

# AUJS Policy Booklet

## 2016

**Motion:** The National Executive of AUJS 2017 will co-opt Erin Gordon onto the National Executive on her return to Australia on June 17<sup>th</sup> 2017

- Moved: Isabella Polgar
- Seconded: Alexandra Kowal

**Motion:**

*That this assembly of the Australasian Union of Jewish Students*

- *Recognises the outstanding contribution Liraz Poorian has made to AUJS over the past 3 years*
- *Recognises the stability, professionalism, strategy and enthusiasm that Liraz Poorian has injected into AUJS*
- *Congratulates Liraz for her remarkable leadership and efforts to transform and grow AUJS*
- *Offers its best wishes to Liraz for the years to come*
- Moved: Michael Fisher
- Seconded: Cameron Graf

**Motion:**

*This Assembly of the Australasian Union of Jewish students:*

- *Reconfirms its long standing support for sections 18C and 18D of the Racial Discrimination Act in their present form;*
- *Affirms that sections 18C and 18D strike an appropriate balance between freedom of expression and freedom from racial vilification;*
- *Endorses the continuing efforts of the ECAJ, in concert with its State constituent organisations and also organisations in the wider community, to defend the current legislation against attempts to repeal or water down its protections;*
- *Notes that sections 18C and 18D provide a means of legal redress against racist discourse, including antisemitic discourse, only if such discourse has profound and serious effects impacting adversely on the quality of life of those against whom it is directed;*
- *Considers such discourse to be an abuse, rather than an exercise, of the right of free speech;*
- *Rejects all attempts to misrepresent the legal effect of sections 18C and 18D;*
- *Opposes the Bill that was recently reintroduced into the Senate seeking to omit the words "offend" and "insult" from section 18C;*
- *Urges all Jewish students to communicate their support for the current legislation to their local Federal MPs.*
- Moved: Ariel Zohar
- Seconded: Michael Fisher

**Motion:** *That this assembly of the Australasian Union of Jewish Students:*

- *Condemns the resurgence in discriminatory and racist rhetoric that has been inspired by the re-election of Pauline Hanson, One Nation, United Patriot Front and all other extremist groups that stand to undermine multiculturalism*
- *Stand in solidarity with other groups that are the subject of discrimination by her members, officials and senators*
- *Empowers the national executive to collaborate with other groups in promoting multiculturalism; understanding; harmony; and fighting against all forms of discrimination that persist in Australia & on campuses*
- Moved: Michael Fisher
- Seconded: Ariel Zohar

**Motion:** *That this assembly*

- *Mourn the passing of Shimon Peres*
- *Recognise his efforts to bring sustainable peace to the region*
- *Encourage world leaders to continue in his legacy*
- Moved: Michael Fisher
- Seconded: Ariel Zohar

## **2018**

### **Sephardi and Mizrahi Motion**

AUJS commits to:

1. Recognise the marginalisation of the Sephardi and Mizrahi population of Australian/New Zealand Jewry.
2. Seek to promote and employ greater inclusive practices of the Sephardi and Mizrahi population.
3. Raise awareness of the shared history, celebrate the culture and contribution to the Jewish community of the Sephardi and Mizrahi population.
4. Acknowledge and recognise the plight of Jews from Arab lands and Iran, which consists of approximately 850,000 Jews who were expelled or had to flee from Arab lands and Iran in the 20<sup>th</sup> century. Ensure that this narrative co-exists alongside Ashkenazi education and history.
5. In order to realistically achieve these commitments, AUJS will host an annual event (either on campus or regionally; low-key or not) which is executed according to the executive's discretion. Some examples can be a campaign, a Shabbat dinner at the Sephardi synagogue, providing support for the NSW Jewish Board of Deputies' 30th of November event, etc. This will be the responsibility of the AUJS National Executive.

**Mover:** Janine Joseph

**Seconder:** Hila Tsor

**Date Submitted:** 3 September 2018

## **Pluralism Motion**

This assembly acknowledges that the working definition of pluralism on the AUJS website does not encompass the full range of identities AUJS members possess (or may possess), but rather, is limited to religious and political forms of pluralism. This assembly moves to confirm AUJS's commitment to pluralism and inclusivity in providing a platform for all its members irrespective of political persuasion, religious identity, sex, gender, sexual preferences, race, disability and/or age. The National Executive will amend the working definition of pluralism on the AUJS website to reflect this broader definition of pluralism.

