

3.3 WIRES Volunteer Disciplinary Policy

(Policies 3.2 & 3.3 now replace Policies 1.1 Animal Care Conflict and 3.5 General Conflict Policy) Adopted by Council 26 June 2010 (addendum approved and adopted by Council 9th April 2011)

(Reviewed July 2024, distributed to members and branches 17th September 2024 and finalised 18th November 2024)

Introduction

WIRES volunteers who are performing or behaving unsatisfactorily will be assisted to understand the standards expected of them in relation to compliance with WIRES policies, procedures and conduct. (WIRES Policies and Code of Conduct are available on the Intranet under the Council tab.)

Where appropriate, initial direction and support will be provided by the relevant Coordinator and/or Branch Management Committee.

Where inappropriate behaviour or performance is not remedied through this process, warnings or disciplinary action may be necessary.

Policy

1. Directions may be given either in writing or orally. However confidential written records of all initial directions and support must be kept by the relevant Branch officers and Branch Secretary. The volunteer will be shown and given a copy of the written records and will have an opportunity to comment on their contents before these are filed. Each performance or behavioural issue will not be considered valid in excess of three years.
2. WIRES volunteers, whose performance or behaviour continues to be unsatisfactory, will be given a defined set of directions and time frame in which to improve their performance/behaviour, and informed of the consequences resulting from continued non-compliance. If at the end of this stated period the volunteer shows no improvement, a written warning will be issued.
 - This warning will inform the volunteer in writing that disciplinary action up to and including cancellation of authorisation/membership may be taken if the volunteer does not cease the unsatisfactory performance or behaviour immediately.
3. WIRES Inc also has the right to suspend or cancel the authorisation/membership of a volunteer for serious breaches of WIRES Policies and Procedures and/or Code of Conduct.
4. At every stage of the disciplinary process, the volunteer, should they wish, has the right to have a support person in attendance. The support person must not have any input into the procedure.

**Addendum to WIRES Policies 2.1 WIRES Code of Conduct and 3.2 WIRES Volunteer Respectful Workplace Policy
(Reviewed July 2024, distributed to members and branches 17th September 2024 and finalised 18th November 2024)**

Objectives

The harassment, bullying and discrimination addendum aims to create an environment free from harassment, bullying and unlawful discrimination leading to a productive and positive setting. To achieve this objective the WIRES Council will continue to:

- Implement effective procedures to manage complaints based on the principles of natural justice,
- Promote and expect appropriate standards of conduct at all times.

Preamble

The Council and the Board do not condone harassment, bullying or unlawful discrimination and value diversity within the membership. The following definitions apply to all members of WIRES and will be treated as misconduct and dealt with under the relevant disciplinary and grievance policies.

These definitions apply in any context, including interactions between individual WIRES members.

It should be noted that any anti-social discriminatory behaviour, as covered below, may emanate from any member to any other member within the organisation.

Definitions

Harassment:

Harassment is defined as behaviour that is directed at an individual or group of members which, because of its severity and/or persistence, is likely to create a hostile or intimidating environment and detrimentally affect an individual's participation in the organisation.

Harassment is determined by reference to the nature and consequences of the behaviour, not the intent of the initiator, and occurs in circumstances where such behaviour could reasonably be considered to be offensive, humiliating or intimidating.

Sexual Harassment:

Sexual Harassment is any behaviour of a sexual nature, which is unwelcome. It may involve a single incident or a series of incidents. The Commonwealth Sex Discrimination Act 1984 and the NSW Anti-Discrimination Act 1977 declare sexual harassment to be unlawful.

Commonplace examples of sexual harassment include:

- Sexual or suggestive remarks;
- Sexual propositions or repeated requests for dates;
- Repeated questions about personal life;
- Sexual jokes;
- Physical contact such as touching, hugging, brushing up against a person;

- Offensive telephone calls, reading matter or objects, e-mails, screen savers etc;
- Suggestive looks or leers;
- Putting your hand or an object (like a pay slip or a pen) into someone's pocket (especially breast, hip or back pocket);
- The repetition of any other conduct of a sexual nature that causes a person discomfort after the person has told the harasser of their discomfort.

It is a person's right to object to behaviour which they consider falls into any of the categories above.

When identifying sexual harassment, the intent of the person whose behaviour caused offence is largely immaterial, as it is the effect of their behaviour that is relevant.

Sexual harassment is not behaviour which is based on mutual attraction, friendship or respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment

Bullying:

Bullying at work occurs when:

- a person or a group of people behaves unreasonably towards a worker or a group of workers at work AND
- this happens more than once AND
- this creates a risk to health and safety.

It includes behaviours such as:

- being aggressive or intimidating
- using abusive or offensive language
- mocking or humiliating someone
- holding 'initiation ceremonies'.

Depending on the situation, bullying can also include behaviour and actions such as:

- teasing or playing jokes
- leaving some workers out of work-related events
- giving someone too much or too little work
- giving someone work above or below their skill level
- not giving someone information that they need to do their job.

What isn't bullying at work:

Not all behaviour that makes you upset or anxious at work is bullying. For example, if someone makes a comment but they only do it once and do not repeat it, this is not bullying.

Reasonable management action:

Managers need to be able to give feedback. It is not bullying if:

- the management action is reasonable AND
- the way the manager takes action is reasonable.

'Reasonable' may include putting a worker on a performance improvement plan.

Discrimination:

Discrimination is where someone is treated less favourably because of their sex, age, race, disability, pregnancy or any of the other grounds covered by anti-discrimination legislation. Discrimination can also occur when a requirement (or rule) that is the same for everyone has an effect or result that is, or is likely to, disadvantage members because of their sex, race, disability etc.

[NB: OH&S legislation and regulations are paramount]

When acting in the course of WIRES activities, treat everyone, regardless of ethnicity, disability, sexual orientation, socio-economic circumstance, political or religious beliefs, with respect, courtesy and without any form of harassment whether real or implied (from 2.1 WIRES Code of Conduct).

Principles, Obligations and Responsibilities

- A. Reports of (and in) formal written complaints of harassment, bullying and unlawful discrimination will be treated seriously by the Board and Council and will be investigated promptly in a sensitive, thorough and confidential manner ensuring that complainants and witnesses are not victimised.
- B. Before any decision is made, members have the right to be informed about the nature and content of the issue and have the right to be heard in line with the WIRES Constitution, and as per the current WIRES Respectful Workplace Policy.
- C. All members have a role in ensuring that harassment, bullying and discrimination does not occur within the organisation and are expected to take prompt and appropriate action in circumstances where such behaviour is drawn to their attention.
- D. The complaint resolution process is carried out in good faith and complaints that are frivolous, vexatious, misconceived or lacking in substance will be rejected if a preliminary investigation of the facts indicates this.

When a complaint is brought forward by a member, it is the responsibility of the appropriate governing body* to ensure that no bullying or harassment is directed against the complainant, either directly or indirectly. (*Branch, Standards Team, Council or Board)

Resolution Options

- A. The Board and Council encourage members to endeavour to resolve issues directly and informally through a process of discussion and conciliation where possible. At any stage, strategies used to resolve a grievance may include, but need not be limited to, mediation, counselling or conciliation meetings between the parties.
- B. If the informal options do not work or are not appropriate, Members can make a formal complaint in writing under the Respectful Workplace Policy.
- C. In cases of assault or other criminal activity, members should contact the Police or appropriate government authority.
- D. Depending upon the severity of the issue, any breach of the WIRES Code of Ethics, and/or Code of Conduct or Addendum to same, will result in temporary or permanent loss of members' authorisation.