



## **NATIONAL ARABIAN RACEHORSE ASSOC.LTD.**

### **POLICY AGAINST SEXUAL HARASSMENT**

*Sexual harassment is an unacceptable and unlawful form of behaviour which will not be tolerated under any circumstances.*

#### **NARA'S COMMITMENT**

All people have the right to work in an environment which is free of sexual harassment and victimisation.

The National Arabian Racehorse Assoc. (NARA) is committed to vigorously protecting that right.

NARA will ensure that the working environment in the Arabian Racing Industry is free from sexual harassment.

Disciplinary action will be taken against anyone who harasses or victimises any employee in the Arabian Racing Industry.

#### **NARA'S OBJECTIVES**

NARA's objectives are to:

1. ensure that the working environment in the racing industry is free from sexual harassment and that all members of staff are treated with dignity, courtesy and respect;
2. provide an effective procedure for complaints based on the principles of natural justice;
3. treat all complaints in a sensitive, fair, timely and confidential manner;
4. guarantee protection from any victimisation or reprisals;
5. encourage the reporting of behaviour which breaches the sexual harassment policy;
6. promote appropriate standards of conduct at all times.

*Please review this policy document carefully and be sure you know your rights and your responsibilities.*

### **WHAT IS SEXUAL HARASSMENT?**

Sexual harassment is any unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended.

Sexual harassment can take many different forms - it can be obvious or indirect, physical or verbal.

*Some examples of sexual harassment are:*

#### **Touching**

- \* uninvited touching, embraces or kisses;
- \* unwelcome physical contact such as massaging a person without invitation or deliberately brushing up against them;
- \* touching or fiddling with a person's clothing, such as lifting up skirts or shirts, flicking bra straps, or putting hands in a person's pocket.

## **Verbal**

- \* smutty jokes or comments;
- \* requests for sex or sexual favours, even if made jokingly;
- \* repeated invitations to go on a date after a previous refusal;
- \* sexually explicit conversation;
- \* persistent questions or insinuations about a person's private life.

## **Conduct**

- \* staring or leering at a person or at parts of their body;
- \* stalking;
- \* Offensive phone calls, letters or e-mail messages.

## **Display of Materials**

- displays of sexually graphic material including posters, pinups, cartoons, graffiti or messages left on notice boards, desks, common areas or computer screen-savers.

**Sexual harassment is not** behaviour based on mutual friendship, attraction and respect, or interaction that is consensual, welcome and reciprocated,

# **SEXUAL HARASSMENT IS ILLEGAL**

## **Whenever and wherever it occurs**

Sexual harassment is not just illegal during working hours or in the workplace itself. Such behaviour is illegal in any work-related context, including business or field trips, work-related travel, conferences, and work functions and parties.

## **What does the law say?**

Sexual Harassment is prohibited in Australia by the Federal *Sex Discrimination Act*, and the *Equal Opportunity Act*.

## **What do the Rules of Racing say?**

Stewards are empowered to investigate allegations of sexual harassment and to lay charges and impose penalties under certain Rules of Racing, including:

To inquire into and adjudicate upon the conduct of all officials and licensed persons, persons attendant on or connected with a horse and all other persons attending a racecourse and to punish any such person in their opinion guilty of improper conduct or unseemly behaviour.

The Stewards may punish any person, who, in their opinion, has been guilty of any improper or dishonourable practice in connection with racing.

## **RESPONSIBILITY OF EMPLOYERS**

An employer is vicariously liable for any acts of harassment committed by employees or agents in connection with their duties, unless "all reasonable steps" were taken by the employer to prevent harassment occurring.

Every employer, regardless of business size, is legally required to take all reasonable steps to prevent sexual harassment if they wish to avoid liability.

## **RESPONSIBILITY OF EMPLOYEES**

Every person (including employers, employees and contract workers) are personally legally liable for their own acts of sexual harassment and causing, instructing, inducing, aiding or permitting another to discriminate (including discrimination involving sexual harassment).

All Arabian Racing Industry participants must:

- \* fully comply with NARA's policy against sexual harassment;
- \* not cause, instruct, induce, aid or permit, another person to commit an act of sexual harassment;
- \* not engage in any act of victimisation;
- \* Offer support to anyone who is being harassed, and let them know where they can get help and advice (they should not however, approach the person who is the alleged harasser);
- \* maintain complete confidentiality if they provide information during the investigation of the complaint. Staff should be warned that spreading gossip or rumours may expose them to a defamation action.

## **Disciplinary action**

Any employee who engages in any form of sexual harassment or otherwise breaches the policy against sexual harassment will be subject to disciplinary action depending on the severity of the case, including counselling, transfer, dismissal, demotion or other forms of action. Immediate disciplinary action will be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment.

## **IF YOU ARE SUBJECT TO SEXUAL HARASSMENT**

*Sexual harassment can have a serious and damaging effect on your life.*

It can:

- affect work performance and opportunities;
- create a hostile or unpleasant work environment;
- make you insecure and fearful;
- affect your studies and future career.

**Do not ignore sexual harassment thinking it will go away.**

**Silence may give the impression that sexual harassment is acceptable.**

## **WHAT ARE YOUR RIGHTS?**

- \* Everyone has the right to work in an environment which is free of harassment.
- \* Sexual Harassment is against the law.
- \* Sexual Harassment is against the Rules of Arabian Racing.
- \* Confidential complaint procedures are available.

## **HOW TO MAKE A COMPLAINT.**

Seek a complaint channel that you both trust and feel comfortable with. First, consult your employer's harassment policy procedures and investigate internal complaint channels. External complaint channels include:

- \* NARA's Executives and Managers
- \* Stewards
- \* Equal Opportunity Commission
- \* Human Rights and Equal Opportunity Commission.