
Workplace discrimination and harassment policy

March 2022

1. Scope

This policy applies to:

- board members
- all staff, including managers, full-time, part-time or casual, temporary or permanent staff, job candidates, contractors, sub-contractors and volunteers
- how Robertson Bowling Club Ltd (the Club) provides services to clients and how it interacts with other members of the public
- all aspects of employment, recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; leave arrangements; workload; equipment and transport
- on-site, off-site or after-hours work; work-related social functions; conferences – wherever and whenever staff may be as a result of their Club duties
- staff treatment of other staff, of clients, and of other members of the public encountered in the course of their Club duties and by clients in their treatment of staff.
- 'clients' who are defined inclusively to include all persons to whom services are provided by the Club. This includes all categories of members of the Club, guests of members and visitors to the Club

2. Aims

The Club is committed to providing a safe, flexible and respectful environment for staff and clients free from all forms of discrimination and bullying.

All Club staff are required to treat others with dignity, courtesy and respect. Equally, staff should have a reasonable expectation that clients treat them in the same way

3. Staff rights and responsibilities

All staff are entitled to:

- recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics
- work free from discrimination and bullying
- the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised
- reasonable flexibility in working arrangements, especially where needed to accommodate their family responsibilities, disability, religious beliefs or culture.

All staff must:

- follow the standards of behaviour outlined in this policy
- offer support to people who experience discrimination or bullying, including providing information about how to make a complaint
- avoid gossip and respect the confidentiality of complaint resolution procedures
- treat everyone with dignity, courtesy and respect.

3.1 Additional responsibilities of managers and directors

Managers and directors must also:

- model appropriate standards of behaviour
- take steps to educate and make staff and clients aware of their obligations under this policy and the law
- intervene quickly and appropriately when they become aware of inappropriate behaviour
- act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard
- refer formal complaints about breaches of this policy to the appropriate complaint handling officer for investigation
- ensure staff who raise an issue or make a complaint are not victimised

4. Unacceptable workplace conduct

Discrimination and bullying are unacceptable at the Club and are unlawful under the following legislation:

- *Sex Discrimination Act 1984* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Age Discrimination Act 2004* (Cth)
- *Australian Human Rights Commission Act 1986* (Cth).

4.1 Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability.

Discrimination can occur:

Directly, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

Indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law (see list below).

Protected personal characteristics under Federal discrimination law include:

- a disability, disease or injury, including work-related injury
- parental status or status as a carer, for example, because they are responsible for caring for children or other family members
- race, colour, descent, national origin, or ethnic background
- age, whether young or old, or because of age in general
- sex
- industrial activity, including being a member of an industrial organisation like a trade union or taking part in industrial activity, or deciding not to join a union
- religion
- pregnancy and breastfeeding
- sexual orientation, intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, queer and heterosexual
- marital status, whether married, divorced, unmarried or in a de facto relationship or same sex relationship
- political opinion
- social origin
- medical record
- an association with someone who has, or is assumed to have, one of these characteristics, such as being the parent of a child with a disability.

It is also against the law to treat someone unfavourably because you assume they have a personal characteristic or may have it at some time in the future.

4.2 Bullying

If someone is being bullied because of a personal characteristic protected by equal opportunity law, it is a form of discrimination.

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices.

Under Federal law, this behaviour does not have to be repeated to be discrimination – it may be a one-off event.

Behaviours that may constitute bullying include:

- sarcasm and other forms of demeaning language
- threats, abuse or shouting
- coercion
- isolation
- inappropriate blaming
- ganging up
- constant unconstructive criticism
- deliberately withholding information or equipment that a person needs to do their job or access their entitlements
- unreasonable refusal of requests for leave, training or other workplace benefits.

Bullying is unacceptable in the Club and may also be against occupational health & safety law.

4.3 Victimisation

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating an equal opportunity concern or complaint.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator.

The Club has a zero-tolerance approach to victimisation.

4.4 Gossip

It is unacceptable for staff at the Club to talk with other staff members, clients or suppliers about any complaint of discrimination or harassment.

Breaching the confidentiality of a formal complaint investigation or inappropriately disclosing personal information obtained in a professional role (for example, as a manager) is a serious breach of this policy and may lead to formal discipline.

5. Resolving issues

The Club strongly encourages any staff member who believes they have been discriminated against, bullied or victimised to take appropriate action by discussing with the Bar Manager.

Staff who do not feel safe or confident to take such action may seek assistance from the Secretary or another Director for advice and support or action on their behalf.

The Club may provide a certain amount of free, professional counselling to staff. This counselling is confidential and nothing discussed with a counsellor will be communicated back to the Club.

6. Other relevant policies

Staff and directors are encouraged to read this policy in conjunction with other relevant Club policies, including:

- Workplace sexual harassment policy
- Code of Conduct
- Occupational health and safety policy
- Discipline procedure
- Mission, vision and values statements

7. More information

If you have a query about this policy or need more information please contact the Secretary.

8. Review details

This policy was adopted by Robertson Bowling Club Ltd on 7 March 2022