



# WFNL WORKPLACE BEHAVIOUR & SOCIAL MEDIA POLICY & PROCEDURE

The Western Football Netball League (WFNL) is committed to ensuring that employees work in an environment where people are treated with mutual respect. It is important for a productive and harmonious workplace that employees are aware of the impact of their behaviours on others.

All employees have a legal responsibility to care for their own health and safety and that of others in the workplace, and therefore must treat everyone with respect and courtesy and not engage in acts which constitute inappropriate behaviour. Employees found to have either committed or condoned such behaviour in the workplace may be subject to disciplinary action which may include the termination of employment.

## What is inappropriate behaviour?

### Bullying:

Workplace bullying is repeated, unreasonable behaviour directed at an employee or group of employees that creates a risk to health and safety. The following types of behaviour, where directed towards an individual or group and is repeated, or occurring as part of a pattern of behaviour, could be considered to be bullying:

- Demeaning language or verbal abuse.
- Threats, physical or verbal intimidation.
- Outbursts of anger or aggression.
- Unreasonably excluding or isolating employees.
- Giving employees impossible assignments.
- Deliberately changing work rosters to inconvenience employees.

The above list is not exhaustive. Other types of behaviour may also constitute bullying.

### What is not bullying?

Reasonable management actions carried out in a reasonable manner is not bullying, for example:

- Setting reasonable performance goals, standards and deadlines.
- Deciding not to select an employee for promotion.
- Informing an employee about unsatisfactory work performance.
- Informing an employee about inappropriate behaviour in an objective / confidential way.
- Making organisational changes or restructuring with consultation.
- Conflict between people at work such as differences of opinions.





- Poor management practices.
- Dissatisfaction or grievances with organisational decisions.

### **Discrimination:**

Discrimination is when a person is treated less favourably to other people because of a particular trait that they possess or their personal attributes. It is unlawful to discriminate against someone on the grounds of:

- Sex.
- Marital or relationship status.
- Pregnancy.
- Family responsibilities.
- Race.
- Disability.
- Sexual preference or orientation.
- Gender identity or intersex status.
- Age.
- Physical appearance.
- Political opinion.
- Employment status.
- Raising an OHS issue to management or government authority such as WorkSafe.

### **Victimisation:**

Victimisation is subjecting, or threatening to subject, someone to something detrimental because they have asserted their rights under equal opportunity law, occupational health and safety law, made a complaint, helped someone else to make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation.

### **Occupational violence and aggression:**

Occupational violence and aggression is when a person is abused, threatened or assaulted in a situation related to their work. Examples of occupational violence include: yelling, swearing and name calling, standing over someone, biting, spitting, scratching, hitting, kicking, pushing, shoving, tripping, grabbing, throwing objects, verbal threats, threatening someone with a weapon, sexual assault.

### **Harassment:**

Harassment is any behaviour that is unwelcome or uninvited and that humiliates, offends or intimidates another person. It may be verbal, written, visual, electronic or physical and may consist of a single incident or a repeating pattern of events. Even if the harasser did not intend to offend, humiliate or intimidate, if it is reasonable for a person to feel offended, humiliated or intimidated then the behaviour may constitute harassment.





It is unlawful for harassment to occur on any of the grounds identified above in 'What is Discrimination'. Please note that if an outside relationship brings bad feelings or behaviours into the workplace, this may provide valid grounds for a complaint.

### **Sexual Harassment:**

Sexual Harassment is said to have occurred where a person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to another person, or engages in any other unwelcome conduct of a sexual nature in relation to another person in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.

Work-related sexual harassment is sexual harassment directed at a person that can happen at work, work-related events, or between people sharing the same workplace. Work-related sexual harassment isn't always obvious, repeated or continuous.

Sexual harassment may include:

- Touching.
- Staring or leering.
- Unnecessary contact, such as deliberately brushing up against you or unwelcome touching.
- Suggestive comments or jokes.
- Insults or taunts of a sexual nature.
- Intrusive questions or statements about a person's private life or body.
- Displaying posters, magazines or screen savers of a sexual nature.
- Sending sexually explicit emails, text messages or social media activity.
- Inappropriate advances on social networking sites.
- Accessing sexually explicit internet sites.
- Requests for sex or repeated unwanted requests to go out on dates.
- Behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.
- Sexual harassment is not consensual interaction, flirtation or friendship. Sexual harassment is not behaviour that is mutually agreed upon.

Sexual harassment is against the law and is a breach of this policy. The relevant legislation for Victoria is the Equal Opportunity Act 2010 (VIC) and the Occupational Health and Safety Act 2004 (VIC).

***Behaviours such as bullying, discrimination, harassment, occupational violence and aggression, sexual harassment and victimisation can create a risk to health and safety of employees, which may result in employees sustaining a physical and/or psychological injury.***

### **What is Social Media?**





Social Media means websites and applications that enable users to create and share content or to participate in social networking, media sharing networking, bookmarking and content curation, corporate networking, blogging and micro-blogging networking, discussion forums and wikis.

### **Social media may include:**

- Social networking sites such as Facebook, Twitter, LinkedIn, Yammer.
- Video and photo sharing websites and apps such as Flickr, YouTube, Instagram, Pinterest, Snap Chat.
- Micro-blogging apps such as Twitter.
- Wikis and online collaborations, e.g. Wikipedia.
- Forums, discussion boards and groups, e.g. Google groups, Whirlpool.

