

ACT GREENS - WORKPLACE BULLYING POLICY

Our commitment

ACT Greens is committed to providing a safe and healthy workplace free from bullying.

Workers are protected by this policy whether they feel bullied by a supervisor, another worker, client, contractor or member of the public.

ACT Greens will treat reports of workplace bullying seriously. We will respond promptly, impartially and confidentially.

This policy will be made available to all workers and volunteers including contractors. New workers will be given a copy of this policy at their induction. Managers and supervisors will remind workers of the policy from time to time.

Expected workplace behaviours

Under work health and safety laws, workers and other people at our workplace must take reasonable care that they do not adversely affect the health and safety of others.

ACT Greens expects people to:

- behave in a responsible and professional manner
- treat others in the workplace with courtesy and respect
- listen and respond appropriately to the views and concerns of others, and
- be fair, honest and transparent in their dealings with others.

Scope of policy

Under the Work Health and Safety Act (2011) a person is defined a worker if the person carries out work in any capacity for the ACT Greens, including work as an employee, a contractor, or as a volunteer.

This policy applies to behaviours that occur:

- during work activities, for example when dealing with members of the public
- at work-related events, for example at conferences and work-related social functions, regardless of the time of day and
- on social media where workers interact with colleagues or clients and their actions may affect them adversely either directly or indirectly.

Definitions: What is workplace bullying?

Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety.

Repeated behaviour refers to the persistent nature of the behaviour and can refer to a range of behaviours over time.

Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Single incidents of unreasonable behaviour can also present a risk to health and safety and will be

taken seriously

What is not workplace bullying?

Reasonable management action taken by managers or supervisors to direct and control the way work is carried out is not workplace bullying if the action is carried out in a lawful and reasonable way, taking the particular circumstances into account.

What can you do?

If you feel you are experiencing or witnessing workplace bullying, and are not comfortable dealing with the problem yourself, or your attempts to do so have not been successful, you should raise the issue promptly either with your supervisor, the Convenor or the designated Office Bearer. If you are a member of the union you may also raise any issues with your delegate.

If you witness unreasonable behaviour you should bring the matter to the attention of your supervisor or the delegated office bearer as a matter of urgency.

How we will respond

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

- The responsible supervisor or manager or delegated office bearer will speak to the parties involved as soon as possible, gather information and seek a resolution to satisfactorily address the issue for all parties.
- If issues cannot be resolved or the unreasonable behaviour is considered to be of a serious nature, an independent third party will be appointed to investigate by the ACT Green's Office Bearers or a body delegated to respond to matters of this type. Both sides will be able to state their case and relevant information will be collected and considered before a decision is made.
- if the unreasonable behaviour is considered to be criminal in nature, (such as sexual assault, physical violence) the matter will be referred to police as soon as is practicably possible. Please also refer to the sexual harassment policy for further guidance regarding dealing with matters of this nature.
- 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. There are however limits to confidentiality. If complaints raise concerns about your immediate health and safety or are criminal in nature, the organisation may be required to involve third parties to respond to the issue.
- There will be no victimisation of the person making the report or helping to resolve it. Complaints made maliciously or in bad faith may result in disciplinary action.

Consequences of breaching this policy

Appropriate disciplinary action may be taken against a person who found to have engaged in bullying behaviour. The action taken will depend on the nature and circumstance of each substantiated allegation and could include:

- a verbal or written apology;
- one or more parties agreeing to participate in counselling or training;
- a verbal or written reprimand, or
- transfer, demotion or dismissal of the person engaging in the bullying behaviour.
- summary dismissal in the instance of criminal behaviour substantiated by police.

If workplace bullying has not been substantiated

If an investigation finds workplace bullying has not occurred or cannot be substantiated, **ACT Greens** may still take appropriate action to address any workplace issues leading to the bullying report.

Do I have Right of Review?

Reports of workplace bullying should be raised within the workplace, and reasonable attempts should be made to resolve the matter internally before referring to external agencies. Both parties continue to have access to external review mechanisms, such as the Worksafe, Fair Work Commission or the Human Rights Commission. In most cases, Worksafe ACT are the appropriate body to contact where reasonable attempts to resolve a workplace bullying complaint through internal processes within the workplace have failed.

Storing information during and after a complaint

The investigator should ensure that any material collected is stored confidentially and is not accessible by any other member of the organisation, except in circumstances where this is deemed necessary.

At the conclusion of an investigation, consideration should be given to the ongoing storage of information, with options including:

- destroying records if the allegation was not substantiated;
- maintaining a record of the process on an individual's personnel file for a limited or ongoing period.

Other Resources:

<http://www.safeworkaustralia.gov.au/sites/swa/about/publications/pages/workers-guide-workplace-bullying>

Related policies

ACT Greens- sexual harassment policy

Relevant legislation

[Work Health and Safety Act 2011](#)

[Fair Work Act 2009](#)

[Fair Work Regulations 2009](#)