



# WORKPLACE BULLYING POLICY

## **Background**

First Nations Media Australia is committed to preventing workplace bullying as part of providing a safe, healthy and productive work environment.

## **Definition**

Bullying at work occurs when

- a person or a group of people repeatedly behaves unreasonably towards a worker or a group of workers at work; and
- the behavior creates a risk to health and safety.

Bullying does not include reasonable management action carried out in a reasonable way.<sup>1</sup> See

further elaboration of this definition at Appendix 1.

## **Workplace behaviour policy**

First Nations Media Australia expects its employees, board members, contractors, clients and the general public to:

- Behave in a responsible and professional manner,
- Treat all in the workplace with courtesy and respect,
- Listen and respond appropriately to the views and concerns of others,
- Be fair and honest in their dealings with others.

Workers are protected by this policy whether they feel bullied by a supervisor, board member, another worker, contractor or member of the public.

This policy applies to behaviours that occur:

- In connection with work, even if it occurs outside normal working hours,
- During work activities,

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<sup>1</sup> This reflects the definition of workplace bullying at s.789FD of the *Fair Work Act 2009*.

- At work-related events, for example conferences and work-related social functions,
- On social media where workers interact with colleagues or clients.

This policy is made available to all workers including contractors.

### **Reporting and responding to workplace bullying**

- Reports of workplace bullying are treated seriously and the response is prompt, impartial and confidential
- Should a worker feel they are being bullied and have felt unable to deal with the problem informally or their attempts to do so have not been successful, the worker reports the issue to their manager.
- Should a worker witness unreasonable behaviour, they will bring this to the attention of their manager as a matter of urgency.
- The responsible supervisor or manager speaks to the parties involved as soon as possible, gathers information and seeks a resolution to satisfactorily address the issue for all parties.
- If the issue cannot be resolved, or the unreasonable behaviour is considered to be of a sufficiently serious nature, an appropriately experienced, impartial person is appointed by the manager to investigate. Both sides will have an opportunity to state their case and relevant information is collected, considered and documented by this person before a decision is made by the manager on the basis of this information.
- Appropriate disciplinary action is taken against employees found to have participated in workplace bullying, or those found to have made a complaint maliciously or in bad faith.
- Should the investigation find that bullying has not occurred or cannot be substantiated, actions may still be implemented to address any workplace issues leading to the report.

### **External resolution**

- A worker may lodge an application for a stop workplace bullying order at the Fair Work Commission. Information can be found at: <https://www.fwc.gov.au/resolving-issues-disputes-and-dismissals/workplace-issues-disputes/anti-bullying/what-the-process>.

Version	Date adopted/revised	Endorsement/Description of change
1.	21/3/2016	General Manager Daniel Featherstone
	8/5/19	Endorsed by First Nations Media Australia Board

## Appendix 1

### **Further definitions of bullying behavior and reasonable management action:**

**Bullying behavior** may include, but is not limited to, any of the following types of behaviour:

- Aggressive or intimidating conduct
- Abusive, insulting or offensive language or comments
- Belittling or humiliating comments
- Unjustified criticism or complaints
- Deliberately excluding someone from workplace activities
- Spreading malicious rumours
- Teasing and practical jokes
- Unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- Displaying offensive material
- Pressure to behave in an inappropriate manner

### **Reasonable management action**

Reasonable management may include:

- Performance management processes
- Disciplinary action for misconduct
- Informing a worker about unsatisfactory work performance or inappropriate work behavior
- Asking a worker to perform reasonable duties in keeping with their job
- Maintaining reasonable workplace goals and standards.