

Zenith RBA is committed to ensuring that no staff member is subject to harassment in the workplace.

## OBJECTIVES

- To eliminate instances of workplace harassment
- To eliminate workplace related bullying (including verbal or physical abuse).
- To ensure that every person in the workplace has a clear understanding that workplace harassment has no place in our workplace and will not be tolerated
- To educate all persons in our workplace that where instances of workplace harassment occur, severe disciplinary (including dismissal) may be instigated.
- To ensure that all persons in our workplace work in harmony and without fear of harassment from management, other staff or customers.

## What is workplace harassment?

Workplace harassment is sometimes called bullying but they are one and the same thing. Meaning of 'workplace harassment':

A person is subjected to 'workplace harassment' if the person is subjected to repeated behaviour, other than behaviour amounting to sexual harassment, by a person, including the person's employer or a co-worker or group of co-workers of the person that:

- (a) Is unwelcome and unsolicited
- (b) The person considers offensive, intimidating, humiliating or threatening
- (c) A reasonable person would consider offensive, humiliating, intimidating or threatening.

Workplace harassment' does not include reasonable management action taken in a reasonable way by the person's employer in connection with the person's employment.

This definition is intended to cover a wide range of behaviours that can have an adverse impact on the workplace health and safety of workers and other persons. Harassing behaviours can range from subtle intimidation to more obvious aggressive tactics.

Detailed below are examples of behaviours that may be regarded as workplace harassment, if the behaviour is repeated or occurs as part of a pattern of behaviour. This is not an exhaustive list – however, it does outline some of the more common types of harassing behaviours:

- abusing a person loudly, usually when others are present
- repeated threats of dismissal or other severe punishment for no reason
- constant ridicule and being put down
- leaving offensive messages on email or the telephone
- sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways
- maliciously excluding and isolating a person from workplace activities
- persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters
- humiliating a person through gestures, sarcasm, criticism and insults, often in front of customers, management or other workers
- spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.

There are bound to be occasional differences of opinion, conflicts and problems in working relationships – these are part of working life. However, if the workplace behaviour is repeated, unwelcomed and unsolicited, and offends, intimidates, humiliates or threatens a person, then workplace harassment exists and action will be taken to stop the behaviour.

## Who may experience workplace harassment?

Workplace harassment can occur between people in any direction within a workplace, for example:

- laterally (a co-worker harassing another co-worker)
- upwards (a worker harassing a manager/ supervisor)
- downwards (a supervisor/manager harassing a worker).

What is 'repeated' behaviour?

'Repeated' refers to the constant nature of the behaviour, not the specific type of harassing behaviour. Behaviour is considered 'repeated' if an established pattern can be identified. It may involve a series of diverse incidents – for example, verbal abuse, sabotaging a person's work and unreasonable threats of dismissal.

## **What is not workplace harassment?**

The following situations are not considered to be workplace harassment.

### **Single incidents**

A single incident of harassing type behaviour is not considered to be workplace harassment. Nevertheless, single incidents of harassing type behaviour should not be ignored or allowed. Well-managed intervention in response to single incidents will help prevent the situation from escalating.

### **Reasonable Managerial actions**

This harassment policy does not cover situations where a worker has a grievance about reasonable management actions, taken in a reasonable way. Reasonable management actions include legitimate:

- performance management processes
- action taken to transfer or retrench a worker
- a decision not to provide a promotion in connection with the worker's employment
- injury and illness processes
- business processes, such as, workplace change or restructuring.

However, these management actions may still be relevant where:

- managerial actions are primarily used to offend, intimidate, humiliate or threaten workers
- processes create an environment where workplace harassment is more likely to occur.

### **Discrimination and sexual harassment**

Acts of unlawful discrimination or sexual harassment are not covered under this harassment policy.

### **Impact of workplace harassment**

Workplace harassment can have a significant negative impact on both people and businesses, as outlined in the following sections.

#### **How workplace harassment can affect a person**

There are a range of psychological and physical illnesses and injuries that an individual who continues to be exposed to workplace harassment may experience. The effects of workplace harassment on a person may include:

- high levels of distress, impaired ability to make decisions and poor concentration
- loss of self-confidence and self-esteem and feelings of social isolation at work
- panic attacks, anxiety disorders, depression, social phobia (withdrawal from usual social interaction) and deteriorating relationships with family and friends
- reduced output and performance, incapacity to work, loss of employment
- sleep disturbances, such as, insomnia or severe tiredness.

#### **Effects of workplace harassment on people and the business**

Workplace harassment has detrimental effects on people and the business. It can create an unsafe working environment, result in a loss of trained and talented workers, the breakdown of teams and individual relationships, and reduced efficiency. People who are harassed can become distressed, anxious, withdrawn, depressed, and can lose self-esteem and self-confidence.

## Responsibilities of workers

**Zenith RBA** requires all workers to behave responsibly by complying with this policy, to not tolerate unacceptable behaviour, to maintain privacy during investigations and to immediately report incidents of workplace harassment to the HR Manager, QA/EHS Manager, immediate Supervisor, Manager, Director, CEO or Chairperson.

Managers and supervisors must also ensure that workers are not exposed to workplace harassment. Management are required to personally demonstrate appropriate behaviour, promote the workplace harassment and bullying prevention policy, treat complaints seriously and ensure where a person lodges or is witness to a complaint, that this person is not victimised.

## Where workers can go for assistance

A worker, who believes that they are being harassed or bullied and are not comfortable dealing with the problem themselves, or attempts to do so have not been successful, should raise the issue with the HR Manager, QA/EHS Manager, immediate Supervisor, Manager, Director, CEO or Chairperson for information and assistance in the management and resolution of a workplace harassment complaint.

## Responsibilities of Management

If workplace bullying or unreasonable behaviour is reported or observed management will take the following steps:

1. The responsible supervisor or manager will speak to the parties involved as soon as possible, gather information and seek a resolution to satisfactorily address the issue for all parties.
2. If issues cannot be resolved or the unreasonable behaviour is considered to be of a serious nature, an impartial person will be appointed to investigate. Both sides will be able to state their case and relevant information will be collected and considered before a decision is made.
3. All complaints and reports will be treated in the strictest of confidence. Only those people directly involved in the complaint or in resolving it will have access to the information.
4. There will be no victimisation of the person making the report or helping to resolve it. Complaints made maliciously or in bad faith will result in disciplinary action.

## Employee Assistance Program

Employees are entitled to a certain amount of free, professional counselling from our employee Assistance program [Access EAP]. Employee assistance program counselling is confidential and nothing discussed with a counsellor is communicated back to Zenith RBA.

## Commitment to promptly investigate complaints

**Zenith RBA** has a complaint handling system which includes procedures for reporting, investigating, resolving and appealing workplace harassment complaints. Any reports of workplace harassment will be treated seriously and investigated promptly, fairly and impartially. A person making a complaint and/or who is a witness to workplace harassment will not be victimised.

## Consequences of breach of policy

Disciplinary action will be taken against a person who harasses a worker or who victimises a person who has made or is a witness to a complaint. Complaints of alleged workplace harassment found to be malicious, frivolous or vexatious may make the complainant liable for disciplinary action.

## Review of policy

This policy and the actions outlined above will be reviewed yearly, unless required earlier because of changes to the risk profile of the workplace or relevant legislation. If necessary, further changes and actions may be introduced to ensure that workplace harassment is prevented and controlled.

## Endorsement

I have committed to this policy and its implementation, and to ensuring a healthy and safe work environment that is free from workplace harassment.



**Greg McDonnell**  
Group Managing Director

Date: 22/06/2022  
Next Review: 01/07/2024