How to deal with a complaint...

The RIGHT way

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The contents of this publication are for information purposes only and should not be substituted for legal advice.
In November last year members of the Board’s Aboriginal and Torres Strait Islander Outreach Team visited Wilcannia as part of the Good Services Mob.

The Good Services Mob is made up of NSW government service organisations that regularly visit and consult Aboriginal communities in metropolitan and rural NSW with the aim of improving service delivery.

There were many issues raised at the Community Awareness Day. The Indigenous community of Wilcannia expressed concern that they are treated differently from other Wilcannia residents. Examples raised ranged from being charged more for basic goods to excessive scrutiny of their leisure activities.

Other community members expressed frustration that when they proposed initiatives to assist Wilcannia youth by operating activities they had stumbling blocks put in their way. Indigenous representatives were angry that their community was targeted for harsh and arbitrary treatment by some commercial and government bodies. They felt that these problems are exacerbated in a remote community like Wilcannia where residents have limited choice of activities and commercial services. They also felt that if they complained they were in danger of being treated even more harshly and may need to travel long distances to seek alternatives.

Board staff briefed me on the issues that had been raised and we decided that a follow-up visit was required.

In June, members of the Board’s Aboriginal and Torres Strait Islander Outreach team and I met with representatives of key community organisations as well as the Mayor of Wilcannia Shire Council, Ray Longfellow, and the General Manager of the Council, Tim Drew.

The visit fostered greater understanding of the needs of Wilcannia’s indigenous community and should lead to better communication within the Wilcannia community. A follow-up visit is being planned in the near future.

Stepan Kerkyasharian AO

The President of the Anti-Discrimination Board, Stepan Kerkyasharian AO (bottom right) with members of the Board’s Aboriginal and Torres Strait Islander team and members of the Wilcannia community.
How to deal with a complaint
The right way!

Two recent complaints to the Anti-Discrimination Board illustrate positive ways organisations can respond to allegations of discrimination. In both cases the constructive actions of the companies not only resolved the initial incidents but also set up policies and practices that would prevent similar incidents occurring in future.

In the first case a father and daughter visited a major furniture store. The daughter, who has a disability, wanted to play in the children’s activity centre. The father asked if he could accompany her into the playground but was refused by the stores staff. The father lodged a complaint with the Board alleging disability discrimination.

Initially the store maintained that its refusal was based on legislation governing children’s play facilities that restrict access to adults not employed by the organisation. However once a conciliation conference was scheduled and the store’s Customer Relations Manager became involved, the situation was resolved quickly and with compassion.

The store undertook to:
• issue a formal apology;
• invite the girl to come back to the children’s activity centre;
• retrain staff working in children’s activity centre; and
• develop additional policies to assist carers and children with special needs.

In the second case a blind woman and her friend were refused service at a restaurant because the woman had a guide dog. The women lodged a complaint with the Board. When the Board notified the restaurant owner, he apologised to the women and asked them to return to the restaurant. He also contacted Vision Australia and arranged training for himself and all his staff. The training included information on dealing with companion animals and guidance on how to set out the meal so that visually impaired people can access it easily.

The women were pleased with these actions and agreed that they were satisfied and settled the complaint. The positive actions of the restaurant owner sped up the settlement process and avoided the need for a conciliation conference.

For more information

The following Anti-Discrimination Board publications are available for sale:

● Guidelines for Managers and Supervisors: Preventing discrimination and harassment
● Guidelines for non-supervisory staff: Discrimination, Harassment and Equal Opportunity
● NSW Anti-Discrimination and EEO Guidelines for small business owners and managers
● Grievance Procedure Guidelines

For more information or to order, contact Milly Stylli on (02) 9268 5530
People of all ages are now using social media as a major means of communication. Workplaces must develop policies that acknowledge this. In the workplace social media is increasingly being used for official and unofficial internal and external business communication, corporate brand management, consumer profiling, professional networking and to find out about job applicants.

When developing policies on the use and abuse of social media organisations need to consider relevant state and federal:

- anti-discrimination laws;
- industrial legislation;
- workplace health and safety laws; and
- privacy legislation.

