Harassment

Preamble
The Anti-Discrimination Board defines harassment as any type of behavior that:
• The other person does not want and does not return
• Offends, embarrasses, or scares them, and is either sexual or targets them because of their race, sex, pregnancy, marital status, carers’ responsibilities, transgender, homosexuality, disability or age.

Commonwealth legislation refers to ‘victimisation’ as a situation where a person is threatened because they are making or proposing to make a complaint under the Disability Discrimination Act 1992 or the HREOC Act 1986.

Harassment and victimization often happen when people use power wrongly. Harassment, victimisation or bullying makes the workplace uncomfortable and unpleasant. All students and staff of AFTA Travel and Tourism College NSW (the college) have a right to be free from harassment. The College recognises that learning, teaching and administration duties cannot be carried out if any person feels that anyone they have to work with is harassing them in any way.

The harassment, victimisation and bullying policy is in place to protect students, prospective students and staff.

Responsibilities of staff

Managers and Supervisors
All managers and supervisors must do their best to prevent harassment, victimisation or bullying from happening within their area of responsibility. Managers should
• ensure that all staff understand and have ready access to the harassment, victimisation and bullying policy and know how to deal with harassment, victimisation or bullying if it happens to them
• be good role models and not engage in any behaviour that could be interpreted as harassment
• make it clear to those they supervise that harassing behaviour will not be tolerated
• ensure that the working environment is free of sexist, racist or any other type of stereotyping material, posters, screen savers and so on
• wherever possible, make sure that neither the college processes nor the college environment make it easy for harassment, victimisation or bullying to happen
• follow up on any behaviour changes that could mean that harassment, victimisation or bullying is occurring or that anyone has an harassment grievance
• act immediately if witness to or privy to information about any harassment, victimisation or bullying by following the complaints procedure.
Teachers and Staff

If you are a teacher at the college, you must not:

- display material that is racist, sexist, sexually explicit, or anti-gay in any form – this means electronically (through computer-based activities or emails) or in videos or lesson plans and so on.
- use verbal abuse or comments that put down, or stereotype people because of their race, sex, pregnancy, marital status, age disability, sexual preference
- have sexual or physical contact with any student. This includes slapping, pinching, kissing or touching (the top of the head included)

In all matters staff should endeavour to:

- be a good role model
- show respect all other people
- be careful about anything that might be interpreted as sexual or stereotyping people because of the group they happen to belong to.
- be careful of the words you use, the tone you use, and how you say things,
- avoid sexual or stereotyping jokes
- avoid the use of sexual or stereotyping pictures, cartoons, verse – on paper, walls, boards, faxes or computers
- refrain from any type of touching
- refrain from standing too close to staff or students
- be aware of the paralinguistics of language and how they could be misinterpreted as being threatening, harassing or having sexual connotations
- refrain from teaching sexual language or showing films of a sexual nature

Responsibilities of students

In all matters students should endeavour to:

- show respect all other people
- be careful about anything that might be interpreted as sexual or stereotyping people because of the group they happen to belong to.
- be careful of the words you use, the tone you use, and how you say things,
- avoid sexual or stereotyping jokes
- avoid the use of sexual or stereotyping pictures, cartoons, verse – on paper, walls, boards, or computers
- refrain from any type of touching
- refrain from standing too close to staff or students
- be aware of how gestures and contact could be misinterpreted as being threatening, harassing or having sexual connotations
- refrain from using sexual or threatening language
Steps for dealing with harassment

- You can tell the harasser to stop. If you don’t feel you can do this, or they don’t stop, please use our complaints procedure so that it can be resolved.
- Help to prevent harassment by offering to support someone else if you think they are being harassed. Suggest they use the procedure to stop the harassment.
- Do not speak to any person you think is harassing another. This could constitute defamation and be spreading rumours. Follow correct procedure.

If you have a problem and suspect it may be harassment, victimisation or bullying of some type, please contact the administration officer to arrange an appointment with one of the following staff:

Karina Alouisa – Counsellor
Juleen Currie – Academic Coordinator

Further help can be obtained from:
- The Anti-Discrimination Board of NSW, Level 17, 201 Elizabeth St Sydney 2000, PH 9268 5555
- The Human Rights and Equal Opportunity Commission Piccadilly Towers, 8/133 Castlereagh St Sydney 2000 phone: 9284 9600

Application
This harassment policy will be successfully applied when all staff are treated on merit by their managers, peers, direct reports and all other staff members.

Process

Making a Complaint:
If you believe you are being, or have been, harassed, follow the procedure below:

- inform the offender the behaviour is offensive, unwelcome, and against company policy and should stop (only if you feel comfortable enough to approach them directly)
- keep a record of the incident(s)
- if the unwelcome behaviour continues, contact your supervisor or manager for support
- if this is inappropriate, you feel uncomfortable, or the behaviour still persists, contact another relevant senior manager

Receiving a Complaint:
When a manager receives a complaint, he/she should follow the procedure below:

- listen to the complaint seriously
- treat the complaint confidentially
- allow the complainant to bring another person to the interview if he/she chooses to
- ask the complainant for the full story, including what happened step by step
• take notes, using the complainant’s own words
• ask the complainant to check your notes to ensure your record of the conversation is accurate
• explain and agree next action with the complainant
• if investigation is not requested:
  o act promptly
  o maintain confidentiality
  o pass your notes on to your manager
• if investigation is requested, or is appropriate, follow the procedure outlined

Investigating a Complaint:
When a manager investigates a complaint, he/she should follow the procedure below:
• interview all directly concerned, separately
• interview witnesses, separately
• keep records of interviews and investigation
• do not assume guilt
• interview the alleged harasser, separately and confidentially
• let the alleged harasser know exactly what he/she is being accused of
• give him/her a chance to respond to the accusation
• listen carefully and record details
• make it clear he/she does not have to answer any questions
• ensure confidentiality, minimise disclosure
• determine appropriate action based on investigation and evidence collected
• check to ensure the action meets the needs of the complainant and company

If resolution is not immediately possible, the complainant should be referred to more senior management.

If the resolution requires the authority of a more senior manager, the complainant should be referred to the appropriate level.

Outcomes as they affect the complainant should be discussed with the complainant to ensure that needs are met, where appropriate.
Potential Outcomes:
If the complaint is found to be justified, the complainant may be entitled to any or all of the following:

The complainant may receive:
• commitment the behaviour will cease
• private apology (verbal or written)
• re-credit of any leave taken due to the harassment
• payment of medical and counselling expenses
• transfer, with no job disadvantage
• other compensation

Policy Review
This policy will be reviewed as part of the college’s three year review cycle.