

Bullying and Harassment

1. Policy Statement

The Employer is committed to preventing workplace bullying and harassment. Accordingly, the Employer has adopted the following guidelines to deal with bullying and harassment that may occur on the Employer's premises.

2. Purpose

The purpose of the Employer's policy on bullying, harassment and sexual harassment is twofold:

- Raise awareness of expected standards of behaviour

First, it is to make all employees aware of the standards of behaviour which are expected when you are carrying out duties in the course of your employment and/or in the workplace. Every employee has an obligation to be aware of the effects of their own behaviour on others and is asked to respect and consider the beliefs of their colleagues. The same standards are expected to be observed when you are away from the Employer's premises on business, e.g. at client meetings and at any work-related event which takes place outside of office hours, e.g. the Christmas party/Friday night drinks/socialising with suppliers or clients.

Complaints regarding behaviour which is alleged to be bullying/harassment/ sexual harassment will be investigated in accordance with the Employer's special grievance procedure and if the complaint is well founded, the person complained about will be dealt with under the Employer's Disciplinary Procedure. Accordingly, penalties or sanctions may be imposed up to and including dismissal.

- Raise awareness of procedures

Second, the purpose of this policy is to promote awareness of the steps which an employee should take if they feel they are being bullied, harassed or sexually harassed. Accordingly, any employee who considers that they have experienced such behaviour at or in connection with their work should report it through the confidential grievance procedures set out in the Employer's policy on Grievance Procedures and may then decide whether to bring a formal complaint.

3. Scope

- 3.1. This policy applies to all full-time, part-time, fixed-term or casual employees (referred to hereafter as "Staff")
- 3.2. The policy applies to bullying, harassment and sexual harassment not only by fellow employees but also by a client, customer or other business contact with whom an employee might reasonably expect to come into contact in the course of his/her employment.

4. Responsibilities

All employees of Keltech must comply with this policy and procedure. All employees have a responsibility to take appropriate measures to ensure as best possible a working environment free from bullying, harassment and sexual harassment.

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5. General Principles

Bullying, harassment and sexual harassment are totally unacceptable forms of behaviour in the workplace. Every employee has a right to dignity in the workplace and should be free to conduct his/her work without intimidation, humiliation or harassment.

Behaviour which is contrary to the Employer's policy on bullying, harassment and sexual harassment will not be tolerated by the Employer, whether this behaviour is directed at other employees, clients, customers, associates of the Employer or members of the public.

The Employer supports the Dignity in the Workplace Charter published by the Health & Safety Authority and displays it on workplace notice boards.

6. Role of management

Members of management, and others in positions of authority, e.g. supervisors, have a particular responsibility to ensure that sexual harassment, harassment and/or bullying do not occur and that any complaints are addressed speedily and appropriately.

Accordingly, all members of management and others in positions of authority are expected to:

- provide a good example by treating all in the workplace with courtesy and respect;
- be vigilant for signs of harassment/bullying/sexual harassment and take action before a problem escalates;
- respond sensitively to an employee who makes a complaint;
- explain the procedure to be followed if a complaint is made;
- ensure that an employee making a complaint is not victimised for doing so;
- ensure that those who participate in an investigation, for e.g. as a witness, are not victimised for doing so;
- monitor and follow up the situation after a complaint is made so that the inappropriate behaviour does not recur.

7. Consequences of breach

Breach of this policy can result in the imposition of sanctions under the Employer's disciplinary procedure up to and including dismissal. Serious breach may result in summary dismissal.

8. Workplace bullying

Whereas harassment can comprise of one isolated incident, bullying normally involves repeated inappropriate behaviour by one or more persons against another or others which could reasonably be regarded as undermining an individual's right to dignity at work. The inappropriate behaviour can be direct or indirect and verbal, physical or otherwise.

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If employees feel that they are being bullied, they are urged to air their grievance as soon as possible and in accordance with the Employer's Special Grievance Procedure. Nobody should suffer in silence and the Employer cannot remedy the situation if it does not know what is going on.

9. Recognising bullying

Bullying can take many forms and can sometimes to be hard to recognise, particularly by persons other than the victim. However, the following are some common examples of behaviour which can constitute bullying and which are prohibited by the Employer:

- physical abuse or threats of abuse;
- physical contact ranging from unwanted touching to serious assault;
- staring, leering, aggressive gestures, etc;
- manipulation of the victim's reputation by rumour, gossip and ridicule;
- shouting or swearing at employees both publicly or in private;
- aggression, usually over quite unimportant matters;
- insulting someone's appearance or name calling;
- social exclusion or isolation;
- isolation at lunch time or at break times;
- isolation from invitations to events inside or outside working hours;
- shouting someone down in a meeting;
- constantly cutting in on or across people in conversation;
- undermining a colleague's work without a basis to do so;
- appropriating ideas and output as your own;
- manipulating the nature of the work or the victim's ability to do his/her work, for e.g.:
 - by imposing a workload which is too heavy,
 - withholding information,
 - setting meaningless tasks,
 - setting impossible deadlines,
 - removing areas of responsibility and setting menial tasks.

The above is by no means an exhaustive list and bullying can manifest itself in many other forms.

10. Effects of bullying

The effects of bullying can be many and varied and can impact upon both individuals and the Employer. In order to put into context the seriousness of behaviour which constitutes bullying and to

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indicate why the Employer prohibits bullying, some examples of the effects of bullying are set out below.

