 PO Box 3407 Toowoomba QLD 4350	HR POLICY	Newlands Civil Construction Pty Ltd ABN 41 133 339 778	
	<b>BULLYING &amp; HARASSMENT</b>	Newlands Commercial Construction Pty Ltd ABN 64 166 350 563	
Authorised By: B O'Sullivan	HR-POL-031	Version: Jun 2020	Page: 1 of 3

## 1. Purpose

NCC is committed to providing a workplace which is free from bullying, harassment and unlawful discrimination and will not tolerate it in any form. NCC aims to ensure all those participating in the workplace are treated with respect, dignity and fairness with an aim of creating an environment which promotes positive working relationships.

This purpose of this Policy is to explain the standard of behaviour expected of employees and others within the workplace and to make sure employees understand what is regarded as bullying, how complaints can be made and how claims will be treated.


## 2. Scope

- 2.1 This Policy applies to all NCC employees and contractors.
- 2.2 This Policy is not limited to the workplace or working hours and will include all work related events which include, but not limited to; lunches, client functions, meetings, conferences and Christmas parties.
- 2.3 This Policy also relates to, but is not limited by the following types of communication:
- 2.3.1 Verbal communication either over the telephone or in person in the workplace, and outside of it;
  - 2.3.2 Written communication including; letters, notes, minutes of meetings etc.;
  - 2.3.3 Internal and external electronic communication including, emails, instant messaging services, internal intranet, faxes, social media and networking forums (Facebook, LinkedIn, Twitter etc.) and communications via text message.

Please note this is not an exhaustive list.

## 3. Policy

- 3.1 All employees must treat each other with respect and courtesy, not engaging in bullying or intimidating behaviours, nor condoning it by silently bearing witness to these behaviours;
- 3.2 NCC considers bullying unacceptable and will not tolerate it under any circumstances. All employees must be free from bullying, harassment, threats or violence. Managers and team leaders must ensure employees are treated with respect, courtesy and dignity, not harassed, bullied or intimidated;
- 3.3 NCC expects that all those covered by this Policy to observe the following minimum standards of behaviour to help create positive working relationships:
- 3.3.1 Being polite and courteous to others;
  - 3.3.2 Being respectful of the difference between people and their circumstances;
  - 3.3.3 Ensuring they do not engage in any bullying behaviour(s) towards others in, or connected with the workplace which includes customer, clients, supervisors, other managers and the public;
  - 3.3.4 Ensuring they do not assist, or encourage others in the workplace, or in connection with the workplace to engage in bullying behaviour(s) of any type;
  - 3.3.5 Adhering to complaint procedure in this Policy if they experience any bullying behaviour(s) personally;
  - 3.3.6 Reporting any bullying behaviour(s) they see happening to others in the workplace, or connected with the workplace in line with the Bullying/Harassment Procedure HR-PR-009; and
  - 3.3.7 Keeping information confidential if involved in any investigation;
- 3.4 Management at NCC and any other employees felt necessary, will undertake workplace bullying training to keep them up to date in being able to identify bullying, preventing workplace bullying and investigations/outcomes of bullying;
- 3.5 Information about the NCC Bullying and Harassment Policy will be included in an overview provided during the induction;
- 3.6 NCC wants to create a bullying free environment as, bullying can create an unsafe environment, result in loss of trained and talented workers, the breakdown of teams and individual relationships and reduced efficiency. People

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Authorised By: B O'Sullivan

HR-POL-031

Version: Jun 2020

Page: 2 of 3

who are harassed can become distressed, anxious, withdrawn, depressed and can lose self-esteem and the ability to carry out their jobs effectively.

