



## BY-LAW – HARASSMENT

NSW Stoma Limited (“NSW Stoma”) is a not-for-profit company dedicated to the support of members who have undergone surgery resulting in a Colostomy, Ileostomy, Ileal Conduit, Urostomy or other external pouch procedure.

This by-law is to be read in conjunction with NSW Stoma Limited Constitution (version 1.03). Interpretations for the purpose of this by-law.

---

### Company means:

NSW Stoma Limited

### Member means:

- A) Registered members
- B) Associated members
- C) Honorary members

### Associate means:

- D) Contractor/s to the Company
- E) Visitor(s) to the Company
- F) Employee(s) of the Company

---

### Offensive Behaviour

The Directors of the Company have resolved to circulate this document to inform members and associates of the process available to the Company in the event of:

- Offensive Behaviour
- Aggressive Behaviour
- Threatening Behaviour
- Bullying Behaviour
- Sexually inappropriate behaviour by members or associates.

Article 17 of the Constitution provides for a process for disciplining members in circumstances where a member (or associate) has either breached the Constitution or the member’s or associate’s behaviour is causing, has caused or is likely to cause harm to the Company.

The Directors are likely to take the view that the following types of behaviour are causative to harm;

- a) Verbal or physical aggression directed to any member or associate of the company.
  - b) Any form of threatening, humiliating, or intimidating behaviour towards a member or associate of the Company.
  - c) Bullying including any unreasonable behaviour towards a member or associate of the Company causing a risk to their safety in the workplace (consider Fair Work definition)
- And
- d) Sexual Harassment and inappropriate or unwanted sexual approaches to a member or associate of the Company.

All correspondence to: PO Box 164, Camperdown NSW 1450

The instance of behaviour referred to above may occur in person, by telephone, by electronic media or in writing.

If a member or associate believes that he/she has been subjected to such behaviour then the member or associate should in the first instance produce their complaint in writing and provide a copy of that complaint to the Secretary of the Board of Directors as soon as possible after the event.

The process envisaged by the Constitution is that the Directors will meet to consider the written complaint. The Directors will then engage in a process which is governed by the principles of natural justice to consider whether the complaint is substantiated (made out).

If the complaint is substantiated (made out), the sanctions available to the directors could include warnings, suspending, expelling or disciplining the member or associate.

Of course, if the Directors determine the behaviour subject to the complaint is of sufficient seriousness, then there is likely to be notification to the police.

