

Purpose

To outline CMS-A's stance on workplace bullying, harassment and sexual harassment.

Preamble

CMS is committed to educating staff and workers as to the nature and effects of harassment and bullying and to provide the necessary resources to keep them informed. It is unlawful for employers and employees to engage in harassing or bullying behaviour towards another staff member; or a member of the public with whom they have contact with.

Definitions

Bullying – repeated unreasonable behaviour by an individual towards a worker which creates a risk to health and safety. It can take many forms, including teasing, emails, text messages, social isolation, or unfair work practices.¹

Harassment – when a person is made to feel intimidated or humiliated because of a particular characteristic (e.g. race, sex, age). It can be verbal, written or physical and a single incident, or repeated behaviour.

Sexual Harassment – any unwelcome sexual advance, request for sexual favours or conduct of a sexual nature in relation to the person harassed in circumstances where a reasonable person would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

Policy

CMS is committed to a zero-tolerance approach to workplace bullying, harassment and sexual harassment.

All staff and workers have the right to:

- Work in an environment free from bullying, harassment and sexual harassment
- Use the procedures outlined in the Complaints Procedure if they believe they have experienced bullying, harassment or sexual harassment

All staff are required to:

- Comply with the relevant CMS Code of Conduct (1 – workers and pastoral staff, 2 – non-pastoral staff)
- Treat everyone in a professional, courteous, respectful and fair way
- Actively intervene and prevent and stop any bullying behaviour that is occurring in the workplace
- Offer support to people who experience bullying, harassment or sexual harassment

If you believe you are being bullied, harassed or sexually harassed in the workplace, please refer to the Complaint Procedure.

Related CMS-A Policies

- CMS Code of Conduct
- Anti-Discrimination Policy
- Complaint Procedure

¹ Fair Work Act 2009

Related Legislations

- *Age Discrimination Act 2004 (Cth)*
- *Anti-discrimination Act 1977 (NSW)*
- *Anti-discrimination Act 1992 (NT)*
- *Australian Human Rights Commission Act 1986 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Equal Opportunity Act 1984 (WA)*
- *Equal Opportunity Act 2010 (Vic)*
- *Fair Work Act 2009 (Cth)*
- *Fair Work Amendment Act 2013 (Cth)*
- *Racial and Religious Tolerance Act 2001 (Vic)*
- *Racial Discrimination Act 1975 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*

Approval

This is a CMS-A policy.

The Approval authority for this policy is the CMS-A BOARD

Approved by: BOARD RESOLUTION 19/10a-06.5.1 on 11 October 2019

Review

This policy is due for revision in five years from the date of approval

Review Date: October 2024