In determining whether online behaviour could constitute unlawful discrimination or harassment we need to take into account the definitions of discrimination. The NSW Anti-Discrimination Act 1977 (ADA) renders unlawful discrimination based on a person's age, disability, homosexuality, marital or domestic status, race, responsibilities as a carer, sex (including pregnancy and breast feeding) and transgender status. Sexual harassment, vilification and victimisation are also unlawful under the ADA. For more information on the grounds of discrimination and definitions of harassment and bullying readers should consult ADB fact sheets available on our website.

For an employer online discriminatory, harassing or bullying behaviour by employees is a risk. An employer needs to ensure employees have a clear understanding of the use of social media in the workplace for both personal and official purposes.

Risks for employers include:

- loss of productivity;
- vicarious liability for employees use of social media;
- leaking of confidential corporate information;
- cyber bullying, discrimination or harassment of fellow workers by employees;
- copyright infringement and reputation damage.

Companies can even be held responsible for false, misleading and deceptive testimonials published on their Facebook pages by outside observers.

When using social networking sites employees must remember there is no start or finish time and no geographic boundaries to work. If you are stating opinions about work or colleagues in the virtual world, employees need to consider what is being said may be tested legally. Employees are entitled to privacy but not protected by complete immunity. Inappropriate online behaviour does not always provide grounds for termination. If 'online' behaviour is likely to cause serious damage to the employment relationship or to the employer's interests, disciplinary action, including termination, may be justified, even if the material was

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**What are people doing on social networking sites?**

So what are we doing on social media: Every minute of the day:

- 100,000 tweets are sent
- 684,478 pieces of content are shared on Facebook
- 2 million search queries are made on Google
- 48 hours of video are uploaded to YouTube
- 47,000 apps are downloaded from the App Store
- 3,600 photos are shared on Instagram
- 571 websites are created
- $272,000 is spent by consumers online

(source: AllTwitter)
posted outside working hours.

However, a derogatory comment online about the workplace is not necessarily an immediate reason for dismissal. Factors such as the harshness of the comment, whether people are named and the level of exposure are all relevant considerations.

Employers must not make decisions based solely on information on social networking sites. Employees may have social personalities that are different to their work personalities and details such as relationship status are irrelevant. Managers should not ‘friend’ their employees on Facebook, there can be unintentional consequences and increased liability as employees can claim employment decisions were made based on personal information found on their social networking profiles.

What can we learn from Case Law?

Panlock Case (Vic, Feb 2010)
Brodie Panlock, a waitress at Café Vamp committed suicide as a result of ‘relentless bullying’ including via social media (Facebook).
WorkSafe was successful in prosecuting the employer. The employer was convicted and fined $220,000 for failing to provide a safe system of work and failure to provide employees training and supervision to prevent risks. This case emphasises that liability and substantial penalties can arise for both employers and company directors where there is a failure to provide a safe workplace or train managerial staff on how to handle bullying behaviour amongst employees. ‘Brodie’s Law’ in Victoria now criminalises bullying (including cyber bullying) in the workplace.

Webb received pornographic emails from a co-worker. Webb informed her employer of the harassment, but was told no formal action could be taken until she lodged a formal complaint. The Tribunal emphasised that employers will be unable to point to harassment policies and the existence of a formal complaints mechanism to escape liability in cases where the employer was made formally aware of workplace bullying, but failed to act. The employer was forced to pay $14,665 in compensation.

Dover-Ray v Real Insurance Pty Ltd [2010] FWA 8544
An employee placed a blog on MySpace criticising the conduct of her employer following the outcome of a sexual harassment investigation and refused to remove the post. The issue in this case was that social networking sites provide the opportunity for employees to publicly express their displeasure with their employers and potentially bring the organisation into disrepute. Commissioner Thatcher described the blog in question as ‘an attack on the integrity of the management’ and found that the dismissal was not unreasonable due to the employee’s refusal to remove the blog within a reasonable timeframe.

