

IMB statement of acceptable workplace behaviour

The Institute for Molecular Bioscience (IMB) is committed to supporting an environment that is free of discrimination, bullying, and harassment and which promotes respect for persons, integrity, and equitable treatment.

The behaviours and actions of all IMB staff and students should support a positive, safe, inclusive, and respectful work and study environment. All staff and students have a responsibility to behave in a respectful and equitable manner towards other staff, students, and members of the community as detailed in The University of Queensland (UQ) [Staff Code of Conduct](#) and [Student Charter](#).

Discrimination, bullying, and harassment, including sexual harassment, will not be tolerated under any circumstances, and may be unlawful under State or Commonwealth law. The University undertakes educative processes within the University community to develop awareness of issues related to discrimination, harassment, and workplace bullying, including sexual harassment, and provides mechanisms to deal with grievances.

Managers and supervisors have a particular responsibility to ensure that all reasonable steps are taken to ensure the workplace is free from discrimination, harassment, including sexual harassment, and workplace bullying, and that relevant UQ [Staff](#) or [Student](#) Grievance Resolution Policies and Procedures are followed.

The information provided in this statement aims to raise awareness and provide support to ensure that all supervisors, staff, and students are able to identify and manage cases of unacceptable workplace behaviour.

Quick reference guide for how to report and resolve serious instances of inappropriate workplace behaviour:

Step 1. Inform your supervisor immediately of when you encounter unacceptable workplace behavior. If you are unable to raise this matter with your supervisor, please make contact with any of the key contact persons detailed in this statement.

Please note, if your matter involves sexual harassment or misconduct, please ensure to also contact the Human Resources team, who will handle the matter with strict confidence.



Step 2. Through your supervisor, and/or an appropriate authorised member of staff, your matter should always be attempted to be raised and resolved internally.

Importantly, you should feel comfortable with the approach being taken to resolve your matter. Please contact the Human Resources team for expert guidance and advice on appropriate handling of your matter.

For sexual harassment and misconduct matters, through the Human Resources Team, your matter will be handled through the formal UQ procedures.



Step 3. If the unacceptable workplace behavior continues to occur after the involvement of your supervisor, please take the matter directly to the Human Resources team, whom will discuss the next steps to resolve the matter. This may involve undertaking more formal steps as per current UQ procedures.

Please remember, all matters raised directly to the Human Resource team will be handled with strict confidence.

What are the IMB's expectations of staff and students?

As per the IMB's statement of acceptable workplace behaviour, all IMB staff and students have a responsibility to behave in a respectful and equitable manner towards other staff, students, and members of the community as detailed in The University of Queensland [Staff Code of Conduct](#) and [Student Charter](#).

All staff and students should ensure that they have read and completed all mandatory training concerning the UQ Code of Conduct, via [Learn.UQ](#).

As a University student or employee, you are required under the [Staff Code of Conduct](#) and [Student Charter](#) to:

- Follow all reasonable and lawful directions given to you by the University including complying with current policies and procedures
- Comply with the principles of intellectual rigour, appropriate research methodologies and research ethics if you conduct research, according to UQ's policy on the [Responsible Conduct of Research](#)

University employees are additionally required under the [Staff Code of Conduct](#) to:

- Use your best endeavours to promote and protect the interests of the University
- Avoid actual and perceived conflicts of interest, as guided by the University's [Conflict of Interest Policy](#)

What is not acceptable workplace behaviour?

Examples of unacceptable behaviour include, but are not limited to:

- Not complying with UQ policies and procedures
- Disruptive or negative behaviour that impacts colleagues (for example, bullying, emotional, psychological or physical violence or abuse, occupational violence, coercion, aggressive/abusive behaviour, unreasonable demands and undue persistence)
- Discriminating against, harassing or bullying another employee(s), student or any other person
- Improper use of IMB or UQ equipment and resources

Where an employee or student fails to meet these expectations and engages in inappropriate behaviour, disciplinary action may be taken in accordance with University policy and procedures.

Please refer to UQ's current policy and procedure on [Preventing discrimination, harassment and bullying](#) and the [Prevention of Sexual Harassment - Guidelines](#).

Additional supporting information can be found in the [National Guide for Preventing and Responding to Workplace Bullying](#).

What is discrimination?

Discrimination is the less favourable treatment, or proposed less favourable treatment, of a person on the basis of an attribute protected by Commonwealth and State Law.

Such attributes include: sex, relationship status, pregnancy or potential pregnancy, parental status, breastfeeding, age, race (including colour, national extraction, nationality, national or ethnic origin and immigration status), disability or impairment, religious belief or religious activity, political belief or activity, trade union activity, lawful sexual activity, gender identity, sexuality, intersex status, social origin, criminal record, family or carer's responsibilities, and association with, or relation to, a person identified on the basis of any of the above attributes.

Vilification on the grounds of race, religion, sexuality or gender identity is also unlawful.

Direct Discrimination occurs on the basis of one (or more) of the above attributes, if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different.

