

## Workplace Harassment, Bullying and Discrimination Policy

<b>Approving authority</b>	Executive Group
<b>Approval date</b>	7 October 2015
<b>Advisor</b>	Director   Human Resources   <a href="mailto:Bill.Ryan@griffith.edu.au">Bill.Ryan@griffith.edu.au</a>   (07) 373 57508
<b>Next scheduled review</b>	2020
<b>Document URL</b>	<a href="http://policies.griffith.edu.au/pdf/Workplace%20Harassment%20Bullying%20and%20Discrimination%20Policy.pdf">http://policies.griffith.edu.au/pdf/Workplace Harassment Bullying and Discrimination Policy.pdf</a>
<b>TRIM document</b>	2017/0000355
<b>Description</b>	This policy is designed to provide an overview of the University's approach to managing allegations against staff of harassment, bullying and discrimination.

### Related documents

[Code of Conduct](#)

[Equal Opportunity Policy](#)

[Griffith University Academic Staff Agreement](#)

[Griffith University General Staff Agreement](#)

[Guide to dealing with Workplace Harassment, Bullying and Discrimination \(Griffith users only\)](#)

[Health and Safety Policy](#)

[Individual Grievance Resolution Procedure](#)

[Public Interest Disclosure Policy](#)

[Resolution of Complaints of Workplace Harassment, Bullying and Discrimination Procedures](#)

[Workplace Harassment, Bullying & Discrimination Website \(Griffith users only\)](#)

### External Links:

[Anti-Discrimination Commission Qld](#)

[Australian Human Rights Commission](#)

[Fair Work Commission](#)

[Safe Work Australia](#)

[Queensland Ombudsman](#)

[Workplace Health and Safety Queensland](#)

[\[Introduction\]](#) [\[Scope\]](#) [\[Application\]](#) [\[Delegations\]](#)

## 1. INTRODUCTION

The University recognises the right of all staff and students to a University environment free from harassment, bullying and discrimination and is committed to ensuring an environment where equality of opportunity and diversity are valued, promoted and practised.

All staff have a responsibility to behave professionally and with respect for others in accordance with the Code of Conduct and relevant legislation.

### 1.1 Definitions

**Discrimination** occurs when a person is treated less favourably than another person because of certain attributes (direct discrimination), or when a requirement that is the same for everyone has an unfair effect on some people because of an attribute, such as race, pregnancy, gender, sexual orientation, disability (indirect discrimination). The grounds under

which discrimination is unlawful and on which discrimination in this policy is based are stated in the *Queensland Anti-Discrimination Act (1991)*.

**Harassment** is repeated behaviour that is directed at an individual or group of students or staff and is offensive, humiliating, intimidating or threatening. The behaviour is often unwelcome and makes it difficult for effective work or study to be conducted. Harassment occurs in circumstances where a reasonable person would have expected that the behaviour was going to be offensive, humiliating or intimidating (*Queensland Anti-Discrimination Act (1991)*). Harassment may be sexual in nature or based on gender, race, disability, sexual orientation or a range of other factors listed in the *Queensland Anti-Discrimination Act (1991)*.

**Sexual Harassment** is a form of Harassment and includes any unwelcome conduct of a sexual nature that is offensive, humiliating, intimidating or threatening. Sexual Harassment is unlawful under the *Sex Discrimination Act 1984 (Cth)*.

**Workplace Bullying** is where an individual or group of individuals repeatedly behaves unreasonably towards a worker or a group of workers at work and the behaviour creates a risk to health and safety (*Fair Work Act 2009*).

**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. **Behaviour** includes all forms of communication including email, text messaging and social media.

(Safe Work Australia, *Guide for Preventing and Responding to Workplace Bullying, 2013*)

Reasonable management action taken in a reasonable way is not considered Workplace Bullying.

Except in the case of sexual harassment, a single incident of unreasonable or harassing behaviour does not, of itself, constitute workplace Harassment or Bullying. Nevertheless, such behaviour is unacceptable at the University and may be in breach of the Code of Conduct or other University policy and lead to disciplinary procedures.

---

## 2. SCOPE

This policy applies to all staff, including sessional, casual, visiting, honorary, adjunct, conjoint appointments and volunteers at Griffith University.

---

## 3. APPLICATION

Harassment, Bullying and Discrimination by staff is unacceptable and contrary to the employment policies of the University.

All forms of Harassment, Bullying and Discrimination are of concern as the behaviour may:

- create an intimidating hostile, offensive or distressing work or study environment;
- adversely affect the performance of individual staff or students;
- adversely affect a person's admission into a program or progress within a program;
- adversely affect an individual's recruitment, level of appointment, promotion and progress opportunities;
- adversely affect an individual's access to and participation in the range of educational opportunities, support services, social and recreational facilities provided by the University;
- adversely reflect on the integrity and standing of the University;
- cause the University as an employer and an educational institution to be exposed as being vicariously liable.

The University aims to eliminate all forms of Harassment, Bullying and Discrimination from its campuses. The Director, Human Resources is the senior officer responsible for supervising the management of this program of activity, which includes:

- educating staff about acceptable behaviour at work and in an educational environment;
- promptly, effectively and confidentially addressing complaints of Harassment, Bullying and Discrimination;
- actively encouraging appropriate behaviour by those in positions of authority, that is, supervisors, managers and teaching staff;
- providing appropriate and effective processes, structures and [resources](#) to prevent and address issues of Harassment, Bullying and Discrimination.

### **3.1 General Principles**

Complaints of Harassment, Bullying and Discrimination will be treated seriously by the University and investigated promptly. All documentation related to the resolution process will be confidential with the principles of natural justice applied.

The University expects that all complaints made under this Policy will be carried out in good faith.

The University may initiate disciplinary procedures if a complaint is found to be frivolous or vexatious.

The University will ensure that staff are informed of this policy and their responsibilities in ensuring that it is upheld, and that managers and other supervisory staff are aware of their particular responsibilities in the prevention and resolution of complaints of Harassment, Bullying and Discrimination. [Resolution of Complaints of Workplace Harassment, Bullying and Discrimination Procedures](#) have been developed and published in a separate document.

### **3.2 External Agencies**

Complainants may choose to refer their complaint to an external body, such as the Anti-Discrimination Commission Qld (ADCQ), the Australian Human Rights Commission (AHRC), the Fair Work Commission (FWC), Workplace Health and Safety Queensland (WHSQ) or the Queensland Ombudsman (QO) (in respect of bullying or harassment in reprisal for a public interest disclosure at any time). If such steps are taken, any relevant University procedures being applied at the time will cease and the staff member will no longer have access to these procedures for that particular matter.

---

## **4. DELEGATIONS**

The Director, Human Resources is responsible for the oversight of strategic direction and policy related to the prevention and resolution of Harassment, Bullying and Discrimination within the University.

Accountability for ensuring that Harassment, Bullying and Discrimination are prevented or dealt with effectively at the element level rests with senior managers.