Fitzgerald v Dianna Smith T/A Escape Hair Design [2010] FWA
A hairdresser was compensated for being unfairly dismissed after posting insulting comments about her employer on Facebook, ‘Xmas ‘bonus’ alongside a job warning, followed by no holiday pay!! Whoooooo? The Hairdressing Industry rocks man!!! AWESOME!!’. The Commissioner found that while the post was serving to undermine the employer’s trust and confidence in the employee she hadn’t damaged the business and fell short of providing a valid ground for dismissal.

Lukaszewski v Capones Pizzeria Kyneton [2009] AIRC 280
Mr Lukaszewski alleged that he was dismissed because of status updates on his Facebook profile that said he was ‘pissed off’. The employer alleged that the comments were directed at them and applied for the case to be dismissed. The Facebook entry did not reveal to whom it was directed or make specific reference to the applicant’s employment. The employer’s motion was dismissed.

Mr Anthony Dekort v Johns River Tavern Pty Limited T/A Blacksmiths Inn Tavern [2010] FWA
A full-time bar attendant had his employment terminated for misrepresentation. He said that he was unfit for duty 30–31 December, provided a medical certificate issued 4 January 2010 and placed a claim for payment of sick leave. The Employer then discovered he had posted photos on his Facebook site enjoying New Years Eve celebrations. The Deputy President Harrison dismissed Mr Dekort’s application for unfair dismissal due to the
inconsistency of his claims with the photographs.

O’Keefe v The Good Guys [2011], FWA5311

Mr O'Keefe posted on his Facebook page: 'F**king work still haven't managed to pay me correctly. F**king c**ts are going down tomorrow.' He was dismissed for bullying and sexual harassment. His employer took this as a threat to the woman who did his pay. The comment was posted out of hours and only about 70 friends could access the page. Seven of these, however, were work mates and the woman targeted found out. His action for unfair dismissal was dismissed. He knew that colleagues would see the post and common sense would dictate that you couldn’t make insulting and threatening comments about colleagues or employers. It doesn’t matter from where they are sent or at what time. Mr O’Keefe’s comments amounted to serious misconduct.

Other Cases

Another decisions involved a supermarket dismissing eight workers for ‘planking’ and placing the photos on Facebook. The behaviour was a serious breach of work, health and safety laws.

What action do Employers need to take?

1. Employees should be aware that inappropriate behaviour on social media may have serious consequences. Whether the employee is using the company’s IT resources or not, behaviour that brings the organisation into disrepute or makes another employee’s work environment hostile or uncomfortable is prohibited by law.

2. Communication is the key – Employers must have clearly defined policies that are clearly communicated and understood by employees.

3. Protection for both the employees and the company can be achieved through the development of policies and behavioural guidelines. While the existence of a policy cannot completely safeguard an employer from liability, courts may consider the absence of such a policy as evidence the employer authorised or sanctioned the employee’s misconduct.

4. Set boundaries by clearly communicating what employees can and cannot do on social networks. State what the organisation will and will not do to monitor internet usage, what restrictions exist, what consequences may result from breaches of policy. Include other policies that might be affected by social media (including ethics, code of conduct, IT, employment contract, confidentiality, harassment etc).

5. Make it clear to employees that their posts are their own views and not those of their employers. Employees must understand they must respect copyright and disclosure laws, use no offensive language, must not comment on legal matters unless authorised to do so. Employees must understand failure to adhere to policies may result in disciplinary action.

6. Policies should make people stop and think about the implications before posting. Highlight that you cannot hide behind disclaimers.

7. Finally, courts and tribunals do not view it as enough to just have the policies in place and available to employees. Training on social media (not just the policy) and its appropriate use in the workplace should be implemented alongside the policies. Employee training should be ongoing, transparent and inclusive. Training should clearly highlight that employees do not have complete privacy when it comes to social networking sites.

In August 2012, the ADB held a successful pilot Seminar on the ‘Challenge of Social Media’. Contact the ADB if you would be like more information about this seminar in 2013.

