

# DISCRIMINATION, HARASSMENT & BULLYING TOOLBOX TALK



<b>SUBJECT</b>	<b>UNLAWFUL DISCRIMINATION, HARASSMENT &amp; BULLYING ARE DIFFERENT</b>
<b>RESOURCE</b>	PowerPoint Presentation

## DISCRIMINATION, HARASSMENT & BULLYING

### FACILITATOR

There is a difference between discrimination, workplace bullying and harassment because the laws that relate to these areas are different. You need to know the difference between them, identify them and prevent them in your workplace.

### ASK THE GROUP:

Can you think of some examples of discrimination, workplace bullying and harassment? Write a list of answers on a whiteboard or on a flip chart by creating 3 columns – one for each group and get them to tell you what they think each one is:

Examples:

DISCRIMINATION	BULLYING	HARASSMENT
<ul style="list-style-type: none"> <li>• Race – colour, ethnic origin</li> <li>• Sex, pregnancy, marital status</li> <li>• Age</li> <li>• Disability</li> <li>• Sexual preference</li> </ul>	<ul style="list-style-type: none"> <li>• Yelling, screaming or offensive language</li> <li>• Excluding or isolating someone</li> <li>• Psychological harassment</li> <li>• Cyberbullying</li> <li>• Intimidation</li> <li>• Constant criticism or nitpicking</li> <li>• Suppression of ideas</li> <li>• Overloading a person with work</li> <li>• Not allowing sufficient time to complete work</li> <li>• Practical jokes</li> </ul>	<ul style="list-style-type: none"> <li>• Telling insulting jokes about a particular racial group</li> <li>• Pornographic material</li> <li>• Derogatory remarks</li> <li>• Asking personal or intrusive questions</li> <li>• Unwelcome touching</li> <li>• Staring or leering</li> <li>• Insults or taunts</li> <li>• Sexually suggestive emails or text messages</li> </ul>

Next step, explain the following terms and meanings.

# DISCRIMINATION, HARASSMENT & BULLYING TOOLBOX TALK



## **WHAT IS WORKPLACE HARASSMENT?**

Workplace bullying is verbal, physical, social or psychological abuse by your employer (or manager), another person or group of people at work.

Workplace bullying can happen in any type of workplace, from offices to shops, cafes, restaurants, workshops, factories, community groups and government organisation.

Workplace bully can happen to volunteers, work experience students, interns, apprentices, casual and permanent employees.

## **What is unlawful discrimination?**

Discrimination occurs when a person or group of people, is treated less favourably than another person or group because of their background or certain characteristics.

Federal discrimination laws protect people from discrimination based on their:

- Race, including colour, national or ethnic origin or immigrant status,
- Sex, pregnancy or marital status and breastfeeding,
- Age,
- Disability, or
- Sexual orientation gender identity and intersex status.

## **What is harassment?**

Under discrimination law, it is unlawful to treat a person less favourably based on particular protected attributes, such as a person's sex, race, disability or age. Treating a person less favourably can include harassing or bullying a person. The law has specific provisions relating to sexual harassment, racial hatred and disability harassment.

**Harassment** can include behaviour such as:

- Telling insulting jokes about a particular racial group,
- Sending explicit or sexually suggestive emails or text messages,
- Displaying racially offensive or pornographic posters or screen savers,
- Making derogatory comments or taunts about a person's disability, or
- Asking intrusive questions about someone's personal life, including his/her sex life.

## **What is workplace bullying?**

Bullying behaviour can range from obvious verbal or physical assault to subtle psychological abuse. It can include physical or verbal abuse:

- Yelling, screaming or offensive language,
- Excluding or isolating employees, eg work events or meetings.
- Psychological harassment,
- Intimidation.
- Assigning meaningless tasks unrelated to the job,
- Giving employees impossible jobs or deadlines and setting one up to fail.
- Deliberating changed work rosters to inconvenience particular employee.
- Undermining work performance by deliberately withholding information vital for effective work performance.
- Cyberbullying on social media or online.

