



Australian Theatre for Young People

STAFF SEXUAL HARRASMENT POLICY

Australian Theatre for Young People (ATYP) has a zero tolerance policy for sexual harassment in the workplace.

If you have experienced sexual harassment in the workplace, ATYP encourages its employees and volunteers to report any issues or concerns at the earliest opportunity with their immediate supervisor.

The preferred process involves employees and volunteers being able to resolve issues to their satisfaction internally, without feeling they have to refer to external organisations or authorities for assistance.

Open communication and feedback are regarded as essential elements of a safe and productive work environment. Employees and volunteers should feel comfortable with discussing issues with their manager or supervisor in accordance with the procedures outlined below.

All formal avenues for handling of grievances will be fully documented and the employee/volunteer's wishes will be taken into account in the determination of appropriate steps and actions.

In exchange for this trust, ATYP management takes all concerns extremely seriously and works hard to achieve positive outcomes for all employees and volunteers in our grievance procedures. No employee will be intimidated or unfairly treated in any respect if they utilise this Policy to resolve an issue.

This Policy applies to permanent, casual and part-time paid employees, contracted tutors, technical and creative employees and volunteer workers. For information on ATYP's Working With Children Policies, please refer to the company Code of Conduct and Behaviour Policy.

The purpose of this document is to provide an avenue through which employees and volunteers, and their managers/supervisors, can resolve work-related sexual harassment complaints as they arise and allow them to continue to work in a safe environment.

What is Sexual Harassment?

Sexual harassment is any unwanted or unwelcome sexual behaviour. It has nothing to do with mutual attraction or friendship.

Examples of this behaviour may include:

- Staring or leering
- Unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- Suggestive comments or jokes
- Insults or taunts of a sexual nature
- Intrusive questions or statements about your private life
- Displaying posters, magazines or screen savers of a sexual nature
- Sending sexually explicit emails or text messages
- Inappropriate advances on social networking sites
- Accessing sexually explicit internet sites
- Requests for sex or repeated unwanted requests to go out on dates
- Behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Responsibilities:

It is the responsibility of **Management and Supervisors** to ensure that:

- They identify, prevent and address potential problems as early as possible
- They are aware of, and are committed to the principles of communicating and information sharing with their employees and volunteers
- All decisions relating to employment practices are made with consideration given to the ramifications for the individual, as well as ATYP in general
- Any report of sexual harassment is handled in the most appropriate manner at the earliest opportunity
- All employees and volunteers are treated fairly and without fear of intimidation

It is the responsibility of **Employees (including Volunteers)** to ensure that:

- Any report is clearly described by the employee/volunteer
- They attempt to resolve any issues through their immediate supervisor and through internal processes at the earliest opportunity

It is the responsibility of the **General Manager** to ensure that:

- All managers, supervisors, employees and volunteers are aware of their obligations and responsibilities in relation to communication and information sharing with their employees
- Ongoing support and guidance is provided to all employees in relation to employment and communication issues
- All managers, supervisors, employees and volunteers are aware of their obligations and responsibilities in relation to handling grievances
- Any grievance that comes to the attention of managers or supervisors is handled in the most appropriate manner at the earliest opportunity

What is the Sexual Harassment Reporting Procedure?

All managers and supervisors should be aware of the possible ramifications of their actions when dealing with employee/volunteer issues. They must ensure that all employees/volunteers are treated with fairness, equality and respect.

If there are any doubts or queries in relation to how to deal with a particular set of circumstances, managers or supervisors should speak to the General Manager for advice at the earliest opportunity.

Where a sexual harassment claim has been brought to a manager's attention, he/she should inform the General Manager so that the General Manager can assist with the grievance process and ensure the guidelines below are followed.

Grievances and Dispute Resolution

An employee or volunteer who considers that they have experienced sexual harassment in their work place should **raise the matter with their immediate supervisor** as a first step towards resolution.

For ATYP staff, this is the General Manager/Artistic Director, for schools' and workshop tutors, this is the Workshop and Education Manager, for production staff/creatives, this is the Production Manager. The two parties should discuss the matter openly and work together to achieve a desired outcome. In most cases if problems are discussed as soon as they arise with the people involved, they can be quickly resolved.

The manager must ensure that the manner in which the meeting is conducted will be conducive to maintaining positive working relationships, and will provide a fair, objective and independent analysis of the situation.

All parties are to maintain complete confidentiality at all times.

If matters are not resolved via this verbal process and the employee/volunteer wishes to pursue it, the employee/volunteer can **notify ATYP's General Manager/Artistic Director in writing** as to the substance of the grievance and the remedy sought.

The manager concerned should also forward to the General Manager/Artistic Director any additional information thought relevant. Within one week, the General Manager/Artistic Director, will arrange a meeting between the employee/volunteer and the other relevant party to discuss the issues openly and objectively and ensure they are fully understood. Following this process, the General Manager/Artistic Director will provide a written response to the employee/volunteer and can make a resolution plan, or organise a mediation process.

If the sexual harassment is one involving the employee/ volunteer's manager, the complainant may discuss the issue directly with the General Manager or Artistic Director in the first instance.

If the matter continues to be unresolved, the General Manager/Artistic director must refer the matter to **ATYP's Chair of the Board of Directors** who will provide a written response to the employee/volunteer. A grievance taken to this level must be submitted in writing by the employee/volunteer. All correspondence will be confidential.

If the matter continues to be unresolved, the employee/volunteer will be advised of his/her rights to pursue the matter with external authorities if they so wish. This may include the Arts Law centre funded by the Australia Council, which runs a mediation service or other legal advice.

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