



BULLYING, HARASSMENT AND DISCRIMINATION FREE WORKPLACE POLICY

1. PURPOSE

WWF-Australia is committed to providing all staff with a healthy and safe workplace. Bullying, harassment and discrimination are not an acceptable part of the WWF-Australia work culture and will not be tolerated. WWF-Australia has a moral and legal responsibility (i.e. duty of care) to provide staff members, volunteers, interns and contractors with a work environment that is free from bullying, harassment and discrimination in all its forms.

The policy aims to provide all staff members, volunteers, interns and contractors with an understanding of: what constitutes bullying, harassment and discrimination; the reasons why discrimination and harassment free workplaces are important; and, the procedures for addressing discrimination and harassment concerns.

2. POLICY

- 2.1. WWF-Australia is committed to ensuring that all staff members, volunteers, interns and contractors can work in a harmonious work environment free of bullying, harassment and discrimination in accordance with fairness and equity principles.
- 2.2. The prohibition of bullying, harassment and discrimination applies to all WWF-Australia staff members and extends to all persons that staff members come into contact with in the course of their employment, i.e. visitors, partners, other stakeholders and supporters. This is a mutual obligation in that staff must not subject such persons to bullying, harassment and discrimination, nor can such persons subject staff to bullying, harassment and discrimination.
- 2.3. Bullying and harassment also includes 'occupational violence'. Occupational violence is any incident where a staff member, volunteer, intern and contractor is physically attacked or threatened at work and includes:
 - striking, kicking, scratching, biting, spitting or any other type of direct physical contact
 - attacking with knives, guns, clubs or any other type of weapon
 - pushing, shoving, tripping, grabbing
 - any form of indecent physical contact
- 2.4. The reporting of any complaints regarding bullying, harassment or discrimination issues must follow the steps as described in the Grievance/Dispute Resolution Policy.
- 2.5. The Bullying, Harassment and Discrimination Policy is closely interrelated with the Equal Employment Opportunity (EEO) Policy. Staff members, volunteers, interns and contractors should refer to the EEO policy for specific details.

Bullying

- 2.6. The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, could be considered bullying:
 - Excluding staff, isolating or ostracising behaviour, victimisation
 - Psychological harassment, intimidation



- Assigning meaningless tasks unrelated to the job
- Deliberately changing work rosters to inconvenience a particular staff member
- Deliberately withholding information necessary for a staff member's ability to adequately perform their work
- Verbal and written communications (including emails, social media, text messages etc) containing abuse, threats, sarcasm, and other forms of demeaning language such as spreading gossip, rumours and innuendo.
- Constant unconstructive criticism and/or nitpicking
- Assigning staff impossible assignments, overloading them with work or providing unrealistic deadlines
- Physical assault of any kind (Occupational Violence)
- Initiation ceremonies
- Stalking
- Threats of harm
- Taking credit for work done by others

2.7 Legitimate and reasonable management actions(s) carried out in a fair and reasonable manner is **not** workplace bullying. Reasonable management action(s) include (but are not restricted to): setting realistic performance goals, standards and deadlines; allocating tasks; providing constructive feedback; commencing a performance management process; informing a person about inappropriate behaviour; and giving legitimate (lawful and reasonable) instructions and expecting them to be carried out.

Harassment

2.7. Harassment is a form of discrimination. Harassment is behaviour that is unwelcome, unreciprocated, uninvited and usually, but not always repeated. It includes a wide range of conduct that causes another person to feel offended, humiliated, intimidated, insulted or ridiculed.

2.8. Sexual harassment is any physical sexual conduct, or visual, verbal or non-verbal conduct or communication of a sexual nature.

