



DISCRIMINATION AND HARASSMENT POLICY AND PROCEDURES

RETIREED AMBULANCE ASSOCIATION OF VICTORIA INC

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1. Scope

This policy applies to:

- Committee members
- All members, including full, associate, honorary and life members and volunteers.
- How the Retired Ambulance Association Victoria Inc. (hereinafter called the Association) provides services to its members and clients, and how it interacts with other members of the public
- Social functions: conferences, exhibitions and social media – wherever and whenever members may be as a result of their Association duties
- Members' treatment of other members, of clients, and of other members of the public encountered during their Association duties.

2. Aims

- 1) The Association is totally committed to maintaining an inclusive, healthy and safe operating environment for its members. RAAV will not condone any form of bullying or harassment in the workplace, or within its Organisation.
- 2) To foster a continuing relationship between members of Ambulance Victoria, related Organisations and Healthcare employees both before and post-retirement.
- 3) To invite former, retired and currently working colleagues to join the Association.
- 4) To encourage continued participation by members in social functions organised and run by the Association.
- 5) To encourage consideration by members for the welfare of their fellow members.
- 6) To foster a continuing interest in the activities of the Ambulance Service Victoria and associated organisations.

All Association members are required to treat others with dignity, courtesy and respect.

By effectively implementing our *Discrimination and Harassment Policy* we will attract and retain members and create a positive environment for members.

3. Members rights and responsibilities

All members are entitled to:

- recruitment and selection decisions based on merit and not affected by irrelevant personal bias
- engage free from discrimination, bullying and sexual harassment
- the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised
- reasonable flexibility in volunteering and social engagement, especially where needed to accommodate their family responsibilities, disability, religious beliefs or culture.

All members must:

- follow the standards of behaviour outlined in this policy
- offer support to people who experience discrimination, bullying or sexual harassment, including providing information about how to make a complaint
- avoid gossip and respect the confidentiality of complaint resolution procedures
- treat everyone with dignity, courtesy and respect.

3.1 Additional responsibilities of the Committee

The Committee must also:

- model appropriate standards of behaviour
- take steps to educate and make members aware of their obligations under this policy and the law
- intervene quickly and appropriately when they become aware of inappropriate behaviour
- act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard
- help members resolve complaints informally
- appoint designated person(s) to handle complaints
- refer formal complaints about breaches of this policy to the appropriate designated person for investigation
- ensure members who raise an issue or make a complaint are not victimised

4. Unacceptable voluntary workplace conduct

Discrimination, bullying and sexual harassment are unacceptable at the Association and are unlawful under the following legislation:

- 1) *Sex Discrimination Act 1984* (Cth)
- 2) *Racial Discrimination Act 1975* (Cth)
- 3) *Disability Discrimination Act 1992* (Cth)
- 4) *Age Discrimination Act 2004* (Cth)
- 5) *Australian Human Rights Commission Act 1986* (Cth).

Any members found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal discipline up to and including termination of membership

4.1 Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability.

Discrimination can occur:

Directly, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

For example, a worker is harassed and humiliated because of their race

Indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law

Protected personal characteristics under Federal discrimination law include:

- a disability, disease or injury, including work-related injury
- parental status or status as a carer, for example, because they are responsible for caring for children or other family members
- race, colour, descent, national origin, or ethnic background
- age, whether young or old, or because of age in general
- sex
- industrial activity, including being a member of an industrial organisation like a trade union or taking part in industrial activity, or deciding not to join a union
- religion
- pregnancy and breastfeeding
- sexual orientation, intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, queer and heterosexual
- marital status, whether married, divorced, unmarried or in a de facto relationship or same sex relationship
- political opinion
- social origin
- medical record
- an association with someone who has, or is assumed to have, one of these characteristics, such as being the parent of a child with a disability.

It is also against the law to treat someone unfavourably because you assume, they have a personal characteristic or may have it at some time in the future.

4.2 Bullying

If someone is being bullied because of a personal characteristic protected by equal opportunity law, it is a form of discrimination.

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people.

Under Federal law, this behaviour does not have to be repeated to be discrimination – it may be a one-off event.

Behaviours that may constitute bullying include:

- sarcasm and other forms of demeaning language
- threats, abuse or shouting
- coercion
- isolation
- inappropriate blaming
- ganging up
- constant unconstructive criticism

Bullying is unacceptable in the Association and may also be against occupational health and safety law.

4.3 Sexual harassment

Sexual harassment is a specific and serious form of harassment. It is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written. It can include:

- comments about a person's private life or the way they look
- sexually suggestive behaviour, such as leering or staring
- brushing up against someone, touching, fondling or hugging
- sexually suggestive comments or jokes
- displaying offensive screen savers, photos, calendars or objects
- repeated unwanted requests to go out
- requests for sex
- sexually explicit posts on social networking sites
- insults or taunts of a sexual nature
- intrusive questions or statements about a person's private life
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Just because someone does not object to inappropriate behaviour at the time, it does not mean that they are consenting to the behaviour.

