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**Buderim Bowls Club Inc**

# **Workplace discrimination and harassment policy**

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<b>Background</b>	Error! Bookmark not defined.
<b>1. Scope</b>	<b>1</b>
<b>2. Aims</b>	<b>2</b>
<b>3. Staff rights and responsibilities</b>	<b>2</b>
3.1 Additional responsibilities of the management committee	3
<b>4. Unacceptable workplace conduct</b>	<b>3</b>
4.1 Discrimination	4
4.2 Bullying	5
4.3 Sexual harassment	5
4.4 Victimisation	6
4.5 Gossip	6
<b>5. Merit at BBC Inc</b>	<b>7</b>
<b>6. Resolving issues at BBC Inc</b>	<b>7</b>
6.1 Employee assistance program	<b>Error! Bookmark not defined.</b>
<b>7. Other relevant BBC Inc policies</b>	<b>7</b>
<b>8. More information</b>	<b>8</b>
<b>9. Review details</b>	<b>8</b>

## **Policy**

It is our aim that all members, visitors and workers at the Buderim Bowls Club incorporated (BBC) should enjoy good relationships with each other. This means that everyone should feel comfortable while playing bowls and socialising or working at the Club.

An important part of good sporting and social relationships is that everyone must be able to participate in an environment free of harassments which are disruptive to the well-being of members and staff or affect the enjoyment and safety of all.

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## 1. Scope

This policy applies to:

- members and visitors
- all staff, including: managers and supervisors; full-time, part-time or casual, temporary or permanent staff; job candidates; student placements, apprentices, contractors, sub-contractors and volunteers
- all aspects of employment, recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; leave arrangements; workload; equipment and transport
- on-site, off-site or after hours work; work-related social functions; conferences – wherever and whenever staff may be as a result of their BBC Inc duties
- staff treatment of other staff, of clients, and of other members of the public encountered in the course of their BBC Inc duties.

## 2. Aims

BBC Inc is committed to providing a safe, flexible and respectful environment for staff and clients free from all forms of discrimination, bullying and sexual harassment.

All BBC Inc staff is required to treat others with dignity, courtesy and respect.

By effectively implementing our *Workplace discrimination and harassment policy* we will attract and retain talented staff and create a positive environment for staff.

## 3. Staff rights and responsibilities

All staff are entitled to:

- recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics
- work free from discrimination, bullying and sexual harassment
- the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised
- reasonable flexibility in working arrangements, especially where needed to accommodate their family responsibilities, disability, religious beliefs or culture.

All staff must:

- follow the standards of behaviour outlined in this policy
- offer support to people who experience discrimination, bullying or sexual harassment, including providing information about how to make a complaint
- avoid gossip and respect the confidentiality of complaint resolution procedures
- treat everyone with dignity, courtesy and respect.

### **3.1 Additional responsibilities of managers and supervisors**

Managers and supervisors must also:

- model appropriate standards of behaviour
- take steps to educate and make staff aware of their obligations under this policy and the law
- intervene quickly and appropriately when they become aware of inappropriate behaviour
- act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard
- help staff resolve complaints informally
- refer formal complaints about breaches of this policy to the appropriate complaint handling officer for investigation
- ensure staff who raise an issue or make a complaint are not victimised
- ensure that recruitment decisions are based on merit and that no discriminatory requests for information are made
- seriously consider requests for flexible work arrangements.

## **4. Unacceptable workplace conduct**

Discrimination, bullying and sexual harassment are unacceptable at BBC Inc and are unlawful under the following legislation:

- *Federal Sex Discrimination Act 1984*
- *Racial Discrimination Act 1975* (
- *Disability Discrimination Act 1992*
- *Age Discrimination Act 2004*
- *Australian Human Rights Commission Act 1986*
- *Anti Discrimination Act Qld 1991 (updated Mars 2017)*
- *Work Health and Safety Act 2011*

Staff (including managers) found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal discipline up to and including dismissal.

## 4.1 Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability.

Discrimination can occur:

**Directly**, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

*For example, a worker is harassed and humiliated because of their race  
or  
a worker is refused promotion because they are 'too old'*

**Indirectly**, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law (see list below).

*For example, redundancy is decided based on people who have had a worker's compensation claim rather than on merit.*

**Protected personal characteristics under Federal or State of Qld discrimination law include:**

- a disability, disease or injury, including work-related injury
- parental status or status as a carer for example, because they are responsible for caring for children or other family members
- race, colour, descent, national origin, or ethnic background
- age, whether young or old, or because of age in general
- sex
- industrial activity, including being a member of an industrial organisation like a trade union or taking part in industrial activity, or deciding not to join a union
- religion
- pregnancy and breastfeeding
- sexual orientation, intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, queer and heterosexual
- marital status, whether married, divorced, unmarried or in a de facto relationship or same sex relationship
- political opinion
- social origin
- medical record
- an association with someone who has, or is assumed to have, one of these characteristics, such as being the parent of a child with a disability.

It is also against the law to treat someone unfavourably because you assume they have a personal characteristic or may have it at some time in the future.

## **4.2 Bullying**

If someone is being bullied because of a personal characteristic protected by equal opportunity law, it is a form of discrimination.