2.9. Behaviour which constitutes sexual harassment may include (but is not limited to) unwelcome:

- Demands for sexual favours
- Offensive or demeaning comments, jokes and innuendo
- Sexual propositions or advances or requests for dates
- Displaying, sending, emailing or downloading offensive material
- Questions, remarks or insinuations about a person's sexual activities or private life
- Physical contact (e.g. kissing, touching, patting or brushing against a person)
- A direct or implied threat, benefit or promise
- Behaviour which creates a hostile working environment
- Offensive gestures
- Staring inappropriately
- Behaviour which would also be an offence under criminal law



- 2.10. Sexual Harassment does not include sexual interaction, flirtation, attraction or friendship that is invited, mutual, consensual and reciprocated.
- 2.11. The above-mentioned bullying or harassing behaviours breach WWF-Australia's duty of care to provide a safe and healthy place of work under WH&S legislation.

Discrimination

2.12. *Direct discrimination* is the direct and less favourable treatment of an individual or group with a certain attribute, in comparison with treatment of another individual or group without that attribute. Direct and less favourable treatment of an individual or group due to one or more of the attributes detailed below would constitute direct discrimination:

- Age
- Breastfeeding
- Pregnancy
- Family responsibilities, family/marital status, status as a parent or carer
- Intellectual, physical or psychiatric Impairment or Disability (includes past, present or possible future disability)
- Gender identity
- Sexual orientation/preference
- Industrial activity
- Trade union/employer association activity
- Physical features
- Medical record
- Criminal record
- Race (including racial vilification), colour, ethnic or ethno-religious background, descent or nationality
- Religious belief/activity
- Political belief/activity

2.13. *Indirect discrimination* occurs when a requirement, condition or practice that appears neutral is imposed and a person with an attribute cannot comply with the requirement, whereas others can, and that requirement, condition or practice is not reasonable.

- For example, scheduling meetings outside normal business hours when some employees or potential employees have carer responsibilities that preclude their attendance.

3. SOURCES OF AUTHORITY

- 3.1. WWF-Australia complies with all Federal and State Anti-discrimination, EEO and Harassment laws.
- 3.2. WWF-Australia policies and practices are designed to exceed the minimum requirements. WWF-Australia's policy also recognises the WWF International Respect in the Workplace policy.
- 3.3. All staff members, volunteers, interns and contractors are subject to Federal and relevant State legislation relating to bullying, harassment and discrimination.



below and detailed in the WHS policy in terms of WWF-Australia's 'duty of care'

Federal Legislation

- Disability Discrimination Act 1992
- Workplace Gender Equality Act 2012
- Human Rights and Equal Opportunity Commission Act 1986
- Workplace Health and Safety Acts (State – various)
- Racial Discrimination Act 1975
- Racial Discrimination Act (1975): Racial Vilification
- Sex Discrimination Act 1984
- Sex Discrimination Amendment (Pregnancy and Work) Act 2003
- Fair Work Act 2009 and related amendments
- Clerks – Private Sector Award 2010
- Professional Employees Award 2010
- Miscellaneous Award 2010
- Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013

State Legislation

<http://australia.gov.au/topics/law-and-justice/legislation/state-legislation>

4. OBJECTIVES

- 4.1. To create a harmonious workplace free of bullying, harassment and discrimination.
- 4.2. To ensure that all staff members, volunteers, interns and contractors of WWF-Australia understand their rights and responsibilities regarding bullying, harassment and discrimination in the workplace.

5. SCOPE

- 5.1. This policy applies to all WWF-Australia staff members, volunteers, interns and contractors at all WWF-Australia workplaces.

6. DEFINITIONS

Bullying	Repeated, unreasonable and unwanted behaviour directed toward a person that creates a risk to health and safety.
Repeated behaviour	Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.
Unreasonable behaviour	Behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, intimidate, undermine or threaten an individual or a group.
Risk to health and safety	Includes risk to the mental or physical health of staff members
Direct Discrimination	The direct and less favourable treatment of one individual or group with a certain attribute, in comparison with treatment of another individual or group (without that attribute).
Indirect Discrimination	Having a requirement that is the same for everyone but has an effect or result that is unfair to particular groups.



