

Te Awamutu Bible Chapel (TABC)

Discrimination, Harassment and Bullying Policy

(The following should be read in conjunction with an employee's employment contract. The employee's employment contract takes precedence over this document)

Our organisation is committed to maintaining a positive working environment and culture, where diversity is appreciated, and all people are respected and valued.

We regard discrimination, harassment or bullying of any kind as unacceptable.

This applies whether this behaviour comes from, or is directed at, an employee, contractor, consultant, member or a visitor

Why we have this policy:

It makes good sense for our organisation to address undesirable behaviours, as they can be detrimental to both the health of the affected employee/s and productivity. In addition, undesirable behaviours in the workplace can constitute a work-related hazard, which our organisation has a legislative duty to manage.

Who this policy applies to:

The policy covers behaviours that may occur in the workplace, between work associates, during work events (such as a conference or training) and outside the workplace if it is in the context of the employment relationship or affects the workplace.

Specific practice: Discrimination harassment, and bullying

In this policy, discrimination and harassment have the definitions as set out in the Human Rights Act 1993 and the Employment Relations Act 2000, which are summarised below. The bullying definition is from WorkSafe NZ's definition in their best practice guidelines (2014).

Discrimination:

Where a person is disadvantaged on the grounds of sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status or sexual orientation.

Harassment:

Where a person is subjected to repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, at the place of work and/or in the course of employment that:

- expresses hostility against or intimidates or ridicules them
- is unwanted, hurtful and offensive to the employee, and affects their performance or job satisfaction.

This is most commonly sexual or racial harassment (both specifically defined in ERA) but can include other forms.

Bullying:

Unreasonable and repeated behaviour towards a person or group that creates a health and safety risk.

Repeated behaviour is persistent and can include a range of actions.

Unreasonable behaviour covers actions which a reasonable person wouldn't do in a similar circumstance, including victimising, humiliating, intimidating or threatening a person. A single incident isn't considered bullying but can escalate if ignored.

Bullying includes cyberbullying - where technology (internet, mobile phone, digital camera etc.) is used as a means to bully. The Harmful Digital Communications Act (2015) sets out serious consequences if electronic communications are used with the intent to cause harm, and includes 10 communication principles, many of which relate specifically to harassing, discriminatory or bullying behaviour.

NOTE: These terms are not mutually exclusive, so harassment and discrimination can be part of bullying.

Prevention and Management

This policy, and the WorkSafe NZ guidelines which support its application, look to ensure all staff and volunteers:

Understand our commitment to a positive workplace and that unacceptable behaviour will not be tolerated under any circumstances

Have access to the information and resources they need to better understand harassment, bullying and discrimination

Know how to raise a concern or complaint, and the options available to them.

Managing Complaints

Our organisation will establish procedures for making and managing complaints to ensure any complaint or query is treated confidentially, taken seriously and acted on promptly. (using WorkSafe NZ guidelines)

There is a preference for appropriately tailored solutions. For example, exploring lowkey solutions before formal actions are taken if this is appropriate, or proceeding straight to a formal investigation if necessary.

We will ensure the principles of natural justice are applied and both parties are treated fairly, and respected and supported through the process.

Disciplinary Action

If an allegation of harassment, bullying or discrimination is proven through a formal employment investigation process, the behaviour may amount to misconduct or serious misconduct, and could result in disciplinary action.

We would not expect any negative consequence for a staff member or volunteer making a complaint (known as victimisation). However, if a staff member or volunteer raises a complaint that is found to be fictitious or vexatious, our organisation may take disciplinary action against them.

Signed x _____ Date _____