This organisation is committed to a workplace that ensures dignity and respect for all workers.
Dignity and respect requires acceptable behaviour from everyone in our workplace.

Preamble

Everyone in the workplace, irrespective of their position, deserves to be treated with dignity and respect. No one should suffer unfair treatment or unwarranted demands for work, care, personal information or health or injury. Behaviour that places the physical and mental health, safety and wellbeing of workers at risk is unacceptable.

It is important for everyone to speak up or speak out against unacceptable behaviour. Remember “the standard that you walk by - is the standard you accept.”

Definitions

"Dignity and Respect" requires an organisation to have and maintain a certain behavioural culture that is inclusive, supportive, positive and productive. Acceptable and unacceptable behaviour are defined below.

What is unreasonable or inappropiate behaviour?

• Bullying

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

Within this definition:

- 'repeated' refers to the persistent nature of the behaviour and can refer to a range of behaviours over time. Behaviour is considered 'repeated' if an established pattern can be identified. It may involve a series of diverse incidents – e.g. verbal abuse and deliberate damage to personal property.
- 'unreasonable behaviour' means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten a worker or group of workers.
- 'behaviour' includes actions and comments towards an individual or a group and may involve using a system of work as a means of victimising, humiliating, undermining or threatening.

- 'risk to health and safety' includes risk to the mental or physical health of the worker.

Types of Bullying Behaviour

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, could be considered bullying:

- Being overwhelmed with work or not being given enough work to do;
- Being required to perform tasks and work which may place a worker at risk from injury;
- Unreasonable overtime, unfair rostering, allocation of work or being asked to perform non-work related tasks;
- Being excessively supervised or criticised in an unreasonable manner;
- Being subject to constant ridicule and being put down in front of co-workers;
- Damage or interference with personal belongings, or sabotage of work;
- Being the victim of loud and abusive, threatening or derogatory language usually when co-workers are present;
- Stalking an individual in person or via telephone, computer or social media;
- Open or implied threat of termination or demotion or being pressured to resign;
- Creation of an oppressive and/or unhealthy work environment to coerce or intimidate workers;

All workplace experiences occasional differences of opinion, tension and conflict. It is a part of working life. However, if ‘unreasonable behaviour’ is repeated then it is likely to amount to workplace bullying that will not be tolerated by the organisation.

Single Incidents of Unreasonable Behaviour

A single incident of unreasonable behaviour may not be considered bullying. Nevertheless, this will not be ignored or allowed. This organisation will intervene to ensure that these incidents do not escalate. This will help prevent future incidents occurring.

Workplace Violence

Workplace violence can be a single incident when a worker is subjected to unreasonable aggressive behaviour that could result in criminal prosecution. It is behaviour that places the physical or mental health and safety of a worker at risk, and it will not be tolerated by the organisation. The attacker’s intent is generally irrelevant and situations where a worker is attacked by a person who may not be able to form intent, but who is capable of violence, are covered. Examples of workplace violence could include:

- Severe threats to cause serious bodily harm, damage, or do the person to death;
- Throwing objects of equipment at a person;
- Attacking a person with a weapon or a makeshift weapon;
- Taking a person hostage; and
- Aggressive pushing, shoving, tripping, kicking, striking, punching, biting, spitting or some other unlawful and intentional physical contact or assault.

Reasonable Management Action

The definition of “bullying” in the FW Act excludes “reasonable management action carried out in a reasonable manner.”

It is important to differentiate between reasonable management action and workplace bullying.

Feedback and counselling on work performance and other behaviours intended to assist workers should be dealt with in a constructive way which is not humiliating or threatening. The performance management process requires two way communication regarding work expectations.

Disciplinary processes must incorporate principles of procedural fairness and provide appeal or review processes.

Any workplace change or restructuring should be conducted consistent with legislative obligations and include genuine consultation with workers and their representatives.

