

ANTI-BULLYING POLICY

Workplace bullying is unlawful. It is the obligation and responsibility of every employee to ensure that the workplace is free from bullying.

This Policy sets out what constitutes bullying and what you can do if you experience this type of conduct.

All employees must be aware that Mike Carney Toyota expressly prohibits bullying at work and that it is unlawful. Bullying is unacceptable and cannot be tolerated under any circumstances.

Mike Carney Toyota's managers and supervisors will seek to ensure that they, clients and customers do not bully employees and other workplace participants (such as agents and contractors) at work. Individual employees must also ensure that they do not bully other employees, customers or other workplace participants. Disciplinary action may be taken against anyone found to be guilty of bullying, including termination of employment.

What is Bullying?

Bullying is repeated, unreasonable behaviour directed towards an employee, or group of employees (or other workplace participants) that creates a risk to health and safety. Unreasonable behaviour means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten.

Bullying can occur wherever people work together. Bullying is not always intentional. Sometimes people do not realise that their behaviour can be harmful to others. However, intention may be relevant in assessing the severity of the conduct.

Examples of bullying may include (but are not limited to):

- physical assault or threats
- verbal abuse
- initiation rites
- practical jokes
- teasing, sarcasm or insults
- psychological harassment.
- excluding or isolating workplace participants.
- intimidation
- assigning meaningless tasks unrelated to the job
- deliberately withholding information that is vital for effective work performance
- constant and unwarranted criticism

Legislation

Occupational Health and Safety legislation in all States imposes legal responsibilities on both employers and employees. These duties extend to the risks to health and safety from workplace bullying.

It is also important to note that both State and Federal anti-discrimination legislation prohibits behaviour that amounts to discrimination or sexual harassment. Instances of bullying that occur within the workplace may also be covered by anti-discrimination legislation if the bullying amounts to unlawful discrimination or unlawful harassment.

In addition, bullying can also constitute offences under criminal law (for example, assault and threats to cause injury). Bullying may need to be reported to the appropriate authorities if it constitutes criminal conduct.

This policy aims to ensure that all complaints of bullying will be treated seriously, and investigated promptly, confidentially, impartially and in accordance with the Mike Carney Toyota Employee Grievance Procedure. Where investigation of a complaint establishes employee misconduct, appropriate disciplinary action will be taken against the employee who engaged in misconduct, which may include termination of employment. Further, bullying which constitutes workplace violence must be reported to the appropriate statutory authority under occupational health and safety laws.

All employees have a responsibility to ensure that they uphold the standards of mutual respect, courtesy and co-operation when working in the Mike Carney Toyota environment.

Victimisation

Victimisation is treating a person unfairly because that person has made, or intends to make, a complaint of bullying. Victimisation can amount to bullying or violent behaviour in its own right.

It is unlawful to victimise or penalise a person for making a health and safety complaint in good faith. Disciplinary action may be taken against any employee who victimises or retaliates against a person who has made, or intends to make, a complaint of bullying.