

HARRASSMENT, DISCRIMINATION AND WORKPLACE BULLYING POLICY

1. Policy Statement

PSAB Australia Pty Ltd, herein referred to as PSAB, will strive to achieve a healthy and safe workplace by addressing the issue of harassment, discrimination, and workplace bullying. PSAB is concerned to ensure that harassment, discrimination, and workplace bullying does not occur but, in the event it does, appropriate action is taken quickly. PSAB commits itself to educating employees as to the nature and effects of harassment, discrimination, and workplace, and to providing the necessary resources to inform them of the contents of this policy.

Employees of PSAB must not engage in harassing, discriminatory or bullying behaviour towards another employee; or a member of the public with whom they have contact in the course of their employment. PSAB does not tolerate such behaviour and may take disciplinary action up to and including dismissal against any employee who:

- participates in harassing, discriminatory, or bullying behaviour; or
- victimises or retaliates against an employee who has lodged a complaint about harassment, discrimination, or workplace bullying.

Accordingly, all PSAB employees are to:

- comply with PSAB Values and Code of Conduct;
- comply with PSAB's Professional Behaviours;
- treat others in a professional, courteous, respectful and fair way;
- treat harassment, discrimination and workplace bullying matters seriously, and deal with them in a prompt, confidential and fair manner; and
- report any incidents to an appropriate person.

2. Purpose

The purpose of this policy is to make PSAB employees aware of what constitutes harassment, discrimination and workplace bullying, and their responsibilities in preventing and managing such incidents.

The intended outcome is a workplace that is free from all forms of harassment, discrimination and bullying.

3. Application

This policy applies to PSAB ongoing and non-ongoing employees, contractors and consultants.

This policy covers:

- Any behaviour or series of behaviours that unfairly or unreasonably offends, humiliates, intimidates, belittles, undermines, scares, excludes, or embarrasses anyone it is directed at, or anyone who sees or overhears it; and



- Any behaviour or series of behaviours which may constitute any form of discrimination.

This policy does not cover:

- Work-related interpersonal conflicts and occasional differences of opinion or disagreement with decisions which may be more appropriately addressed in accordance with PSAB's Certified Agreement and in particular, resolving problems with administrative matters.
- Reasonable and appropriate corrective management of an employee's poor workplace performance or behaviour; or
- Enforcement of lawful directions issued by the agency.

4. Legal Framework

Harassment or discrimination on the grounds of race, gender, religion, political opinion, sex, pregnancy or potential pregnancy, marital status, physical or mental disability, sexual preference, national extraction or social origin, age, and/or family responsibilities is an offence under various Commonwealth anti-discrimination and workplace legislation. Further, employees must not harass or discriminate against others on the grounds of political or religious conviction or union membership status.

PSAB has a responsibility under the *Occupational Health and Safety Act 1991* (OHS Act) to ensure the health, safety and welfare of employees and others in the workplace. Individual employees may be liable to prosecution under the OHS Act for failure to provide a safe workplace. Harassment, discrimination and bullying may result in injury to staff, which may be compensable under the *Safety, Rehabilitation and Compensation Act 1998*.

5. Responsibilities

All PSAB employees are responsible for ensuring that breaches of this policy do not occur. Supervisors and managers have a leadership role and are responsible for preventing incidents and taking prompt action if breaches do occur.

6. Breaches

Engaging in harassing, discriminating or bullying conduct in the workplace constitutes a breach of this policy and the PSAB Code of Conduct and may result in disciplinary action up to and including dismissal. In some instances, harassment, discrimination or workplace bullying may also amount to a criminal offence or a breach of relevant Commonwealth legislation.

7. Additional Information

Legislation

- *Public Service Act 1999*
- *Human Rights and Equal Opportunity Commission Act 1986*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Disability Discrimination Act 1992*



- *Age Discrimination Act 2004*
- *Occupational Health and Safety Act 1991*
- *Workplace Relations Act 1996*
- *Freedom of Information Act 1982*
- *Privacy Act 1988*
- *Crimes Act 1900*
- *Criminal Code 2002*

Review date: Two years after the date of publishing or where appropriate.



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PSAB Harassment Ver 1.0 Dated 1-Nov-2020