

1. Overview

Bullying can happen in all types of workplaces. Bullying is a serious concern within the workplace because it may affect the emotional, mental and physical health of workers. This risk is minimised in workplaces where everyone treats each other with dignity and respect.

MEGT Australia Ltd opposes bullying and views it as contrary to the values and principles we work by. MEGT actively promotes positive interpersonal relations and does not tolerate bullying in the workplace.

MEGT employees have a right to work in a safe and secure environment. They also have a responsibility to contribute, in whatever way they can, to the protection and maintenance of such an environment.

2. Scope

This policy applies to all MEGT employees, apprentices, trainees and contractors, including casual and sessional contractors.

3. Definitions

3.1. Workplace Bullying

Workplace bullying is repeated, unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety.

- a) It does not include reasonable management action carried out in a reasonable manner.
- b) 'Repeated' refers to the persistent nature of the behaviour and can refer to a range of behaviours over time.
- c) Bullying may be carried out verbally, physically or in any written form, including digital formats.
- d) 'Unreasonable behaviour' means behaviour that a reasonable person, having regard for the circumstances would see as victimising, humiliating, undermining or threatening.
- e) Workplace bullying is not limited to actions that occur only in the workplace in working hours. Interactions either in person or in cyberspace, for example on social networks, outside the workplace and normal working hours, can also be considered as workplace bullying in some instances.

4. Policy

Sometimes people do not realise that their behaviour can be harmful to others. In some situations, behaviours may unintentionally cause distress and be perceived as bullying.

Bullying can be direct or indirect (intentional, where the actions are intended to humiliate, offend, intimidate or distress) or unintentional (where actions which, although not intended but should reasonably have been expected to cause that effect).

Bullying can be directed at a single worker or a group of workers and be carried out by one or more workers. Bullying can be Downwards from managers to employees, Sideways between workers or co-workers or Upwards from workers to supervisors or managers.

4.1. Workplace Bullying Includes But Is Not Limited To

4.1.1. Direct Bullying

- a) abusive, insulting or offensive language
- b) spreading misinformation or malicious rumours
- c) behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling or screaming
- d) interfering with a person's personal property or work equipment, or
- e) harmful or offensive initiation practices

4.1.2. Indirect Bullying

- a) unreasonably overloading a person with work or not providing enough work
- b) unjustified criticism or complaints
- c) setting timelines that are difficult to achieve or constantly changing deadlines
- d) setting tasks that are unreasonably below or beyond a person's skill level
- e) deliberately excluding, isolating or marginalising a person from normal work activities
- f) withholding information that is vital for effective work performance
- g) deliberately denying access to information, consultation or resources
- h) deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular worker or workers, or
- i) unfair treatment in relation to accessing workplace entitlements such as leave or training.

NOTE: Threats of violence or damage to property are criminal matters and may be referred to police for further action.

4.2. What Isn't Workplace Bullying?

Some experiences at work can be uncomfortable but are generally not considered to be bullying. These can include but are not limited to:

- a) differences of opinion
- b) performance management
- c) personality clashes

A single incident of unreasonable behaviour is not bullying, although it may have the potential to escalate into bullying and therefore should not be ignored.

Reasonable management action, carried out in a fair way, is not bullying. Managers have a right to direct the way work is carried out and to monitor and give feedback on performance, but this must be delivered in a reasonable manner.

Examples of reasonable management action include:

- a) setting reasonable performance goals, standards and deadlines in consultation with workers and after considering their respective skills and experience
- b) allocating work to a worker in a transparent way
- c) fairly rostering and allocating working hours
- d) transferring a worker for legitimate and explained operational reasons
- e) deciding not to select a worker for promotion, following a fair and documented process
- f) informing a worker about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements
- g) informing a worker about inappropriate behaviour in an objective and confidential way
- h) implementing organisational changes or restructuring, and
- i) performance management processes.

A single incident of unreasonable behaviour is not considered 'bullying', but is unacceptable workplace behaviour; such conduct may lead to disciplinary action. See MEGT's *Unacceptable Workplace Behaviour Guideline*.

