

## **WORKPLACE BEHAVIOURS POLICY**

Appropriate workplace behaviours contribute positively to creating a welcoming, productive and harmonious environment in which everyone (employees, clients and stakeholders) can be inspired and achieve their full potential.

### **EXPECTED BEHAVIOURS**

As summarised in our Values and Culture Policy ([SUP-POL-033](#)) it is expected that:

- respect, courtesy and professionalism should underpin interactions and communication between all people: employees, customers, clients, students, contractors, visitors
- safety is accepted as everyone's responsibility
- people will exercise a duty of care to protect everyone's reputation
- people will not engage in conversation and speculation about other people as it is seen to be gossip and has the capacity to be destructive to individuals, workplace morale and positive working relationships.

### **RESPONSIBILITIES**

- All employees are accountable for ensuring that their behaviour is professional, appropriate for the workplace and complies with ATEC's expectations and policies.
- All employees have a responsibility to take appropriate action when they directly experience or observe behaviour which they consider to be inappropriate (reference: Employee Grievance Resolution Procedure [SUP-PRO-010.2](#))
- Supervisors and managers have a responsibility to prevent or minimise unacceptable behaviour in the workplace and to take action to resolve reports or complaints.
- Supervisors and managers are required to ensure that anyone who makes reports, and anyone else who may be involved, is not victimised.

### **UNACCEPTABLE WORKPLACE BEHAVIOUR**

Unacceptable workplace behaviour is behavior that is inconsistent with ATEC's Values and Culture and Codes of Conduct. Differing social and cultural standards may mean that behaviour that is acceptable to some may be perceived as unacceptable or unreasonable to others.

Behaviours that would be considered unacceptable by ATEC are:

- unsafe work practices or behaviour which may harm oneself or others
- aggressive, insulting, offensive or abusive language and/or behaviour such as threatening gestures or actual violence or assault
- verbal abuse (for example yelling, screaming, abusive or offensive language)
- deliberately excluding someone from workplace activities
- withholding information that is vital for effective work performance
- belittling opinions or unreasonable and unconstructive criticism and/or gossip or misinformation
- teasing, or putting people down
- repeatedly asking someone out on a date, despite their clear refusal
- unwelcome comments about a person's personal life
- suggestive behaviours, such as leering, ogling or wolf-whistling
- offensive jokes about sexual preference, or a person's race, disability, pregnancy, age, religion, marital status, sexuality or physical appearance
- unwelcome physical contact, including that of a sexual or threatening nature
- displaying, viewing, sending or receiving offensive materials such as pornography
- cyber bullying – the act of using social media and online technologies as a medium for unacceptable workplace behaviour

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Unacceptable behaviour (including bullying) may also be a form of unlawful discrimination or harassment. This could occur if the basis of the behaviour relates to the staff member’s race, colour, descent, national or ethnic origin, ethno-religious background; sex; marital status; pregnancy, potential pregnancy; family responsibilities; disability (physical, intellectual, psychiatric, sensory, neurological or learning disabilities and illnesses such as HIV/AIDS); age; homosexuality; transgender status; political conviction; or religious belief.

**Bullying:** bullying is defined under work health and safety legislation a *repeated and unreasonable* behavior directed towards a worker or a group of workers that *creates a risk to health and safety*.

| Repeated   | Unreasonable  | Risk to health and safety  |
|--|---|--|
| refers to the recurrent nature of the behavior and can involve a range of behaviours over time | means behavior that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimizing, humiliating, intimidating or threatening. | Includes the risk to the emotional, mental or physical health of the person(s) in the workplace. |