A list of references for sources used in this article is available, send an email to adbcontact@agd.nsw.gov.au.
Recent high profile sexual harassment cases have left the public with an impression that complainants have been rewarded with large payouts. The record $850,000 payout to Kristy Fraser-Kirk in the infamous David Jones case is far from the norm with a recent research report showing that half of all financial settlements for sexual harassment are below $10000.

The research report has shown that, despite anti-discrimination laws, sexual harassment is a persistent workplace issue with considerable costs for individuals and organisations. The report was conducted by Professor Sara Charlesworth from the University of South Australia and Paula McDonald from the Queensland University of Technology. The researchers analysed complaints to all state, territory and federal discrimination bodies, including the Anti-Discrimination Board of NSW, over a six month period where a complainant had alleged sexual harassment in the area of employment.

The report, which was published in March 2012, analysed 284 sexual harassment complaints lodged at anti-discrimination bodies between 1 July 2009 and 31 December 2009.

Who complained?

The typical profile for a complainant was a young women who had been working for an organisation for less than three years. Their harasser was most likely to be a male who was in a supervisory or senior position.

The overwhelming majority (84%) of complainants were women. Nearly one-third of female complainants were under 24 and just over 60% were under 35. In contrast the majority of male complainants were aged over 35.

Over three quarters of complainants (78%) had been in their job for less than three years. Only seven complainants had been in their jobs for more than ten years. The majority of complainants had been in their job for less than 12 months.

A majority of complainants were employed in white collar clerical jobs (55%). The rest were distributed across blue collar operating and labouring jobs (16%); professional positions (12%); managerial positions (24.9%) and blue collar craft and related manual trades jobs (8%)

Most complainants (59%) lodged their complaints after they had left their positions.

Who were the alleged harassers

The alleged harassers were overwhelmingly male (89%). Six female complainants alleged they were harassed by both male and female harassers (2%). Amongst the male complainants 69% alleged they were harassed by a man and 31% by a woman. Ten female complainants alleged (4%) they were harassed by a woman.

Two thirds of harassers were in a senior or supervisory position to the complainant. Co-workers accounted for 23% of alleged harassers.
How were they harassed?

Fifty-one per cent experienced some kind of physical harassment and of these complainants, the vast majority (85%) also experienced non-physical forms of sexual harassment. Male complainants were twice as likely to report physical sexual harassment only whereas a larger proportion of female complainants reported both physical and non-physical sexual harassment. According to the researchers the survey data suggests that formal complaints are more likely to be made when the harassment involved physical sexual harassment.

The most common types of sexual harassment identified were sexually suggestive comments or jokes (74%), unwelcome touching (37%), inappropriate physical contact (29%), intrusive questions about private life or appearance (29%) and requests for sex or other sexual acts (21%). Seven out of ten complainants alleged two or more types of physical and/or non-physical types of conduct had occurred.

Sixteen per cent of complainants described the harassment as a one-off incident while 18% alleged the harassment lasted between one and three months. In 12% of cases the alleged harassment lasted for more than a year. Female complainants were more likely to report the harassment occurring on an ongoing basis than males who were twice as likely to report the harassment occurring on a sporadic basis or as a one-off incident.

For the complainants the consequences of sexual harassment were serious. Six out of ten complainants reported that they had lost their jobs through forced resignation/constructive dismissal or dismissal/redundancy. Other significant consequences reported included deterioration in workplace relationships and changes to terms and conditions of employment.

More than six out of ten complainants claimed at least one additional ground of discrimination under the relevant anti-discrimination laws. The most common additional ground claimed was sex discrimination (37%) while 27% also claimed they had been victimised because of their complaint. Male complainants were more likely to lodge a complaint on the grounds of victimisation, race, sexual orientation/gender identity disability/impairment and parental/carer status compared to female complainants who were twice as likely to lodge a complaint on the grounds of sex.

The typical profile for a complainant was a young woman who had been working for an organisation for less than three years. Their harasser was most likely to be a male who was in a supervisory or senior position.

Complaint Outcomes

Of the 284 complaints lodged 94% were accepted and further investigated or commenced conciliation. Eight complaints were withdrawn six were not accepted and four were determined to have no prospect of conciliation.

