

# HARASSMENT POLICY

## Duke of Marlborough Business Limited\*

### ■ Policy Statement

Harassment, including sexual harassment and discriminatory conduct, in the workplace is prohibited in New Zealand and will not be tolerated.

Appropriate action will be taken where a person's behaviour harasses others, including customers.

A complaint of harassment can be made if a particular employee finds behaviour of another employee or manager, even if other employees are not affected. It also includes the misuse of visual or written material. It is not necessary for an individual to have told the other party that his or her behaviour was unwelcome or offensive.

The behaviour must be unwelcome or offensive and persistent enough, or sufficiently serious to have a detrimental effect on that person.

Harassment includes but may not be limited to

- Offensive or discriminatory verbal comments especially of a personal nature,
- Jokes that offend irrespective of whether offence was intended or not,
- Physical contact, i.e. patting, pinching or otherwise touching another person,
- Repeated comments or teasing a person or aspects of a person including their private lives or activities,
- Persistent, unwelcome social invitations or telephone calls,
- Offensive hand or body gestures.

If an employee feels he or she is being harassed, assistance for processing and resolving a complaint may be obtained from **Jayne Shirley or Nicole George** who will listen carefully and respond in strict confidence. This person will also just listen and talk and or advise if that is what you want.

This procedure will also apply where complaints are received from customers.

### Options for Resolving a Complaint of Harassment:

#### 1. Self Help

The employee or person may:

- tell the person, or persons, in private and/or in writing, that their behaviour is offensive and request that it stop;
- Speak to the person, or persons, in private, in the presence of Jayne Shirley (the specified person for handling harassment complaints) or any other person if you feel this to be more acceptable.

It is always important to keep any information confidential to those directly involved.

## 2. **Informal Intervention**

The person nominated by the establishment for handling complaints of harassment in the first instance is **Jayne Shirley or Nicole George**

This person will explain the options for processing and resolving the complaint and respond to the complaint quickly, discreetly and fairly, and ensure that all discussions and any investigations are conducted in strict confidence.

## 3. **Formal Complaint**

- If self help or informal intervention have not worked or if the employee or other person desires a more detailed complaint may be made either in writing or by discussing the complaint with **Jayne Shirley or Nicole George** who will carefully record details of the complaint and conduct an investigation into the complaint. Appropriate action will be taken if an investigation shows a complaint to be justified.

- **Complaint to Employee's Representative**

An employee or other person may wish to discuss a complaint with his or her representative. The alleged offender may also have representation.

### **Investigating a complaint**

If an employee or other person feels it is inappropriate to discuss the alleged harassment directly, they have a right to request a representative to pursue the resolution of a complaint.

When being interviewed about a complaint, the contact person processing the complaint will have an independent witness present. The person being interviewed will also be encouraged to have a representative present at interviews.

The contact person will interview the person making the complainant to establish the factual content of a complaint and will take careful notes of the complaint. The person making the complaint could be asked to write down what happened. The contact person will sign the notes and invite the person making the complaint to do the same.

Any information about the complaint needs to be made available to the alleged harasser as part of any investigation into a complaint.

The contact person will then interview the alleged offender and seek a response and/or explanation to the complaint.

### **Resolving a complaint**

Where the truth of the complaint is admitted by the person complained about or where, after a full investigation, the employer, acting on the advice of the person investigating the complaint, is satisfied that the complaint is well founded, corrective steps such as counselling and/or disciplining the offender may be considered and taken to correct the situation and prevent further harassment.

The establishment undertakes to keep all complainants informed of the investigation, outcomes and resolution.

**We take harassment behaviour very seriously. Do not hesitate to discuss with us. It is your job satisfaction that is important to you and us.**

*\*includes Duke of Marlborough Hotel, Charlotte's Kitchen, Duke Motel*