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices.

Under Federal or state law, this behaviour does not have to be repeated to be discrimination – it may be a one-off event.

Behaviours that may constitute bullying include:

- sarcasm and other forms of demeaning language
- threats, abuse or shouting
- coercion
- isolation
- inappropriate blaming
- ganging up
- constant unconstructive criticism
- deliberately withholding information or equipment that a person needs to do their job or access their entitlements
- unreasonable refusal of requests for leave, training or other workplace benefits.

Bullying is unacceptable in BBC Inc and may also be against occupational health and safety law.

## **4.3 Sexual harassment**

Sexual harassment is a specific and serious form of harassment. It is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written. It can include:

- comments about a person's private life or the way they look
- sexually suggestive behaviour, such as leering or staring
- brushing up against someone, touching, fondling or hugging
- sexually suggestive comments or jokes
- displaying offensive screen savers, photos, calendars or objects
- repeated unwanted requests to go out
- requests for sex
- sexually explicit posts on social networking sites
- insults or taunts of a sexual nature
- intrusive questions or statements about a person's private life
- sending sexually explicit emails or text messages

- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Just because someone does not object to inappropriate behaviour in the workplace at the time, it does not mean that they are consenting to the behaviour.

Sexual harassment is covered in the workplace when it happens at work, at work-related events, between people sharing the same workplace, or between colleagues outside of work.

All staff and volunteers have the same rights and responsibilities in relation to sexual harassment.

A single incident is enough to constitute sexual harassment – it doesn't have to be repeated.

All incidents of sexual harassment – no matter how large or small or who is involved – require employers and managers to respond quickly and appropriately.

BBC Inc recognises that comments and behaviour that do not offend one person can offend another. This policy requires all staff and volunteers to respect other people's limits.

#### **4.4 Victimisation**

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating an equal opportunity concern or complaint.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator.

BBC Inc has a zero tolerance approach to victimisation.

#### **4.5 Gossip**

It is unacceptable for staff at BBC Inc to talk with other staff members, clients or suppliers about any complaint of discrimination or harassment.

Breaching the confidentiality of a formal complaint investigation or inappropriately disclosing personal information obtained in a professional role (for example, as a manager) is a serious breach of this policy and may lead to formal discipline.

## **5. Merit at BBC Inc**

All recruitment and job selection decisions at BBC Inc will be based on merit – the skills and abilities of the candidate as measured against the inherent requirements of the position – regardless of personal characteristics.

It is unacceptable and may be against the law to ask job candidates questions, or to in any other way seek information, about their personal characteristics, unless this can be shown to be directly relevant to a genuine requirement of the position.

## **6. Resolving issues at BBC Inc**

a) Complaints will be dealt with fair and equitable treatment for all members, in a timely non-adversarial manner and in an open discussion with all stake holders.

a1) Complainants and witnesses shall not be victimised in any way for making a complaint or providing evidence in an investigation.

The privacy of the parties involved in a complaint will be maintained at all times, and as such, details of the complaint will not be disclosed to any person other than those directly involved in the resolution process.

Staff or member who do not feel safe or confident to take such action may seek assistance from any person of their choice for advice and support or action on their behalf.

A2) Complaints will be settled within the Club whenever possible

BBC Inc strongly encourages any staff member who believes they have been discriminated against, bullied, sexually harassed or victimised to take appropriate action by writing to the president through the club's secretary.

If the issue remains unresolved, the Club member can resort to alternate remedies for resolving the grievance. These include petitioning the Board Secretary to convene a General Meeting of the Members or independent mediation.

In the cases relating to termination or suspension of membership, refer to our rules and by-laws (revised 2015, 2018, 2019).

b) Defamation

A possibility of being sued for defamation arises when the person making the complaint speaks to someone other than the alleged harasser or those people involved in the process of formally resolving the complaint. It is in his or her own interests, that the person making the complaint should not discuss the matter with anyone else.

Complainants and those involved in investigating complaints need to ensure that the allegation is disclosed only to those with a genuine interest in resolving the dispute.

The defence of qualified privilege protects anyone necessarily involved in investigating or resolving the complaint both formally and informally.

### **Rights of the Respondent**

To be informed of what they have been accused of (the specific allegation) and of who is making the allegation;

The right to natural justice and the opportunity to fully respond to any allegation made;

The right to have a support person, other than a Solicitor, Barrister or other professional agent – Section 13 (a) of the Constitution, of their own choice during any investigation interviews;

To fair treatment and procedures;

Not to be prejudged or discriminated against on the basis of the complaint;

The right to obtain professional advice throughout the investigation process

## **7. Other relevant BBC Inc policies**

Staff, especially managers and supervisors, are encouraged to read this policy in conjunction with other relevant BBC Inc policies, including:

- Workplace sexual harassment policy
- Flexible work arrangements policy
- Pregnancy and work procedure and policy
- Occupational health and safety policy
- Workplace complaint resolution policy and procedure
- Discipline procedure
- Mission, vision and values statements

## **8. More information**

If you have a query about this policy or need more information please contact any member of the executive committee,

## **9. Review details**

This policy was adopted by BBC Inc on [\[insert date\]](#)

This policy was last updated on [\[insert date\]](#)