Of the complaints that were accepted three-quarters started or were referred to conciliation. The remainder were either declined after investigation, withdrawn, determined to have no prospect of conciliation or contact was lost with the complainant. Of the 202 complaints that went to or were referred to conciliation 44 were withdrawn before any conciliation conference was held and of these 33 were settled privately.

Of the remaining 158 that went into or were referred to and attended a conciliation conference: 84 were conciliated, 57 were determined to be non-conciliable and 13 complaints were withdrawn and settled privately.

Some sort of settlement was reached in 51% of the complaints accepted. Twenty-nine per cent were settled without a conciliation conference and the rest were settled either during, or after attending, a conciliation conference.

Seventy-two per cent of the complaints where data was available and a settlement was reached received some form of financial compensation. An apology/statement of regret or acknowledgement was agreed to in 35% of settled complaints. Thirty-six percent of settlements also included provision for sexual harassment training or a change an organisation’s policies or practices.

The lowest amount of financial compensation received was $364 and the largest was $114,128 with an average amount of $13,586 per complainant. More than half of the complainants who received financial compensation received less than $10,000 in compensation. In many cases the basis for compensation included redundancy, termination and leave entitlement payments and therefore do not reflect direct compensation for the sexual harassment experienced by the complainant.
Avoiding vicarious liability in sexual harassment cases

‘More than a policy in place’

A recent male to male sexual harassment case highlights the need for employers to have clear and well communicated anti-discrimination and harassment policies. In addition employees need to receive professional training in these policies.

An assembly line worker was sexually harassed by a fellow worker for more than four months. Mr Menere alleged that Mr Singh had harassed him by actions including: rubbing plastic piping in a suggestive manner; repeatedly asking Mr Menere to go to the toilet with him; placing his groin on Mr Menere’s forehead while he bent over a workbench; and, on three separate occasions returning from the bathroom with hand wash soap squirted on tissue paper implying it was bodily fluid.

After frequently telling Mr Singh to stop harassing him Mr Menere made a formal complaint after an incident where he was grabbed from behind by Mr Singh who repeatedly thrust his pelvis against him. He felt ‘publicly humiliated’ in front of his colleagues.

When the leading hand and health and safety officer heard about the incidents he moved Mr Singh away from Mr Menere and arranged a meeting between the two workers. At the meeting Mr Singh denied the allegations and refused to apologise. The operations manager was then told of the incidents and he terminated Mr Singh’s employment for breaching the company’s sexual harassment policy.

Mr Menere was treated for traumatic stress disorder and lodged a complaint with the Queensland Civil and Administrative Tribunal.

The Tribunal found the actions of Mr Singh constituted ‘unwelcome conduct of a sexual nature’ that was done with the intention of ‘offending, humiliating or intimidating’ Mr Menere. Mr Singh was ordered to pay Mr Menere $5000 in damages and $3000 for future medical expenses.

The Tribunal found that the company was not vicariously liable for Mr Singh’s behaviour because it had taken all reasonable steps to educate its workers about sexual harassment, including issuing a handbook containing guidance about how employees should manage a situation where they received unwelcome attention and conducting training courses which Mr Singh had attended.

In addition the company had done ‘more than have a policy in place’ by investigating the complaint promptly and terminating Mr Singh’s employment.

Menere v Poolrite Equipment Pty Ltd & Anor, 2012 QCAT 252.

Swift response to complaint avoids liability

The NSW Administrative Decisions Tribunal has found that a country motel that responded quickly to a sexual harassment complaint against its manger was not vicariously liable.

Three members of Narrabri Bowling Motel committee investigated a complaint against the motel manager within one day of the housemaid complaining of sexual harassment. Their actions prevented any further incidents the Tribunal found.

The housemaid complained that the manager twice brushed up against her and on another occasion told her ‘I’m here to get between your legs’.

The full bench of the ADT ordered the manager to pay the former housemaid $7500 after accepting her allegations. It found that the committee members swift response worked in the committee’s favour stating that it was ‘difficult to envisage what more an employer could have done’.

