

SAFE WORKPLACE POLICY

1. INTRODUCTION

Action on Poverty (AOP) is an independent, secular, not for profit, non-governmental organisation (NGO). Founded in Australia in 1968, AOP was incorporated in the state of New South Wales in 1983. AOP works with partners and communities in Africa, Asia and the Pacific.

AOP is committed to development sector good-practice, and in doing so, holds full accreditation with the Australian Government through the Department of Foreign Affairs and Trade (DFAT). AOP is a signatory to the Australian Council for International Development (ACFID) Code of Conduct, which requires high standards of corporate governance, public accountability and financial management to be in place.

AOP's Vision: For all people to transcend the injustice, indignity, and inequality of entrenched poverty.

AOP's Mission: To empower local changemakers to break the cycle of poverty in their communities.

2. PURPOSE

Action on Poverty is committed to ensuring, as far as is reasonably practicable, a healthy, safe, equal-opportunity workplace for its staff, volunteers, contractors and visitors to its premises.

3. SCOPE

This policy applies to:

- (a) All staff and Board members; and
- (b) Contractors, volunteers and visitors to Action on Poverty's workplace, to the extent it is relevant to them.

In this policy, 'workplace' includes working on site or off-site, attendance at a work-related conference or function, and attendance at a client or other work-related event, including retreats and social events.

This policy should be read in conjunction with the AOP Staff Manual, the AOP Administration manual, the Values, Ethics and Corporate Conduct policy, the HR Recruitment and Procedures policy, the Complaints policy, and the Whistleblowing policy.

4. POLICY

4.1 Workplace Health and Safety (WHS)

Safe Workplace Policy APPROVED: April 2018

LAST REVISION: February 2018 NEXT REVISION: February 2021

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- 4.1.1 AOP supports the rights of all persons covered by the policy to work in an environment that is, so far as is reasonably practicable, safe and without risks to physical or psychological health. Where it is not possible to eliminate risks, AOP will seek to minimise risks so far as is reasonably practical.
- 4.1.2 AOP is committed to the promotion of a joint and united approach to consultation and resolution of Workplace Health and Safety issues.
- 4.1.3 AOP will facilitate rehabilitation and encourage the early return to work of workers who may be injured.
- 4.1.4 AOP is a drug-free workplace. Prescription drugs are permitted provided they are not abused / misused, and the workplace participant has been advised of the side effects of this medication and is confident that the medication will not lead to impairment or inability to perform their role or comply with AOP policies.
- 4.1.5 Consumption of alcohol on in the workplace is prohibited unless explicit permission has been granted by the CEO or the Board (as well as the in-country equivalent, as applicable).
- 4.1.6 Workplace participants must not drive a vehicle or operate machinery if they have consumed any substance that may impair their ability to safely drive that vehicle or operate that machinery. AOP must be made aware of any drug or alcohol-related impairment that exists.
- 4.1.7 AOP does not accept liability for the consequences of any illegal, unsafe or inappropriate actions of any workplace participant whilst they are affected by drugs or alcohol. The workplace participant is responsible for the consequences of their actions – even in the case that permission to consume alcohol has been given.

4.2 Workplace Discrimination, Bullying, Violence, and Sexual Harassment

- 4.2.1 AOP is an equal opportunity workplace that is committed to providing a safe, flexible and respectful environment for personnel free from discrimination, bullying, violence and sexual harassment.
- 4.2.2 AOP has zero tolerance for discrimination, bullying, violence or sexual harassment in the workplace.
- 4.2.3 All AOP personnel are expected to treat others with dignity, courtesy and respect.
- 4.2.4 AOP respects the right for workplace participants to raise issues or make an enquiry or complaint in a reasonable and respectful manner without being victimized.
- 4.2.5 AOP will offer reasonable flexibility in working arrangements, especially where needed to accommodate family responsibilities, disability, religious beliefs, or culture.
- 4.2.6 Reasonable management actions carried out in a reasonable manner do not constitute bullying or discrimination.

