

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

POLICY STATEMENT NO. 30

HARASSMENT IN THE WORKPLACE REVISED OCTOBER 1995

1. GENERAL

This Policy Statement supersedes the earlier Policy Statement No 30 issued in December 1988.

Administrative Instruction No 36 (revised October 1995) Guidelines for Resolving Harassment Grievances, should be read in conjunction with this policy.

See also Policy Statement No 26, Equal Employment Opportunity, October 1995, which has relevance to this policy; and as an adjunct, Administrative Instruction No 54, Grievance Resolution Procedures, October 1995; and Policy Statement No 42, Staff Counselling, October 1995.

2. BACKGROUND

The Western Australian Equal Opportunity Act 1984, Part II, 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 the right of every individual to carry out their job in an environment which promotes job satisfaction, maximises performance and provides for economic and psychological 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) or the maintenance of offensive materials in the workplace, concerning a person's race, colour, language, ethnic origin, sex, marital status, pregnancy, impairment, political or religious conviction, age, family responsibilities or family status. It is behaviour towards another employee which is perceived as intimidating, offensive 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 between persons on the grounds of race, sex, marital status, pregnancy, political conviction, religious conviction, impairment, age or family responsibilities or family status. This provides a workplace which promotes job satisfaction, maximises performance and creates an environment conducive to economic and psychological security.

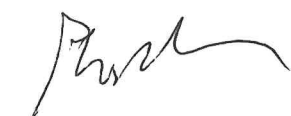
4. STRATEGIES

To achieve this objective the Department will:

- 4.1 Recognise and fulfil its legal obligations under the Equal Opportunity Act 1984 (as amended in 1985, 1988 and 1992).
- 4.2 Fulfil its social responsibilities towards its employees and the communities in which it operates.
- 4.3 Review periodically 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 according to the principles of natural justice.
 - 5.3.3 Provide the parties with clear guidelines as to options available to resolve or conciliate the grievance.



Syd Shea
EXECUTIVE DIRECTOR

16 October 1995

DISTRIBUTION: List I (District Managers to distribute to all wages employees)