

*This policy has been endorsed by the Board of Directors of NHIA*

### Introduction

The National Herd Improvement Association of Australia (NHIA) is committed to promoting fair, safe and healthy working environments in which all employees, volunteers and members are treated with dignity and respect, where no individual or group feel bullied, threatened or intimidated.

This policy applies to any persons who is involved with the activities of NHIA, whether they are in a paid or unpaid/voluntary capacity including:

1. Persons appointed or elected to the Board of Directors
2. Employees of the NHIA
3. Members of the NHIA
4. Committee and sub-committee and working groups of the NHIA
5. Mentors of the NHIA

Bullying or harassment in any form is unacceptable behaviour and will not be permitted or condoned. It is recognised that bullying and harassment can exist in the workplace, as well as outside it, and it is understood that this can seriously affect employees and others working lives by detracting from a productive working environment.

We acknowledge that one's health, confidence, morale and performance can all be compromised in any individual affected by bullying or harassment, including anyone who witnesses or has knowledge of the unwanted or unacceptable behaviour.

It is the obligation and responsibility of every director, employee, volunteer, committee and member to ensure that the workplace is free from harassment and bullying.

### Harassment

NHIA have published these procedures to inform employees, volunteers, and members of the type of behaviours that is unacceptable, and also to provide those who are the victims of personal harassment with a means of redress.

NHIA recognise that it has a duty of care to implement this policy and all employees, volunteers, and members are expected to comply with it throughout their involvement in NHIA.

Harassment is any unwanted physical, verbal, or non-verbal conduct based on grounds of age, disability, gender identity, marriage and civil partnership, pregnancy or maternity, race, religion or belief, or sex or sexual orientation which affects the dignity of anyone at work or creates an intimidating, hostile, degrading, humiliating or offensive environment.

A single incident of unwanted or offensive behaviour can amount to harassment.

Harassment can take many forms and individuals may not always realise that their behaviour constitutes harassment. Examples of harassment can include, but is not limited to:

- insensitive jokes and pranks.
- lewd or abusive comments about appearance.
- deliberate exclusion from conversations.
- displaying abusive or offensive writing or material.
- unwelcome touching, and
- abusive, threatening or insulting words or behaviour.

Behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

These examples are not exhaustive and appropriate action will be taken against any director, employee, volunteer, committee or member for committing any form of harassment.

Harassment will not be tolerated from or to any director, employee, member or volunteer within NHIA, and in such circumstances victims of harassment should make their experience/s of harassment known to NHIA.

## Bullying

“Bullying” is repeated, and unreasonable behaviour directed towards a person or group of persons that creates a risk to health and safety. It includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine, or threaten.

“Repeated behaviour” refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

“Unreasonable behaviour” is behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Note that single incidents of bullying will not be tolerated.

Bullying can occur in the workplace and outside of the workplace at events connected to the workplace, such as social functions, business trips, conferences, and on online forums that the NHIA hosts or is part of.

Bullying can be a form of harassment and can cause negative physical and mental effects and is not tolerated.

Bullying can take the form of physical, verbal and non-verbal conduct. As with harassment, there are many examples of bullying, which include, but are not limited to:

- abusive, insulting or offensive language or comments.
- unjustified criticism or complaints.
- physical or emotional threats.
- deliberate exclusion from workplace activities.
- the spreading of misinformation or malicious rumours; and
- the denial of access to information, supervision or resources such that it has a detrimental impact on the individual or group.

These examples are not exhaustive and appropriate action will be taken against any director, employee, volunteer, committee or member for committing any form of bullying.

Bullying will not be tolerated from or to any director, employee, member or volunteer within NHIA, and in such circumstances victims of bullying should make their experience/s of bullying known NHIA.

## Bullying and Harassment Complaint Procedures

### Informal Complaints

NHIA recognise that complaints of bullying, harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may be difficult to raise the issue.

NHIA encourages all directors, employees, volunteers and members to find appropriate avenues to address the issue and strongly encourages any employee, volunteer or member to take immediate action.

The next steps outline processes that can be implemented early on to prevent any further misconduct.

<b>Step 1 Informal Personal Approach</b>	
<b>A verbal or written request to the bully/harasser asking them to stop</b>	Advise them that their behaviour is unwelcome and ask the individual to stop. Identify the behaviour, explain that the behaviour is unwelcome and offensive and request that the behaviour stops.
<b>Step 2 Informal Management Approach for more serious matters</b>	
<b>Contact your Manager or their Manager and detail the bully/harasser and their behaviours</b>	Where the personal approach fails or if the bullying or harassment is more serious, bring the matter to the attention of your Manager, or their Manager via the following steps:  You should keep notes of the bullying/harassment so that the written complaint can include: <ul style="list-style-type: none"> <li>• the name of the alleged bully or harasser.</li> <li>• the nature of the alleged incident/s of bullying or harassment.</li> <li>• the dates and times when the alleged incident of bullying or harassment occurred.</li> <li>• the names of any witnesses; and</li> <li>• any action already taken by you to stop the alleged bullying or harassment.</li> </ul>
<b>Managers Action</b>	It is recommended that the Manager determine what steps can be taken to separate you from the alleged bully or harasser to enable an uninhibited investigation.  For employees, this may involve a temporary transfer of the alleged bully or harasser to another work area, separation of them from you, or suspension of duties or contractual pay until the matter has been resolved.  The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and conduct a thorough investigation.  You have the right to be accompanied to such a meeting by a support person or another work colleague of your choice and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.  On conclusion of the investigation, which will normally be within fourteen working days of the meeting with you, a report of the findings and of the investigator's decision will be sent in writing, to you and to the alleged bully or harasser.
<b>Step 3 If the above has not achieved the desired outcome, NHIA has a grievance procedure as per its constitution. NHIA will remain impartial and can assist via the following process outlined on the following page.</b>	

## Grievance procedure as per Rule 8 of the NHIA Constitution

8. (1) The grievance procedure set out in this rule applies to disputes under these Rules between -
  - (a) a member and another member, or
  - (b) a member and the Association.
- (2) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (4) The mediator must be -
  - (a) a person chosen by agreement between the parties; or
  - (b) in the absence of an agreement -
    - (i) in the case of a dispute between a member and another member, a person appointed by the Board of the association; or
    - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed by the [Dispute Settlement Centre of Victoria](#).
- (5) A member of the Association can be a mediator.
- (6) The mediator cannot be a member who is a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must -
  - (a) give the parties to the mediation process every opportunity to be heard; and
  - (b) allow due consideration by all parties of any written statement submitted by any party; and
  - (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the act otherwise at law.

## General Notes

If the report concludes that the allegation provides a well-founded case for an employee bullying or harassing another director, employee, member, or volunteer, the bully or harasser will be liable to disciplinary action.

If you bring a complaint of bullying or harassment you will not be victimised for having brought the complaint. However, note that if the report concludes that the complaint is both untrue and has been brought with malicious intent, disciplinary action may be taken against you.