

Harassment & Bullying Policy

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1 Policy Statement

EMEC is an equal opportunities employer and it is our policy that all employees have the right to work in an environment which is free from harassment (sexual or otherwise) and bullying. With this in mind, employees are advised that they are expected to treat colleagues and visitors in a polite and respectful manner at all times. This policy also applies to all work social events including those not held on the premises. The Company will not tolerate harassment or bullying of:

- Job applicants
- Employees
- Contractors
- Agency workers
- The self employed
- Ex-employees
- Customers
- Visitors
- Stakeholders

This policy guideline provides a guide for all employees on policy and procedures and explains what you should do:

- As an employee experiencing harassment or bullying
- As an employee accused of harassment and bullying
- As a colleague of someone who you believe is being harassed or bullied
- As a manager receiving a report of harassment or bullying.

To enable EMEC to prevent all forms of harassment it requires that:

- The policy and procedures to deal with all forms of harassment are understood and complied with by all employees
- All cases of alleged harassment are investigated immediately and steps taken to end it, deal with the effects and prevent re-occurrence
- A proven case of harassment may be considered for disciplinary action. In serious cases, this could constitute gross misconduct for which an offending employee may be dismissed without notice.

2 Scope

The policy applies to all employees and contractors.

3 Definitions

Harassment occurs where a person engages in unwanted conduct which has the purpose or effect of violating the other's dignity at work or creating an intimidating, hostile, degrading, humiliating or offensive work environment for the other person.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favours, engaging in other unwelcome verbal or physical conduct of a sexual nature, subjection to obscene or other suggestive comments, and sexual jokes or pictures. Racial harassment includes, but is not limited to, engaging in unwelcome verbal or physical conduct of a racial nature, subjection to racist comments, and racist jokes or pictures. Harassment may

comprise intentional bullying which is obvious or violent but it can also be unintentional or subtle, such as the use of nicknames or teasing. It is for the complainant to decide for themselves what is offensive.

Some forms of harassment or bullying are a criminal offence.

Harassment can take many forms. Examples are:

- Comments, jokes, banter, insults and language related to age, creed, disability, nationality, race, religion, sex, sexual orientation and any other personal characteristic, which are offensive to an individual or group.
- Unnecessary physical touching, horseplay or assault including sexual assault.
- Suggestive remarks and gestures.
- Isolating colleagues, generalising or stereotyping them because of their gender, disability, sexual orientation, colour race or ethnic origin.
- Offensive comments about dress or physical appearance.
- Assuming that physical disability equals mental disability and as a result behaving in a way that might be regarded as harassment.
- Making assumptions about a person's private life.
- Graffiti which is racially or sexually based or refers to a person's personal characteristics or private life.
- Displaying offensive material, including pornographic or sexually suggestive pictures, pin ups and calendars or racially offensive objects.
- Encouraging others in any of these activities.

Bullying can manifest itself in many obvious ways such as shouting at employees in public and/or in private, instantaneous rages, nit picking, personal insults and name calling, persistent criticisms or public humiliation.

It is an oppressive form of harassment normally targeting an individual and often linked to positions of authority or power. It may result in the recipient feeling fearful or threatened or humiliated.

Examples are:

- Setting objectives with impossible deadlines.
- Removing areas of responsibility.
- Setting menial tasks.
- Constantly changing working guideline or targets.
- Ignoring or excluding an individual.
- Treating an individual differently.
- Excessive use of disciplinary action.
- Withholding information or supplying incorrect information.
- Deliberately sabotaging or impeding work performance.
- Levelling unfair criticism about performance the night before an employee goes on holiday with the intent of causing anxiety.
- Blocking applications for holiday, promotion or training.

Harassment and bullying can come from anyone, a colleague, an employee, or any person with whom you come into contact with through the course of your employment.

4 Detailed Guidelines

4.1 What to do if you are being harassed or bullied

If you are being harassed or bullied then seek advice. Harassment and bullying thrives on silence. Talking with others and following the advice given below can help you decide what to do.

It is hoped that you will use them. Any allegations of harassment or bullying will be dealt with promptly, sensitively and confidentially and you will be protected against victimisation or retaliation for making, or being involved in, a complaint. To resolve the situation, all possibilities will be explored. You will be advised of all options available to resolve the situation.

Suggested initial response

If you feel you can, you could try to deal with it yourself at the earliest opportunity. If not move on to suggested further steps.

1. Confront the offender and clearly state that the behaviour is unwelcome and it offends you and you want it to stop.
2. Keep a record and write down what happened, where and when it happened and if anyone witnessed it. A written account makes it easier to investigate the allegation.
3. If you cannot confront the offender in person, then write a brief letter/email stating exactly what behaviour caused the offence, when and where it happened, why you object to it, that you want it to stop and how you expect to be treated in the future.

Suggested further steps

1. Go to a contact person and report what is happening. A contact person may be a member of the Executive Team, friend or colleague.
2. Take a record of the incident(s) and a witness if possible.
3. Keep a record of what the contact person says and does.

If you both agree that you wish to raise the issue formally, then you must make a complaint under the Grievance Policy.

4.2 What to do if you are accused of harassment or bullying

If you are accused of harassment or bullying:

- Listen to the allegations. Be prepared to acknowledge that your behaviour may have caused offence, and to apologise.
- Seek advice from a colleague or friend.
- You have the right to be informed of the allegations and of any formal complaint.
- Once a formal grievance complaint has been made you have the right to a full investigation, fair application of the procedures and prompt action.
- You have the right to representation throughout the process.

4.3 False accusations of harassment or bullying

There will be a presumption that complaints of harassment and bullying have been made in good faith whereby the complainant believes that they have suffered genuine harassment or bullying whether or not that proves to be the case after investigation. If after an investigation an accusation is found to have been made maliciously, disciplinary action may be taken against the false complaint. This would not apply simply because a case was unfounded or there was insufficient evidence after investigation. There would have to be sufficient evidence supporting the conclusion that the complaint had been made in bad faith.

4.4 What to do if you feel harassment or bullying is taking place

If you feel that a colleague is being harassed or bullied, then offer them advice and support. Explain that you feel the treatment they are receiving is wrong and that steps can be taken to put an end to it using EMEC's procedures.

If the colleague is reluctant to tackle the problem then continue to offer support, but do not initiate action on their behalf.

4.5 Guidance for Management and Staff

Your actions and attitudes can help create a workplace where everyone is treated with respect.

- First, make sure everyone knows and understands the policy guidelines on harassment and bullying.
- Second, treat each incident seriously and follow the guidelines.
- Third, always maintain confidentiality both for the complainant and for the complainer.
- Fourth, keep those involved informed of what action will be taken. Follow through on the policy. Be sensitive and alert to possible problems.
- Finally, encourage all employees to be supportive of the policy. Prevention is better than cure.

5 Communication and review

This policy will be communicated to staff via the Employee Handbook, during induction, and at staff meetings.

This policy will be reviewed on a biennial basis.

6 Reference Documents

Disciplinary Rules and Procedures (see Employee Handbook GUIDE 001)

Grievances (see Employee Handbook GUIDE 001)

Equal Opportunities Policy MAN 044