**Moved:** Ruby Herman

**Seconded:** Sophia Kwiet

**Date Submitted:** 3 September 2018

## **Indigenous Peoples Motion**

1. We as an organisation recognise and sympathise with both the Maori people and Aboriginal and Torres Strait Islander peoples' struggles.
  1. We recognise that they are the Traditional Custodians of these lands; and
  2. We respect their Indigenous title and customary laws of the areas in which we are present.
2. In pursuance of this motion, AUJS will endeavour to an Acknowledgment of Country before AUJS events and formal gatherings.

**Moved:** Gary Hofman

**Seconded:** Josef Wilkinson

**Date Submitted:** 3 September 2018

**Motion to Protect Campus Autonomy**

## ***Requirements of National Executive Probationary Positions***

We motion the 2019 AGM to determine the legitimacy and viability of the positions coming under review as per section 8, through:

1. at least 5 key performance indicators to be set by the National Executive at their first executive meetings.
2. Written support for the positions removal from probation by at least one of the chair or vice chair.
3. a vote at the agm for legitimacy, continuation of probation or removal by at least 2/3 majority.

**Mover:** Josef Wilkinson

**Seconder:** Noa Bloch

**Date Submitted:** 3 September 2018

***Motion regarding Honourary Life Membership***

Motion to amend Honourary Life Membership to Honourary Membership at the 2019 AGM.

**Mover:** Josef Wilkinson

**Seconder:** Saul Burston

**Date Submitted:** 3 September 2018

***Motion to Assure Campus, Regional and National Collaboration***

This Union shall:

Affirm the ideal standard of communication between Campus Executives and their National and Regional counterparts as being collaborative, transparent and consultative. AUJS aims to foster relationships of mutual respect, empowerment and understanding.

**Mover:** Benjamin Ezzes

**Seconder:** Zehava Heinrich

**Date Submitted:** 3 September 2018

***Adoption of International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism***

AUJS adopts the IHRA working definition of antisemitism and commits to working with Campus Executives to ensure campus Student Representative Councils and university administrations follow suit.

**Mover:** Noa Bloch

**Seconder:** Saul Burston

**Date Submitted:** 3 September 2018

***A statement about unlawful discrimination, harassment, vilification and bullying***

AUJS aims to provide a positive working environment free from unlawful discrimination, including harassment and other unlawful conduct such as vilification and bullying. This aim is consistent with the objectives of our AUJS as well as our legal obligations.

We are only able to prevent unlawful discrimination and other unlawful conduct if (amongst other things) all members of staff (ongoing, fixed-term, casual and temporary employees and contractors, volunteers and officers) understand and take their legal obligations seriously.

For these reasons, we have written this statement to:

- explain what unlawful 'discrimination', 'harassment', 'vilification' and 'bullying' mean;

- summarise the legal obligations of our staff – that is not to treat other people in these ways at work – and our expectation they will not do so; and
- explain what staff can do about these issues at AUJS, and who you should talk to about any discrimination, harassment or bullying problem.

This statement applies to staff conduct:

- in connection with work, even if it occurs outside normal working hours;
- during work activities, for example when dealing with clients;
- at work-related events, for example at conferences and work-related social functions; and
- in the context of social media where staff members' actions may affect AUJS, colleagues or clients either directly or indirectly.

As a member of AUJS's staff, you must read this statement (in conjunction with our Guidelines for resolving grievances); behave lawfully at work; and always work towards achieving AUJS's aims and principles as set out in this statement. This statement is a statement of principle and an explanation of your legal obligations and the standards of behaviour that we expect, rather than part of any contract.

Your legal obligations

All AUJS's staff have a legal obligation not to unlawfully discriminate against, harass or vilify co-workers, volunteers, clients, families of clients or other people they meet at or through work.

All AUJS staff also have a legal obligation not to endanger the health, safety or welfare of others they meet at work.

These obligations apply to conduct at work, and at work-related activities including social functions. AUJS expects you to comply with these legal obligations at all times, and also to behave in a way that assists us to achieve our aim of creating and maintaining a positive working environment.

What is unlawful discrimination?

Discrimination means treating one person less favourably than another, or subjecting a person to disadvantage. You can discriminate against another person even if you did not intend to do so.

There are federal and state laws which make certain types of discrimination unlawful.

