Anti-Discrimination, Anti-Harassment and Anti-Bullying Policy

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| Purpose | The purpose of this policy is to provide a workplace free from discrimination, sexual harassment and bullying. Behaviour that constitutes discrimination, sexual harassment or bullying will not be tolerated and will lead to action being taken, which may include dismissal. |
| Relevant legislation | * *Racial Discrimination Act 1975* (Cwlth), * *Sex Discrimination Act 1984* (Cwlth), * *Disability Discrimination Act 1992* (Cwlth), * *Age Discrimination Act 2004* (Cwlth), * *Racial and Religious Tolerance Act 2001* (Vic). |

For the purposes of this policy, the following definitions apply:

* **Direct discrimination** occurs when someone is treated unfavorably because of a personal characteristic.
* **Indirect Discrimination** occurs when a rule seems neutral but has a discriminatory impact on certain people. For example, a minimum height requirement of 175 cm for a particular job might be applied equally to men and women, but would indirectly discriminate on the basis of sex, as women tend to be shorter than men.
* **Sexual harassment** includes unwelcome conduct of a sexual nature in circumstances in which it could reasonably be expected to make a person feel offended, humiliated or intimidated.
* **Workplace bullying** may include behaviour that is directed toward an employee, or group of employees, that creates a risk to health and safety, e.g. physical and/or verbal abuse, excluding or isolating individuals; or giving difficult or unpleasant tasks to particular staff members.

Discrimination based on a personal characteristic mentioned under state and federal equal opportunity legislation is strictly forbidden. Under state legislation, characteristics that must not result in discrimination include:

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| * Age, * Breastfeeding, * Carer status, * Disability, * Employment activity, * Gender identity, * Industrial activity, * Lawful sexual activity, * Marital status, * Parental status, | * Physical features, * Political activity/belief, * Pregnancy, * Race, * Religious activity/belief, * Sex, * Sexual orientation, * Personal association with someone having any of these characteristics. |

Any employee found to have contravened this policy will be subject to disciplinary action, which may include dismissal as outlined in the complaint procedure below.

Employees must report any behaviour that constitutes sexual harassment, bullying or discrimination to their manager, or, where the manager is implicated in the inappropriate behaviour, to the CEO.

Employees will not be victimised or treated unfairly for raising an issue or making a complaint.

Reasonable Adjustments

Reasonable adjustments are changes that allow people with a disability to work safely and productively.

BCG will make reasonable adjustments for a person with a disability who:

* Applies for a job, is offered employment, or is an employee, and
* Requires the adjustments in order to participate in the recruitment process or perform the genuine and reasonable requirements of the job.

Examples of reasonable adjustments can include:

* Reviewing and, if necessary, adjusting the performance requirements of the job,
* Arranging flexibility in work hours (see ‘flexible work arrangements’),
* Providing telephone typewriter (TTY) phone access for employees with hearing or speech impairments,
* Increasing font sizes on organisational documents or purchasing screen reading software for employees with a vision impairment,
* Approving more regular breaks for people with chronic pain or fatigue.

When thinking about reasonable adjustments BCG will weigh up the need for change with the expense or effort involved in making it. If making the adjustment means a very high cost or great disruption to the workplace, it is not likely to be reasonable.

In some cases BCG can discriminate on the basis of disability, if:

* The adjustments needed are not reasonable, or
* The person with the disability could not perform the genuine and reasonable requirements of the job even if the adjustments were made.

Procedure: To make a Complaint

If you believe you are being, or have been, discriminated against, sexually harassed or bullied, you should follow this procedure.

1. Tell the offender the behaviour is offensive, unwelcome, and against business policy and should stop (only if you feel comfortable enough to approach them directly, otherwise speak to your manager). Keep a written record of the incident(s).
2. If the unwelcome behaviour continues, contact your supervisor or manager for support.
3. If this is inappropriate, you feel uncomfortable, or the behaviour persists, contact one of the owners. Employees may also lodge a complaint with the Victorian Equal Opportunity and Human Rights Commission, the Australian Human Rights Commission, or take action under the *Fair Work Act 2009*.

Employees should feel confident that any complaint they make is to be treated as confidential as far as possible.

**Updated/Authorised –** 2019 – Jim Murphy CEO