SEXUAL HARASSMENT POLICY AND PROCEDURES

2MNO MONARO COMMUNITY RADIO INC.

PART A. SEXUAL HARASSMENT POLICY

1. INTRODUCTION

Monaro Community Radio Inc. is firmly committed to protecting the rights of all volunteers to perform their duties without being subjected to sexual harassment.

Every volunteer is responsible for contributing to an environment that supports this commitment. All individuals must treat one another with respect and demonstrate appropriate behaviour in pursuing the station's goals and carrying out their designated duties.

It is the responsibility of all volunteers to help ensure that the studios remain free from sexual harassment. Everyone participating in Monaro Community Radio Inc. has a responsibility to care for and protect others and to report information concerning suspected sexual harassment.

Monaro Community Radio Inc. is fully committed to its obligation to prevent and eliminate sexual harassment in activities conducted under its auspices.

2. PURPOSE

The purpose of this policy is to outline Monaro Community Radio Inc.'s position on sexual harassment and document the procedures to be followed should any grievances arise.

3. DEFINITIONS

Sexual harassment means any unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature that makes a person feel offended, humiliated or intimidated, where that reaction is reasonable in the circumstances.

Examples of sexual harassment include, but are not limited to:

- Staring or leering.
- Unnecessary familiarity, such as deliberately brushing against someone or engaging in unwelcome touching.
- Suggestive comments or jokes.
- Insults or taunts of a sexual nature.
- Intrusive questions or statements about a person's private life.
- Displaying posters, magazines or screen savers of a sexual nature.
- Sending sexually explicit emails or text messages.
- Making inappropriate advances through social networking sites.
- Accessing sexually explicit internet sites.
- Requests for sex or repeated unwanted requests to go on dates.

- Behaviour that may also constitute a criminal offence, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Behaviour based on mutual attraction, friendship and respect is not sexual harassment.

4. POLICY STATEMENT

Monaro Community Radio Inc. will not tolerate sexual harassment under any circumstances.

All volunteers have a responsibility to help ensure that sexual harassment does not occur and that incidents are reported to the Committee for appropriate action.

Federal and state Equal Employment Opportunity legislation establish that sexual harassment is unlawful and set minimum standards of behaviour.

This policy applies to conduct occurring in any situation under the auspices of Monaro Community Radio Inc.

No volunteer, regardless of their position, should subject another volunteer, customer or visitor to any form of sexual harassment.

A breach of this policy will result in disciplinary action, up to and including termination of membership.

4.1 RESPONDING TO SEXUAL HARASSMENT

Monaro Community Radio Inc. strongly encourages any volunteer who believes they have been sexually harassed to take prompt action.

If a volunteer feels comfortable doing so, they may raise the issue directly with the person concerned, with a view to resolving the matter through discussion.

The volunteer should identify the harassing behaviour, explain that it is unwelcome and offensive, and request that it stop.

However, given the seriousness of sexual harassment, the station recommends that such discussions occur in consultation with the President and/or Vice President.

Alternatively, or in addition, volunteers may report the behaviour in accordance with the relevant complaints procedure.

Once a report is made, the organisation will determine how the matter should be addressed in accordance with its obligations and this policy.

4.2 CONFIDENTIALITY AND PROCEDURAL FAIRNESS

All reports of sexual harassment will be treated seriously, promptly and sensitively.

Reports will be treated confidentially, while recognising that the person who is the subject of a complaint must be notified of the allegations in accordance with the principles of natural justice.

The organisation will protect those involved in the process from victimisation.

Complainants have the right to:

- Have their wishes considered in determining how a complaint is addressed.

- Receive support or representation throughout the process.
- Request to discontinue a complaint at any stage of the process.

A person against whom an allegation has been made also has the right to:

- Receive support or representation during an investigation.
- Respond fully to any formal allegations.
- Be treated fairly, without any presumption of guilt before an investigation has been completed.

No volunteer will be treated unfairly as a result of rejecting unwanted advances.

Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment, or against a volunteer who has been accused of harassment.

All volunteers have the right to seek assistance from relevant tribunals or legislative bodies in resolving their concerns.

Executive members who fail to take appropriate corrective action when aware of sexual harassment may be subject to disciplinary action.

5. AUTHORISATION

Approval authority: President / relevant governing body
Original approval date: To be confirmed

PART B. SEXUAL HARASSMENT PROCEDURES

6. RESPONSIBILITIES

6.1 PRESIDENT AND SENIOR EXECUTIVE

It is the responsibility of the President and Senior Executive to ensure that:

1. They understand and are committed to the right of all employees and volunteers to perform their duties without fear of sexual harassment.
2. They understand what constitutes sexual harassment.
3. All reasonable steps are taken to eliminate sexual harassment.
4. Employees and volunteers are regularly informed of their obligations to maintain an environment free from sexual harassment.
5. They provide an environment that discourages harassment and victimisation and set an example through their own behaviour.
6. Where possible, Equal Employment Opportunity Contact Officers are appointed, appropriately trained and known to relevant personnel.
7. All complaints are treated seriously and confidentially.
8. Immediate and appropriate corrective action is taken if they become aware of offensive behaviour or unlawful conduct.