Management and Supervisory Responsibilities

This organisation has a legal ‘duty of care’ in relation to the health, safety and welfare of all our workers. This includes a commitment to the mental health and psychological wellbeing of all our workers.

Worker participation is a key element in effective Health and Safety management systems. It promotes commitment to health and safety and develops a positive health and safety culture. This commitment is required to foster an environment consistent with consultative processes.

Employees (persons conducting a business or undertaking – PCBUs) have responsibilities under legislation, including the responsibility to provide a safe workplace.

Key areas of legislation that provide for dignity and respect at work include:

- Workplace Health and Safety (WHS) Act 2011
- Workplace Health and Safety (WHS) Regulation 2011

SIGNATURES

WORKPLACE UNION REPRESENTATIVES

EMPLOYER REPRESENTATIVES

HEALTH AND SAFETY REPRESENTATIVES

Fair Work Act 2009

1. If the matter cannot be resolved through the workplace grievance procedures then:
   o the worker can make an Application to the FWC; and
   o the union can assist with this Application

Steps for Workers

- Promote dignity and respect in your workplace.
- Get a copy and follow your workplace policy and procedures for Dealing with Workplace Bullying.
- If you witness unacceptable behaviour, speak to that person who may not be aware of their behaviour.
- If you believe you have been bullied report the incident to the Health and Safety Rep (HSR) or Manager/Supervisor or your elected union representative.
- Complete an Incident Report Form.
- Ensure the complaint is dealt with promptly and in a fair manner.

Follow the agreed workplace grievance procedure.

- If the matter cannot be resolved through the workplace grievance procedures then:
  o the worker can make an Application to the FWC; and
  o the union can assist with this Application

Five Steps To A Bully-Free Workplace

This organisation is committed to the five steps to a workplace with dignity and respect:

STEP 1 – Workplace Consultation

Set up appropriate consultative mechanisms involving our workers and their representatives to develop this organisation’s Dignity and Respect in the Workplace Charter.

STEP 2 – Workplace Awareness Campaign

All workers from senior management down will be made aware of the meaning and applicability of the Dignity and Respect in the Workplace Charter, and will be given the ability to identify workplace bullying, harassment or violence in circumstances including:

• How to recognise bullying;
• The possible effects of bullying;
• Where to get further information.

STEP 3 – Training and Development

The organisation will establish an effective training program for management and supervision. Specific modules will be tailored to the needs of our organisation and to meet its legislative and ethical objectives.

Management and supervisors will be trained in how to develop a workplace culture that ensures dignity and respect is consistent with Dignity and Respect in the Workplace Charter. The training will require the skills necessary to manage the issues including skills in mediation and negotiation.

In addition to the training, all supervisors and representative will be provided with Dignity and Respect toolkit to assist them in the ongoing risk management process.

STEP 4 – Procedures to Deal with Complaints

This organisation will establish a complaints mechanism that includes:

• A time frame for complaints – complaints investigated immediately.
• A process that includes a record of the problem (e.g. an incident report form) and any other relevant information about the allegation, which should be forwarded to a designated responsible person and kept confidentially.
• A trained, designated and impartial mediator who has authority to act to resolve the problem to ensure a fair and equitable outcome. In some instances it may be appropriate for the mediator to be selected from outside your organisation.
• Support for parties involved; including counselling, formal apologies and any other appropriate action.

STEP 5 – Consultation and feedback

A six monthly review of the Dignity and Respect in the Workplace Charter and grievance procedures and mechanisms to ensure that the policy remains relevant and relevant.

This review will involve consultation and collaborative management, relevant WHS representatives, and workers on the performance of the organisation on how it has met the objectives of the Dignity and Respect in the Workplace Charter in the preceding six months.

The review will identify any relevant matter, strategy or performance targets for inclusion in the Dignity and Respect in the Workplace Charter for the next six months.

The organisation is committed to the well-being of our entire workforce and has agreed to meet the objectives defined in this Charter.