

Harassment, Graffiti and Vandalism

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Everybody's Responsibilities

In this workplace, all employees, whether permanent or contractors, are personally responsible for contributing to a workplace free from bullying and harassment.

We recognise that our people are different in many ways. Differences, whether cultural, social, life or work experience, all have a place at work and are not a reason to harass or mistreat others.

It is your responsibility to act in ways that contribute positively to this working environment.

Under Occupational Safety and Health legislation, it is the responsibility of all employees to make the workplace safe. Under EEO laws, it is your responsibility to behave acceptably and to change your behaviour if it makes the workplace discriminatory, hostile, intimidating or offensive.

Harassment and Hostile Work Environment

Workplace harassment is offensive, belittling or threatening behaviour directed at an individual worker or group of workers. It may be done in their presence, or behind their back.

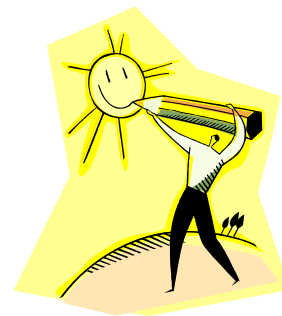
Harassment and other forms of bullying and intimidation are unacceptable. All employees have the right to be protected from harassment and improper treatment.

Everyone is responsible to:

- Uphold work expectations.
- Abide by all policies, particularly OSH, EEO and Code of Conduct.
- Treat all colleague with respect and common courtesy.
- Demonstrate co-operativeness and goodwill in solving team problems.
- Solve personal disputes or conflicts without resorting to payback.

What is Graffiti?

Graffiti consists of drawings, slogans and words scratched, scribbled or painted on a wall or other public or private surface. Graffiti defaces property and causes damage. Certain types of graffiti cause personal hurt and harm.



Graffiti and Vandalism

Graffiti is vandalism. It is prohibited when done without permission of the property owner. Graffiti applied to property of the organisation or the property of stakeholders is not just unacceptable, it is unlawful.

In Western Australia, the Criminal Code applies to graffiti. Fines and orders for compensation can be imposed.



Graffiti and Harassment

Where acts of graffiti at work target particular individuals or groups, these are attacks of a personal nature. There is no justification for this type of behaviour the organisation considers these actions to be intentional and malicious.

Under the law and our policies, all employees have the right to attend work free of any harassment.

Courses of Action

Depending on the type and location of graffiti, the organisation will investigate graffiti as a case of harassment or vandalism of property.

This means that evidence will be collected and examined.

Harassment is a serious issue and we will take formal action against any employee found to have harassed or victimised others. If sufficiently serious, it may be referred to the police.



Does a Complaint Have To Be Made for the Employer to Take Action?

No! Graffiti and vandalism are unlawful at the outset. We will take action on any forms of behaviour that undermine our policies on harassment or safe work environment -

- *whether there is a complaint or not,*
- *whether people appear to be offended or not, and*
- *no matter what your intent.*

Your Behaviour – Your Responsibility

You are responsible for your behaviour and the consequences, even if they are unintended.

If you breach organisation policy, the likely outcome will be counselling, discipline or dismissal.

If you break the law, you may be personally liable for any fine or award of damages if the matter becomes the subject of legal proceedings.

A condition of your employment is compliance with our policies on the prevention of harassment and safe work environment.

Whilst you are not required to agree with the organisation's policies, you are required to comply with them.

Harassment and Bullying

It is unlawful to:

- Single someone out for unfavourable treatment because you don't like him or her.
- Single someone out for unreasonable treatment because of any grounds of EO legislation (race, gender, age, religion, family responsibility, sexual orientation, disability etc.)
- Behave in such a way that the work environment becomes physically and/or psychologically unsafe for others. (OSH)

It is unacceptable to:

- Set people up to fail because they are unpopular individuals.
- Give people a 'hard time' because of grudges or 'old history'.
- Subject a person to such inappropriate behaviour that they would experience harm to their health, well-being or ability to perform their job.

Reporting Matters

Remember, there are no good reasons for harassment at work. We will deal with attitudes, behaviour and practices that are a liability to the organisation.

We expect that while you are on the job you will contribute to, and support, a positive work environment that functions smoothly.

If you have a matter to report you can notify:

- a supervisor or line manager,
- human resources,
- a grievance or contact officer,
- a safety rep,
- your union rep.

Employees will not be retaliated against or victimised for reporting harassment. The organisation expects that any reports or complaints are made 'in good faith' and reflect the genuine concerns of employees.

