



## STATEWIDE GROUP TRAINING (SA) INC

### SEXUAL HARASSMENT POLICY

#### **PURPOSE:**

Statewide Group Training (SA) Inc (SGT) is committed to ensuring that all current and prospective employees are not subjected to any form of sexual harassment in the workplace.

#### **SCOPE:**

This policy applies to:

- Board Members
- All staff, including: Managers, Field Officers, Administrative Officers; full time, part time, casual, temporary or permanent staff; apprentices and trainees, contractors, sub contractors, and work experience personnel.
- how SGT provides services to clients and how it interacts with other members of the public.
- all aspects of employment; recruitment and selection; training and promotion; task allocation; workload.
- on site, off site or after hours work; work related social functions; conferences – wherever and whenever staff may be as a result of their SGT duties

#### **POLICY:**

Sexual harassment by, or towards, any employee, host employer, supplier or customer in any work-related context is unlawful and will not be tolerated under any circumstances.

To ensure that this Sexual Harassment Policy is effective, SGT aims to:

- Create a working environment which is free from sexual harassment and where all employees are treated with dignity, courtesy and respect;
- Implement training and awareness raising strategies to ensure that all employees know their rights and responsibilities;
- Provide an effective procedure for complaints based on the principles of natural justice;
- Treat all complaints in sensitive, fair, timely and confidential manner;
- Guarantee protection from an victimisation or reprisals;
- Encourage the reporting of behaviour which breaches this Sexual Harassment Policy; and
- Promote appropriate standards of conduct at all times.

“Sexual harassment” refers to any unwanted, unwelcome and uninvited behaviour of a sexual nature that results in a person feeling humiliated, intimidated and offended, and, under the circumstances, it would be reasonable for them to feel this way. The perception by an employee that they have been sexually harassed is sufficient for them to lodge a complaint.

Sexual harassment does not refer to behaviour based on mutual attraction, friendship and respect, if the interaction is consensual, welcome and reciprocated.

Sexual harassment is unlawful under both the Equal Opportunity Act 1984 and the Sex Discrimination Act 1984, and can, expose employees and the organisation to both legal action and issues of liability.



STATEWIDE GROUP TRAINING (SA) INC

## SEXUAL HARASSMENT POLICY

Sexual harassment may include:

- Uninvited touching or fondling;
- Uninvited kisses or embraces;
- Making promises or threats in return for sexual favours;
- Sexually explicit conversation;
- Gestures or remarks with sexual connotations;
- Offensive phone calls or letters
- Stalking (criminal offence)
- Offensive email messages, computer screen savers, wallpapers or any other electronic media;
- Demands that revealing clothing be worn;
- Sexual assault (criminal offence)
- Obscene telephone calls (criminal offence)
- Sexual jokes or innuendos;
- Unwelcome comments or questions about a person's sex life or physical appearance;
- Direct or implied sexual propositions or unwelcome and continual requests for dates;
- Displays of sexually graphic material or pornography including posters, pin-ups, cartoons, graffiti, electronic images or messages left on screen, notice boards, desks or any other public area;
- "Flashing" or sexual gestures (criminal offence)
- Sex-based insults, taunts, teasing or name-calling;
- Staring or leering at a person or at parts of their body; or
- Unwelcome physical contact such as massaging a person without invitation or deliberately brushing up against them.

SGT recognises and acknowledges that sexual harassment may involve comments and behaviour that offend some persons but not others. SGT accepts that individuals may react differently to certain comments and behaviour and as a result, has determined that a high standard of behaviour is required of all employees at all times.

Management will ensure that all complaints of sexual harassment will be investigated quickly and fairly and treated with complete confidentiality. Any employee found guilty of perpetrating sexual harassment will be disciplined or, in serious cases, have their employment contract terminated. Any Manager found guilty of condoning sexual harassment will be disciplined or, in serious cases, have their employment contract terminated.

SGT has a legal responsibility to take all reasonable steps to prevent sexual harassment from occurring in connection with the workplace.

