



WORKPLACE DISCRIMINATION, HARASSMENT AND BULLYING COMPLAINTS RESOLUTION PROCEDURE

Purpose

Is to establish procedures in relation to the resolution of complaints associated with discrimination, harassment and bullying in the workplace or working environment for volunteers.

Scope

This procedure applies to all Australian Bowhunters Association's employees, managers, contractors, temporary employees, work experience personnel, volunteers and Executive Committee members.

Policy Title

Equal Opportunity and Prevention of Workplace Discrimination, Harassment and Bullying Policy

Resolution of Complaints and Issues of Concern

It is in the interest of any person or group who believe they have been unlawfully discriminated against, sexually harassed, bullied or victimised to take action to prevent the behaviour from recurring.

Australian Bowhunters Association believes that all complaints and issues of concern should be resolved quickly, confidentially and wherever possible, at the lowest appropriate level. A range of internal issue resolution options are available including:

- I. Informal self-resolution;
- II. Informal resolution by your immediate Manager;
- III. Formal local workplace resolution involving mediation and conciliation. This may be done by an employee's manager, another appropriate manager, a member of the Executive Committee or with the assistance of an external mediator / conciliator;
- IV. Formal investigation/assessment by an external independent provider/ investigator.

What can you do if you are being discriminated against?

If you consider you have been discriminated against, raise your concerns with your Manager or person of authority in the first instance.

What can you do if you are being harassed or bullied?

Bullying and harassment is to be dealt with and should not be ignored, as ignoring the behaviour could be taken as implied consent. Anybody who experiences or witnesses harassment or bullying is encouraged to either:

- Inform the offender that the behaviour is offensive and unacceptable and against Association policy; or
- Seek assistance in having the behaviour stopped. This may include reporting the issue to your Manager or a member of the Executive Committee.

Who can assist you in making a report or complaint?

If you feel that you are unable to resolve the matter yourself, the following people will be able to assist you:

- Your Manager;
- Executive Committee member;
- President of the Executive Committee.

In addition to the above listed people, you may approach Fair Work Australia, the Australian Human Rights Commission, a relevant state authority (such as WorkSafe) for independent advice at any time.

Do I need to document the complaint?

It is necessary to document the complaint where an individual wishes to make a **formal** complaint. In the case where an individual opts to resolve the matter directly with the other person or the individual seeks some informal assistance from their manager or an Executive Committee member, documentation is not necessary.

What will happen if you make a Report or Complaint?

Any complaints or reports of discrimination, harassment or bullying will be treated quickly, fairly and seriously. They will be investigated thoroughly, impartially and where possible, confidentially (when investigating some complaints confidentially is not always possible).

Managers, Executive Committee members or anyone else in a position of authority must act immediately. Individuals will not be disadvantaged in their employment conditions or opportunities as a result of lodging a complaint.

What will happen to the person against whom you have made a complaint?

Management / Executive Committee considers all forms of workplace discrimination, harassment and bullying to be unacceptable behaviour which will not be tolerated. Accordingly, where such complaints have been substantiated, action will be taken against individuals who have breached this policy during the course of his/her employment or contract for services with Australian Bowhunters Association. Such action may range, based on severity of the complaint from a formal warning to termination of employment.

What will happen if the complaint is deemed to have been unsubstantiated or vexatious?

No individual will be penalised or disadvantaged as a result of raising legitimate concerns or complaints relating to discrimination, harassment or bullying. If unsubstantiated or found to be vexatious (deliberately made up), it may also result in disciplinary action against the complainant.

Natural Justice

A complaint of discrimination, harassment and/or bullying is a serious allegation to bring against someone. For this reason, while advisers may have feelings of sympathy for the complainant, and quite possibly negative feelings towards the respondent when dealing with a complaint, it is crucial to continually bear in mind the rights of the respondent as determined by the principles of natural justice. The adviser must approach the problem with neutrality.

Defamation

A person should not be deterred from making a complaint of discrimination, harassment and bullying in the workplace by concerns about defamation laws. Generally if a complainant only discusses the complaint with appropriate people in the workplace and is acting in good faith (i.e. is not making complaint out of spite or malice), then the person will not be liable for defamation.

Australian Bowhunters Association may amend and vary this policy from time to time.

Related Documents

Australian Bowhunters Association Equal Opportunity and Prevention of Workplace Discrimination, Harassment and Bullying Complaints Policy
Australian Bowhunters Association Disciplinary and Performance Management Policy and Procedure

Date Effective

March 2018

Next Review Date

March 2019 or in the event of Legislative change