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North Brisbane Lapidary Club Inc.

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**NBLC**

**Discrimination and Harassment**

**Policy**

Version 2016.1

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## **1. Scope**

This policy applies to:

- All club members
- All Visitors and Guest of Members of the North Brisbane Lapidary Club
- How North Brisbane Lapidary Club Inc. interacts with other members of the public

## **2. Aims**

North Brisbane Lapidary Club Inc. is committed to providing a safe, flexible and respectful environment for members, visitors and guests free from all forms of discrimination, bullying and harassment.

All North Brisbane Lapidary Club Inc. members are required to treat others with dignity, courtesy and respect at all times.

By effectively implementing our *Clubs' Discrimination and Harassment Policy* we will create a positive environment for members.

## **3. Members rights and responsibilities**

All members are entitled to:

- Enjoy their craft free from discrimination, bullying and harassment
- The right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised

All members must:

- Follow the standards of behaviour outlined in this policy
- Offer support to people who experience discrimination, bullying or harassment, including providing information about how to make a complaint
- Avoid gossip and respect the confidentiality of the complaint resolution procedures
- Treat everyone with dignity, courtesy and respect.

### **3.1 Additional responsibilities of the Management Committee and other elected Officers of the club**

The Management Committee members and other elected officers of the club must also:

- Model appropriate standards of behaviour
- Take steps to educate and make members aware of their obligations under this policy and the law
- Intervene quickly and appropriately when they become aware of unacceptable conduct as outlined in 4. "Unacceptable Conduct"
- Act fairly to resolve issues and enforce behavioural standards, making sure relevant parties are heard
- Help members to resolve complaints informally

- Refer formal complaints about breaches of this policy to the Management Committee
- Ensure members who raise an issue or make a complaint are not victimised

#### 4. Unacceptable Conduct

Discrimination, bullying and harassment are unacceptable at North Brisbane Lapidary Club Inc. and are unlawful under the following legislation:

- Sex Discrimination Act 1984
- Racial Discrimination Act 1975
- Disability Discrimination Act 1992
- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986.

Any member found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal discipline up to and including termination of membership.

##### 4.1 Discrimination

*Definition (Oxford Dictionary): "The unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, or sex."*

At NBLC we consider any proposal of treating someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability equally discriminatory as the actual treatment.

Discrimination can occur:

**Directly**, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

- A club member or guest is harassed and humiliated because of their race or origin; or
- A potential member is refused membership based on their religion.

**Indirectly**, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law (see list below).

For example, membership is based on age or profession

Protected personal characteristics under Federal discrimination law include:

- A disability, disease or injury, including work-related injury
- Parental status or status as a carer, for example, because they are responsible for caring for children or other family members
- Race, colour, descent, national origin, or ethnic background
- Age, whether young or old, or because of age in general
- Gender
- Religion

- Sexual orientation, intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, queer and heterosexual
- Marital status, whether married, divorced, unmarried or in a de facto relationship or same sex relationship
- Political opinion
- Social origin

It is also against the law to treat someone unfavourably because you assume they have a personal characteristic or may have it at some time in the future.

## **4.2 Bullying**

*Definition (Oxford Dictionary): "to bully - Use superior strength or influence to intimidate (someone), typically to force them to do something."*

If someone is being bullied because of a personal characteristic protected by equal opportunity law, it is a form of discrimination.

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices.

Under Federal law, this behaviour does not have to be repeated to be discrimination – it may be a one-off event.

Behaviours that may constitute bullying include:

- Sarcasm and other forms of demeaning language
- Threats, abuse or shouting
- Coercion
- Isolation
- Inappropriate blaming
- Ganging up
- Constant unconstructive criticism
- Deliberately withholding information or equipment that a person needs to participate in their lapidary activities.

Bullying is unacceptable at the North Brisbane Lapidary Club Inc.

## **4.3 Harassment**

*Definition (Oxford Dictionary): "Harassment - Aggressive pressure or intimidation"*

Harassment is a serious form of activity. It is unwelcome behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Harassment can be physical, spoken or written. It can include:

- Comments about a person's private life or the way they look
- Aggressive or suggestive behaviour, such as leering or staring
- Brushing up against someone, touching, fondling or hugging

- Sexually suggestive comments or jokes
- Repeated unwanted requests
- Requests for sex
- Insults or taunts of any nature
- Intrusive questions or statements about a person's private life
- Inappropriate, insulting or aggressive advances and comments on social networking sites
- Behaviour that may also be considered to be an offence under criminal law, such as verbal or physical assault, indecent exposure, sexual assault, stalking or obscene and aggressive communications, libel and defamation.

Just because someone does not object to inappropriate behaviour in the club environment at the time, it does not mean that they are consenting to the behaviour.

All members have the same rights and responsibilities in relation to harassment.

A single incident is enough to constitute harassment – it doesn't have to be repeated.

All incidents of harassment – no matter how large or small or who is involved – require the members of the Management Committee to respond quickly, decisively and appropriately.

North Brisbane Lapidary Club Inc. recognises that comments and behaviour that do not offend one person can offend another. This policy requires all members to respect other people's limits.

#### **4.4 Sexual Harassment**

Sexual Harassment is a form of harassment defined by its sexual nature North Brisbane Lapidary Club has a zero tolerance to any form of sexual harassment.

Any complaints of this nature will be thoroughly investigated and should a member be found to be guilty of sexual harassment the management committee reserves the right to immediately terminate the membership of this person in accordance with Section 9.2.iv of the Constitution ("Conducts himself in a manner considered to be injurious or prejudicial to the character or interests of the Association;")

#### **4.5 Victimisation**

*Definition (Oxford Dictionary): "Victimisation - The action of singling someone out for cruel or unjust treatment."*

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, harassment or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating a concern or complaint.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator.

North Brisbane Lapidary Club Inc. has a zero tolerance approach to victimisation.

#### **4.6 Gossip**

*Definition (Oxford Dictionary): "Gossip - Casual or unconstrained conversation or reports about other people, typically involving details which are not confirmed as true."*

It is unacceptable for any member of the management committee at North Brisbane Lapidary Club Inc. to involve or discuss any perceived issue of discrimination, harassment or victimisation, with other club members, other than those members who are delegated the responsibility by virtue of rules or policies of the club.

Breach of confidentiality, by any committee or club member of a formal complaint or investigation by inappropriately discussing or disclosing any pertinent or personal information relating to the complaint, shall be considered a serious breach of this policy which will result in formal discipline.

#### **5. Resolving issues at North Brisbane Lapidary Club**

North Brisbane Lapidary Club Inc. strongly encourages any member who believes they have been discriminated against, bullied, harassed or victimised to take appropriate action by lodging a complaint – either verbal or in writing with any member of the Management Committee.

*Members who do not feel safe or confident to take such action may seek assistance from a member who has been elected as a mediator, for advice, support or action on their behalf.*

#### **6. Other relevant North Brisbane Lapidary Club Inc. policies**

All members are encouraged to read this policy in conjunction with other relevant North Brisbane Lapidary Club Inc. policies, including

- The Constitution
- Club Rules & By-laws
- Occupational health and safety policy
- NBLC complaint resolution policy and procedure

#### **7. More information**

This policy is based on the template from the Australian Human Rights Commission and adapted to the North Brisbane Lapidary Club.

If you have a query about this policy or need more information please contact The Secretary

#### **8. Review details**

This policy was adopted by North Brisbane Lapidary Club Inc. on 19<sup>th</sup> October 2016