

TOOL BOX TALK TOPIC – Harassment in the workplace

Workers have a duty to take reasonable care for their own health and safety and to take reasonable care not to adversely affect the health and safety of other persons. Workers must comply with any reasonable instruction and cooperate with any reasonable policy or procedure relating to health and safety at the workplace.

Meaning of workplace harassment

A person is subjected to 'workplace harassment' if the person is subjected to repeated behaviour [Behaviour is considered 'repeated' if an established pattern can be identified], other than behaviour amounting to sexual harassment, by a person, including the person's employer or a co-worker or group of co-workers of the person that:

- (a) is unwelcome and unsolicited
- (b) The person considers to be offensive, intimidating, humiliating or threatening
- (c) A reasonable person would consider to be offensive, humiliating, intimidating or threatening.

'Workplace harassment' does not include reasonable management action taken in a reasonable way by the person's employer in connection with the person's employment.

Harassing behaviours can range from subtle intimidation to more obvious aggressive tactics. Detailed below are examples of behaviours that may be regarded as workplace harassment, if the behaviour is repeated or occurs as part of a pattern of behaviour:

- abusing a person loudly, usually when others are present
- repeated threats of dismissal or other severe punishment for no reason
- constant ridicule and being put down
- leaving offensive messages on email or the telephone
- sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways
- maliciously excluding and isolating a person from workplace activities
- persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters
- humiliating a person through gestures, sarcasm, criticism and insults, often in front of customers, management or other workers
- spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.

There are bound to be occasional differences of opinion, conflicts and problems in working relationships – these are part of working life. However, if the workplace behaviour is repeated, unwelcomed and unsolicited, and offends, intimidates, humiliates or threatens a person, then workplace harassment exists and action must be taken to stop the behaviour. Workplace harassment can occur between people in any direction within a workplace.

If you think bullying or harassment is happening at your work location, talk to:

- a supervisor or manager
- a workplace health and safety representative
- the human resources department

APS has a zero tolerance approach to workplace harassment and any employees found to be involved in any form of harassment towards other employees will be dealt with in accordance with employment legislation

