

Equal Opportunity – Anti Discrimination, Harassment & Bullying Policy

Obligations

Blairgowrie Yacht Squadron and its Officers (General Committee) and people in positions of influence and responsibility recognise the moral and legal obligations to provide a workplace free of all forms of discrimination and harassment including Bullying. Blairgowrie Yacht Squadron aims for equality of opportunity for all employees – both permanent and temporary – and is consistent with our policy of merit-based selection and promotion.

Scope

The Blairgowrie Yacht Squadron Equal Opportunity – Anti Discrimination, Harassment & Bullying Policy is applicable to all Employees, Volunteers, Members, Contractors and Visitors to the Club. The Blairgowrie Yacht Squadron Equal Opportunity – Anti Discrimination, Harassment & Bullying Policy is in accordance with the *Equal Opportunity Act 2010*, the *Racial and Religious Tolerance Act 2001*, and Federal legislation; the *Sex Discrimination Act 1984*, the *Racial Discrimination Act 1975*, the *Disability Discrimination Act 1992*, the *Australian Human Rights Commission Act 1986*, the *Age Discrimination Act 2004*.

Our commitment to Equal Opportunity

Blairgowrie Yacht Squadron:

- Is committed to a work environment free from discrimination, bullying and harassment, and has zero tolerance of discrimination, bullying and harassment.
- Is committed to recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics.
- Employees, Volunteers, Members, Contractors and Visitors have the right to raise issues or make an enquiry or complaint in a reasonable respectful manner without being victimised
- is reasonably flexible in working arrangements, especially where needed to accommodate their family responsibilities, disability, religious beliefs or culture.

All Employees, Volunteers, Members, Contractors and Visitors of Blairgowrie Yacht Squadron must:

- Follow the standards of behaviour outlined in this policy
- Offer support to people who experience discrimination, bullying or harassment, including providing information about how to make a complaint
- Avoid gossip and respect the confidentiality of complaint resolution procedures
- Treat everyone with dignity, courtesy and respect.

Additional responsibilities of Managers and Supervisors

Managers and Supervisors must also:

- Model appropriate standards of behaviour
- Take steps to educate and make staff aware of their obligations under this policy and the law
- Intervene quickly and appropriately when they become aware of inappropriate behaviour
- Act fairly to resolve issues and enforce workplace behavioral standards, making sure relevant parties are heard
- Help Employees, Volunteers, Members, Contractors or Visitors to the club resolve complaints informally

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- Refer formal complaints about breaches to this policy to the appropriate complaint handling officer for investigation
- Ensure Employees, Volunteers, Members, Contractors or Visitors to the club who raise an issue or make a complaint are not victimised
- Ensure that recruitment decisions are based on merit and that no discriminatory requests for information are made
- Seriously consider requests for flexible work arrangements

What is discrimination?

Unlawful discrimination occurs when a person considers they have been treated less favorably owing to an attribute (listed below) when compared with a person not of that attribute.

Protected attributes in Victoria include;

- Age
- Disability/impairment
- Industrial activity/inactivity
- Lawful sexual activity
- Gender identity
- Marital status including defacto
- Physical features
- Political belief or activity
- Pregnancy-breastfeeding
- Race
- Religious belief or activity
- Sex
- Status as a parent or carer
- Personal association with someone of the above attributes
- Irrelevant criminal conviction

What is Harassment?

Harassment is an unwanted behaviour and can take many forms. It may involve inappropriate actions, behaviour, comments or physical contact that is objectionable or causes offence. Unlawful harassment may relate to any of the attributes protected in various equal opportunity mentioned above.

It is important to note that it is irrelevant at law as to whether or not the inappropriate behaviour was intended. It is also important to understand that it is the person being subjected to the behaviour, who determines whether the behaviour is welcome or unwelcome. In Victoria, co-workers can be named sole respondents in cases of alleged sexual harassment.

Harassment may be seen to have occurred if the behaviour makes the victim feel offended and humiliated; intimidated or frightened; and/or uncomfortable at work.