5. POLICY APPLICATION

- 5.1 AOP will comply with relevant statutory requirements, including regulations and codes of practice, as a minimum standard, and aim to exceed these standards.
- 5.2 AOP will make all workplace participants aware of this policy upon induction.

- 5.3 AOP will allocate provide adequate time and resources to ensure full compliance with this policy.
- 5.4 AOP will appoint a WHS focal person, who will conduct a WHS audit every year.
- 5.5 AOP will maintain a register of risk assessments for high risk workplace activities, as well as incidents that have occurred during workplace activities. AOP will act to appropriately reduce risks, and to ensure that incidents are not repeated.
- 5.6 AOP reserves the right to manage and rectify risks associated with workplace participants who are under, or are reasonably suspected as being under, the influence of drugs (including prescription drugs) or alcohol. Refusal to comply with risk management directions may constitute a breach of this policy.
- 5.6.1 Reasonable suspicion cast on a workplace participant may be challenged by that participant and substantiated by independent drug or alcohol testing.
- 5.7 Complaints and whistleblowing in relation to WHS and Workplace Discrimination, Bullying, Violence, and Sexual Harassment will be handled in accordance with AOP's Complaints and Whistleblowing policies, respectively.
- 5.8 If an employee is found to have breached this policy, they may be subjected to disciplinary action. The type and severity of the disciplinary action will depend on the circumstances of the case and the seriousness of the breach. Examples of disciplinary action that may be taken include (but are not limited to):
- Counselling
 - A formal warning
 - Demotion
 - Transfer or change of place of work
 - Suspension
 - Termination of employment
 - Notification of police or other relevant authority in the case that a law has been broken
- 5.9 All workplace participants must:
- Conduct themselves safely and respectfully in the workplace, taking reasonably practical steps to ensure the WHS of themselves and their colleagues
 - Maintain and properly use equipment
 - Comply with all workplace policies, procedures and instructions in relation to WHS and Workplace Discrimination, Bullying, Violence, and Sexual Harassment
 - Offer support to people who experience discrimination, bullying, violence or sexual harassment
 - Report all WHS hazards and incidents to their line manager
 - Ensure their own personal WHS, and that of others, to the best of their ability
 - Refrain from gossip and respect confidentiality in respect to the complaints process

- Participate in emergency procedures, drills, and safety inspections, and comply with reasonable instructions.

5.10 Additionally, workplace managers / leaders must:

- Model appropriate standards of behavior
- Use risk identification, assessment and control principles
- Take steps to educate and make aware workplace participants of their rights and obligations under this policy and the law
- Maintain vigilance and ensure compliance with this policy
- Intervene quickly and appropriately as risks and inappropriate behaviours are identified
- Act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard
- Make workplace participants aware of the Complaints and Whistleblowing policies and processes, but help workplace participants resolve complaints informally if they do not wish to engage in these formal processes
- Ensure employees who make complaints or whistleblowers are not victimized
- Ensure recruitment decisions are made on merit and that no discriminatory requests for information are made
- Seriously consider flexible work arrangements
- Maintain confidentiality as appropriate
- Provide procedural fairness and natural justice during investigations and responses to suspected breaches of policy or complaints

5.11 AOP strongly encourages any workplace participant who believes they have been subject to discrimination, bullying, violence, or sexual harassment to take appropriate action by first speaking directly with the person or persons involved and requesting that they cease their behaviours, and to raise it with their manager. Workplace participants who do not feel safe to do so may seek assistance from management staff for advice and support or action on their behalf.