In this regard, SGT will:

- Provide training workshops or information sessions for all employees/apprentices/trainees within the organisation relating to sexual harassment;
- Provide training for manager/supervisors and other employees involved in the complaint resolution process and establish the complaint resolution procedures to be used when dealing with sexual harassment complaints;
- Distribute and regularly promote, SGT's Sexual Harassment Policy to all existing and new employees;
- Model appropriate behaviour and monitor the working environment to ensure that the appropriate standards of conduct are observed at all times;
- Treat all complaints seriously and take immediate action to investigate and resolve any complaint quickly and fairly and with complete confidentiality;



STATEWIDE GROUP TRAINING (SA) INC

**SEXUAL HARASSMENT POLICY**

- Ensure that employees who make or support a complaint of sexual harassment are not subsequently subjected to victimisation;
- Ensure that any employee found guilty of making mischievous or vexatious complaints relating to sexual harassment is disciplined accordingly; and
- Take all reasonable steps to ensure there is no recurrence of the offence.

In addition to this, all employees have a responsibility to assist SGT by ensuring that:

- They comply with this Sexual Harassment Policy, by ensuring that they do not perpetrate sexual harassment in the workplace;
- They offer assistance or support to any person being harassed; and
- They keep any complaint confidential to avoid idle gossip and to prevent potential defamatory proceedings being taken against them.

If any employee feels that they have been sexually harassed, they may make a complaint by following either the process set out in this Sexual Harassment Policy, or other appropriate company procedure, according to their preference.

Complaint Procedure:

If any employee believes or perceives that they are or have been sexually harassed, they should approach the harasser and ask them to stop the offending behaviour.

If the employee with the complaint is either not satisfied with the outcome of their discussions with the harasser, or feels uncomfortable about approaching the harasser on their own, the employee may seek the assistance of an appropriately trained Contact Officer who will provide support and advice to the employee of their options for resolving the complaint.

A Contact Officer will provide advice and support for any person who believes they have been harassed and bullied, even if they do not wish to take formal action. The Contact Officer will not be involved in any way with the formal investigation or resolution of a complaint.

If the matter is not resolved informally, the employee may wish to make a complaint of harassment to management. An employee may elect to make such a complaint as an initial step without approaching the harasser, for example, if the allegations are serious. The support and advice of a Contact Officer may still be accessed throughout this time.

Following the initial report, if the matter is deemed to warrant further action being taken, the employee will be requested to put their complaint in writing, which will include the action they want taken against the employee(s) concerned. This action may include, but not be limited to:

- Arranging for someone to speak to the person(s) responsible for the alleged sexual harassment;
- Arranging a mediation meeting where an independent party will assist to resolve the issue(s); and/or
- Making a formal complaint that will involve the conduct of an investigation into the alleged incident(s).

All complaints will be investigated promptly, fairly and confidentially by the nominated Complaints Officer. The investigation will involve the interviewing of any employee who has been complained about, who will be provided with an opportunity to respond to the allegations made against them. Any other person(s) who may have been involved or who may have witnessed the incident(s) will also be interviewed as part of the investigation.



STATEWIDE GROUP TRAINING (SA) INC

**SEXUAL HARASSMENT POLICY**

During any meetings or discussions, every employee will have the right to be represented or accompanied by a person of their choosing, such as a work colleague, family member or friend.

Following the investigation, the employee who has made the complaint will be informed of what action (if any) is proposed to be taken by SGT and the reasons for such action, or lack of action being taken.

If any employee is not comfortable in approaching the nominated Contact Officer or other nominated representative of SGT in the first instance, or if they are not satisfied with the way their complaint has been handled by the organisation, they have the right to refer the matter to a relevant statutory authority, such as the Equal Opportunity Commission.

***Other relevant SGT policies:***

Employees, and in particular Managers, are encouraged to read this policy in conjunction with other relevant SGT policies including (but not limited to):

- Code of Conduct Policy
- Efficiency and Discipline Policy
- Equal Opportunity Policy
- Social Media Policy
- Workplace Harassment and Bullying Policy

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**Reference:**

- Equal Opportunity Act 1984
  - Sex Discrimination Act 1984
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APPROVED: KYM ANDERSON

DESIGNATION: CHIEF EXECUTIVE OFFICER

APPROVAL  
SIGNATURE:

DATE: 8<sup>TH</sup> MAY 2024

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