Hughes v Narrabri Bowling Motel Limited [2012] NSWADT 161

These cases illustrate that an important as part of implementing zero tolerance to workplace harassment includes providing training to all employees and managers.

The Anti-Discrimination Board of NSW provides in house tailored training sessions for employers and service providers. Some of these sessions include ‘Preventing Harassment & Bullying in the Workplace’; ‘Grievance Handling’ and ‘Developing Contact Officer Skills’. For more information about these sessions please contact Sharmalee Elkerbout, Manager Education Services, Anti-Discrimination Board of NSW on 92685520.
ADB Posters

The ADB has a series of attractive posters that promote the rights of people in NSW. Our posters are a colourful and stimulating way of reminding people about their rights and responsibilities under anti-discrimination law.

A new poster highlighting the rights of carers is now available.

Posters cost $7.50 each plus postage and handling and GST. There are discounts available for bulk purchases.

To order posters, download an order form from our website (http://www.lawlink.nsw.gov.au/adb) and fax it to us on (02) 9268 5500. The form also gives details of the bulk discounts. Orders must be received in writing so please use the supplied order form. For more information contact Milly Styli on (02) 9268 5530 or 1800 670 812.

To view the posters visit our website at http://www.lawlink.nsw.gov.au/lawlink/adb/ll_adb.nsf/pages/adb_posters

Three of our posters are designed specifically for the workplace and include space to add contact details for your organisation. The other posters are designed for a variety of settings but will also be effective in workplace environments. One poster has a brief message about discrimination in thirteen languages.

Displaying our posters will help reinforce the message that your organisation does not tolerate discrimination or harassment.
Community Outreach

Homeless Connect

The ADB participated in Sydney Homeless Connect on 5 June at Sydney Town Hall and the Hunter Homeless Connect on 7 August at the PCYC in Broadmeadow.

Homeless Connect is designed to bring together people who are homeless and at risk of homelessness in NSW, with the services and support that they need, whilst providing them with a positive day they will remember. The focus is on achieving outcomes while the participants are at the event.

Services provided at the event included:

- a hearty lunch;
- showers & haircuts;
- free clothing, footwear, massages and books;
- housing & employment assistance;
- legal advice, counselling services; and information on child support agencies;
- health checks by doctors, dentists and optometrists;
- pet checks and pet care advice;
- internet and phone services; and
- music, games and entertainment.

The whole event relies on donations of time, skills and goods. At the end of the day any excess donations are passed on to organisations that work in the field so that everything given reaches the community it was intended for.

The ADB had an information stall at both events and spoke to many homeless people about disability, age and Hepatitis C discrimination.

JOIN meets the ADB

The ADB Community Educator, Claire William, hosted the latest JOIN meeting at the ADB offices on the 27 June.

An important role in community education is sharing information with other agencies. JOIN is a group comprised of state and federal government and not for profit agencies who provide community education to community groups. JOIN shares information to assist community educators provide information to the community on their various services.


The June meeting was an opportunity to gather and share information about community training sessions, information stalls, publications and merchandise.

Sharmalee Elkerbout, Manager ADB Education Services, provided information about ADB Education Services to the group and Claire Williams presented information about the grounds and areas of discrimination covered under the Anti-Discrimination Act and how clients can make a complaint to the ADB.
Aboriginal & Torres Strait Islander Outreach Program

NAIDOC Week 2012

The Aboriginal & Torres Strait Islander Outreach Team participated in a number of NAIDOC Week events, both, large and small, right across suburban Sydney.

The team attended events in Airds, Bankstown, Campbelltown, Gosford, Jannali, Katoomba, La Perouse, Parramatta, Penrith, Richmond, Riverstone and Woolloomooloo handing out show bags containing ADB pamphlets, magnets, pens and wristbands. The team answered questions about discrimination issues and general questions about anti-discrimination legislation.