Discrimination might be unlawful if it happens:

- at work (for example, in refusing to employ a person, or in the terms of employment offered, or when terminating employment);
- in the provision of goods or services (for example, in refusing to serve a person, or imposing unfair conditions on providing services);
- in the provision or administration of education (for example, in denying a particular student any benefit provided to other students);
- in sport and at clubs;

- in allowing access to premises,

because of a reason or personal attribute identified by the law as unlawful (unlawful reasons). Depending on where you live in Australia, these unlawful reasons might include:

- sex, pregnancy (including potential pregnancy), breastfeeding;
- marital or relationship status;
- family/carer's responsibilities;
- race, colour, descent, nationality, national origin, ethnicity, ethno-religious origin;
- sexual orientation, gender identity (including transgender status) and intersex status;
- disability;
- age;
- political or trade union activity; and
- voluntary defence force service.

Sometimes, discrimination is not unlawful even if it is based on one of the unlawful reasons. For example, it would not be unlawful to refuse to employ someone in a job if the person's disability made it impossible for the person to carry out the inherent requirements of the job. Unlawful discrimination can be direct or indirect. Direct discrimination means treating one person less favourably than another for an unlawful reason. For example, it is usually unlawful direct race discrimination to refuse to employ someone because he or she is of a particular nationality. Indirect discrimination means imposing an unreasonable condition or requirement which has the effect of disadvantaging someone for an unlawful reason. For example, requiring all clerical staff to be able to run long distances will disadvantage a person who uses a wheelchair, and will be unlawful indirect disability discrimination if that ability is irrelevant to the job.

What is harassment?

Unlawful harassment is a type of unlawful discrimination.

In general, harassment is any unwanted conduct (or behaviour) that a reasonable person should have known might humiliate, offend or intimidate a person. Harassment is unlawful if it is based on one of the unlawful reasons, such as sex, race or a person's disability. Sexual harassment is the most common form of harassment and includes harassment against women and men.

Typically, harassment is a series of events or a pattern of behaviour, but it can also consist of a single serious event or act. Harassment does not need to be directed at a particular person to be unlawful.

Harassment can take many forms, including:

- jokes of a sexual or race-based nature, or about a person's disability;
- imitating someone's accent or habits;

- ignoring someone with a disability;
- talking about sex or sexual activities, or persistent questions about a person's sex life;
- repeated requests for dates, especially after refusal;
- requesting sex;
- unwanted physical contact of a sexual nature, such as kissing, touching or grabbing;
- staring or leering at a person or parts of his/her body or making suggestive comments about them;
- displays of offensive material such as posters, cartoons, computer screensavers, graffiti or messages of a sexually explicit or race-based nature, or based on one of the other unlawful reasons;
- accessing or downloading sexually explicit or inappropriate material from the internet; and
- sending offensive emails, attachments or text messages.

Some forms of harassment can also be criminal offences – for example, sexual assault.

Mutually consensual relationships (even at work) are not sexual harassment. However, it is important to be sure that the other person really agrees to what is happening. It is also important to be aware that consensual sexual behaviour at work (such as kissing or discussing sex) might be sexual harassment if it offends someone else who sees or hears that behaviour.

Some people will make it clear that particular conduct is unwelcome or that they want it to stop. However, just because a person says nothing, doesn't mean he or she accepts the conduct.

It is no defence to a harassment complaint that you did not intend to offend. What matters is how the victim experiences your behaviour. It is important to be aware that conduct which is acceptable to one person might be highly offensive to another person.

What is vilification?

Vilification is a public act which incites feelings or beliefs such as hatred, severe contempt or severe ridicule of a person or group. Vilification is a particularly serious breach of the law, and can result in a criminal conviction.

For example, it could be vilification to:

- send a group email containing a derogatory racist joke; or
- make contemptuous comments about gay people to a group of colleagues or customers.

What is bullying?

Workplace bullying is defined under federal legislation as '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 involve 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.

Bullying behaviour does not need to be based on a ground of unlawful discrimination, such as sex, race, age, etc. A person might be bullied for any reason - it might be that someone just does not like that person.

One person can bully another without doing so deliberately or intentionally; but intention may be relevant in assessing the severity of the conduct.

Workplace bullying behaviour can be carried out in a variety of ways including through email or text messaging, internet chat rooms, instant messaging or other social media channels.

Examples of conduct which might be bullying include:

- verbal or physical abuse, including threats;
- constant or public criticism or belittling;
- baiting or teasing;
- sabotage, isolation, undermining or giving someone too little, too much or inappropriate work;
- withholding information that is vital for effective work performance;
- setting tasks that are unreasonably below or beyond a person's skill level;
- unreasonably changing work targets, timelines, deadlines or guidelines; and
- initiation ceremonies or practical jokes.

