

Bullying and Harassment Policy

Approved Date	October 2020
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1. Purpose

- 1.1. NZUSA is committed to providing a work environment which is free from harassment and where personnel are treated with dignity and respect.
- 1.2. This policy outlines the practical steps for eliminating harassment in the workplace and at NZUSA events, and resolving issues of harassment as early as possible.
- 1.3. This policy applies to all NZUSA personnel, including elected representatives, staff, contractors and volunteers.

2. Definition

2.1. Harassment

2.1.1. Harassment is a form of discrimination and is unlawful under both the Employment Relations Act 2000 and the Human Rights Act 1993.

2.1.2. Harassment of any kind is defined broadly as any behaviour directed towards an individual or group that a reasonable person, having regard to the circumstances:

2.1.2.1. Would expect to insult, intimidate, victimise or disadvantage the recipient; or

2.1.2.2. Would consider to be unwelcome, hurtful or offensive to the recipient; and

2.1.2.3. Which is repeated, and/or is of such significance as to adversely affect the recipient's employment or wellbeing.

2.1.3. Harassment can include discrimination, sexual harassment, personal harassment, or bullying.

2.2. Discrimination

2.2.1. NZUSA is an inclusive workplace that welcomes diversity and will not tolerate any discriminatory behaviour as outlined in the Human Rights Act 1993.

2.3. Sexual Harassment

2.3.1. Sexual harassment is not tolerated in any form at NZUSA and is a violation of a person's mental and physical well-being. The definition of and process for dealing with sexual harassment is outlined in the Sexual Violence Policy.

2.4. Personal Harassment

2.4.1. Personal harassment includes any behaviour that:

2.4.1.1. Explicitly or implicitly intimidates, humiliates, undermines or dominates another person; or

2.4.1.2. Involves the use of abusive and/or threatening language, verbal or physical threats; or

2.4.1.3. Any form of physical assault.

2.5. Bullying

2.5.1. Bullying is repeated and unreasonable behaviour directed towards a person or group of people, whether directly or indirectly, which is:

2.5.1.1. Offensive, abusive, intimidating, malicious or insulting;

2.5.1.2. Makes the recipient or target feel upset, threatened, humiliated or vulnerable and undermines self-confidence; and

2.5.1.3. Can be exercised by anyone in any position of the organisation.

2.5.2. Bullying does not include appropriate critical feedback or advice given as part of a healthy work relationship.

3. Events

3.1. NZUSA is committed to running events that are free of harassment and bullying. All attendees of NZUSA events are expected to abide by the expectations outlined in NZUSA's internal policies.

3.2. All NZUSA events will have a designated Health and Safety Officer, who will not be the President.

3.3. The Health and Safety Officer will be appropriately trained and announced to attendees, and be the first point of contact for bullying and harassment concerns.

3.4. Any decisions on complaints of bullying or harassment will be made by the following people and will be final:

3.4.1. The President;

3.4.2. The Health and Safety Officer; and

3.4.3. The Chair of the Finance, Risk and Audit Committee (FRAC) and/or a member of the National Executive selected by the President.

3.5. If any of the above people are involved or associated with any bullying or harassment concerns, they will not form part of the decision-making process in 3.4.

3.6. Attendees who breach internal policy can be removed from any event, and those who paid are ineligible for refund.

3.7. All members of the National Executive should be aware of the processes of this policy so that they can assist attendees of NZUSA events who have concerns about or who may have engaged in bullying and/or harassment.

4. Advice, Information and Support

4.1. If you feel unsafe at any time, contact the police (111) or a support service.

4.2. If you are concerned that you are being bullied and/or harassed, and wish to disclose this to someone, you should:

4.2.1. Approach the Health and Safety Officer (if event related);

4.2.2. Approach the National President;

4.2.3. Approach the National Vice President if you do not feel comfortable approaching the National President; or

4.2.4. Approach the Chair of FRAC if you do not feel comfortable approaching the National Vice President.

4.3. At all times, you have the right to seek external support, request a support person or seek help from your union representative and/or Worksafe.

4.4. In the event you are concerned for your safety or that of others, or encounter illegal behaviour, do not hesitate to contact the Police and/or Human Rights Commission where appropriate.

5. Complaints and Disclosures

5.1. All NZUSA Elected Representatives shall be familiar with the Thursdays in Black Disclosure Guide and the Complaints Policy, and if someone wishes to make a complaint, encourage them to follow this policy and seek further or external support if they wish.

5.2. All complaints and disclosure processes must be followed in alignment with relevant individual or collective employment agreements, the Complaints and Disclosures Policy, other internal policies and with New Zealand law.