

SEXUAL HARASSMENT POLICY

OVOBEL FOODS LIMITED
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Statement of Policy - Sexual harassment is unlawful. This organization does not tolerate sexual harassment in any form. Every volunteer, staff member and supervisor has a responsibility to ensure that sexual harassment does not occur.

Anyone found to have sexually harassed another person will be subject to disciplinary action that may include an apology, counseling, transfer of duties or dismissal.

Reports of sexual harassment will be treated promptly, seriously and confidentially. Complainants have the right to determine how a complaint will be treated. They also have the right to have a supporter or representative chosen by them involved in the process and the option to stop the process at any time.

The alleged harasser also has the right to have a supporter or representative chosen by them present when he/she responds to the allegations made.

No volunteer or paid staff member will be treated unfairly as a result of making a complaint of sexual harassment. Immediate disciplinary action will be taken against anyone who victimizes or retaliates against someone who has made a complaint of sexual harassment.

The organization will afford natural justice to any person involved in a dispute.

Definition of Sexual Harassment - Sexual harassment includes any unwelcome behavior of a sexual nature that could be reasonably expected to make someone feel offended, humiliated or intimidated.

This may include (but is not restricted to):

- an unwelcome sexual advance
- a request for sexual favors
- unwelcome comments about someone's sex life or physical appearance
- leering and ogling
- sexually offensive comments, stories or jokes
- displaying sexually offensive photos, pinups or calendars, reading matter or objects
- sexual propositions or continued requests for dates
- physical contact such as touching or fondling, or unnecessary brushing up against someone
- indecent assault or rape (these are criminal offences).

Sexual harassment may occur between one volunteer and another, between volunteers and

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staff members, or between volunteers and clients, suppliers or visitors. It may occur wherever volunteers and paid staff are interacting with others in the context of their position in the organization, including field trips, work off site and social functions.

This is only an indicative list and in no way should be construed as an exhaustive list.

Prevention Action – the company will take reasonable steps to prevent sexual harassment at work which may include circulating relevant policies and other related information to all the members of the company.

Process –

A volunteer or paid staff member who believes they have been harassed (the complainant) should:

- if comfortable to do so, inform the alleged harasser the behavior is offensive, unwelcome, against the organization's policy and should stop
- make a note of the date, time and location of the incident/s
- if not comfortable to confront the alleged harasser or if unwelcome behavior continues, report to the nominated *sexual harassment contact*
- if this is inappropriate, speak to another senior member of the organization, such as a senior manager, the head of the organization or a member of the board.

The *sexual harassment contact* will follow the procedures set out below. At any time, the complainant has the right to discontinue this process.

When a complaint is received, the *sexual harassment contact* will:

- obtain and record a full, step-by-step account of the incident/s
- ensure the organization's process for handling the complaint is understood
- ascertain the complainant's preferred outcome, e.g. an apology, the behavior to cease, a change in working arrangements
- agree on the next step: informal resolution or formal investigation
- keep a confidential record of all details of this discussion and subsequent steps in the process.

If a formal investigation is requested by the complainant, or if an informal resolution fails, the *sexual harassment contact* will escalate the matter to a senior member of the organization.

That person will:

- afford natural justice to all involved
- interview all directly concerned, separately
- interview witnesses, separately

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- keep records of the interviews and investigation
- ensure confidentiality and minimize disclosure
- make a determination as to whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e. it's more likely than not), that an incident/incidents of sexual harassment as defined by the legislation has occurred
- in such a case, determine appropriate action, which may include a change of duties for the harasser, change to working arrangements or, where the incidents were frequent and/or severe, dismissal
- where it cannot be determined by the required test, that an incident/incidents of sexual harassment as defined by the legislation has occurred, may still take action to ensure the proper functioning of the workplace; but these actions should not prejudice any party. They will also continue to closely monitor the situation and provide retraining where required
- check to ensure the action meets the needs of the complainant and organization.

Outcomes as they affect the complainant will be discussed with the complainant to ensure that needs are met, where appropriate.

Review – the Board shall review the policy from time to time and make changes to the policy if required.