A single incident of unreasonable behaviour is not considered to be workplace bullying, however it may have the potential to escalate and should not be ignored.

Workplace bullying can occur:

- between workers at similar levels in a workplace structure;
- downwards from managers to workers;
- upwards from workers to supervisors or managers; and
- Between staff and students.

Workplace bullying can also be perpetrated by other people at the workplace such as clients, patients, students, customers and members of the public.

It goes without saying that bullying should not happen at our workplace. It is entirely contrary to our principles about the dignity of the individual and respect for others. As well, bullying can be unlawful.

If bullying is a risk to the health, safety or welfare at work of others, it can breach workplace safety laws.

Bullying can also be unlawful discrimination and/or harassment if it is based on an unlawful reason such as sex or race.

What is not bullying?

It is not bullying for a manager or supervisor to manage performance, including:

- setting reasonable performance goals, standards and deadlines;
- rostering or allocating reasonable work or working hours;
- transferring a worker for operational reasons;
- deciding not to select a worker for promotion on reasonable grounds;
- reasonable supervision;
- informing a worker about inappropriate behaviour or unsatisfactory work performance in a fair and confidential way; and
- other reasonable performance management, counselling and disciplinary action including suspension or termination of employment.

Differences of opinion and disagreements are not necessarily workplace bullying. However, in some cases, conflict that is not managed may escalate to the point where it meets the definition of workplace bullying.

What should you do if you think you are being unlawfully discriminated against, harassed or bullied, or you have any questions?

You may contact the Executive Director to discuss any complaint or question about discrimination, harassment or bullying.

If you think you are being unlawfully discriminated against, harassed or bullied, don't ignore the problem or hope that it will just go away. Instead, you should ask the person responsible for the conduct to stop as soon as possible. If you do not feel that you can do this, or it doesn't work, you should talk to the Executive Director.

Be careful who you discuss your complaint with. It is very easy for rumours to spread, and this can impact adversely on everyone involved.

Our Guidelines about resolving grievances at AUJS can give you more guidance about the options which may be available to you.

You can contact our Executive Director at any time to discuss any complaint or enquiry. If you're not comfortable discussing with the Executive Director, the Union Chairpersons may also be contacted.

What will happen next?

If AUJS finds that one staff member has unlawfully discriminated against, harassed or bullied any person, AUJS will take whatever action it considers appropriate, which might involve disciplinary action such as termination of employment or work contracts.

AUJS may also take disciplinary action if it considers that a staff member's behaviour has breached our standards of expected behaviour.

It is unlawful to victimise a person who has made a complaint of discrimination, harassment or unlawful bullying. At the same time, if a person lies about a complaint or makes a complaint maliciously or otherwise in bad faith, AUJS may take whatever action it considers

appropriate, which might involve disciplinary action such as termination of employment or work contracts.

You have the right to refer an issue or complaint to the Australian Human Rights and Equal Opportunity Commission or the relevant Commissioner for Equal Opportunity in your State at any stage.

See also [Guidelines for resolving grievances](#)

### ***Motion regarding Kashrut (Kosher) & Shabbat / Religious Holidays Policy of AUJS***

All AUJS gatherings, meetings and communications, be they formal or informal, should comply with Kosher authority requirements per the appendix and Shabbat and other religious holidays. AUJS will provide financial assistance to campuses and regions on a needs basis to cover the costs of complying with this motion.

#### ***Appendix***

- Kosher Australia: Victoria
- The Kashrut Authority of Australia and New Zealand & Community Kashrut: New South Wales and Australian Capital Territory
- Kosher Kiwi: New Zealand
- Kashrut Authority Western Australia: Western Australia
- Kosher Australia (Victoria): Queensland

If an item is widely accepted by one of the aforementioned Kashrut authorities, it is deemed acceptable in all other regions.

**Moved:** Noa Bloch

**Seconded:** Saul Burston

**Date Submitted:** 4 September 2018

### ***Motion regarding the implementation of the Motion regarding Kashrut (Kosher) & Shabbat / Religious Holidays Policy of AUJS***

A Commission of Workshop will be convened by the National Executive of 2018 and 2019 to develop an implementation plan for the Motion regarding Kashrut (Kosher) & Shabbat / Religious Holidays Policy of AUJS.

**Moved:** Alexandra Kowal

**Seconded:** Natasha Connors

**Date Submitted:** 4 September 2018