

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

POLICY STATEMENT NO. 30

HARASSMENT IN THE WORKPLACE

DECEMBER 1988

1. **GENERAL**

Administrative Instruction No. 8, Sexual Harassment Policy Statement, July 1985, is hereby cancelled and this Policy Statement is issued in its place. Existing copies of Administrative Instruction No. 8 should be destroyed.

Administrative Instruction No. 36 (Revised December 1988) Guidelines for Resolving Harassment Grievances, should be read in conjunction with this Policy.

See also Policy Statement No. 26 Equal Employment Opportunity which has relevance to this policy.

2. **BACKGROUND**

The Western Australian Equal Opportunity Act 1984, Part 11, Division 4 makes it unlawful for any employer to harass an employee. It is also unlawful for an employee, Departmental agent or contract worker, to harass a fellow employee or person seeking employment. Part X, Section 61 makes employers liable for discriminatory acts by their employees or agents, unless "all reasonable steps" to prevent such acts have been taken.

Apart from the legal responsibilities, the efficiency of the Department will be diminished if harassment in the workplace is not readily recognised and resolved. The Department also considers it is the right of every individual to carry out his/her job in an environment which promotes job satisfaction, maximises performance and provides economic security. Such an environment is dependent on it being free from all forms of harassment and victimisation.

Harassment is defined as any persistent and unwelcome offensive comment(s) or action(s) concerning a person's race, colour, language, ethnic origin, sex, marital status, pregnancy, impairment, political or religious conviction. It is behaviour towards another employee which is intimidating or embarrassing. Harassment will not be condoned and where such behaviour persists action will be taken against the offender.

3. OBJECTIVE

The objective of this Department is to eliminate and ensure the absence of harassment of persons on the grounds of sex, marital status, pregnancy, race, political conviction, impairment or religious conviction and thereby to provide a workplace environment which leads to job satisfaction and a constructive attitude to the performance of duties.

4. STRATEGIES

To achieve this objective, the Department will:

- 4.1 Recognise and fulfil its legal obligations under the Equal Opportunity Act, 1984.
- 4.2 Fulfil its social responsibility towards its employees and the community in which it operates.
- 4.3 Periodically review its personnel policies and practices to maintain a workplace environment which is free from all forms of harassment and victimisation.
- 4.4 Provide guidelines for resolving harassment grievances and distribute and publicise them throughout the department.
- 4.5 Facilitate avenues of communication and assistance to individuals who are experiencing harassment in the workplace.
- 4.6 Take action against persistent offenders.

5. RESPONSIBILITIES

- 5.1 All Departmental staff have a responsibility to ensure that proper standards of conduct are upheld in the workplace.
- 5.2 Departmental Management and staff in supervisory positions have a responsibility to ensure that the work environment is free from all forms of harassment.
- 5.3 All parties involved in dealing with harassment grievances have a responsibility to:
 - 5.3.1 Ensure confidentiality for the complainant and alleged harasser.
 - 5.3.2 Ensure that the interests and rights of both the complainant and the alleged harasser are adequately protected.

5.3.3 Provide the parties with clear guidelines as to options available to resolve or conciliate the grievance.



Syd Shea
EXECUTIVE DIRECTOR

20 December 1988

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