the effect of disadvantaging the recipient in his or her employment.

What is not harassment?

- Requests to perform legitimate and reasonable work requirements, reasonable management practices, organisational change or downsizing are not harassment.

What is sexual harassment?

- Sexual harassment is an unwelcome conduct of a sexual nature, which may **possibly** cause a reasonable person to feel offended, humiliated or intimidated. Sexual harassment is against the law.
- Legal action can be taken against individual employees for sexual harassment and expose AIA to liability.
- This includes actions from any person within AIA, towards any other person within the organisation or any other organisation participating in Amnesty's work.
- Sexually harassing behaviour may include but is not limited to: offensive or demeaning comments, jokes or innuendo; offensive gestures, staring or displaying offensive material; unwelcome or uncalled for remarks or insinuations about a person's sexual activities or private life; demands for sexual favours; unwanted sexual propositions or advances; or any unwanted physical contact.
- It is unlawful if there is a request for sexual intercourse, sexual contact or other forms of sexual activity that contains an implied or overt promise of preferential or detrimental treatment of a person's employment, or an implied or overt threat about present or future employment status.

What is not sexual harassment?

- Mutual attraction or friendship between two people who welcome the attention is not sexual harassment. AIA is concerned only with behaviour that adversely affects the workplace or our people, not with the private lives of employees.

BULLYING

AIA does not tolerate any behaviour, which creates a hostile or distressing environment, undermines morale, or reflects adversely on the integrity of our organisation.

What is bullying?

- Workplace bullying is the repeated, less favourable treatment of a person by another or others in the workplace, which may be considered unreasonable and inappropriate workplace practice.
- Behaviours that constitute bullying includes behaviour that intimidates, offends, degrades or humiliates an employee or any other person within the organisation, possibly in front of co-workers or third parties.

APPROPRIATE WORKPLACE BEHAVIOUR



- Bullying can take many forms and may include loud and aggressive tactics such as yelling or screaming abuse or subtle intimidation such as inappropriate comments about personal appearance, constant criticism, manipulation, isolating employees from normal work interaction, 'ganging-up', practical jokes gone wrong, impossible deadlines or undermining work performance.

What is not bullying?

Workplace bullying is not single incidents, grievances in relation to legitimate and reasonable work requirements, reasonable management practices, organisational change or downsizing.

RESPONSIBILITIES

It is important for all of us to support a workplace inclusive of difference and free of discrimination, bullying or harassment.

Employees

- If you have a special need please discuss it with your Manager who will give it due consideration.
- If you have a diversity related grievance, you experience an incidence of harassment, sexual harassment or bullying or you observe an incident, please refer to the Grievance Policy and Procedure.

Managers

- You must be committed to maintaining and encouraging a work environment that respects and values diversity and encourages inclusion.
- You must promote an environment that is free from discrimination, harassment and bullying.
- All current and future employees are to be treated equally by you and given every opportunity to develop their career and personal aspirations, based on merit.
- You are responsible for ensuring that all your employees are aware of and comply with this policy
- If an employee wishes to discuss a special need that they have within the workplace, you must show respect for their needs, consider their request and follow it through appropriately, in line with AIA policies, procedures, and business needs.
- If an employee, or any other person within the organisation, brings a complaint to you, you must discuss it with the HR Manager and follow the Grievance Policy and Procedure provided.