All members and volunteers have the same rights and responsibilities in relation to sexual harassment.

A single incident is enough to constitute sexual harassment – it doesn't have to be repeated.

All incidents of sexual harassment – no matter how large or small or who is involved – require employers and managers to respond quickly and appropriately.

The Association recognises that comments and behaviour that do not offend one person can offend another. This policy requires all members and volunteers to respect other people's limits.

4.4 Victimisation

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating an equal opportunity concern or complaint.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator.

The Association has a zero-tolerance approach to victimisation.

4.5 Gossip

It is unacceptable for members of the Association to talk with other members, clients or suppliers about any complaint of discrimination or harassment.

Breaching the confidentiality of a formal complaint investigation or inappropriately disclosing personal information obtained in a professional role (for example, as a committee member) is a serious breach of this policy and may lead to removal from the committee.

5. Resolving issues at Retired Ambulance Association Victoria Inc

The Association strongly encourages any members who believe they have been discriminated against, bullied, sexually harassed or victimised to take appropriate action.

6. Complaints Procedure

A member who is subject to harassment should, if possible, inform the alleged harasser that the conduct is unwarranted and unwelcome.

If a victim feels they cannot directly approach the alleged harasser, he/she can approach one of the designated members responsible for receiving complaints under this policy.

When a designated person receives a complaint, he/she will:

- (a) Immediately record the date(s), time and facts of the incident
- (b) Ascertain the views of the victim as to what he/she wants to resolve the incident
- (c) Ensure the victim understands the Association procedures for dealing with the complaint
- (d) Discuss and agree on the next step. Either make an informal or formal complaint on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- (e) Keep a confidential record of all discussions
- (f) Respect the choice of the victim

6.1. Informal Complaint Mechanism

If a victim wishes to deal with the matter informally, the designated person will:

- (a) Provide an opportunity for the alleged harasser to respond to the complaint
- (b) Ensure the alleged harasser understands the complaints mechanism
- (c) Facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator to resolve the matter
- (d) Ensure that a confidential record is kept of what happens
- (e) Follow up after the outcome of the complaint mechanism to ensure that the behaviour has stopped.
- (f) Ensure that the above is done speedily and within ten (10) days of the complaint being made.

6.2. Formal Complaint Mechanism

If the victim wants to make a formal complaint or the informal complaints mechanism has not led to a satisfactory outcome for the victim, the formal complaints mechanism should be used to resolve the matter.

The designated person who initially received the complaint will refer the matter to the Committee. The Committee will refer the matter to an internal or external investigator or refer it to a subcommittee of three (3) members.

The person carrying out the investigation will:

- (a) Interview the parties separately
- (b) Interview other relevant parties separately
- (c) Decide whether there is sufficient evidence of an incident having taken place
- (d) Produce a report detailing the investigation findings and recommendations
- (e) If it is found that the harassment took place, decide what is the appropriate remedy for the victim i.e. apology, counselling, suspension or termination of membership
- (f) Follow up to ensure the recommendations are implemented, that the behaviour has stopped, and the victim is satisfied with the outcome
- (g) If it cannot be determined that the harassment took place, he/she may still make recommendations to ensure proper functioning with the Association
- (h) Keep a record of all actions and ensure that all records concerning the matter are kept confidential
- (i) Ensure the process is done as quickly as possible and in any event within sixty (60) days of the complaint being made.

6.3. External Complaint

If the matter cannot be resolved internally the victim will be assisted by the Association's designated person to contact the Victorian Equal Opportunities and Human Rights Commission (VEOHRC). The Association will cooperate with any investigation by the VEOHRC.

6.4. Discipline

In terms of the Constitution of the Association, anyone who has been found to have harassed another member in terms of this policy will be liable to any of the following sanctions:

- (a) Verbal or written warning
- (b) Suspension of membership
- (c) Termination of membership

A member who does not feel safe or confident to take such action may seek assistance from a Committee member for advice and support or action on their behalf.

7. Other relevant policies for the Association

Members are encouraged to read this policy in conjunction with the Association’s Constitution and other relevant external government policies, including

- Workplace sexual harassment policy
- Flexible work arrangements policy
- Pregnancy and work procedure and policy
- Occupational health and safety policy
- Workplace complaint resolution policy and procedure
- Discipline procedure
- Mission, vision and values statements
- Service agreement

8. More information

If you have a query about this policy or need more information please contact the Secretary of Retired Ambulance Association Victoria.

- Association Secretary Mobile phone +61 435 010 943
- Email secretary@retiredambulancevictoria.org.au

9. Review details

Date	Details	Version
23 February 2021	Policy Adopted	Version 1
March 2024	Policy Review	Version 2