### **What is unacceptable use of social media?**

Unless prior written permission is provided, when using social media under the following circumstances:

- While performing work for the WFNL, regardless of where it is performed.
- When using WFNL IT systems or equipment even if for personal use.
- When conveying information about the WFNL or a stakeholder.

### **You must not:**

- Disclose or use information that is confidential to the WFNL.
- Engage in excessive non-work-related use of social media during work hours.
- Post anything in which the WFNL or any other person has intellectual property rights.
- Convey information that would allow a reasonable person to ascertain the work being performed for the WFNL or the identity of a stakeholder and their relationship with the WFNL.
- When using IT systems, use any other person's ID or logon details or otherwise impersonate any other person.
- Disparage, criticise or show disrespect for any stakeholder or the WFNL.
- Discriminate, harass, bully or victimise any stakeholder.

If you become aware of unacceptable use of social media as described above, you must notify your line manager.

Stakeholder means a person or entity that is or was a client, supplier, employee or contractor in relation to the WFNL (or is a prospective client, supplier, employee or contractor in relation to this organisation).

### **Monitoring**

When employees engage in social media activities using the WFNL's IT systems, the IT department can collect and retain information about that activity, including the content of any communications. The purpose of collecting this information will be to ensure that the interests





of co-workers and the WFNL are not adversely affected by the conduct of that employee. The information will be kept secure and will only be disclosed to persons within the organisation as is necessary to ensure compliance with this policy.

Access to social media may be restricted whilst complaints against individuals are investigated.

## **COMPLAINTS PROCEDURE**

**What can I do to report a breach of the Social Media Policy, or if I believe I am being bullied, discriminated against, sexually harassed, victimised or experienced occupational violence or aggression?**

Below is a summary of the steps that can be taken to address individual concerns and who to contact:

- If you can, try to resolve the problem yourself with the person(s) involved as soon as possible.
- If you're unsure of how to handle the problem yourself, you can report your complaint verbally by talking to your line manager, or in writing by completing an incident report form and giving it to your line manager.
- If your complaint is about your line manager, you can report your complaint directly to the League CEO and/or League President.
- If you witness another employee being bullied, discriminated against, harassed or victimised bring it to the attention of your line manager.

If you do make a complaint about a breach of social media policy, bullying, discrimination, harassment or victimisation you are responsible for ensuring that you:

- Make the complaint honestly and in good faith.
- Provide all the facts relevant to the complaint.
- Co-operate with the investigation and resolution processes.

If a complaint of a breach of social media policy, bullying, discrimination, harassment or victimisation has been made about you, you are responsible for ensuring that you:

- Cooperate with the investigation and resolution processes and maintain confidentiality.
- Provide a written or verbal response to the complaint which has been made.
- Provide all relevant facts to the person conducting the investigation.

### **Management responsibility**

If an employee brings an allegation of a breach of social media policy, bullying, discrimination, occupational violence, aggression, harassment or victimisation to your attention:

### **DO NOT**





- Ignore the complaint.
- Tell the employee making the complaint to sort it out themselves.
- Make a judgement about whether the complaint is true or not.
- Say that the employee should put up with the bullying, discrimination, harassment or victimisation.

## **DO**

- Behave consistently with the Workplace Behaviour Policy.
- Resolve the complaint as quickly as possible.
- Be sympathetic, sensitive and serious; the complaint is obviously serious to the person making it.
- Enquire into the matter within two working days and attempt to resolve it as soon as possible.

## **Confidentiality**

All persons associated with the Complaints process (including complainants, respondents, witnesses and management representative) should maintain confidentiality and only discuss the grievance with those who have responsibility for dealing with the grievance.

## **Manager's Action Steps**

1. Notify the CEO immediately.
2. Document the complaint using an incident report form.
3. In discussion with the CEO or their delegate, determine who should investigate, and if possible, mediate the complaint.

## **Investigation and mediation:**

- Investigation of a complaint relating to a breach of social media policy, bullying, discrimination, occupational violence, aggression, harassment or victimisation will be pursuant to the WFNL By-laws.
- Mediation may be a consideration in resolving a breach of social media policy, bullying, discrimination, occupational violence, aggression, harassment or victimisation complaint. This form of dispute resolution is appropriate only if the person making the complaint agrees.

## **Outcome:**

Determine whether or not the allegations are substantiated, or whether there is insufficient evidence or information to make a conclusion. Record conclusions and the reason for them. Advise the complainant and the respondent/s of the investigation findings and, where appropriate, actions arising from the investigation. (Note: Confidentiality in relation to any disciplinary action taken should be maintained in relation to actions arising from the investigation).



In situations where a breach of social media policy, bullying, discrimination, occupational violence, aggression, harassment or victimisation complaints are substantiated, management may take the following actions:

- Require an apology from the respondent.
- Make changes to work practices.
- Undertake disciplinary action including termination of employment.
- Require employees to participate in training.
- Place notes in personnel file.
- Require removal of any information contained on any social media platform that is a breach of policy.
- Restrict access to social media.
- Any other action deemed fair and reasonable.

## **FURTHER INFORMATION**

Worksafe Victoria [www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)

Victorian Equal Opportunity and Human Rights Commission

[www.humanrightscommission.vic.gov.au](http://www.humanrightscommission.vic.gov.au)

Victoria Police [www.police.vic.gov.au](http://www.police.vic.gov.au)

A guide for employers: Workplace bullying March 2020 (WorkSafe Victoria)

Occupational Health and Safety Act 2004.

Equal Opportunity Act 2010 (VIC).

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