- 3.7 NCC will take the following actions to prevent and control exposure to the risk of workplace bullying:
- 3.7.1 Provide all workers with workplace bullying awareness training;
  - 3.7.2 Ensure that the policies covering bullying and grievance procedures are endorsed by everyone;
  - 3.7.3 Provide support for all victims of bullying;
  - 3.7.4 Commit to promptly investigating complaints;
  - 3.7.5 Ensure that disciplinary action will be taken against a person who bullies a worker or who victimises a person who has made or is witness to a complaint. Complaints found to be malicious, frivolous or vexatious may make the complainant liable for disciplinary action;
  - 3.7.6 NCC will treat any bullying/harassment complaint seriously;
  - 3.7.7 Complaints will be dealt with in a confidential manner;
  - 3.7.8 Any complainant or witness will not be victimised in any way; and
  - 3.7.9 If misconduct is proven, action will be taken to ensure that similar behaviour does not continue.
- 3.8 An employee who feels subject to workplace bullying/harassment, can go to their manager/supervisor or the HR Manager for assistance;
- 3.9 As bullying can occur in any direction in the workplace (laterally, upwards or downwards), the HR Manager has been appointed as the Bullying/Harassment Contact Officer, as we know other managers/supervisors may not be appropriate to discuss the situation with. Any initial discussion with the HR Manager and complainant will remain both informal and confidential between the two parties;
- 3.10 When a complaint has been made the Bullying and Harassment Procedure HR-PR-009 will be followed by the HR Manager or other responsible person, and all reasonable measures will be taken to resolve the issue in house. When it cannot be resolved internally, external parties will be engaged as necessary;
- 3.11 When receiving a complaint the HR Manager or other responsible person will, act quickly, seriously and sympathetically and investigate the incident thoroughly, impartially and with confidentiality. When a resolution has been achieved, the HR Manager will follow up with all parties involved and communicate the outcomes to ensure no repeat episodes.

#### 4. Definitions

- 4.1 **Bullying** – Is repeated, unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety and is unlawful.
- 4.2 **Repeated Behaviour** – Refers to the constant nature of the behaviour, not the specific type of behaviour and can involve a range of behaviours over time.
- 4.3 **Unreasonable behaviour** – Means the behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.
- 4.4 **Bullying and Harassment** – Examples of Bullying and Harassment may include but are not limited to:
- 4.4.1 Any form of aggressive or frightening behaviour including shouting or swearing at someone, stalking and initiation rites that could (or do) harm someone;
  - 4.4.2 Threatening to make, or actively making a person's work or home life difficult;
  - 4.4.3 Abusive, belittling or intimidating phone calls, text messages, emails, notes, through social media or graffiti;
  - 4.4.4 Interference with personal belongings or sabotage of work;
  - 4.4.5 Unwarranted verbal abuse or inflammatory remarks;
  - 4.4.6 Deliberate actions to humiliate, intimidate or undermine a person;
  - 4.4.7 A manager or supervisor using a management style that is harsh, involves shouting, constant criticism or humiliation of an employee or group of employees in private or in front of their peers;

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Authorised By: B O'Sullivan

HR-POL-031

Version: Jun 2020

Page: 3 of 3

- 4.4.8 An employee being treated less favourably by another employee or group of employees in the workplace, including, but not limited to, forcing an employee to participate in an "initiation" process; intimidation; playing practical jokes etc.;
- 4.4.9 Sniggering or gossiping behind someone's back;
- 4.4.10 A manager setting unreasonable timelines or constantly changing deadlines for an employee to meet, or setting tasks that are unreasonably below or beyond a person's skill level; and or
- 4.4.11 Continuously and deliberately excluding someone from workplace activities including ignoring them and keeping them isolated from relevant communications about work issues.

4.5 **What isn't Bullying/Harassment** – Fair and reasonable management action taken in order to counsel an employee for instances of underperformance, investigating complaints made against employees, discipline for misconduct and other work directions in line with business needs does not amount to bullying.

## 5. Responsibilities

- 5.1 All those individuals covered by this Policy are expected to adhere to the standards of behaviour contained herein at all times. Any employee who is found to have breached this Policy will be disciplined accordingly, which may lead up to and include termination of employment. If a contractor of NCC is found to have breached this Policy, their contract stands to be terminated, or may not be renewed in the future.
- 5.2 The HR Manager shall have ownership in the investigation of workplace bullying/harassment claims. The HR Manager will be responsible for making sure the Bullying/Harassment Procedure HR-PR-009 is followed by all involved.
- 5.3 NCC Top Management assume the ultimate responsibility for Quality, Safety and Environmental requirements and core business practices in the workplace. NCC Senior Management plan, manage, monitor, review, and direct actions and allocate resources to support workers at every level to identify hazards, assess, control and evaluate risk in all areas of NCC operations.



Barry C O'Sullivan  
 Director  
 Newlands Civil Construction Pty Ltd AND  
 Newlands Commercial Construction Pty Ltd

17 June 2020