

SEXUAL HARASSMENT POLICY & PROCEDURE

1. Purpose

The objectives of this policy are to

- specify the principles governing Hotelstaff responses to Sexual Harassment in the workplace

2. Scope

This policy and procedure is applicable to all employees, contractors and subcontractors of Hotelstaff Pty Ltd, HS Personnel Australia Pty Ltd and all subsidiaries ('Hotelstaff').

It is expected that the Executive 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.

This policy document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version.

3. Definitions

Sexual Harassment unwelcome behaviour of a sexual nature that makes a person feel offended, humiliated or intimidated, and which a reasonable person having regard to all the circumstances would have anticipated as likely to cause offence, humiliate or intimidate

4. Policy Statement

Hotelstaff 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.

Hotelstaff 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.

5. Procedures

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

Conduct may be 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 or 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 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.

Hotelstaff 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 employment who is found to have sexually harassed an individual.

6. Guidelines

Victorian Equal Opportunity and Human Rights Commission, 'Guideline: Preventing and responding to workplace sexual harassment - Complying with the Equal Opportunity Act 2010',

<https://www.humanrights.vic.gov.au/resources/sexual-harassment-guideline/>

7. Related Documents and Further Information

7.1. Legislation

Equal Opportunity Act 2010

Gender Equality Act 2020

Occupational Health and Safety Act 2004

Sex Discrimination Act 1984 (Cth)

7.2. Documents

Employee Code of Conduct

Grievance/Dispute Resolution Policy

Occupational Health and Safety Policy

7.3. Links

Wpoksafe Victoria, 'Work-related sexual harassment: Know your rights',

<https://www.worksafe.vic.gov.au/work-related-sexual-harassment-know-your-rights>

8. Revision History

Effective	Version	Amendment
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28/05/2019	1.2	- Review – No Change
		- Reformatted
01/06/2021	2.0	- version disclaimer added
		- definitions added

9. Document Information

Effective	01/06/2021	Version	2.0	Authorised	SZPRINC, Nathan
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