

## **DITSU CLG DIGNITY AT WORK POLICY**

The policy is in compliance with the three Codes of Practice issued under the Safety, Health and Welfare at Work Act 1989, Industrial Relations Act 1990, and Equality Act 2004 respectively:

1. The Health & Safety Authority's Code on Bullying "Code of Practice for Employers and Employees on the Preventions and Resolution of Bullying at work"
2. The Equality Authority's "Code of Practice on Sexual Harassment and Harassment at Work" and
3. The Labour Relations Commission (LRC) "Code of Practice Detailing Procedures for Addressing Bullying in the Workplace"

### ***Purpose:***

The purpose of this policy is to promote respect, dignity, safety and equality in the workplace. All staff, elected officers, directors, and any other individuals engaged by DITSU from time to time (hereinafter referred to as DITSU employees) should be aware that all forms of bullying, harassment and sexual harassment are unacceptable. DITSU employees have a duty to behave in an acceptable and respectful manner.

The policy commits DITSU employees to work together to create and maintain a positive environment that encourages and supports the right to mutual respect and dignity. It seeks to contribute to a harmonious workplace based on mutual respect and understanding where employees aim to resolve differences and solve problems as they arise through open and constructive dialogue.

### ***Dignity at Work: Underlying Principles***

The Mutual Respect and Dignity Policy seeks to contribute to a harmonious workplace based on team spirit, mutual respect and understanding where employees aim to resolve differences and solve problems as they arise through open and constructive dialogue.

The Mutual Respect and Dignity Policy commits all DITSU employees to work together to create and maintain a positive environment that encourages and supports the right to mutual respect and dignity.

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The Policy imposes a duty of respect whereby DITSU employees are treated with consideration, courtesy and respect, without harassment, or verbal or physical abuse, or actions that can be interpreted as demeaning of others.

***As DITSU employees we, individually and collectively, affirm and promote:***

- The inherent worth and contribution of all DITSU employees
- The right to be treated with consideration, fairness, courtesy and understanding
- The right to be treated equally with the same level of common human dignity
- The right to be heard, valued and have our contribution recognised
- Acceptance of one another and respect for our individuality and diversity
- Recognition that our different working styles and approaches enrich the organisation together with a recognition that each of our working styles effects our colleagues and that planning, co-operation and communication are key to our success
- Awareness, individually and collectively, of how our language, behaviour, and actions affect each other with possible positive and negative outcomes

***As DITSU employees we recognise that***

- Ensuring dignity at work requires on-going training, development and support
- Open communication is the key to ensuring that differences can be worked through in the spirit of mutual respect and dignity
- Discretion and confidentiality are crucial to the effective operation of any Mutual Respect and Dignity Policy
- Our approach to mutual respect and dignity must be underpinned by an openness to meaningful and fair resolutions that can be practically applied in a non-adversarial manner
- We are all responsible for the creation and maintenance of an organisational culture of mutual respect and dignity

**Responsibility of all DITSU employees:**

Managers have a responsibility to manage in such a way as to protect the safety, health and welfare of DITSU employees. This means accepting responsibility for preventing bullying at work and for resolving alleged cases of bullying at work.

All DITSU employees must comply with the policy and ensure that their behaviour does not cause offence to fellow workers or any person with whom they come into contact with in the

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course of their work. It is the responsibility of all DITSU employees to ensure that the work environment is free from any form of bullying or harassment, including sexual harassment

***Definition of bullying, harassment/ sexual Harassment and Victimisation:***

The definitions of bullying, harassment and sexual harassment as set out in the above Codes of Practice:

“Bullying is repeated unwelcomed behaviour that undermines your right to dignity at work. It can be done by one or more persons and it is aimed at an individual or a group to make them feel inferior to other people. Bullying can be verbal bullying, physical bullying or cyberbullying which is carried out on the internet or mobile phones, through social networking sites, email and texts”. It can take many different forms such as:

- Social exclusion and isolation
- Damaging someone’s reputation by gossip or rumours
- Intimidation
- Aggressive or obscene language
- Repeated requests with impossible tasks or targets”

*This list is not exhaustive*

The following *do not* constitute bullying:

- An isolated incident of inappropriate behaviour may be an affront to dignity at work but, as a once-off incident, is not considered to be bullying, e.g. an occasional bout of anger or a conflict of views.
- Fair and constructive criticism of an employee’s performance, conduct or attendance.
- Reasonable and essential discipline arising from the good management of the performance of an employee at work.
- Actions taken which can be justified as regards the safety, health and welfare of the employees.
- Legitimate management responses to crisis situations which require immediate action.
- Complaints relating to instructions issued by a line manager, assignment of duties, terms and conditions of employment or other matters which are appropriate for referral under the normal grievance procedure

*This list is not exhaustive*

Harassment (other than sexual harassment) is any form of unwanted conduct related to any of the discriminatory grounds covered by the Employment Equality Acts 1998 to 2008.

These grounds are:

- Gender
- Civil status
- Family status, for example, as a parent of a child
- Sexual orientation
- Age
- Disability
- Race
- Religious belief
- Membership of the Traveller community

Harassment based on any of the above grounds is a form of discrimination in relation to conditions of employment. The Employment Equality Acts 1998-2011 define harassment as “*unwanted conduct*” which is related to any of the 9 discriminatory grounds above.

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature. In both cases it is defined as conduct which has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person and it is prohibited under the Acts.

The “*unwanted conduct*” includes spoken words, gestures or the production and display of written words, pictures and other material.

This includes:

- offensive gestures or facial expressions
- unwelcome and offensive calendars
- screen-savers
- E-mails and any other offensive material

*This list is not exhaustive*

***Victimisation:***

“The term *victimisation* is used to describe unfair treatment of a worker by an employer because of some action the worker has taken.”

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A complainant will not be subjected to any form of sanction for making a complaint in good faith, nor will any individual be subjected to sanctions for giving evidence in proceedings, or giving notice of their intention to do so. No element of penalty will attach to a complainant whose complaint is found to be valid or found to be well-based.

Victimisation or intimidation of a staff member or student, for complaining or taking part in an investigation is a serious disciplinary offence.

***Representation:***

An employee has the right to be accompanied at all stages by a Trade Union representative or another representative of his or her choice

***Bullying/harassment by non-employees:***

This policy protects DITSU employees from bullying/harassment or sexual harassment from non-employees such as students, members of the public, and business contacts with DITSU employees may come into contact during the course of their work. Bullying/harassment or sexual harassment from non DITSU employees is not tolerated in and may lead to termination of contracts or suspension of services, or other sanctions, as deemed appropriate..

***Resolution Process for Harassment, Sexual Harassment and Bullying***

If an employee feels that they have been subjected to bullying/harassment, sexual harassment or victimisation he/she should report the incident to the company under the grievance procedures. DITSU will investigate, in confidence, all reported incidents of bullying/ harassment/sexual harassment or victimisation. If requested by the employee, every effort will be made to ensure that the matter can be investigated and dealt with by someone of the same sex.

Complaints that may be motivated by external or unknown reasons and factors, if found to be false or malicious in nature, then the appropriate disciplinary procedures, up to and including dismissal, should be imposed on the person the complaint is against.

This policy refers to all DITSU employees. Failure to abide by the policy will result in disciplinary action taken which may include summary dismissal.

***Confidentiality:***

DITSU employees involved in any proceedings taken under this Policy shall ensure that confidentiality is maintained where practicable. Any investigations carried out under this ***Approved by the Board of DITSU CLG 20<sup>th</sup> June 2017***



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Policy shall be undertaken with discretion and all parties will be made aware that they must treat as confidential any information shared during the course of any proceedings.

***Policy Review:***

This policy and procedures document will be reviewed as appropriate

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