Felicity attended the Burramatta Family Fun Day on Sunday, 8 July in Prince Alfred Park at Parramatta. It was a fabulous day, with a combination of government and community organisations participating in activities that ranged from distributing information to selling artwork. ‘They had an amazing range of entertainers for all ages as well as a range of activities from a health tent to entertainment for the kids’ Felicity said.

Other large NAIDOC Week events took place at Koshigaya Park in Campbelltown and Jamison Park in Penrith, and some smaller events such as flag raising ceremonies and information stalls were conducted at many other locations across Sydney by Outreach Team members Sally-Ann and Caine.

Community Training

The ADB offers community training sessions to not-for-profit agencies, community groups and university, school and TAFE students.

If you are interested in a one or two-hour session for your community group please contact Claire Williams, Community Education Officer. Sessions are tailored to suit individual groups so contact Claire via email or phone to discuss your group’s needs.

Areas covered include:

- What is the role of the Anti-Discrimination Board and other agencies that administer anti-discrimination law?
- What are your rights and responsibilities under NSW anti-discrimination law?
- What is unfair treatment?
- Understanding direct discrimination and indirect discrimination.

- What areas of public life does anti-discrimination law cover?
- Exceptions and Exemptions from the NSW Anti-Discrimination Act 1977.
- What can someone do when they are being discriminated against?
- Lodging a complaint with the Anti-Discrimination Board.

Contact

Claire Williams, Community Education Officer, Education Services, Anti-Discrimination Board of NSW.
Level 4, 175 Castlereagh Street, Sydney NSW 2000, PO Box A2122, Sydney South NSW 1235
Email: claire_williams@agd.nsw.gov.au
Ph: 02 9268 5518 or 1800 670 812 Fax: 02 9268 5500
Anti-Discrimination Board of NSW

Seminars 2012

The ADB’s seminar series is a leading training program designed to keep you up-to-date with the latest trends in workplace relations.

- grievance handling
- contact officers
- EEO in recruitment and employment
- policy development
- preventing harassment and bullying
- psychiatric disabilities
- new case law

NEW SEMINARS

- sexual harassment
- social media
- managing age diversity

For more information on our seminar program visit:

To register for seminars contact Milly Stylli on (02) 9268 5530 or 1800 670 812 or complete the registration form on the next page
ADB Seminar registration 2012

Title __________________________ First name __________________________ Last name __________________________

Position __________________________

Employer __________________________

Postal address __________________________

Phone __________________________ Fax __________________________ ABN/ACN __________________________

Email __________________________

Seminar (please tick relevant date)

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**TOTAL (prices include GST)**

Payment method

☐ cheque (made payable to the Anti-Discrimination Board of NSW)

☐ purchase order number __________________________

☐ credit card ☐ visa ☐ mastercard

Name as it appears on card __________________________

Signature __________________________

card number __________________________ verification no __________________________

Expiration date __________________________

☐ EFT (We will send you an invoice and banking details)

Special dietary requirements ☐ no ☐ yes

Please specify __________________________

Where did you hear about our seminars?

☐ this flyer ☐ ADB website ☐ word of mouth

☐ other (please specify) __________________________

How to register for seminars

1. Photocopy the registration form, fill it in and keep a copy.
2. Send the form to us by fax to (02) 9268 5500, scan and email to adbcontact@agd.nsw.gov.au, or post to PO Box A2122, Sydney South NSW 1235.
3. If you have indicated that you intend to pay by EFT, we will send you an invoice and banking details.
4. We will send you a confirmation letter and details of the venue at least a week before the date of the seminar.
5. If you have any questions about your registration please phone Milly Stylli on (02) 9268 5530.

Venues

Sydney: Hyde Park Forum, Level 1, Hyde Park Inn, 271 Elizabeth St, Sydney NSW 2000

Newcastle: Wests Mayfield, 32 Industrial Drive, Mayfield NSW 2304

Cancellation policy

If you are not able to attend a seminar, another representative from your organisation is welcome. However if no one is able to attend:

- You will receive a total refund if you give us more than 15 working days written notice before the seminar date.
- You will receive a 50% refund if you give us between 8 and 15 working days written notice before the seminar date.
- You will not receive any refund if you give us less than 8 working days notice before the seminar date.