# DISCRIMINATION, HARASSMENT & BULLYING TOOLBOX TALK



## Samples of Bullying covered by the Anti-Discrimination Act:

Behaviour	Example	Attribute
Abusing or yelling at a person (usually when others are present)	A male manager regularly abused a woman worker in terms such as 'dumb bitch, useless female, stupid cow...'	Sex
Humiliating a person through gestures, sarcasm, criticism and insults, often in front of others	A teacher mimicked a student's stutter in front of the whole class.	Impairment
Undermining a person's achievements continually	A gay man was not liked by his 'straight' boss who always found fault with his work and ridiculed him in front of colleagues but praised even sloppy work by others. He knew that the boss called him 'that faggot' behind his back.	Sexuality
Making hurtful remarks or verbal attacks, making fun of a person's work, or the person themselves (eg: their race or culture, impairment, sex, sexuality)	An Aboriginal worker was called 'ape man' as a nick name by workers, and they made monkey gestures and noises. The supervisor just laughed and did nothing to stop it.	Race
Making a person perform meaningless or unreasonable tasks or setting unachievable targets	A worker with a mobility impairment was given all the boring and menial work and no account was taken of her skills and education. She was continually told that she should be grateful because not many places would take on a 'handicapped' person.	Impairment
Sabotaging a person's work, deliberately withholding or giving incorrect information, hiding documents or equipment, not passing on messages, getting a person into trouble in other ways;	The supervisor of an older worker with more than 20 years' service deliberately excluded him from receiving information on IT training and skill development. He put pressure on the worker to resign, constantly saying that he doesn't pick things up quickly and maybe he's 'past his use by date' and 'time to give a young bloke a go'.	Age (older worker)
Getting back at a person to punish them for a personal affront	A woman refused the repeated sexual advances of her manager, who then became vindictive and suggested to senior staff that she was a 'dud' and should be sacked.	Sexual harassment

# DISCRIMINATION, HARASSMENT & BULLYING TOOLBOX TALK



Behaviour	Example	Attribute
Hurting a person physically, pushing, shoving, tripping	A teacher told a Sikh student on a number of occasions to 'just ignore it; brush it off' when he reported that other students regularly punch him, knock him over, call him 'towel head' and throw his lunch in the bin.	Religion
Subjecting a person to initiation ceremonies, making a person do humiliating or inappropriate things to be accepted as part of a group	A 16-year-old apprentice was stripped naked and hosed with a fire hose while everyone else looked on and laughed.	Age (young worker) Sexual harassment
Criticising about petty, irrelevant or insignificant matters	A pregnant woman's work was continually criticised once her pregnancy became known, when she previously got lots of praise. It was suggested that she should give up work 'for the sake of the baby'.	Pregnancy
Excluding or isolating a person from activities or an online group	An office worker who recently immigrated from Sri Lanka was always asked to stay behind to look after the office over lunch, and when there were work functions. Her co-worker said things like 'you wouldn't like it anyway... you wouldn't fit in.'	Race
Spreading gossip, false or malicious rumours about a person with intent to cause harm	A man spent time in a psychiatric ward some years ago but is now well. This became known to other workers who call him 'Psycho' amongst themselves and now say they are afraid to work alone with him.	Impairment
A teenage girl had a falling out with a friend. The friend photo-shopped a picture of her to look like a sex worker and posted it to Instagram with the comment 'just a fat slut'. Others joined in with posts like 'yeah who hasn't she slept with?'.	Sexual harassment	Posting photos or videos using social media to embarrass or hurt a person
	A student who was born a boy but identifies as a girl and wears a girl's school uniform was the subject of a hateful Facebook page ridiculing the student and asking others to like the page.	Gender

Source: Anti-Discrimination Commission Queensland (adcq) fact sheet

# DISCRIMINATION, HARASSMENT & BULLYING TOOLBOX TALK



## How does harassment & bullying affect the workplace?

Examples of how workplace harassment and bullying can affect the workplace:

- Increased risk of accidents or injuries
- Increased absenteeism
- Increased employee turnover and abrupt resignations
- Increased stress and associated costs
- Decreased team morale
- Decrease in motivation and productivity
- Negatively effects company image and reputation

If harassment and bullying in the workplace is not resolved it can lead to legal repercussions and may create a toxic work culture where employees will not be able to feel safe doing their job.

Even if a victim of bullying or harassment does not want to make a complaint it is part of the Workplace Bullying & Harassment Policy is part of the Workplace Health & Safety obligations. It is the responsibility of your employer to investigate any issues and make findings about any of the above behaviours to ensure it does not happen again. An effective resolution of the complaint from the perspective of the complainant, and ideally prevent the employment relationship from breaking down.

References:

<https://humanrights.gov.au/our-work/employers/workplace-discrimination-harassment-and-bullying>

<https://www.employmentlawhandbook.com.au/bulletin/what-is-the-difference-between-workplace-bullying-and-harassment/>

Anti-Discrimination Commission Queensland (adcq) fact sheet

## SUPPORT SERVICES

<b>Australian Human Rights Commission</b> www.humanrights.gov.au 1300 656 419 or (02) 9284 9888	<b>Beyond Blue</b> www.beyondblue.org.au 1300 224 636
<b>1800 Respect</b> www.1800respect.org.au	<b>Lifeline</b> www.lifeline.org.au 13 11 14
<b>ReachOut</b> <a href="https://au.reachout.com">https://au.reachout.com</a>	<b>Sexual assault support services</b> <a href="http://www.humanrights.gov.au/our-work/sex-discrimination/list-sexual-assault-services">www.humanrights.gov.au/our-work/sex-discrimination/list-sexual-assault-services</a>

# DISCRIMINATION, HARASSMENT & BULLYING TOOLBOX TALK



Items Raised/Corrective Action	Action By	Action completed	
		Sign off	Date

**DATE:**.....

**FACILITATOR SIGNATURE**.....