



## 6. Bullying and Discrimination



This is the sixth in a series of fact sheets to assist CSIRO union members and delegates to better understand and enforce our rights at work. The source of these rights is clause 10 of the new CSIRO Enterprise Agreement 2011-2014 (EA). The CSIRO policy on Preventing Workplace Discrimination and Bullying supports this clause and is accessible on the CSIRO intranet.

### What does the EA say about bullying and discrimination?

Clause 10 of the EA commits the Staff Association and CSIRO management to provide a positive workplace environment by eliminating and preventing workplace discrimination and bullying. This includes all forms of unacceptable behaviour such as direct and indirect discrimination, bullying, harassment, intimidation, threats and physical violence in the workplace. Failure to eliminate or prevent workplace discrimination and bullying can be a breach of the EA and subject to dispute resolution procedures.

### What is workplace bullying?

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

- unjustified or unnecessary comments about a person's work or capacity for work;
- excessive and unreasonable work scrutiny;
- inappropriate or unreasonable criticism of someone's work or behaviour;
- inappropriately changing and/or setting unreasonable deadlines, tasks or targets;
- inappropriate or unreasonable blocking of promotion, training, development or other work opportunities;
- branding as a troublemaker, a person who raises legitimate workplace grievances and/or taking no action to address grievances;
- 'upwards bullying' of managers, for example by spreading rumours, making snide remarks, purposely skipping meetings and missing deadlines, ignoring the views and opinions of a manager;
- abusive, belittling or intimidating comments in person, or via phone calls, emails etc.;
- interference with a person's workspace, work materials, equipment or personal property, apart from what is necessary for ongoing work;
- publicly belittling someone's opinions, or dismissing their contribution without good reason, including in front of clients and work colleagues;
- threats of, or, actual assault;
- overbearing or abusive behaviour; or
- dismissive treatment.

### 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 do 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 where appropriate; 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).

### What should I do if I believe I'm being bullied or discriminated?

Seek advice and be aware of your rights and the procedures outlined in the Preventing Workplace Discrimination and Bullying policy. Your Equity and Diversity Officer, Health and Safety Representative or Staff Association delegate or organiser can provide assistance.

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## **What options do I have to prevent bullying or discrimination?**

There are a number of options available, 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.

## **What if I'm not a union member?**

Then it's time to join and be part of your Staff Association. You can pick up a membership form from your Staff Association delegate or organiser, download it at [www.cpsu-csiro.org.au](http://www.cpsu-csiro.org.au) or email us at [csstaff@cpsu.org.au](mailto:csstaff@cpsu.org.au)

Authorised by Sam Popovski, Secretary, CSIRO Staff Association, July 2011.