5. Procedure

5.1. Reporting Workplace Bullying

Workplace Bullying is not an acceptable part of MEGT's work culture. If you are being bullied, or see others being bullied at work, you should report it directly to your supervisor or the People & Safety Division as soon as possible.

5.2. If you believe you are being bullied

Employees can deal with bullying either directly or via a third party. It is best to address your issue informally at the local level in the first instance.

It is preferable to try and resolve the problem yourself with the individual involved, if you feel able to do so. Tell the individual that their behaviour is not welcome and request that it stop.

If you don't feel able to deal with the individual personally you should request confidential assistance from your manager (if the manager is involved in the incident then you should approach a more senior manager in your area, People & Safety Division, a Health and Safety Representative, [or an Equal Opportunity Contact Officer](#)). Mediation or facilitation can form part of the informal process.

If informal processes cannot resolve your concerns, you can choose to lodge a formal grievance through MEGT's Grievance Procedure, available on the intranet.

5.3 If you believe you have witnessed a bullying incident

In the first instance, to help prevent bullying in the workplace, if you witness an incident and feel able to step in at the time and assist in resolving any issue, this should be your approach.

If you do not feel in a position to do so then you should report any instances of bullying you witness to your manager, People & Safety Division, your Health and Safety Representative or [an Equal Opportunity Contact Officer](#).

Note: you can report an incident of bullying if you witness one from the viewpoint of the effect that it has had on you.

5.4 Additional Support

Those who have been involved in or witnessed bullying, should not underestimate the impact this may have. If you have been affected you can make use of the MEGT Employee Assistance Program by contacting the 24 hour hotline:1300 360 364. This is a free and confidential service.

6. Responsibilities

6.1 **Employees, Apprentices, Trainees and Contractors** are responsible for complying with this policy including the reporting of any bullying incident in which they were either personally involved or that they witnessed.

6.2 **Managers** are to ensure that all employees know and understand this policy. They should actively promote discussions around its understanding at every opportunity. Managers should also encourage the reporting of all bullying incidents.

Managers are expected to act impartially and respectfully in managing complaints. Both the person who is alleging bullying and the alleged bully must be protected. Managers are required to record, confidentially, the details of the complaint and the actions followed.

All allegations must be taken seriously and acted on promptly.

Managers are responsible for responding to all reports of bullying within reasonable timeframes and should request the assistance of the People & Safety Division as required.

6.3 **The General Manager – People & Safety** is responsible for reviewing, issuing and monitoring the effectiveness of this policy and procedure.

The General Manager – People & Safety or a nominated member of the People & Safety Division will act as a Conciliator and or Investigator but not both at the one time.

7. Breach of Policy and Procedure

Any breach of this policy and procedure will be treated with the utmost seriousness and acted upon in a timely fashion. All formal investigations will be conducted in line with procedural fairness and the principles of natural justice. These principles are designed to protect all parties involved.

Breaches of this policy and procedure may lead to disciplinary action being taken, including dismissal in serious cases.

7.1. Principles of Natural Justice

- a) People will be treated as innocent unless allegations are proved to be true
- b) All allegations will be investigated promptly
- c) All allegations will be put to the person alleged to have committed an offence
- d) The person alleged to have committed an offence will be given an opportunity to give her/his version of events
- e) If the allegation is proved to be true, the disciplinary action will be commensurate with the seriousness of the matter.

8. Related Policies

This policy and procedure should be read in conjunction with the following MEGT policies and procedures:

- Health and Safety Policy
- Health and Safety Issue Resolution procedure
- Code of Conduct
- Discipline Policy
- Equal Employment Opportunity & Diversity Policy
- Grievance Procedure

9. Review

This policy will be reviewed every two years or sooner if requested by management.

10. Communication

This policy is available on the MEGT Intranet site, is included in the site induction checklist for all MEGT employees and is promoted regularly by managers in meetings with employees.

11. Document Review and Authorisation Details

This PP will be reviewed at least every 2 years or as required by legislative change, corrective / preventative actions following an incident or as directed by the MEGT Board or Executive team.

Page#	Version #	Date	Amendment Details
3-4	003	04/12/15	Include EEO Contact Officers

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