

# know your rights

## No.17 – Bullying and Discrimination.

### The Know Your Rights series.

This Know Your Rights bulletin is the seventeenth in a series of fact sheets to assist CSIRO staff better understand and enforce their rights at work. The source of these rights are outlined in the CSIRO policy on Preventing Workplace Discrimination and Bullying with relevant Clauses 51 and 52 of the CSIRO Enterprise Agreement 2008-2011 (the Agreement).

### What does the Agreement say about bullying and discrimination?

Clause 52 of the Agreement committed the Staff Association and CSIRO management, in consultation with Equity and Diversity Officers and Health and Safety Representatives, to developing policies on Discrimination and Harassment and Workplace Bullying and Victimization. Much good work has been done and an agreed policy has been developed. Unfortunately after approximately three months, the policy is still awaiting formal approval by CSIRO Executive. We have requested that this get done immediately so the new policy is applied and accessible on the CSIRO intranet.

### What is workplace bullying?

The following list is not exhaustive but contains examples of behaviour that may constitute bullying.

- unjustified and unnecessary comments about a person's work or capacity for work;
- overbearing or abusive behaviour towards staff;
- abuse of management or supervisory power such as:
  - excessive and unreasonable work scrutiny;
  - inappropriate or unreasonable criticism of someone's work or behaviour;
  - constantly and inappropriately changing and/or setting impossible deadlines, tasks or targets;
  - inappropriate or unreasonable blocking of promotion, training, development or other work opportunities; and
  - branding as a troublemaker a person who raises legitimate workplace grievances, and taking no action to address the grievance
- threats of, or actual assault;
- 'Upwards bullying' where staff bully managers for example by spreading rumours, making snide remarks, purposely skipping meetings and missing deadlines, ignoring the manager's views and opinions.
- abusive rude, belittling, intimidating sarcastic comments in person or via phone calls, emails, notes etc;
- interference with a person's workspace, work materials, equipment or personal property, apart from that which is necessary for the ongoing work of the business unit;
- publicly belittling someone's opinions, or dismissing their contribution without good reason, including in front of clients and work colleagues;
- disparaging remarks about malingering made to other staff;
- inappropriate practical jokes played on people;
- baiting or unreasonable teasing; and
- dismissive treatment.

## **What does not generally constitute workplace bullying?**

The Staff Association recommends that staff always seek qualified advice before making judgements on bullying. However, generally the following does not constitute bullying:

- reasonable management decisions, discussions or actions, as long as they are accurate, constructive, courteous; are not humiliating or threatening; and are conducted in a confidential manner; or
- occasional differences of opinion, conflicts and occasional working relationship issues that are part of working life (in an environment that is safe and healthy).

## **What should I do if I believe I am being bullied or discriminated against?**

The first step is to seek advice and become aware of your rights and the procedures outlined in the Preventing Workplace Discrimination and Bullying policy. Your local Equity and Diversity Officer, Health and Safety Representative or Staff Association delegate can provide assistance.

## **What options do I have to prevent the bullying or discrimination continuing?**

There are a number of options ranging from mediation and informal resolution; the lodgement of a formal grievance; the notification of a dispute; or the submission of a formal complaint to the Australian Human Rights Commission. By seeking advice you will be able to determine which option is the most appropriate for your circumstance.

## **What if I'm not yet a member?**

Then its time to join to ensure your rights are protected! Get on board by picking up a form from your workplace delegate, download one from [www.cpsu-csiro.org.au](http://www.cpsu-csiro.org.au), email [csstaff@cpsu.org.au](mailto:csstaff@cpsu.org.au) or call 03 8620 6348 for more information.



**CSIRO Staff Association**

[www.cpsu-csiro.org.au](http://www.cpsu-csiro.org.au)

This information is intended as a guide only and should not be regarded as legal advice.

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