



2MCR Macarthur Community Radio Association Incorporated

Anti-Discrimination, Anti-Harassment and Anti-Bullying Policy

Aspirational principles

Macarthur Community Radio Inc is committed to an environment that values the diverse nature of its membership.

Discrimination, harassment and bullying can have a serious effect on individuals, their families and friends. It can take many forms, and may be directed because of ethnicity, age, sexual orientation, physical or mental disability, religion or other similar beliefs, families, carer responsibilities, marital or some other personal characteristics.

Members who are subject to harassment, discrimination or bullying can suffer from feelings of fear, stress, anxiety and loss of confidence/self-esteem. It can affect their work, family and personal life and their physical and mental health.

Consequences for the membership of Macarthur Community Radio Inc, and also the organisation can include:

- Poor performance
- Ill health and absenteeism
- People leaving the organisation
- Complaints to courts and tribunals, resulting in financial costs and damage to the reputations of Macarthur Community Radio Inc and its licensed radio station.

Members can be reluctant to make complaints as they may feel vulnerable and isolated. They may be fearful of ridicule, reprisals and of simply not being believed or being taken seriously. Furthermore there are fears about effects of making a complaint on their career or professional reputations.

Consequently, members who are being discriminated against, harassed or bullied do not complain. They will suffer in silence and put up with the situation or leave the organisation.

The reasons for the anti-discrimination, anti-harassment and anti-bullying policy are to give:

- Clear commitment that 2MCR will not tolerate harassment, discrimination or bullying, and to assist in creating a working and volunteer environment where this is known and understood by the membership.
- Advice and guidance on how such situations should be dealt with.
- The membership confidence to deal with situations that arise, and find the best solution and outcomes for themselves either formally or informally.

Scope

The anti-discrimination, anti-harassment and anti-bullying policy is applicable to all members of Macarthur Community Radio Inc, and to 'friends' of its licensed radio station, 2MCR 100.3 FM associated with the functions of the Association.

Aims of the anti-discrimination, anti-harassment and anti-bullying policy

Macarthur Community Radio Inc is committed to promoting equality of opportunity and valuing diversity. A key aspect of this commitment is to ensure that we have an environment where individuals are able to fulfil their personal potential. An essential part of this is ensuring that the environment is free from any forms of discrimination, harassment or bullying.

Macarthur Community Radio Inc will not tolerate discrimination, harassment or bullying. The aims of this policy are to:

- Explicitly state that such behaviour is unacceptable and is unlawful
- Outline the consequences of such behaviour if allegations are proven
- Confirm that the policy applies to the Management Committee and the members alike
- Ensure that all members of Macarthur Community Radio Inc understand their responsibilities, and that they should not behave towards others in ways that could be perceived as discrimination, harassment or bullying
- Make a commitment that complaints be taken seriously and will be dealt with sensitively, swiftly and fairly, and will take into account, as far as possible, the wishes of the complainant
- Develop a working environment in which discrimination, harassment and bullying are known to be not acceptable and where individuals who have made a complaint in good faith feel confident they will be treated fairly without fear of ridicule or reprisal.

The anti-discrimination, anti-harassment and anti-bullying policy applies to all instances of discrimination, harassment or bullying that occur in Macarthur Community Radio Inc owned or managed premises or in such places and on such occasions as such behaviour may be reasonably deemed to harm the reputation of the association or its relationship with the local community.

Allegations of harassment, discrimination or bullying will be taken very seriously, and if proven, may lead to disciplinary action up to and including dismissal from duties of a volunteer from the association.

Definitions

(The following definitions were sourced from employment legislation and advisory bodies.)

Discrimination—takes place when an individual or a group of people is treated less favourably than others because of factors unrelated to their merit, ability or potential.

Direct discrimination—occurs when factors unrelated to merit, ability or potential of a person or group are used as an explicit reason for discriminating against them.

Indirect discrimination—occurs when there are rules, regulations or procedures in place that have a discriminatory effect on certain groups of people.

Harassment—unwanted conduct that may create the effect (intentionally or unintentionally) of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment that interferes with an individual's learning, working or social environment, or induces stress, anxiety or sickness on the part of the harassed person.

Bullying—can be defined as persistent actions, criticism or personal abuse, either in public or private, which humiliates, denigrates, undermines, intimidates or injures the recipient.

Victimisation—is punishing or treating an individual unfairly because they have made a complaint, or are believed to have made a complaint. It is unlawful, as is post-employment victimisation.

Legal framework

As a community voluntary organisation and a registered radio station license holder, there are various legal obligations placed upon Macarthur Community Radio Inc. to provide a working and social environment that is free from harassment, discrimination and bullying.

Examples of legislation are included but are not limited to:

Sex Discrimination Act, 1984(Cth)

Disability Discrimination Act, 1992(Cth)

Workplace Relations Act, 1996(Cth)

Workplace Gender Equality Act 2012 (Cth)

Human Rights and Equality Opportunity Commission Act, 1986(Cth)

Sex Discrimination Amendment Bill, 1995(Cth)

Racial Hatred Act, 1995(Cth)

These statutes give definitions of discrimination and make discrimination unlawful on the grounds of gender, marital status, gender reassignment, status, racial grounds, disability, religion or belief and sexual orientation.

While there is no specific legal definition of bullying, it is viewed to be a form of harassment. Case law has given legal precedents with regard to bullying.

Legislation also gives individual rights against discrimination or unfair treatment with regard to a range of other reasons, including:

- Membership or non-membership of a trade union provision
- Relating to maternity, parental or adoption responsibilities
- Family and caring responsibilities
- Whistle blowing
- Part-time work
- Equal opportunity and diversity
- Health and safety