

# Sexual Harassment / Discrimination Policy

## BEAUMARIS MOTOR YACHT SQUADRON

This document has been written to inform and educate people about our Club's position regarding a particularly distressing kind of discrimination.

Discrimination in any form, including sexual harassment, is contrary to club values and goes against our philosophy of valuing diversity. It is prohibited practice and will not be tolerated.

It is important that we manage and value diversity and that each of us appreciate our responsibilities in maintaining the highest standards of behaviour.

We encourage you to read this document and if you need further assistance with any items it covers, or any other employment issue, please contact the manager or a board member.

I expect all members to join us in supporting our position on this important issue.

BMYS Board of Directors & Club Management

### Club Position

Every person in this Club has a right to be in an environment where all can realise their full potential and contribute their best, and individual differences are not just tolerated, but respected and valued - an environment where "We" in our vision means "Everyone".

In our statement of Club values, we recognise that our success will rely on how effectively we value and manage our increasingly diverse membership to its complete advantage.

Employees also expect the Club to provide a safe, satisfying and fair workplace, free from discrimination. The Club expects all decisions relating to employment and general working conditions to be based on the principal of merit and equity.

Discrimination in any form, including sexual harassment, is contrary to Club values and goes against our philosophy of valuing diversity. It is prohibited practice and will not be tolerated.

The Club expects everyone to exhibit the highest standards of behaviour at all times. It is very important each of us appreciates our responsibilities in eliminating sexual harassment from the Club.

Any reports of sexual harassment will be treated seriously and fairly. They will be investigated thoroughly and confidentially. Appropriate action will be taken against any person found to be exhibiting behaviours constituting sexual harassment.

### Sexual Harassment

Sexual harassment is formally defined as a range of unwelcome, uninvited and unreciprocated behaviour that constitutes deliberate or unintentional verbal, written, visual or physical conduct of a sexual nature. It extends from unwelcome actions such as gestures and the display of offensive material implicit or explicit material to implicit or explicit demands for sexual activity.

Sexual harassment is intimidating, demeaning and humiliating. It does not arise in the context of friendship or a mutual attraction based upon choice and consent.

Sexual harassment is contrary to the Club's values and policies, and is unlawful.

Many examples of sexual harassment, which are commonly considered trivial, can be personally offensive and disruptive. The degree of offence taken or intensity of emotional difficulty experienced by any given behaviour or incident will vary greatly from individual to individual.

The guiding principal is whether the incident or behaviour is affecting the complainant to the point where it is creating a difficult environment in which to work and learn.

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### Potential examples of Sexual Harassment

Listed are some examples, which describe behaviours, or incidents, which could be constructed as sexual harassment.

#### Verbal, written and visual:

- Calling a person a hunk, doll, babe, honey, dear etc.
- Turning discussions into sexual topics.
- Asking unwelcome personal questions about social or sexual life, including sexual fantasies, references or history.
- Making sexual comments about a person's clothing body or looks.
- Making kissing sounds; howling; smacking lips.
- Telling lies or spreading rumours about a person's sex life.
- Sexual and/or derogatory comments, messages or pictures on calendars, coffee mugs, hats, clothing, etc.
- Unwelcome letters and gifts or giving items of a sexually derogatory nature.

#### Physical:

- Unwelcome hugging or touching a person's clothing, hair or body (eg massaging a person's neck, shoulders, etc) without specific invitation and mutual consent.
- Making facial expressions such as winking, throwing kisses, or licking lips; kissing, stroking, pinching, caressing or fondling.
- Making sexual gestures with hands and/or body movements; touching or rubbing oneself sexually around or in the view of another person; exposing oneself.
- Brushing up against a person; invading a person's body space; standing closer than appropriate or necessary for the work being done.
- Staring at or looking a person slowly up and down.
- Intentionally blocking a person's path or restricting/hindering another person's movements.

#### Situations:

- A customer makes unwelcome sexual comments to marketing representative.
- Because a woman refuses to date her supervisor, he makes her do more work than her male co-workers.
- A male supervisor asks a male employee to stay after work. The male supervisor then makes sexually suggestive comments about the employee's body and asks him to go to a club with him.
- Employees use a sexually explicit software program on their work computers.
- A Manager tells a female employee that the reason she has headaches is that she is not getting enough sex.
- Two women talking in a hallway stop their conversation to stare at a man's buttocks as he walks by.
  
- Members or employees speculate about another person's virginity.
- An employee, member or contractor is talking loudly across their cubicle wall about their sexual experiences during the last weekend.
- Two male employees say to a female co-worker that "she took that job from a man", "she should stay home and have kids", "women can't do this work" and "they had to take down their calendars because of her".

### Dealing with Sexual Harassment

If you believe that you are the subject of sexual harassment, the best response is to immediately take firm and positive action in the knowledge that the Club will fully support you.

- Make the person or persons aware, immediately, that their actions are unwelcome. Your assertiveness can often prevent the situation from developing any further.
- If the behaviour continues, report your sexual harassment complaint to your supervisor, or a member of senior management.
- Your complaint will be attended to promptly and confidentially, and investigated impartially and thoroughly.
- All complaints will be treated seriously and fairly aiming to ensure that the harassment, if substantiated, does not happen again.

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- If your complaint is substantiated, the harasser will be disciplined. This can range from a warning and counselling to removal of membership, demotion or even termination of employment.
- Where investigation shows a complaint to be invalid, both parties will be informed the outcome and the reasons.

### Accountability

All Club personnel are accountable for ensuring sexual harassment is not in our club.

The Club Directors and Management have responsibility for our policy on sexual harassment and every member, and employee is accountable for supporting and implementing it.

Anyone working for, representing or acting on behalf of the club in any capacity is expected to understand and behave in accordance with the club's position on sexual harassment.

### Implications

Discrimination in any form, including sexual harassment, is contrary to Club values, and is unlawful. It is in everyone's best interests to work together to resolve complaints immediately.

There is a range of issues of law surrounding sexual harassment. These legal issues are complex and cannot be dealt with in detail in this document. In summary, companies and individuals can be liable for substantiated cases of sexual harassment.

### Some useful definitions:

#### Diversity:

Diversity is the many different perspectives, approaches, talents and aspirations we bring to our club. Diversity includes nationality, ethnicity, race, gender and many other aspects of our background and identities including age, style, religion, geography, family status, occupation, sexual preference, physical and mental ability and other differences. Some of our differences are unique to us as individuals and others connect us to groups of people. The strength of diversity is realised by valuing all of these differences. In the business sense, a club culture based on valuing diversity will encourage and value differences between individuals. Successful management of diversity will see each person realising their full potential and contributing their best.

#### Discrimination:

Any action, which specifically excludes a person or group of people from a benefit or opportunity, or significantly reduces their chances of obtaining it, because a personal characteristic irrelevant to the situation is applied as a barrier.

Discrimination can be by gender, race, age, disability, marital status, family responsibilities, sexual preference, ethnic background, political or religious conviction, trade union activity, pregnancy, association or any other factor unrelated to a person's position or ability to perform or develop in the workplace.

#### Harassment:

A range of unwelcome, uninvited and unreciprocated behaviour directed to another person or group of people. It is intimidating, demeaning and humiliating to a complainant and creates a difficult and hostile environment in which to work and learn.

### The final word!

We do not want sexual harassment in our Club. It is totally alien to our values and goes against our philosophy of valuing diversity within our Club.