Bullying behavior (including cyber-bullying) can be obvious and aggressive, or subtle, or covert – examples are as follows:

| Obvious and aggressive  | Subtle  | Covert   |
|---|---|--|
| Abusive, insulting or offensive language  | Deliberately excluding, isolating or marginalising a person from normal workplace activities                  | Overloading a person with work beyond reasonable/ effective performance expectations   |
| Behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling and screaming                                     | Intruding on a person’s space by pestering, spying or tampering with their personal effects or work equipment | Setting timelines that are very difficult to achieve and/or constantly changing deadlines without justifiable cause.   |
| Teasing or regularly making someone the brunt of practical jokes.   | Intimidating a person through inappropriate personal comments, belittling opinions or unjustified criticism   | Setting tasks that are unreasonably beyond a person’s ability without providing appropriate training, development or support.  |
| Displaying material that is degrading or offending  |   | Ignoring or isolating a person   |
| Spreading gossip, rumours and innuendo of a malicious nature  |   | Deliberately denying access to information, consultation or resources with due regard to:<br>* delegation<br>* relevance to role and/or task<br>* conflict/s of interest |
| Violence, assault and stalking.   |   | Unfair treatment in relation to accessing workplace entitlements   |
| Critical comments posted on personal websites<br>Posting photos or comments relating to the behaviour of a work colleague on a personal website or other form of social media | Deliberately excluding people from social media workplace activities.   |  |

Bullying can be directed at a single worker or a group of workers and be carried out by one or more workers. It can occur:

- **downwards**(from managers to workers),
- **sideways** (between workers) or
- **upwards** (from workers to supervisors or managers)

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Bullying can also be directed at or carried out by other persons at the workplace such as clients, students, contractors or members of the public.

Legislation also identifies that **bullying behaviour does not include**:

- Reasonable action taken in a reasonable manner by an employer to transfer, demote, discipline, counsel, retrench or dismiss an employee;
- A decision by an employer, based on reasonable grounds, not to award or provide a promotion, transfer, or benefit in connection with an employee's employment;
- Reasonable administrative action taken in a reasonable manner by an employer in connection with an employee's employment; or
- Reasonable action taken in a reasonable manner under an Act affecting an employee.

### **Consequences of engaging in bullying or other unacceptable behaviour**

Disciplinary action may be taken against anyone who is found to have bullied others or behaved in an unacceptable manner. Disciplinary action will be determined with due regard for the circumstances and may include:

- commitment it won't happen again
- requesting an apology
- attendance at counselling
- attendance at training
- transfer to another work area
- demotion or dismissal (subject to IR laws)
- expulsion from ATEC services
- review of relevant ATEC policies

### **MANAGEMENT COMMITMENT**

ATEC encourages people to report bullying and other unacceptable behaviours in the workplace and is committed to ensuring all reports are treated seriously, and investigated promptly, confidentially and impartially in accordance with ATEC's Employee Grievance procedure ([SUP-PRO-DOC-010.2 Employee Grievance Resolution Procedure](#)) which provides avenues for informal and formal complaints handling.

Bullying is a breach of the work health and safety legislation, VET sector and ATEC codes of conduct, and can potentially be a breach of discrimination legislation; bullying will not be tolerated. However, complaints made maliciously or in bad faith will result in disciplinary action.

The Management of Adelaide Training and Employment Centre Inc. recognises that bullying and other unacceptable behaviours in the workplace create a risk to health and safety, it may cause the loss of trained and talented workers, reduce productivity and morale, create legal risks and can adversely affect the ability to satisfactorily meet the needs of our clients and tarnish their ATEC experience.

All workers and clients will be made aware of this policy and will be expected to adhere to it; managers and supervisors will be expected to implement it.

### **Information / Complaints or to lodge an informal or formal complaint**

For confidential information and advice in relation to a concern about workplace behaviour, employees are encouraged to contact trained ATEC personnel:

EO Contact Officer:

<http://atec-sp01/Pages/Equal%20Opportunity.aspx>

Or

Human Resources: [humanresources@atec.asn.au](mailto:humanresources@atec.asn.au)

Or

Submit a completed Injury Incident Hazard Report WHS-FRM-001

**Lynne Austin**  
**CHIEF EXECUTIVE OFFICER**