We will take whatever action is necessary to protect employees from harassment.

Guidelines for Managing Graffiti and Harassing Communication



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What These Guidelines Cover

Harassment can take many forms, some of which can occur in the workplace and outside the workplace.

The focus of these guidelines is on graffiti and unwanted contact – whether at work, outside work or in the social environment of work, such as work functions.

Examples include:

- Hate mail (typed, written or email)
- Offensive or cryptic SMS messages
- Phone calls (caller may leave a message or caller hang up without leaving a message)
- Graffiti
- Verbal abuse directed at individual(s)
- Threats to harm another person, their family or property (whether direct or implied).



Evidence of Harassment

Evidence of such behaviour should be preserved to assist in appropriate legal and/or disciplinary action.

Where incidents have occurred that threaten the physical or psychological safety of any staff, or when evidence must be collected for preservation, the matter must be reported immediately to:

- **A Line Manager**
- **Human Resources**
- **Contact or Grievance Officer**
- **Safety Rep**
- **Union Rep**

Confidentiality and Sensitivity

Sometimes employees, whether they are the target or not, are tempted to tell their co-workers that they have found graffiti or have received harassing communications.

If you are in this situation, firstly report the matter to someone in the help chain so that they can decide the best way of addressing the situation.

This information needs to be kept confidential because of the damaging effect of gossip, rumours and finger-pointing about 'whodunnit'. Potential harm to those targeted by the harassment and those suspected of being involved can be avoided if the information is kept confidential.

Guidelines For Managing Phone Calls and SMS Messages

In order to establish the identity of those involved in making harassing phone calls and messaging, the organisation provides the following reporting and management guidelines.

What Should You Do?

If you receive a voice mail message, do not delete it — **save the message!**

If you answer the call, make a written note immediately after the call. Take note of:

- Date and time of the call.
- Name of caller (if you recognise them by voice)
- What the caller said.
- Who the caller asked to speak to.
- Any noises in the background that can be identified.
- If the call had STD beeps.
- Whether the call sounded like it was made from a mobile or fixed line.
- The type of voice - young, old, male, female; type of accent, identifiable pattern of speech, unusual phrases, swearing.
- Tone of voice, ie, sarcastic, abusive, demanding.

THEN ... notify someone in the help chain immediately.

Managing Graffiti and Vandalism

The most common items and surfaces that are subject to graffiti, tampering and vandalism in the workplace are as follows:

- Walls and doors in work areas, including change-rooms, lockers, toilets, notice-boards and whiteboards
- Documents such as rosters and memos
- Plant, work equipment and vehicles
- Company issue items including clothing and items of personal safety
- Personal property of employees including vehicles, bags and personal belongings
- Client and stakeholder property including plant, vehicles, equipment and rolling stock

What Should You Do?

If you find graffiti, suspected tampering or vandalism of property or equipment do not interfere with it any way (unless there is a safety risk).

Sometimes the location and content of the graffiti is personally offensive to the person who found it, whether they are the target or not. People can be tempted to remove it.

Do not remove the graffiti or tampered item –
Immediately notify someone in your help chain so that it can be photographed before it is removed.



If the graffiti is on a document, whether typewritten or handwritten, please handle the document as little as possible before you hand it in.

When you find graffiti or have it reported to you, please take a note of:

- Who found it and who else was there
- Where it was found
- Date and time of day it was found
- Who reported it
- Who it was reported to
- Who else was told
- Who handled the document or the graffiti

Photograph graffiti or items that have been tampered with immediately to preserve the evidence.

Take as many photographs of each item as necessary so that essential information such as location, extent of damage and size can be easily identified.

Then arrange for the graffiti to be removed as quickly as possible.

Managing Harassing Email

What Should You Do?

If the document is an email message, save it in your email in-box to preserve important email header and footer information.

Do not delete any emails as your copy has important information that may be lost if forwarded on.

Your help chain for reporting harassing emails is:

- **Your Line Manager**
- **I.T. Services**
- **Human Resources**
- **Contact or Grievance Officer**
- **Safety Rep**
- **Union Rep**

Counselling and Support

Help is available for employees experiencing any type of harassment. People can become very frightened by these events.

It is common for those targeted by this type of behaviour to require immediate help to deal with the stress of what is happening and how they feel. Colleagues of the victim can also require this type of support.

Assistance is available from:

- **Employees Assistance Program**
- **A line manager**
- **Human Resources**