



## **Sexual Harrassment Policy**

**Date prepared: August 2015**

**Date reviewed: August 2015**

**Authorised by: Managing Director**

### **1. Policy Statement**

Hotelstaff Pty Ltd is committed to ensuring that all employees, contractors or subcontractors are treated fairly and equitably in an environment free of unwelcome conduct that may humiliate, cause offence or intimidate.

Sexual harassment is an unacceptable and unlawful form of behaviour which will not be tolerated at Hotelstaff Pty Ltd.

Hotelstaff Pty Ltd is committed to communicating to all employees, contractors, subcontractors, volunteers, clients and stakeholders a zero tolerance to sexual harassment via notice boards, signage, policies, procedures and practices.

### **2. Scope**

The scope of this policy applies to all, employees, contractor and subcontractors of Hotelstaff Pty Ltd when working with or representing Hotelstaff Pty Ltd.

It is expected that Board members endorse and support this policy in the execution of their responsibilities.

This policy applies during all hours of work at Hotelstaff Pty Ltd as well as outside of working hours when dealing with colleagues and clients of the organisation including social engagements.

### **3. Application**

Sexual harassment includes any unwelcome conduct of a sexual nature from a superior, colleague, contractor or subcontractor within or acting on behalf of Hotelstaff Pty Ltd.

Conduct maybe physical, verbal, written or visual, regardless of any “innocent intent” on the part of the offender. Sexual harassment is unacceptable within the workplace, any sponsored or workplace event of any social event organised by the organisation.

Conduct may include behaviours that may reasonably be considered offensive, humiliating, intimidating, frightening or having continued after an individual has requested that the contact / behaviour cease. The behaviour need not be repeated or continuous to warrant complaint.

Sexual harassment is against Hotelstaff Pty Ltd policy and against the law.

Examples of sexual harassment include;

- intrusive verbal questioning into an individual’s private life
- intrusive physical behaviour e.g.- unnecessary closeness or leering
- reference to a person’s sexuality or appearance
- unwelcome physical contact e.g. – fondling, attempts at kissing or hugging
- displays of sexually graphic or offensive materials eg- posters, pictures or cartoons, graffiti, computer screen savers or sexually explicit messages on desks, lockers, emails, faxes or notice boards.

Under vicarious obligations, Hotelstaff Pty Ltd management is responsible for taking all reasonable steps to prevent sexual harassment. Steps may include;

- communicating the Sexual Harassment Policy to all employees
- implementing this Sexual Harassment Policy through training and awareness sessions, to encourage the awareness of what constitutes unwelcome, humiliating, offensive and intimidating behaviour
- ensuring the workplace is free from unwelcome humiliating, offensive and intimidating behaviour
- having documented grievance resolution procedures in place

Some actions of sexual harassment constitute a criminal offence and maybe reported to the Police if the victim wishes to seek this avenue of redress. Examples include; sexual violence, indecent exposure and or obscene communication personally, written or electronically.

Sexual harassment does not include any mutually acceptable discussions or behaviour between consulting adults.

All reports or complaints of sexual harassment will be investigated thoroughly, impartially and confidentially as per the Grievance Policy. Steps may include taking a statement from the effected employee, contractor or subcontractor, witnesses and the perpetrator. Investigations may involve a third party including the Police where the Managing Director determines the harassment to be unlawful.

Any employee, contractor or subcontractor found to attempt to disguise or hinder an investigation will subject to disciplinary action and or possible termination.

Individuals making a claim will not be disadvantaged as a result of lodging a complaint.

Appropriate disciplinary action will be taken against anyone in Hotelstaff Pty Ltd employment who is found to have sexually harassed an individual.

#### **4. Related Legislation**

Sex Discrimination Act 1984

Equal Opportunity Act 1984

Fairwork Act 2009

Occupational Health and Safety Act 2004 – VIC

Occupational Health and Safety Act 1989 No 18 – ACT

Occupational Health and Safety and Welfare Act 1986 - SA

Work place Health and Safety Act 1995 – TAS

West Australian Occupational Health and Safety Act 1984 – WA

Occupational Health and Safety Act 2000 – NSW

Workplace Health and Safety Act 2007 – NT

Workplace Health and Safety Act 1995 - QLD

#### **5. Related policies**

Grievance/Dispute Resolution Policy

Occupational Health and Safety Policy

Equal Opportunity and Anti-Discrimination Policy