



# HARASSMENT POLICY

## **Policy Document**

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## **I. Policy Statement**

Neo Construct Pty Ltd places great emphasis on attracting and rewarding the best people and is committed to providing a safe and productive work environment for all our employees and others with whom we associate at work.

This company considers that harassment by or toward employees; contractors; suppliers or customers is an unacceptable form of behaviour, which will not be tolerated under any circumstances.

Harassment is not only unacceptable it is unlawful pursuant to state legislation (Equal Opportunity Act 1995) and federal legislation (Sex Discrimination Act, 1984; Racial Discrimination Act 1975; Disability Discrimination Act 1992; Human Rights and Equal Opportunity Commission Act 1986).

It is the responsibility of management to provide a working environment free from harassment and to ensure that all complaints are treated confidentially, seriously and sympathetically and that appropriate action is taken whenever harassment has occurred. Disciplinary action will be taken against anyone found to have harassed another employee.

No employee will be penalised or disadvantaged as a result of raising concerns or complaints relating to harassment.

## **2. What is Harassment**

Harassment is a type of discrimination 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 characteristics covered by various equal opportunity legislation such as:

- › age
- › disability / impairment
- › industrial activity / inactivity
- › lawful sexual activity
- › marital status, including defacto relationships
- › physical features
- › Political belief or activity
- › pregnancy
- › race
- › religious belief or activity
- › sex
- › status as a parent or carer
- › personal association with someone of the above attributes
- › irrelevant criminal conviction

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

### **3. What is Sexual Harassment**

Sexual harassment occurs when a person makes an unwelcome sexual advance or an unwelcome request for sexual favours 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:

- › Persistent, unwelcome demands or even subtle pressure for sexual favours or outings;
- › Leering, patting, pinching, touching or unnecessary familiarity;
- › Comments on physical appearance, dress or private life; and
- › The public display of pornography (especially when it is directed at particular individuals) ranging from material that might be considered mildly erotic through to material that is sexually explicit.

This company recognises that comments and behaviour which do not offend one person can offend another, the management / Director accepts that individuals may react differently and expects this right to be generally respected.

### **4. What Can You Do If You Are Being Harassed**

Do not ignore the harassment (ignoring the behaviour could be taken as tacit consent);

- › Inform the offender that the behaviour is offensive and unacceptable and against company policy; and
- › Seek assistance in having the behaviour stopped. This may include making a report or a complaint.

### **5. Who Can Assist You In Making A Report Or Complaint**

If you feel that you are unable to resolve the matter yourself, the following people will be able to assist you:

- › Your Manager or supervisor

**Or**

- › **Yvette Consolino** has been appointed by this company as a Harassment Contact Officer specifically because we recognise that in some instances discussing the matter with your manager or supervisor is not appropriate.

In addition to the management of this company you may approach the Equal Opportunity Commission for independent advice at any time. Initially direct your inquiry to:

**Inquiries Officer**  
**Equal Opportunity Commission**  
**3rd Floor**  
**380 Lonsdale Street**  
**Melbourne Vic 3000**  
**Phone (03) 9928 7100**  
**Country calls 1800 134 142**

## **6. What Will happen If I make A Complaint Or Report**

Any complaints or reports of harassment will be treated quickly, seriously and sympathetically. They will be investigated thoroughly, impartially and confidentially. Managers, supervisors and the harassment program staff must act immediately on any reports of harassment. Employees will not be disadvantaged in their employment conditions or opportunities as a result of lodging a complaint.

## **7. What Will Happen to The Person Against Whom I You Have Made The Complaint**

Appropriate action where necessary will be taken against anyone including employees or independent contractors who are found to have sexually harassed a co-worker or any other person during the course of their employment.

## **8. 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 harassment.

This harassment policy has the full support and commitment of the Management and Director.

Please help us to help you by giving your support in monitoring and avoiding practices, attitudes and traditions, which lead to harassment.

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Director



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