



SEXUAL HARASSMENT POLICY

Sexual Harassment Policy

1. Purpose

- 1.1 Tennis' vision for diversity is to foster a safe, inclusive and diverse workplace that is reflective of the community we serve.
- 1.2 Tennis is committed to maintaining an environment free of sexual harassment.
- 1.3 This Sexual Harassment Policy (**Policy**) is designed to clearly set out behaviors that are considered unsafe, unacceptable and unprofessional by Tennis, and which can also be unlawful. Our commitment to preventing these behaviours fosters a working environment where people are safe and treated with courtesy, dignity and respect.

2. Application

This Policy applies to:

- (a) all employees (whether they are full-time, part-time, casual, permanent or temporary) employed by Tennis Australia (**TA**), the Australian Tennis Foundation (**ATF**) or any of the Member Associations (**MA** or **MA**s);
- (b) any volunteer of TA, the ATF or an MA; and
- (c) all persons who work at the direction of, or on behalf of T, the ATF or an MA (for example agents, contractors, consultants),

(collectively, **Tennis Team Members**).

3. Coverage

- 3.1 This Policy applies to Tennis Team Members whether they are engaging or interacting with other Tennis Team Members or external stakeholders, parties or customers.
- 3.2 This Policy binds Tennis Team Members within the workplace and outside of the workplace. The key point to consider to determine if the Tennis Team Member's conduct is covered by this Policy is whether there is a connection with the Tennis Team Member's work when the behavior is alleged to have occurred.
- 3.3 For example, this Policy will cover a Tennis Team Member:
 - (a) *in the workplace* - including when working outside normal working hours;
 - (b) *during work activities* - including on business trips and when working remotely, interstate or overseas; and

- (c) *at work-related events* - including conferences, social functions held offsite, sponsor events.

4. Sexual harassment

- 4.1 Sexual harassment is a form of harassment. Sexual harassment consists of any (i) unwelcome sexual advance, (ii) request for sexual favours, or (iii) conduct of a sexual nature (including oral or written statements of a sexual nature), in circumstances where a reasonable person would have anticipated that the person receiving the behaviour would be offended, humiliated or intimidated.
- 4.2 Sexual harassment may include, but is not limited to:
 - (a) uninvited physical contact, sexual gestures, touching, kissing, embracing, massaging, wolf-whistling;
 - (b) staring, leering or ogling;
 - (c) jokes or comments which are smutty, sexist or of a sexual nature;
 - (d) jokes or comments about someone's appearance, body shape, sexual activity or any other personal matter of a sexual nature that may cause embarrassment or make someone feel uncomfortable;
 - (e) persistent or intrusive questions of a sexual nature about a person's private life;
 - (f) repeated invitations to go out, especially after prior refusal;
 - (g) unwanted sexual propositions;
 - (h) the use of promises or threats to coerce someone into sexual activity;
 - (i) the display of sexually explicit material e.g. internet use, computer screen savers, calendars, posters;
 - (j) the use of sexually offensive emails, letters, faxes, notes; and
 - (k) sexual insults and name-calling.
- 4.3 Even if the behaviour does not offend the person to whom it is directed, Tennis Team Members need to be aware that others overhearing or present while such behaviour is occurring may take offence and feel that they are being sexually harassed. Such circumstances could amount to a breach of this Policy.

5 Referrals to external bodies

- 5.1 Some forms of behaviour that breach this Policy may also be criminal offences or breaches of other legislation.
- 5.2 In addition to having implications in the workplace, Tennis Team Members who breach this Policy may be referred to external bodies or organisations such as the police.

6 Breaches of this Policy

- 6.1 Any Tennis Team Member involved in a breach of this Policy may be subject to disciplinary action, up to and including termination of their employment.

7 If you are concerned, speak up

- 7.1 All Tennis Team members are encouraged to voice any genuine concerns about conduct that may have breached the law or this Policy with either their supervisor or manager or a member of the TA People and Culture team.
- 7.2 Please also be aware that the Tennis Whistleblower Policy provides another avenue for making a disclosure if you have a concern that a Tennis Team Member has engaged in serious misconduct. You can access the Tennis Whistleblower policy on the Tennis Australia website for further information.
- 7.3 If the conduct in question which you are concerned about fits within the scope of the Tennis Whistleblower Policy, you may be entitled to the protections afforded under the Tennis Whistleblower Policy, including the ability to remain anonymous when reporting your concerns. Should you wish to be afforded such protections, we encourage you to read the Tennis Whistleblower Policy carefully and to follow the processes and procedures that are outlined within it.
- 7.4 Unless a disclosure has been made and accepted under the *Tennis Whistleblower Policy*, any complaints relating to this Policy will be dealt with in accordance with the *Grievance Resolution Policy and Procedure*.

Version Control

Version Number:	1
Effective Date:	9 November 2020
Previous versions	Note prior to 9 November 2020, Sexual Harassment was covered within the Bullying, Harassment and Violence Policy. During 2020 the Male Champions for Change undertook a review of Sexual Harassment across sporting codes. The recommendations including the need for Sexual Harassment to have its own standalone policy within workplaces. We have enacted this recommendation here by creating a standalone Sexual Harassment Policy.

Tennis Australia

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