

# Bullying and Harassment

## Introduction

Talent is committed to providing a fair, healthy and safe workplace where no individual or group feels bullied, threatened or intimidated.

Bullying and harassment in any form is unlawful behaviour and will not be tolerated.

We recognise that bullying and harassment can exist in the workplace, as well as outside, and that this can seriously affect individuals' working lives, detract from a productive working environment and can impact on the health, confidence, morale and performance of those affected by it, including those who witness or have knowledge of the unwanted or unacceptable behaviour.

The intention of this policy is to inform workers of the type of behaviour that is unacceptable and to provide procedural guidance.

We recognise that we have a duty to implement this policy and all workers are expected to comply with it.

## Scope

This policy applies to all employees, contractors, volunteers, interns and consultants (**workers**). The policy applies to all workers whilst at any workplace of Talent and any other place where there worker performs work for Talent.

Where a worker is placed at a client site, they must also comply with the client's policies relating to bullying and harassment.

Behaviour that is inconsistent with this policy will not be tolerated and will result in disciplinary action up to and including termination of the worker's employment or engagement with Talent.

## Harassment

Harassment is any unwanted physical, verbal or non-verbal conduct based on grounds of age, disability, gender identity, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation, which affects the dignity of anyone at work or creates an intimidating, hostile, degrading, humiliating or offensive environment.

One single incident of unwanted or offensive behaviour can amount to harassment.

Individuals may not always realise that their behaviour constitutes harassment. Harassment is not defined by the intent of the offender, but by the perceptions of and the effect on the victim. Some examples of harassment include:

- // insensitive jokes, swearing, name calling, offensive hand/body gestures and pranks;

- // sexual or suggestive remarks, acts and propositions;
- // intrusive enquiries into a worker's private life, their sexuality or physical appearance;
- // persistent staring or leering at a person or parts of their body;
- // public displays of nudity - commonly referred to as flashing;
- // lewd or abusive comments about appearance;
- // deliberate exclusion from conversations;
- // displaying or circulating abusive or offensive writing or material;
- // unwelcome touching; and
- // abusive, threatening or insulting words or behaviour.

The above examples are not exhaustive and disciplinary action at the appropriate level will be taken against workers committing any form of harassment. Disciplinary action may include termination of the worker's employment or engagement with Talent.

## **Bullying**

Bullying is repeated offensive, intimidating, insulting or unreasonable behaviour directed towards a worker or a group of workers, which makes the recipient/s feel threatened, humiliated or vulnerable.

Bullying can be a form of harassment, and can occur in the workplace and at events connected to the workplace, such as social functions or business trips.

Bullying can be physical, verbal and non-verbal conduct, and can cause an individual to suffer negative physical and mental effects. Any incidents of bullying will not be tolerated.

Some examples of bullying include:

- // abusive, insulting or offensive language or comments;
- // unjustified criticism or complaints;
- // physical or emotional threats;
- // deliberate exclusion from workplace activities;
- // the spreading of misinformation or malicious rumours; and
- // the denial of access to information, supervision or resources such that it has a detrimental impact on the individual or group.

The above examples are not exhaustive and disciplinary action at the appropriate level will be taken against workers committing any form of bullying. Disciplinary action may include termination of the worker's employment or engagement with Talent.

## **What is not bullying**

Reasonable management of workers carried out in a reasonable manner is not bullying. Managers and supervisors have the right to allocate work and provide fair and reasonable feedback on a worker's performance. These actions are not considered workplace bullying or harassment if they are carried out lawfully and in a reasonable manner.

Examples of reasonable management action include:

- // setting reasonable performance goals, standards and deadlines in consultation with workers and after considering their respective skills and experience;
- // allocating work to a worker in a transparent way;
- // fairly rostering and allocating working hours;
- // transferring a worker for legitimate and explained operational reasons;
- // deciding not to select a worker for promotion, following a reasonable process;
- // informing a worker about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements;
- // informing a worker about inappropriate behaviour in an objective and confidential way;
- // implementing organisational changes or restructuring;
- // performance management processes; and
- // taking disciplinary action including suspension or termination of employment or engagement.

### **Complaint procedures**

Workers who become aware of a breach or suspected breach of this policy are encouraged to discuss this matter with their Manager or Talent Consultant on a confidential basis.

A worker who believes they are the victim of bullying or harassment may deal with the matter:

- // **Informally:** by confronting the person with whom they are aggrieved (if the worker feels safe to do so) and/or raising the issue with a senior colleague or manager; and/or
- // **Formally:** by bringing the matter to the attention of management as a formal written complaint.

When bullying or harassment is reported, it is a serious matter and will be investigated promptly.

If a worker's complaint or statement is found to be false and malicious, disciplinary action may be taken against the worker up to and including termination of the worker's employment or engagement with Talent.

If a worker's complaint is substantiated, the Company may take disciplinary action against the perpetrator. Depending upon the seriousness of the breach of this policy, such action may include termination of a worker's employment or engagement.