Indirect discrimination occurs when an unreasonable requirement, condition or practice is imposed that disadvantages a person or group because of a personal characteristic.

What is harassment and bullying?

Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers, that creates a risk to health and safety.

Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable behaviour is behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating, or threatening. A single incident of unreasonable behaviour is not considered to be workplace bullying – the behaviour must be repeated and unreasonable and must create a risk to health and safety.

Reasonable Management Action carried out in a reasonable manner does not constitute workplace harassment and/or bullying. Supervisors are expected to offer constructive and legitimate advice and comment as a legitimate aspect of their role. Reasonable management action includes (but is not limited to):

- Directing a worker to perform duties in keeping with their job
- Setting reasonable performance goals, standards and deadlines
- Performance management processes
- Disciplinary action for misconduct
- Informing a worker about unsatisfactory work performance or inappropriate work behaviour
- Implementing organisational changes or restructuring

Workplace bullying may be subtle or overt and includes, but is not limited to, the following forms of behaviour:

- Abusive and offensive language or shouting
- Aggressive and intimidating behaviour
- Threatening gestures or actual violence
- Constant unreasonable criticism about work or academic performance delivered in an unreasonable way, for example, about potentially petty or insignificant matters
- Deliberate exclusion, isolation or alienation of a staff member or student
- Allocation of humiliating or demeaning tasks, or sabotaging a person's work
- Setting deadlines and having work expectations that a reasonable person would consider impossible and/or unrealistic
- Hazing or bastardisation (such as harmful or humiliating initiation rituals)

Harassment is any form of behaviour that is uninvited, unwelcome and which humiliates, offends or intimidates another person, or makes the workplace or training environment uncomfortable and unpleasant. A one-off incident may constitute harassment.

Harassment may be subtle or overt and includes, but is not limited to, the following forms of behaviour:

- Telling insulting jokes about particular racial groups
- Sending explicit or sexually suggestive emails or text messages
- Displaying racially offensive or pornographic posters or screen savers
- Making derogatory comments or taunts about a person's disability
- Asking intrusive questions about someone's personal life, including their sex life
- Inappropriate comments about personal appearance
- Electronic harassment such as through email, SMS

Harassment and bullying often involves a misuse of power, and may occur between people of any gender. It can also occur between supervisor and staff, co-workers, students and between students and staff.

One form of harassment is **sexual harassment**, which is broadly defined as unwelcome sexual conduct that a reasonable person would anticipate would offend, humiliate or intimidate the person harassed. Under the *Anti-Discrimination Act 1991* (Qld) sexual harassment happens if a person:

- (a) subjects another person to an unsolicited act of physical intimacy; or
 - (b) makes an unsolicited demand or request (whether directly or by implication) for sexual favours from the other person; or
 - (c) makes a remark with sexual connotations relating to the other person; or
 - (d) engages in any other unwelcome conduct of a sexual nature in relation to the other person;
- and the person engaging in the conduct described in (a), (b), (c) or (d) does so—
- (e) with the intention of offending, humiliating or intimidating the other person; or
 - (f) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

Examples of sexual harassment include (but are not limited to):

- Physical contact such as patting, pinching or touching in a sexual way
- Unnecessary familiarity such as deliberately brushing against a person

- Sexual propositions
- Unwelcome and uncalled for remarks or insinuations about a person's sex or private life
- Unwelcome and uncalled for remarks or insinuations about a person's sexuality
- Suggestive comments about a person's appearance or body
- Sexually offensive phone calls
- Unwanted sexual attention using internet, social networking sites and mobile phones
- Indecent exposure
- Sexually offensive material (e.g. screensavers, posters) or communications (emails, graphics)
- The creation of an environment that is 'hostile' to a person in a sexual context (e.g. the display of obscene or pornographic materials, general sexual banter, crude conversation or innuendo, and jokes of a sexual nature)

Sexual harassment is unlawful when it falls within the relevant statutory definition under the *Anti-Discrimination Act 1991* (Qld) and/or the *Sex Discrimination Act 1984* (Cth).

Procedures for reporting and addressing inappropriate behaviour

Staff and students who feel they have witnessed inappropriate behaviour are encouraged to contact their supervisor, or our [HR Professional Services team](#) for advice and assistance. Any complaints will be handled with sensitivity, discretion and confidentiality. The University takes allegations of inappropriate behaviour in the workplace seriously and supports students and employees in raising honest concerns. Students and employees will be protected from any repercussions if they make a genuine complaint.

At the IMB, as well as UQ, we encourage where it's possible, appropriate and safe to do so, to consider resolving complaints informally. Wherever possible, the complainant should attempt to seek resolution of the problem at the earliest time and lowest organisational level, before seeking formal resolution.

Several options are available to make a complaint, detailed below.

Option 1: Direct discussion

Staff and students can choose to raise their concerns in a direct private discussion with the person(s) their complaint is about, if they are comfortable with this approach. This may take the form of directly approaching the other student or staff member in person or in writing, carefully and clearly stating:

- the nature of the concern
- what a preferred outcome might be.