6.2 HUMAN RESOURCES AND MANAGEMENT

It is the responsibility of the Human Resources Department and/or management to ensure that:

1. Policies and procedures are regularly reviewed and amended where necessary.
2. Policies and procedures are complied with.
3. Regular guidance and education are provided to employees concerning sexual harassment and inappropriate behaviour.
4. Managers understand their obligations and responsibilities concerning sexual harassment, as well as the rights and entitlements of employees and volunteers.
5. Ongoing support and guidance are provided to employees in relation to the prevention of sexual harassment.

7. COMPLAINTS PROCEDURES

7.1 COMPLAINT PROCESS

Sexual harassment can occur at any level of the organisation and may involve a co-worker, volunteer, supervisor, manager, service provider, client or customer.

Sexual harassment can affect people of any gender. A lack of intent does not necessarily prevent conduct from constituting sexual harassment.

Volunteers who believe they have experienced sexual harassment are encouraged to take prompt action.

Where possible and where they feel comfortable doing so, an employee or volunteer may make the person concerned aware that their behaviour is offensive, unwelcome and unacceptable, and that it must stop immediately.

If the behaviour continues, or if the employee or volunteer feels unable to speak directly with the person concerned, they should contact a member of the Executive.

The Executive member will provide support, establish the nature of the complaint and ascertain the wishes of the complainant.

7.2 INFORMAL INTERVENTION

The Executive member will explain the volunteer's rights and responsibilities under the organisation's policies and procedures and relevant Equal Employment Opportunity or anti-discrimination legislation.

Informal intervention may be undertaken through mediation or conciliation.

During informal intervention, the person against whom the complaint has been made will be informed of the allegations and given an opportunity to respond.

This procedure will be considered complete when the complainant and respondent reach agreement on the procedure to be followed.

7.3 FORMAL COMPLAINTS PROCEDURE

An Executive member may be required to conduct a formal investigation in relation to a complaint of sexual harassment.

The formal procedure will be coordinated by the Executive member.

Formal investigations may be conducted internally by an Executive member or by an external investigator.

An investigation involves collecting information concerning the complaint and determining, on the balance of probabilities and based on the available evidence, whether the alleged behaviour occurred.

Once a finding has been made, the Executive member, in collaboration with the Station Senior Executive, will make recommendations concerning the resolution of the complaint or the implementation of disciplinary action, up to and including termination of membership.

The investigator may need to interview the parties involved, including the complainant, respondent and any witnesses, to obtain relevant information.

The investigator will comprehensively and accurately document information obtained during interviews, including:

- The parties involved.
- The timing of the alleged conduct.
- The location of the alleged conduct.
- The nature of the behaviour complained about.

If the investigator considers it appropriate for the safe and efficient conduct of an investigation, volunteers may be stood aside from their normal duties for the duration of the investigation.

Throughout the investigation process, all parties involved will be kept regularly informed of its progress.

7.4 CONFIDENTIALITY AND RECORDKEEPING

Records must be kept and filed in a confidential and secure location.

Where a confidential storage area is unavailable, notes may be sealed and forwarded to the Secretary or President, who will maintain them unopened within a confidential filing system.

Records should be retained for a period of seven years.

Under no circumstances will investigation records be placed on the complainant's personnel file.

7.5 POSSIBLE OUTCOMES

Depending on the investigation findings, possible outcomes may include, but are not limited to, any combination of the following:

- Counselling.
- Disciplinary action against the person found to have engaged in harassment, including suspension, probation or dismissal.
- Official warnings recorded on the respondent's personnel file.
- Disciplinary action against a complainant where there is strong evidence that a complaint was vexatious or malicious.
- Formal apologies and undertakings that the behaviour will cease.
- Conciliation or mediation conducted by an impartial third party, where the parties agree to a mutually acceptable resolution.

Upon completion of the investigation, the parties will be informed of the findings and outcome, as appropriate and subject to confidentiality obligations.

Following an investigation concerning sexual harassment, irrespective of the findings, the Executive member will:

1. Consult with the parties involved to monitor the situation and their wellbeing.
2. Educate and remind employees and volunteers of their obligations and responsibilities in maintaining an environment free from harassment.

Where victimisation has been substantiated, disciplinary procedures will be followed.

8. PROCEDURES FOR DEALING WITH CRIMINAL CONDUCT

Some forms of sexual harassment, including sexual assault, stalking, indecent exposure, physical molestation and obscene telephone calls, may constitute criminal conduct.

Such complaints should be dealt with by the relevant authorities, including police, as part of the criminal justice system.

9. RELATED DOCUMENTS

The original policy identifies the following related documents:

- Staff Dispute Resolution Policy.
- Bullying Policy.

10. AUTHORISATION

Authorising officer: President / relevant governing body
Original approval date: To be confirmed
Organisation: Monaro Community Radio Inc.

This policy and its associated procedures should be made accessible to all members and volunteers and published through the station's website, subject to the organisation's approval processes.