Being the victim of bullying can be traumatic. The victim can feel isolated and rejected. Colleagues may withdraw their support because “they don’t want to get involved”. Bullying can change a happy confident employee into a withdrawn, demotivated individual. Serious or prolonged periods of bullying can lead to a nervous breakdown, depressive illness or even suicide.

Bullying in the workplace is not conducive towards a positive culture. It can create a climate of fear and resentment that can result in increased absenteeism.

11. What to do if you have a complaint

If you feel that you are being bullied, please consult the Employer’s Special Grievance Procedure for guidance on the next step to take. If you are unsure whether an incident or incidents constitute bullying, please discuss this with your supervisor, the Human Resources Coordinator or the Designated Contact Person which is Tom Ryan.

12. Harassment

Harassment is defined as any act or conduct which is unwelcome to the recipient and could reasonably be regarded as offensive, humiliating or intimidating. It may consist of one incident or a series of incidents.

All employees should take care to ensure that their acts or conduct do not offend those that they come into contact with through their employment and to particularly ensure that no offence is caused on any of the following grounds:

- gender;
- civil status;
- family status;
- sexual orientation;
- religious belief;
- age;
- disability;
- race;
- membership of the traveller community.

These are the grounds on which discrimination in the workplace is prohibited by the Employment Equality Acts 1998–2008.

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Acts or conduct which can constitute harassment includes:

- spoken words (such as jokes, comments, ridicule or songs);
- physical harassment (such as jostling, shoving or any form of assault);
- intimidatory harassment (such as gestures, posturing or threatening poses);
- isolation or exclusion from social activities;
- pressure to behave in a manner that the employee thinks is inappropriate, for example pressure to consume alcohol where this is contrary to an employee's religious beliefs;
- written words or pictures – whether the employee creates or circulates these, for e.g. via office e-mail;
- any other material, for e.g. videos, etc.

It should be noted that it is the impact of the behaviour which is relevant and not the motive or intent behind it.

13. Sexual harassment

Each employee has a right to work in an environment which is free from sexual harassment.

Sexual harassment can be persistent unwanted attention which continues after the person receiving it makes it clear that they want it to stop. Sexual harassment can also be a serious one-off incident.

Sexual harassment covers:

- acts, requests or conduct;
- which could reasonably be regarded as being offensive, humiliating or intimidating; and
- are in fact unwelcome to a particular employee.

In general, each employee is free to determine what behaviour is acceptable to him/her and other employees should respect that person's standards.

Examples of behaviour which can constitute sexual harassment include:

- acts of physical intimacy (such as unnecessary touching, patting or pinching or brushing against another employee's body);
- requests for sexual favours;
- gestures;
- spoken words (such as propositions or pressure for sexual activity, continued suggestions for social activity outside the work place after it has been made clear that this is unwelcome, unwanted or offensive flirtations, suggestive remarks, innuendoes or lewd comments);
- the production, display or circulation of inappropriate:
 - written words,

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- pictures,
- or other material (for e.g. videos, etc).

Employees are reminded that the use of email to circulate jokes, pictures, and so on, can constitute sexual harassment and are reminded that the Employer may occasionally monitor emails in accordance with the Employer's Information Systems Policy.

The Special Grievance Procedure should be initiated if an employee believes that he/she is being sexually harassed by any of the following:

- a co-employee;
- a supervisor;
- customers;
- anybody else whom they regularly come into contact with as a result of their employment, for e.g. suppliers to the Employer.

Employees are encouraged to report all behaviour that they are uncomfortable with and which they feel could be sexual harassment. Each report will be investigated in accordance with this policy.

All complaints will be kept confidential as far as possible and an employee will not be penalised or victimised in any way as a result of making a complaint.

14. Workplace violence

The Employer is also committed to prohibit any form of workplace violence.

Workplace violence includes:

- threats of any kind;
- physically aggressive or violent behaviour, such as intimidation of or attempts to instil fear in others;
- other behaviour that suggests a propensity toward violence, which may include belligerent speech, arguing or swearing, sabotage or threats of sabotage of Employer property;
- defacing the Employer's property or causing physical damage to the facilities;
- carrying weapons of any kind on Employer premises or while conducting company business.

15. Reporting

If any employee observes or becomes aware of any of the above actions or behaviour by an employee, customer, supplier, consultant, visitor or anyone else, he or she should notify their supervisor, HR Coordinator or the Designated Contact Person immediately.

All reports of workplace violence will be taken seriously and will be investigated promptly. In appropriate circumstances, the Employer will inform the reporting individual of the results of the investigation. To the extent possible, the Employer will maintain the confidentiality of the reporting employee and of the investigation but may need to disclose results in appropriate circumstances, for example, in order to protect individual safety. The Employer will not tolerate retaliation against any employee who reports workplace violence.

If the Employer determines that workplace violence has occurred, the Employer will take appropriate corrective action and may impose discipline on offending employees, up to and including immediate termination. If the violence is by a non-employee, the Employer will take appropriate corrective action in an attempt to ensure that such behaviour is not repeated.

If you have any questions concerning this policy, please contact the Human Resources Coordinator (Lorna Mc Grath) or the Designated Contact Person (Tom Ryan).