6. DEFINITIONS

6.1 Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because they have, are assumed to have, or are expected to have, a characteristic that is protected by the law. Discrimination can occur directly or indirectly. Protected characteristics include:

- A disability, disease or injury (including a workplace-related injury);
- Parental status or status as a carer;
- Pregnancy or breastfeeding;
- Race, colour, descent, national origin or ethnic background;
- Age, whether young or old;
- Sex, sexual orientation or gender identity;

- Industrial activity, including being a member of a trade union or participating in industrial activity, or deciding not to join a union;
- Religion;
- Political opinion;
- Social origin;
- Medical record;
- An association with someone who has, or is assumed to have, one of these characteristics.

6.2 Bullying

Bullying is repeated, unreasonable behaviour directed toward a person, or a group of persons, that creates a risk to their health and safety. Note that if someone is bullied because of a “protected characteristic” identified in section 6.1, it is a form of discrimination, even if it is a one-off event.

Bullying can occur in person or via any media, and can include: spreading false information, inappropriately disclosing personal information, making / sending offensive messages, sarcasm, demeaning language, jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, threats, abuse, shouting, coercion, blaming, ganging up, unconstructive or unjustified criticism, deliberately withholding important information, assigning meaningless tasks unrelated to a persons’ job, setting impossible assignments or deadlines, unreasonable refusals of reasonable requests, repeated threats of dismissal or disciplinary action that do not follow standard procedures, or other unfair work practices.

6.3 Reasonable management action

Action taken by a manager to fulfil their job description. Such action may include:

- performance management processes
- disciplinary action for misconduct
- informing a worker about unsatisfactory work performance or inappropriate work behaviour
- asking a worker to perform reasonable duties in keeping with their job
- maintaining reasonable workplace goals and standards.

If undertaken in a reasonable manner, these actions do not constitute bullying.

6.4 Violence (including sexual assault)

Violence refers to any incident where a person is physically attacked, abused, assaulted or threatened.

Sexual assault is any unwanted sexual act or behaviour that makes someone feel uncomfortable, threatened or frightened. It is behaviour that they haven't consented to, and is an abuse of entitlement and/or power. It can take many forms, including exposure to sexual acts, touching and rape.

Sexual assault can happen to people of all ages, genders and sexualities, within or outside a relationship. Sexual assault is a crime and is never the fault of the person who has experienced sexual violence.

6.5 Sexual harassment (including stalking)

Sexual harassment is any unwelcome conduct of a sexual nature which a reasonable person would expect will make the recipient feel offended, humiliated or intimidated. Conduct does not need to be repeated to be considered sexual harassment. Sexual harassment can be verbal, non-verbal, written, graphic or physical. Depending on the nature of the harassment, this can sometimes amount to sexual assault.

Sexual harassment can occur in person or via any media, and can include:

- comments about a person's private life or the way they look
- sexually suggestive behaviour, such as leering or staring
- brushing up against someone, touching, fondling or hugging
- sexually suggestive comments, jokes or messages
- displaying offensive pictures, words, symbols or objects
- repeated unwanted requests to go out or have sex
- insults or taunts of a sexual nature
- intrusive questions or statements about a person's private life
- accessing sexually explicit websites

Stalking is repeated conduct or actions by a person, intended to exercise control and power over, or maintain contact with, another person. It is done against the recipients will, and causes intimidation or fear. This can include:

- repeated or unwanted contact by phone, text, email or social media
- following or watching someone
- leaving unwanted items or gifts for someone.

6.6 Victimisation

Victimisation means treating someone unfairly because they have acted on or because they have supported someone else who acted upon those rights. Legislation and this policy specifically prohibits victimization of individuals who make complaints, report incidents or participate investigations related to WHS, Workplace Discrimination, Bullying, Violence, and Sexual Harassment. AOP will take all necessary steps to ensure that people involved in a complaint are not victimized by anyone either for coming forward with a complaint or for participation in an investigation or resolution.

6.7 Procedural fairness and natural justice

During or following investigation, workplace participants have the right to understand any allegations against them, to be given an opportunity to respond to allegations before any

decisions are made against them, and to have access to support and representation at any stage.