

Anti-Bullying Policy

Purpose

Bullying is not acceptable under any circumstance and will not be tolerated. Programmed is committed to a work environment for all employees which is free from bullying.

Scope

This Policy applies to:

- All employees
- All contractors and
- Any other workplace participants.

This Policy applies while:

- At work
- At work related or work sponsored functions, conferences,
- Travelling on work related business, and
- At client and supplier premises.

This Policy applies in Australia and New Zealand and any other country to which the employee has travelled to for work purposes.

Policy Statement

Programmed is committed to taking all reasonable steps to protect the health and safety of our employees by providing a work environment which is free from bullying.

Definitions

Workplace bullying - is repeated and unreasonable behaviour directed towards a person associated with Programmed through a business relationship and may include an employee or a group of employees, contractors, supplier or customer that creates a risk to their health, safety and/ or wellbeing. Reasonable management action conducted in a reasonable manner does not constitute workplace bullying.

Repeated behaviour – refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable behaviour – refers to behaviour that most people, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Victimisation – is treating a person unfairly because they have made a complaint or assisted another person to complain.

Vexatious or frivolous complaints – refers to complaints that have been made just to get the respondent into trouble, to get other employees busy investigating things that have not occurred or where the person making the complaint is not serious about it.

Examples of behaviour that may be considered to be workplace bullying if they are repeated, unreasonable and create a risk to health, safety, or wellbeing include:

- Abusive, insulting or offensive communication, either verbally, non-verbally, or written
- Unjustified criticism or complaints
- Deliberately excluding someone from workplace activities
- Withholding information that is vital for effective work performance
- Setting unreasonable timelines or constantly changing deadlines

- Setting tasks that are unreasonably below or beyond a person's skill level
- Denying access to information, supervision, consultation or resources so that it has a detrimental effect on the worker
- Spreading misinformation or malicious rumours
- Changing work arrangements, such as rosters and leave, to deliberately inconvenience a particular employee or employees
- Excessive scrutiny at work

There are a number of situations that, although they may feel unpleasant and could result in disciplinary or other action are not examples of bullying, such as:

- A single incident of unreasonable behaviour
- Reasonable management action taken in a reasonable way
- A single incident of workplace violence
- Workplace disagreements
- Adverse actions, such as firing or demoting someone, on the grounds of a person's characteristics like race, religion or sex
- Organisational restructure

Behaviour that can be considered bullying may not be intended to cause offense. However, the intentions of the person who is perpetrating the bullying behaviours are not relevant when determining whether this type of behaviour has occurred.

Carrying out legitimate or reasonable management decisions or actions (including performance management), undertaken in a reasonable way and with respect and courtesy, is not workplace bullying. This can include:

- Taking action to transfer or move an employee
- Allocating work to an employee and setting reasonable goals, standards and deadlines
- Making a decision not to select an employee for promotion
- Warning an employee about unsatisfactory performance or conduct
- Terminating an employee

Responsibilities

Programmed and our employees are both obliged to make sure that the workplace environment is safe. This means protecting employees from both physical and psychological injury.

Programmed's responsibilities

To ensure employees are free from bullying, Programmed responsibilities include:

- Responding to the bullying report quickly and reasonably
- Attempting to resolve the matter
- Informing you of the process of how the matter will be dealt with
- Allowing all parties to explain their version of events
- Maintaining confidentiality
- Remaining neutral and impartial towards everyone involved
- Advising you what support options are available to you, such as counselling, EAP
- Allowing you to have a support person present at interviews and meetings
- Keeping records

Employee's responsibilities

All employees are responsible for helping to maintain a safe and healthy working environment. Some ways employees can do this include:

- Treating all colleagues fairly, with care and empathy, regardless of what position they hold, your opinions of them, or your own personal temperament

- Avoiding any behaviour that might be seen as bullying
- Actively promoting a welcoming, supportive and harmonious work environment
- Abiding by this Policy
- Setting a personal example through their own conduct at work

If you witness workplace bullying or harassment you can:

- Keep a written record of exactly what you have witnessed in the event of behaviour that seems inappropriate
- Speak to the recipient of the behaviour (if it is safe to do so). Listen with empathy and encourage them to report the behaviour to your divisional HR team and/or management
- Report the behaviour by notifying your divisional HR team and/ or management

Manager's responsibilities

Managers have a leadership role and are responsible for preventing bullying and taking prompt action if it does occur. Some ways managers can do this include:

- Proactively promoting a 'bullying free' workplace
- Taking all reasonable measures to ensure that their employees are not subject to bullying
- Intervening if they see bullying occurring in the workplace
- Taking prompt action on bullying behaviour, as ignoring the behaviour may be construed as condoning bullying

Resolution options

Measures that can be taken to resolve bullying complaints consist of the following:

- Informal Resolution – This can include attempting to directly address your issues/ conflict with the person or parties involved, and discussion with your manager and/or divisional HR team.
- Formal Investigation – Lodging a formal complaint in writing to your manager and/ or divisional HR team. This will result in a formal investigation.

DISCIPLINARY ACTION

Any reports of workplace bullying will be treated seriously. Formal complaints will be investigated promptly, confidentially and impartially. Disciplinary action will be taken against anyone found to have engaged in bullying behaviour. Discipline may include counselling, a warning, reprimand, transfer, demotion, or dismissal. Each case will be dealt with on its merits.

Employees should, however, be aware that where a formal complaint is made, the person against whom an allegation of bullying behaviour has been made will need to be informed in order to be given an opportunity to respond to any allegations.

Vexatious complaints – Vexatious or malicious complaints (complaints made not in good faith with genuinely believing the complaint to be true or deliberately making a false complaint) will not be tolerated.

Victimisation – No employee may be threatened, victimised or disadvantaged as a result of:

- Making or intending to make a harassment complaint;
- Providing information as a witness ; or
- Supporting an employee who has made a complaint

Any employee found to have made a vexatious or malicious complaint, or who victimises any employee in relation to a harassment complaint, will be subject to disciplinary action which may include termination of employment.