

Sexual Harassment Policy

1. Purpose

The purpose of this document is to outline the National Indigenous Radio Service's approach to sexual harassment and to document the process which is to be followed should any complaints arise.

2. Application

This policy applies to all directors and staff, including:

- Full time, part time, casual, permanent, temporary contractors, volunteers, vocational and work experience placements.
- All staff and Board Directors in their work-related interactions with each other, with clients and contacts.
- All staff while in the workplace, or off site at work-related functions.

3. Definitions

Sexual harassment means any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Examples of sexual harassment include, but are not limited to,

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about your private life
- displaying posters, magazines or screen savers of a sexual nature
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications

Sexual harassment does not have to be repeated or continuous to be against the law. Sometimes, even a single occurrence of actions or remarks, are so offensive that they constitute sexual harassment. Other single incidents, such as an unwanted invitation or compliment, may not be sexual harassment. Some forms of sexual harassment, such as assault, physical molestation, stalking, sexual assault and indecent exposure, are also criminal offences.

Behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

4. Policy

The National Indigenous Radio Service will not tolerate sexual harassment under any circumstances. Responsibility lies with every Manager, Supervisor and employee/volunteer to ensure that sexual harassment does not occur.

Both federal and state Equal Employment Opportunity legislation provide that sexual harassment is unlawful and establish minimum standards of behaviour for all employees.

This policy applies to conduct that takes place in any work-related context, including conferences, work functions, social events and business trips.

No employee or volunteer at any level should subject any other employee, volunteer, customer or visitor to any form of sexual harassment.

A breach of this policy will result in disciplinary action, up to and including termination of employment.

The National Indigenous Radio Service strongly encourages any employee who feels they have been sexually harassed to take immediate action. If an employee or volunteer feels comfortable in doing so, they can raise the issue with the person directly with a view to resolving the issue by discussion. The employee or volunteer should identify the harassing behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stop.

The National Indigenous Radio Service encourages any employee, volunteer, contractor or Board Director who feels they have been sexually harassed to take immediate action and if appropriate to consult with the relevant manager in the management of the communication.



Alternatively, or in addition, the behaviour may be reported in accordance with the Workplace Grievance and Disputes Resolution Policy.

The National Indigenous Radio Service will determine how the report will be dealt with in accordance with its obligations and this policy.

Reports of sexual harassment will be treated seriously and promptly with sensitivity. Reports will be treated as completely confidential but the person the subject of the complaint must be notified under the rules of natural justice. The organisation will protect all those involved in the process from victimisation.

Complainants have the right to determine how to have a complaint treated, to have support or representation throughout the process, and the option to discontinue a complaint at any stage of the process.

The alleged harasser also has the right to have support or representation during any investigation, as well as the right to respond fully to any formal allegations made. There will be no presumptions of guilt and no determination made until a full investigation has been completed.

No employee or volunteer will be treated unfairly as a result of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment, or against any employee or volunteer who has been alleged to be a harasser.

All complainants have the right to seek the assistance of the relevant tribunal or legislative body to assist them in the resolution of any concerns.

Managers who fail to take appropriate corrective action when aware of harassment of a person will be subject to disciplinary action.

Relevant legislation

- Crimes Acts of States and Territories
- Sex Discrimination Act 1984

Associated policies

- Code of Conduct



- Workplace Bullying Policy
- Workplace Grievance and Disputes Policy

Authorised 30 June 2022 by General Manager	Review date: 30 June 2023
--	---------------------------