

Bullying and Discrimination

The Know Your Rights series of fact sheets assist CSIRO union members better understand and enforce our rights at work. The source of these rights is the CSIRO Enterprise Agreement 2017-2020 (EA) and specifically Clause 9. The CSIRO policy on Preventing Workplace Discrimination and Bullying supports this clause and provides more detail. Members who have any questions or concerns relating to bullying and discrimination are encouraged to contact their Staff Association delegate or organiser for assistance.

1) What does the EA say about bullying and discrimination?

Clause 9 of the EA commits the Staff Association and CSIRO management to provide a positive working environment by eliminating and preventing workplace discrimination and bullying and other forms of unacceptable behaviour. This includes behaviour such as direct and indirect discrimination, bullying, harassment, intimidation, threats and physical violence in the workplace.

2) What is workplace bullying?

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

- overbearing or abusive behaviour towards staff;
- threats of, or actual assault;
- unjustified and unnecessary comments about a person's work or capacity for work;
- 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.
- '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;
- Inappropriate interference with a person's workspace, work materials, equipment or personal property;
- 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.

3) 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).

4) 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 Contact Officer, Health and Safety Representative or Staff Association delegate can provide assistance.

5) What options do I have to prevent 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.

This resource was produced by the CSIRO Staff Association and paid for by union members. Every member contributes to the resources, strength and capacity of the Staff Association. Non-members seeking advice and support at work need to join today.

For more information about membership talk to your local organiser, email csstaff@cspu.org.au or visit www.cpsu-csiro.org.au

KNOW YOUR RIGHTS

Important points

- CSIRO management have a commitment to eliminating and preventing workplace discrimination, bullying and other forms of unacceptable behaviour.
- Behaviours can include direct and indirect discrimination, bullying, harassment, intimidation, threats and physical violence.
- In general terms, bullying does not include reasonable management discussions and actions or occasional difference of professional opinions.
- Employee assistance can be sought from Equity Contact Officers, Health & Safety Representatives and Staff Association delegates.

