

## PURPOSE

This policy outlines the behaviours that are considered unacceptable when it comes to workplace bullying and sexual harassment. Bullying and sexual harassment are unlawful under discrimination and work health and safety legislation (**Acts**) in any work-related context including conferences, work functions, office parties and business trips.

This policy applies to any form of bullying and sexual harassment that occurs not only between employees but also between any other people that you may come into contact with as part of your employment with Dash Access and Inclusion Services. We take a firm stance on bullying and sexual harassment and breach of this policy is considered to be serious and may result in disciplinary and/or legal action against the offending person. This policy applies to all employees, workers and contractors.

## SEXUAL HARASSMENT

Sexual harassment is any unwelcome sexual advance or other conduct of a sexual nature which makes a person feel offended, humiliated or intimidated where a reasonable person would anticipate that reaction in the circumstances. Examples of sexual harassment may include, but are not limited to:

- unwelcome physical contact such as pinching, touching, grabbing, kissing or hugging;
- sexual jokes or comments, sexually explicit emails, texts and/or conversations;
- intrusive questions or insinuations about a person's private life; and/or
- requests for sexual favours.

Even if you didn't intend to offend, humiliate or intimidate the other person, certain conduct can amount to sexual harassment.

Sexual harassment is not interaction, flirtation or friendship which is mutual or consensual.

## BULLYING

Bullying is repeated, unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety. Examples of bullying include, but are not limited to:

- physical or verbal abuse;
- yelling, screaming or offensive behaviour or language; and/or
- intimidation.

Legitimate and reasonable management action such as actions taken to transfer, demote, discipline, retrench or dismiss an individual are not considered to be bullying, providing these actions are conducted in a reasonable way. Further, it is not bullying for your Manager to counsel you regarding your performance or conduct in a reasonable way, as this may be necessary to ensure you are meeting our expectations.

Bullying does not have to be directed at a particular individual to be unlawful. Behaviour which creates a hostile working environment can also be unlawful.

## INAPPROPRIATE WORKPLACE BEHAVIOUR

Behaviour that is directed toward a worker or group of workers that offends, humiliates, intimidates or is unreasonable but does not meet the definition of Sexual Harassment or Bullying may still be considered inappropriate workplace behaviour. All instances of inappropriate workplace behaviour and misconduct will be dealt with in accordance with the Grievance and/or Performance Management policy.

## VICTIMISATION

Victimisation is where a person is retaliated against or subjected to bullying because they have lodged a complaint or intend to lodge a complaint alleging a breach of the Acts or are involved in a proceeding under the Acts (e.g. appearing as a witness). You must not retaliate against a person who raises a complaint or subject them to any physical or psychological harm. We aim to support you and encourage you to display this same behaviour by ensuring that any person who is involved in a grievance or complaint is treated with respect and confidentiality.

## BREACHES & REPORTING

- At Dash Access and Inclusion Services, everyone has a responsibility as part of their employment to adhere to this policy.
- If you feel you are (or observe someone else) being bullied, sexually harassed or victimised, you should report your concern to a manager for assistance in management or resolution of the complaint/ grievance.
- Please refer to the Grievance Policy and/or the Performance Management Policy for further information on how a claim of bullying and/or sexual harassment will be handled at Dash Access and Inclusion Services.
- This policy can be amended by Dash Access and Inclusion Services as it sees fit and does not vest enforceable rights in employees, contractors or workers.