

Harassment, Discrimination and Grievance Policy & Procedure

Last Review: N/A	Constructed / Reviewed by: Clayton Utz
Next Review: March 2026	Approval Required: Yes
	Board Sign Off Date: Monday 26 th October 2024

1. Statement of Context

- 1.1 GISSA has legal obligations to prevent harassment, discrimination and bullying in the workplace and to ensure that every reasonable effort is made to provide a workplace free from this type of conduct.
- 1.2 To this end, GISSA is committed to the prevention of harassment, discrimination and bullying in the workplace. Harassment, discrimination and bullying will not be tolerated in the workplace or at functions of GISSA and disciplinary action will be taken against any employee or visitor who breaches this policy and procedure.

2. Aim

- 2.1 This policy and procedure is designed to ensure employees of GISSA work in an environment which is free from harassment, discrimination and bullying and to provide a process for resolving grievances relating to unlawful discrimination, harassment or bullying.

3. Reference Points / Background Papers

- 3.1 Victorian and Commonwealth Equal Opportunity Legislation.

4. Policy details

4.1 Definitions

4.1.1 Discrimination

There are two types of discrimination: direct discrimination and indirect discrimination.

- (a) **Direct discrimination** means to treat someone with an attribute less favourably than a person without the attribute in the same or similar circumstances. Protected attributes include:

age, breastfeeding, parental or carer status, impairment, gender identity, intersex status, sexual orientation, industrial activity, marital status, physical features, political belief/activity, pregnancy, race, religious belief/activity, sex, lawful sexual activity or personal association with someone who has one or more of these attributes.

- (b) **Indirect discrimination** occurs when a requirement, condition or practice is imposed and a person with a protected attribute cannot comply with the requirement, whereas others can, and that requirement condition or practice is not reasonable.

4.1.2 **Sexual Harassment**

- (a) Sexual harassment is unwelcome conduct of a sexual nature that is likely to offend, humiliate or intimidate the person at whom it is directed.
- (b) The harassing behaviour may include (but is not limited to) unwelcome physical contact (e.g. kissing, touching, patting or brushing against a person), demands for sexual favours, offensive or demeaning comments, jokes and innuendo, staring, displaying, sending, emailing or downloading offensive material, questions, remarks or insinuations about a person's sexual activities or private life.

4.1.3 **Bullying**

- (a) Workplace bullying usually refers to the persistent ill treatment of an individual at work by one or more other persons that causes risk to the health, safety and welfare of employees. If an employee is intimidated, put down or humiliated (sometimes in front of others) on a regular basis, this may constitute workplace bullying. It need not involve physical ill treatment, such as punching and kicking. Most cases of bullying involve such treatment as verbal abuse, 'nit-picking', threats, sarcasm, ostracism, spreading gossip or rumour, or sabotage of a person's work.
- (b) Bullying does not cover where an employee has a grievance, but the grievance is about legitimate and reasonable performance management processes, disciplinary action and reasonable allocation of work.

5. **Consequences of a Breach of this Policy**

- 5.1 GISSA emphasises the need to comply with the requirements of this policy. All employees are responsible for ensuring compliance with the policy and maintaining acceptable standards of conduct at all times. Any employee found to be in breach of the requirements of this policy may be subject to disciplinary action.

6. **Grievance Procedure**

- 6.1 Where possible employees are encouraged to raise the issues or behaviors with the other person concerned and resolve the issues directly.
- 6.2 If the issue is not resolved in this way either because the other person is unapproachable or they ignore the requests to try and resolve issues or stop the inappropriate behaviour, employees may lodge a formal complaint with the Executive Officer of GISSA.
- 6.3 The Executive Officer of GISSA will then be able to consider and/or investigate the complaint and work with the employees involved to remedy the situation and take steps to prevent similar incidents from arising in the future. Every complaint will be taken seriously and will be handled in a confidential matter and without bias.

6.4 If all efforts to resolve the matter internally have been unsuccessful, a grievance may be referred to an agreed external mediator if approved by the Executive Officer.

7. Implications for Practice

7.1 The Executive Officer of GISSA will be responsible for:

- Communicating this Policy to employees
- Monitoring directly or via delegated authorities, the implementation of the Policy
- Intervening in cases in which he believes that the Policy is being contravened