Harassment

Behaviour which is unwelcome, unreciprocated, uninvited and usually, but not always, repeated and includes a wide range of conduct. It causes another person to feel offended, humiliated, intimidated, insulted or ridiculed.

Sexual Harassment

Unwelcome conduct of a sexual nature that is likely to offend, humiliate or intimidate the person at which it is directed. Sexual harassment may occur in a single incident as well as a series of incidents and may be subtle and implicit rather than explicit.

Occupational Violence

Incidents where an employee (staff member, volunteer, intern and contractor) is physically attacked or threatened in the workplace..

Workplace

Is not limited to the office workplace or working hours, and will include all work related events which includes, but is not limited to lunches, client functions, meetings, conferences, field work etc.

7. RESPONSIBILITIES

7.1. Executive Management are responsible for:

- Ensuring the elimination of bullying, harassment and discrimination from the WWF-Australia work environment.
- Ensuring any incidents of alleged bullying, harassment and/or discrimination are thoroughly investigated and reported on in accordance with WWF-Australia policies.
- Ensuring that perpetrators of confirmed cases of bullying, harassment and/or discrimination are managed in accordance with WWF-Australia's disciplinary process.
- Ensuring that all relevant legislation and WWF Australia policies are adhered to.

7.2. People & Culture are responsible for:

- Providing procedures and guidelines to facilitate the elimination of bullying, harassment and discrimination from the WWF-Australia work environment.
- Providing advice to all WWF-Australia staff, volunteers, interns and contractors regarding the relevant policy and legislation.
- Identifying and addressing legislative and policy non-compliance within WWF-Australia.
- Conducting or coordinating investigations into alleged incidences of bullying, harassment and/or discrimination.
- Managing the grievance resolution and/or disciplinary processes.
- Providing support and guidance to staff, volunteers, interns and contractors that have been negatively impacted by bullying, harassment and/or discrimination.
- Providing information and training to staff members, volunteers, interns and contractors.
- Ensuring formal reports are directed to the Global HR Director within 24 hours.

7.3. People Managers are responsible for:

- Ensuring that their behaviour towards staff, volunteers, interns and contractors is fair and equitable and respectful of cultural and social differences.
- Contributing to the elimination of bullying, harassment and discrimination from the workplace.



- Encouraging staff, volunteers, interns and contractors to report any incident of bullying, harassment or discrimination and taking action to stop the incident immediately.
- Providing staff, volunteers, interns and contractors with the resources they require enabling them to perform their work.
- Ensuring staff, volunteers, interns and contractors are aware of the Grievance/Dispute Resolution Policy.
- Understanding their role in grievance resolution and disciplinary processes concerning bullying, harassment, and/or discrimination.

7.4. All staff, volunteers, interns and contractors members are responsible for:

- Contributing to the elimination of bullying, harassment and discrimination incidences from the WWF-Australia workplace.
- Complying with information provided and undertaking training as requested.
- Ensuring that their behaviour at work is fair and equitable and respectful of cultural and social differences.
- Cooperating when requested to provide information relevant to the resolution of a case.
- Reporting any incidence of bullying, harassment and discrimination to their Manager or alternatively, to People and Culture Department.

8. PROCEDURES

- 8.1. WWF addresses discrimination as it relates to each specialist area and aims to achieve fair practices and behaviour through workplace practices; detailed examples are contained within the EEO Policy.
- 8.2. With regards to complaints relating to bullying, harassment and discrimination refer to the Grievance/Dispute Resolution Policy and/or Disciplinary Policy.
- 8.3. Where a staff member, volunteer, intern or contractor believes that a complaint regarding bullying specifically is not being dealt with appropriately under the Grievance/Dispute Resolution Policy, then they can go directly to the Fair Work Commission (FWC) to apply for an order to stop the bullying and to receive assistance with a bullying claim.

9. CONFIDENTIALITY AND DOCUMENT CONTROL

- 9.1. This policy is available on Habitat for all staff, volunteers, interns and contractors.

APPROVAL

Name: Dermot O’Gorman

Title: Chief Executive Officer



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