Transfers

- To transfer your booking to a later date, you must give the Board at least 8 working days written notice before the date of the original seminar.
- A non-refundable transfer fee of 30% of the seminar fee (which includes GST) will apply if you transfer your booking to a later date.
- If you do not attend on the day, you cannot transfer your booking and you will not receive a refund.
- You can make a maximum of one transfer to another date within 12 months (the abovementioned transfer fees apply), after which you will forfeit your seminar fee.

Privacy statement The personal details collected by the Anti-Discrimination Board of NSW (ADB) are for the purpose of processing your seminar registration. We may also send you information about our training services in the future. Your personal details will only be available to ADB employees involved in processing your registration and/or sending you information.

Discrimination, Harassment and EEO issues

In-house training for employers and service providers

The Anti-Discrimination Board provides an extensive series of training programs designed to be delivered in-house. We come to you! We can design and deliver a program specifically for your organisation and industry.

Our training sessions are highly interactive and use a range of scenarios, exercises and activities to stimulate interest and discussion. They will raise managers and staff awareness of discrimination, harassment and EEO issues as well as send a powerful message that your organisation does not tolerate discrimination or harassment.

Our in-house training sessions range from a two-hour awareness program for non-supervisory staff to half or full-day sessions for senior managers and supervisors.

Generally we train groups of up to 15–20 people. In some cases we may recommend smaller groups.

All our programs are competitively priced, with two-hour non-supervisor sessions for 20 people starting at $53.25 (+GST) per participant and full-day sessions for 15 managers starting at $169.67 (+GST) per participant.

The fee for our on-site training programs also includes reviewing your policies and procedures, all preparation and delivery time, and publications for each participant.

For more information please call the Manager Education Services, Sharmalee Elkerbout, on (02) 9268 5520 or 1800 670 812.
STOP DISCRIMINATION

Don’t put up with it
Don’t let them get away with it

Make a complaint — Get confidential advice contact the Anti-Discrimination Board of NSW
Phone: 9268 5544 or 1800 670 812 ♦ adbcontact@agd.nsw.gov.au ♦ www.lawlink.nsw.gov.au/adb

What types of discrimination do we deal with?
The NSW Anti-Discrimination Board can only deal with discrimination complaints that are covered by the NSW Anti-Discrimination Act. This means that we can only deal with a discrimination complaint if:

- it is based on any of the grounds listed below and happens in one of the areas of public life listed below; or
- it is racial, homosexual, transgender or HIV/AIDS vilification, that is, a public act of incitement to hatred, serious contempt or severe ridicule.

The laws do not allow us to deal with discrimination complaints based on other grounds (e.g. religion, political conviction), or based on events in your private life.

Grounds
- Sex (including sexual harassment, pregnancy and breastfeeding)
- Race (including colour, nationality, descent, and ethno-religious or national origin)
- Marital or domestic status
- Homosexuality (male or female, actual or presumed)
- Disability (past, present, future, actual or presumed)
- Age
- Transgender status
- Carer’s responsibilities (in employment only)

Areas
- Employment
- Education
- Obtaining goods and services (e.g. credit, access to public places, entertainment, government or professional services)
- Accommodation
- Registered clubs

ISSN 1033–7504 PP297537/00152
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Where we are

Sydney
Level 4, 175 Castlereagh Street, Sydney NSW 2000
PO Box A2122, Sydney South NSW 1235
ph (02) 9268 5555, fax (02) 9268 5500, TTY (02) 9268 5522
Enquiries/Employers Advisory Service (02) 9268 5544

Wollongong
84 Crown St, Wollongong NSW 2500
PO Box 67, Wollongong NSW 2520
ph (02) 4224 9960 fax (02) 4224 9961
TTY (02) 4224 9967

Newcastle
Level 3, 97 Scott St
Newcastle NSW 2300
PO Box 1077, Newcastle NSW 2300
ph (02) 4926 4300 fax (02) 4926 1376
TTY (02) 4929 1489

Toll free number — 1800 670 812