What is sexual Harassment?

Sexual harassment occurs when a person makes an unwelcome sexual advance or an unwelcome request for sexual favors to another person, or engages in any other unwelcome conduct of a sexual nature in relation to another person.

It has nothing to do with mutual attraction or private, consenting friendships whether sexual or otherwise.

Some examples of sexual harassment include;

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Persistent, unwelcome demands or even subtle pressures for sexual favors or outings; leering, patting, pinching, touching or unnecessary familiarity; offensive comments on physical appearance, dress or private life; and the public display of pornography, especially when directed at particular individuals.

Blairgowrie Yacht Squadron recognises that comments and behaviours which do not offend one person can offend another; The Management/Committee accepts that individuals may react differently and expects this right to be generally respected.

What is Bullying?

Workplace bullying is repeated, unreasonable behaviour directed toward an Employee, Volunteer, Contractor, Member or Visitor to the club or a group of the above. Bullying creates a risk to health and safety, it can include, but not limited to, behaviour such as deliberately changing work rosters, to victimise a particular group; verbal abuse; initiation practices; sabotaging someone's work; ridiculing someone's opinion.

Bullying is not an acceptable part of our Club culture. Furthermore, bullying is a significant occupational health and safety consideration, if it occurs in the workplace or a working environment, as it can cause harm to a persons health and wellbeing, both physical and psychological.

Bullying does not cover situations where an employee has a grievance about legitimate and reasonable performance management processes; disciplinary action; or allocation of work in compliance with systems.

What is Victimisation?

Victimisation is seen to occur when someone who has raised an equal opportunity complaint suffers a negative consequence of raising that concern.

What can you do if you are being discriminated against?

If you consider you have been discriminated against, raise your concerns with your manager or supervisor. These people should be in a position to give you the rationale behind any decision, which may have caused you to feel disadvantaged.

What can you do if you feel you are being harassed or bullied?

Bullying and harassment is to be dealt with and should not be ignored (as ignoring the behaviour could be taken as tacit consent). Anybody who experiences or witness's harassment or bullying is encouraged to either inform the offender that the behaviour is offensive and unacceptable and against Blairgowrie Yacht Squadron policy, or seek assistance in having the behaviour stopped. This may include making a report or a complaint.

- If you feel that you are unable to resolve the matter yourself, your manager or supervisor will be able to assist you, or, because we recognise in some instances discussing the matter with your manager or supervisor is not appropriate, Gavin Wall – General Manager can assist you. In addition to the management of Blairgowrie Yacht Squadron you may approach the Equal Opportunity Commission or Worksafe for independent advice at any time.

What will happen if you make a complaint or report?

Any complaints or reports of discrimination, harassment or bullying will be treated quickly, seriously, and sympathetically. They will be investigated thoroughly, impartially and confidentially. Managers and Supervisors must act immediately on any reports of harassment. Employees, Volunteers, Contractors,

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Members or Visitors to the club will not be disadvantaged in their opportunities as a result of lodging a complaint.

What will happen to the person against whom you have made a complaint?

Where complaints of discrimination have been substantiated, appropriate disciplinary action will apply. Serious breaches of the policy will lead to termination of employment, contract or membership.

Similarly, action where necessary will be taken against anyone including employees or independent contractors, who have been found to have harassed a co-worker or any other person during their time at the club.

All parties involved in a complaint have the option of accessing personal counselling.

Our Commitment

We place great emphasis on attracting and rewarding the best people. We are committed to providing an environment which is safe and free of discrimination, harassment and bullying for our employees, volunteers, contractors, members and visitors to the club.

This policy has the full support and commitment of the Management and Committee.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, contractors or members, unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

Regular review

This policy will be reviewed annually from the date issued and following significant incidents if they occur. We will ensure that employees, volunteers and members have the opportunity to contribute.

Policy Authorised: Gavin Wall (General Manager)

Date: 18 June 2021 **Next Date of Review:** 18 June 2022

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