The aim is to reach an acceptable outcome that minimises any potential problems to ongoing workplace relations.

Option 2: Referral to supervisor or Human Resources for informal resolution.

If staff/students do not feel comfortable with the direct approach (option 1), or this approach fails to resolve the issue, the matter can be referred to the staff or student's supervisor, or our [HR Professional Services team](#) for informal resolution.

Your supervisor, and/or a HR team member, may suggest facilitating or mediating a meeting to resolve the matter informally between the person(s) of the complaint. Any direction or outcome achieved through this approach will be held in strict confidence, with only the person(s) involved with the complaint being privy to the resolution of the matter.

It is important that due process is followed during efforts to resolve the matter, and that all staff member(s) involved in the matter are given an opportunity to present their side, to facilitate a positive and agreed resolution.

Option 3: Submit a written formal complaint.

Where informal resolution unable to resolve the matter, or such informal processes are inappropriate or unsafe, staff and students may consider filing a formal complaint. This may also be appropriate if the matter is sufficiently serious to warrant a formal investigation. Staff and students who wish to pursue a grievance should contact our [HR Professional Services team](#), who will support them through the process of seeking resolution according to The University of Queensland [Staff](#) or [Student](#) Grievance Resolution Procedures.

Official complaints made via [UQ's complaints management](#) system will be investigated by the UQ [Investigation and Integrity Unit](#), which assesses, investigates and manages complaints or matters raised about staff conduct.

Official complaints and disclosures of sexual misconduct will be investigated by the UQ [Sexual Misconduct Support Unit](#).

Supervisors or managers to whom a complaint regarding discrimination, harassment, including sexual harassment, and/or workplace bullying is made should refer to the relevant staff or student grievance resolution procedure. See The University of Queensland's [Staff](#) or [Student](#) Grievance Resolution Procedures and [Policies and Procedures for Preventing Sexual Harassment](#) for more information.

If the alleged behaviour involves actual or threatened physical assault, it may be referred by the Chief Operating Officer or Senior Executive responsible for academic employee relations, or by the Academic Registrar or nominee, to the police to be handled under the Queensland Criminal Code.

The University will not tolerate frivolous or vexatious grievances. Frivolous or vexatious grievances may be considered to be misconduct or serious misconduct and investigated under the Misconduct/Serious Misconduct policy and procedures.

Option 4: Submit an anonymous complaint.

If staff/students do not feel comfortable with being identified through the informal or formal approaches above, they may wish to make an anonymous report online.

Anonymous reports of sexual assault or sexual misconduct can be made [here](#).

Anonymous reports of other forms of inappropriate behaviour can be made [here](#).

Who to contact for support, advice or information?

Who is most appropriate for you to contact for support, advice or information will depend on the circumstances. It should be someone you feel comfortable talking to.

At UQ, you can talk to:

- Your supervisor, who can provide information about relevant policies, procedures, internal and external support process.
- Any UQ [Discrimination and Harassment Contact Officer](#) (DHCO), irrespective of their location or association with a specific School or Faculty. DHCOs are trained UQ staff that provide “first point of contact” for people with enquiries related to discrimination, harassment and bullying (e.g. UQ policies, grievance resolution procedures, access to support services that are internal and external to UQ).
- The UQ [Sexual Misconduct Support Unit](#) will provide support regarding sexual misconduct. It is committed to ensuring that the work and study environment for all employees, students and volunteers is safe, respectful and free from all forms of sexual violence, assault and misconduct.
- The UQ [First Responders Network](#) provide a safe and supportive environment so survivors of sexual assault and misconduct can receive information on the support services that are available. The First Responder Network is made up of members of the UQ Community.
- Your [HR Professional Services team](#) can provide information about relevant policies, procedures and internal support processes.
- [Student Services](#) or the [Employee Assistance Program](#) provides free counselling support to UQ students and staff and their family.
- A member of the Employee Relations team.
- Workplace Diversity and Inclusion.
- UQ [Manager Assist](#), which provides guidance and support to UQ managers.

External agencies

You can also contact external agencies to seek support or advice, such as:

- [National Tertiary Education Union](#) or your union
- [Fair Work Commission](#)
- [Fair Work Ombudsman](#)
- [Australian Human Rights Commission](#)
- [Queensland Anti-Discrimination Commission](#)
- [Community sexual assault support services](#)

Information sources for IMB statement

<https://ppl.app.uq.edu.au/content/1.50.01-code-conduct>

<https://ppl.app.uq.edu.au/content/1.70.06-discrimination-and-harassment>

<https://ppl.app.uq.edu.au/content/1.70.02-prevention-sexual-harassment>

<https://www.qld.gov.au/law/your-rights/workplace-rights/workplace-bullying>

<https://staff.uq.edu.au/information-and-services/human-resources/conduct-ethics/discrimination/staff-grievances>

<https://www.safeworkaustralia.gov.au/>

<https://www.humanrights.gov.au/employers/good-practice-good-business-factsheets/workplace-discrimination-harassment-and-bullying>

Date: 24/09/18