



HARASSMENT OF STAFF GUIDELINES

Preamble: These guidelines are in accord with the **Harassment of Staff Policy** approved by the School Board on 06 December 2021.

- Guidelines:**
1. **Sexual harassment** occurs when there is verbal or physical conduct of a sexual nature by a person or group of people toward another and the conduct is unwelcome and offensive or might reasonably be perceived as unwelcome and offensive. Examples of sexual harassment include:
 - (a) Requests for sexual intercourse, sexual contact or other form of sexual activity that contains an overt or implied promise of preferential treatment, or detrimental treatment or threat about the present or future employment status of the employee;
 - (b) Personally offensive verbal comments;
 - (c) Sexual jokes;
 - (d) Comments or teasing about an employee's alleged sexual activities or private life;
 - (e) Comments regarding an employee's sexual preference;
 - (f) Persistent, unwelcome social invitations, telephone calls, emails, letters, texts, faxes or other material from co-workers at work or home;
 - (g) Offensive hand or body gestures;
 - (h) Inappropriate or unwelcome physical contact such as patting, pinching or touching;
 - (i) Provocative images such as posters, screen savers etc.
 2. **Racial harassment** may include expressing hostility against, or bringing into contempt or ridicule, an employee on the grounds of race, colour, ethnic or national origin or the attribution of stereotypical or extreme behaviour to a particular racial group.
 3. **Bullying** occurs where unwelcome and unreasonable behaviour that is intended to and does create a hostile, uncomfortable or offensive work environment for those who are the target of bullying. Bullying behaviour is intended to, and demeans, intimidates, degrades or humiliates people, often in the presence of others.

Examples of bullying behaviour include:

- a) Verbal bullying – including abusive or offensive language, insults, teasing, sarcasm, using aggressive body language, spreading rumours and unwarranted and unjustified criticism and trivializing of achievements;
- b) Manipulating the workplace – by isolating individuals from others in the workplace, over-work or under-work individuals maliciously, or set impossible deadlines or expectations;
- c) Psychological manipulation – this can be an insidious form of bullying where by individuals can be:

- Deliberately and unjustly excluded from activities;
- Subjected to practical jokes;
- Unreasonably allocated humiliating or degrading tasks;
- Belittle or disregarded when making suggestions or giving an opinion;
- Unfairly blamed for mistakes or delays; and
- Unnecessarily or unfairly disciplined/chastised in front of others.

4. Unlawful discrimination

At CMS we promote a diverse and inclusive workplace culture. By this we mean that we value the participation and perspectives of a wide range of people irrespective of their sex or gender identity, age, race, ethnicity, religious or ethical beliefs etc. We also value the input of people with a wide range of cultural backgrounds and different thinking styles.

Unlawful discrimination is defined under the Employment Relations Act 2000 as a situation where someone, because of one of the “prohibited grounds”:

- Refuses to employ a person or offers them different terms of employment, conditions of work, benefits, or opportunities from other employees with substantially similar qualifications, experience, or skills employed in substantially similar circumstances
- Dismisses or subjects a person to a detriment
- Retires that person or causes them to resign or retire

Prohibited grounds include sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, sexual orientation or union membership status.

5. Procedures for dealing with harassment:

- (a) A case of harassment will be dealt with as quickly as possible, and with the least degree of formality as appropriate;
- b) The feelings of the person claiming harassment should be respected; and
- c) All parties should be protected from victimisation and/or unfair accusation.

Confidentiality during any investigation process will be maintained.

- d) If an employee feels they are being harassed they should attempt to make it clear to the offender either verbally or in writing that such behaviour is offensive and unacceptable. However, if the employee being harassed feels unable to confront the offender they should seek contact with an appropriate person for advice and support.
- e) The School will have in place an appropriate complaints procedure to deal with allegations of harassment.
- f) Such procedures will have due consideration to any relevant Employment Agreement.
- g) Where the Principal is the alleged offender the matter will be referred directly to the School Board.

Review: 2024

These Guidelines will be reviewed in accord with the review of the Harassment Policy.