



POLICY Harassment and Discrimination

PURPOSE

It is the obligation of Wiley to provide a safe working environment, free of harassment and victimisation, discrimination, bullying, and workplace harassment. This document outlines Wiley's policy on the unacceptable behaviour.

SCOPE

This policy applies to Wiley employees, contractors, subcontractors and visitors.

RESPONSIBILITY

Leaders, managers and employees have responsibility under this policy.

Responsibilities of leaders and managers

Leaders and managers must ensure that all employees are treated equitably and are not exposed to sexual harassment and victimisation, discrimination, bullying and workplace harassment. Employees in a management position are required to personally demonstrate appropriate behaviour and treat complaints seriously. They must also ensure that people who make complaints, or are witnesses, are not victimised themselves and that all information surrounding queries and complaints is kept confidential.

Responsibilities of employees

Wiley requires all employees to behave responsibly by complying with this policy, to not tolerate unacceptable behaviour, to maintain privacy during investigations and to immediately report incidents of sexual harassment and victimisation, discrimination, bullying and workplace harassment to your leader or any member of Management that you feel comfortable with.

METHODOLOGY AND CONSIDERATIONS

Sexual harassment and victimisation

Sexual harassment and victimisation is considered an unacceptable form of behaviour that violates the Wiley values and mission and will not be tolerated under any circumstances.

Under the Federal and State anti-discrimination laws, sexual harassment and victimisation in employment is prohibited.

Sexual harassment is any behaviour of a sexual nature that is unsolicited, unwelcome or unreciprocated, and that humiliates, offends, embarrasses, intimidates or otherwise causes distress to another person where a reasonable person would have anticipated that conduct would be offensive, humiliating or intimidating.

It may be unwelcome touching or other physical contact, remarks with sexual connotations, smutty jokes, and requests for sexual favours, leering or the display of offensive material both within and outside working hours and include contact using social media.

Sexual harassment has nothing to do with mutual attractions; such relationships are a private matter.

Sexual harassment can be a single incident, such as inappropriate comments, an unwelcome invitation to go out or unwelcome compliments, and may constitute harassment or a series of inappropriate actions. Some actions or remarks are so offensive that they constitute sexual harassment in themselves, even if they are not repeated. Acts of sexual harassment may also constitute criminal offences such as physical molestation, indecent exposure, sexual assault and rape, stalking or obscene communications, e.g. telephone calls, letter, emails.

Victimisation is conduct that makes an employee suffer a detriment. A person will subject another person to a detriment if he or she engages in conduct that makes the employee feel:

- Uncomfortable;
- Isolated;
- Unwelcome;
- Intimidated; or
- Insecure.

Actions that are not sexual harassment or victimisation

Legitimate and reasonable management actions and business processes, such as, actions taken to transfer, demote, discipline, redeploy, retrench or dismiss an employee are not considered to be sexual harassment or victimisation, provided these actions are conducted in a reasonable way.

Discrimination

Discrimination can be related to any of the grounds covered by State and Federal legislation. It is against the law and a breach of this policy to discriminate against another employee; a customer or client; an applicant for a job; or any other visitor to the workplace, including external contractors. Forms of discrimination include, but are not limited to, the grounds of that person's:

- Sex;
- Sexual orientation;
- Race (including colour, descent, ethnic background or nationality);
- Disability, whether physical, intellectual or mental (including the fact that the person may have suffered such disability in the past);
- Age;
- Family responsibilities as a career;
- Pregnancy;
- Political opinion;
- Religious belief;
- Marital status; or
- Social origin.

Discrimination includes the following types of actions:

- Treating a person less favourable as a result of personal characteristics (any of the things listed above); and/or
- Imposing a condition on a person, where that condition appears to treat everyone the same but has a disproportional effect on the person as a result of one of the things listed above.

Actions that are not discriminatory

Legitimate and reasonable management actions and business processes, such as, actions taken to transfer, demote, discipline, redeploy, retrench or dismiss an employee are not considered to be discriminatory, provided these actions are conducted in a reasonable and lawful way.

Bullying

Workplace bullying is repeated, unreasonable, and unwelcome behaviour directed towards an employee or group of employees that creates the risk to health and safety.

Any mention of bullying, be it use of the word, a report or complaint against another party, will be addressed, ensuring the health and safety of Wiley employees to continue their work in a safe environment.

Actions that are not considered bullying

Legitimate and reasonable management actions and business processes, such as, actions taken to transfer, demote, discipline, redeploy, retrench or dismiss an employee are not considered to be bullying, provided these actions are conducted in a reasonable way.

Workplace harassment

Workplace harassment in employment is prohibited under the Federal and State laws. It is against the law and a breach of this policy to harass another employee; a customer or client; an applicant for a job; or any other visitor to the workplace, including external contractors.

Harassment is unwanted behaviour that offends, humiliates or intimidates a person, and targets them on the basis of a characteristic such as gender, race or ethnicity.

Detailed below are examples of behaviours that may be regarded as workplace harassment if the behaviour is repeated or occurs as part of a pattern of behaviour. Forms of harassing behaviours include, but are not limited to:

- Abusing a person loudly, usually when others are present;
 - Repeated threats of dismissal or other severe punishment for no reason;
 - Constant ridicule and being put down;
 - Leaving offensive messages on email or the telephone;
 - Sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways;
 - Maliciously excluding and isolating a person from workplace activities;
 - Persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters;
 - Humiliating a person through gestures, sarcasm, criticism and insults, often in front of customers, management or other employees; or
 - Spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.
- A person is subjected to workplace harassment if they are subjected to repeated behaviour by a person that;
- is unwelcome and unsolicited; and
 - the person considers it to be offensive, intimidating, humiliating or threatening; and
 - a reasonable person would consider to be offensive, humiliating, intimidating or threatening.

Actions that are not workplace harassment

Legitimate and reasonable management actions and business processes, such as, actions taken to transfer, demote, discipline, redeploy, retrench or dismiss an employee are not considered to be workplace harassment, provided these actions are conducted in a reasonable way.

Effects on people and the business

Sexual harassment and victimisation, discrimination, bullying and workplace harassment can have detrimental effects on people and the business. It can create an unsafe working environment; result in a loss of trained and talented employees; the breakdown of teams and individual relationships; reduced efficiency; undermines proper working relationships; and may cause low morale, absenteeism and resignations.

RELATED DOCUMENTS

Procedure – Delegation of Authority

Procedure – Workplace Grievance Procedure



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