

C R A G G Y R A N G E

VINEYARDS LTD

Policy Name:	Bullying, Harassment, and Discrimination Prevention	Department:	Human Resources		
Policy Owner:	Human Resources Manager	Approved By:	Chief Executive Officer		
Creation Date:	January 2014	Review Date:	February 2017	Version Number:	2

1. Purpose

- 1.1. Craggy Range is committed to providing a secure, supportive and harmonious environment for everyone which;
- recognises and values the diversity, potential, contribution and needs of all people
 - is free from all forms of bullying, harassment and discrimination
- 1.2 Craggy Range regards bullying, harassment and discrimination of any kind as unacceptable and acknowledges that it seriously undermines the atmosphere of trust and respect that is essential to a healthy work environment.

2. Scope

- 2.1 This policy applies to all employees and contractors of Craggy Range.

3. Definitions

- 3.1 Craggy Range has adopted the following definitions of Discrimination, Racial Harassment, Sexual Harassment and Bullying as an accumulative, but not exhaustive, list incorporating legislation across New Zealand as follows:
- Human Rights Act 1993
 - Employment Relations Act 2000 (and its amendments)
 - Health and Safety in Employment Act 1992

Discrimination It is unacceptable, and in most cases unlawful, to discriminate on the grounds of: sex, marital status, religious and ethical belief, colour or race, ethnic or national origins, disability, age, political opinion, employment status, family status, sexual orientation and the presence of health affecting organisms in the body. This includes intentional and unintentional discrimination.

Racial Harassment Includes the use of language (whether written, spoken or non-verbal), or visual material, or behaviour that expresses hostility against, or brings into contempt or ridicule, any other persons(s) on the ground of colour, race, or ethnic origins which is hurtful or offensive (whether or not it is conveyed to that person) or has a detrimental effect.

Sexual Harassment Includes any unsolicited, unwelcome behaviour or visual material which causes a verbal or physical affront of a sexual nature. It includes actions (spoken, written or gestures) that refer to sexual intercourse or any other form of sexual activity.

Bullying Deliberate, repeated, unreasonable behaviour directed toward a person, or group of people, that creates a risk to the mental health or physical health of the person. Bullying can be overt or covert (examples provided below). In order for bullying to be confirmed it requires words or actions to be carried out repeatedly, for the

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purposes of gaining power, control or dominance over another person and with the intention of causing the recipient to feel humiliated, or feel fear, and to undermine the person, and it has a detrimental effect upon that person's dignity, safety and well-being.

Overt Bullying

- abusive behaviour towards another employee such as threatening gestures or actual violence
- aggressive, abusive or offensive language, including threats or shouting
- demeaning remarks
- constant unreasonable and unconstructive criticism

Covert Bullying

- deliberate exclusion, isolation or alienation of the employee from normal work interaction, such as intentionally excluding the employee from meetings
- placing unreasonably high work demands on one employee but not on others
- allocation of demeaning jobs or meaningless tasks only
- unreasonably ignoring the employee
- undermining another employee, including encouraging others to "gang up" on the employee
- deliberately withholding information that a person needs to exercise her or his role or entitlements with Craggy Range
- repeated refusal of requests for leave or training without adequate explanation and suggestion of alternatives

3.2 Craggy Range accepts and understands that each piece of legislation does not have the identical descriptor defined for the above mentioned, however the Company has the expectation that all employees abide by the same principles and policy.

4. Policy

4.1 Harassment and Discrimination are unlawful under the Employment Relation Act 2000 and Human Rights Act 1993. Craggy Range, and individuals who harass or discriminate, may be legally liable if harassment or discrimination occurs. In addition, many of the things that constitute harassment are also offences or crimes.

4.2 Bullying is unlawful under the Health and Safety in Employment Act 1992, which imposes a statutory duty on employers to provide a safe working environment.

4.3 Craggy Range will:

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- 4.3.1 ensure that this policy is implemented through procedures that are timely, fair and equitable to all parties;
- 4.3.2 maintain a pro-active approach to the provision of a safe work environment;
- 4.3.3 view all written allegations of bullying, harassment and discrimination seriously;
- 4.3.4 apply processes and have policy and procedures in place that are seen to be fair and impartial and undertake to investigate formal complaints appropriately;
- 4.3.5 have adequate harassment prevention systems in place with training, people, resources, counselling and facilitation available;
- 4.3.6 seek to redress issues of bullying, harassment and discrimination and will endeavour to ensure that no detrimental consequences result for the person who was bullied, harassed or discriminated against, nor that any person who has made a complaint of bullying, harassment or discrimination in good faith is victimised;
- 4.3.7 take reasonable steps to prevent repetition of proven bullying, harassment or discrimination;
- 4.3.8 satisfy its obligations under New Zealand human rights and employment legislation in respect of harassment.

5. Procedures

- 5.1 Craggy Range will ensure that all employees are aware of the policy, what constitutes bullying, harassment and discrimination and what they should do if they have a complaint.
- 5.2 New employees will be informed of Craggy Range's policy on bullying, harassment and discrimination and shall receive a copy of the Employee Handbook which includes the Code of Conduct.
- 5.3 Managers will recognise their responsibility to implement this policy by modelling appropriate behaviour, monitoring the workplace and intervening in any potential bullying, harassment or discrimination situation of which they become aware.
- 5.4 Employees have a responsibility to ensure that their actions do not negatively affect another employee's career, health or well-being and are consistent with Craggy Ranges' Code of Conduct. This includes not condoning bullying, harassment or discrimination by failing to do anything about it, such as raising the matter with the person(s) behaving inappropriately or a Manager.
- 5.5 An employee found to have bullied, harassed or discriminated against another employee or to have condoned the behaviour may be subject to disciplinary action.
- 5.6 An employee who believes that they have experienced bullying, harassment or discrimination should act promptly, and are encouraged to follow Craggy Range's internal processes for resolving concerns or making complaints, as described by the "Guideline for Resolving Concerns and Complaints about Bullying, Harassment and Discrimination".

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The “Guidelines for Resolving Concerns and Complaints about Bullying, Harassment and Discrimination” outline actions that may be taken at one or more levels:

- a. Initial self-help by the affected individual;
- b. Informally raising the behaviour as a concern with another Manager or neutral third party e.g. Employee Assistance Programme (EAP);
- c. Making a formal written complaint in writing using Craggy Range process; or
- d. Making a formal complaint to an external agency such as the Human Rights Commission, Employment Relations Authority or, where it is believed that a breach of the law is involved, the Police.