

## TECHNICAL ISSUES – New Anti-Bullying Laws



### What it means for you

From 1 January 2014, the Fair Work Commission will have jurisdiction to deal with bullying complaints raised and powers to make an order for the bullying to stop.

Whilst the incoming workplace bullying provisions under the Fair Work Act 2009(Cth) will not create powers to make orders on reinstatement or compensation, there will nevertheless be increased pressure and onus on businesses to be proactive about preventing workplace bullying and to promptly deal with any related complaints, in order to avoid an intervention by the Commission. This will include:

- having adequate policies and procedures in place;
- appropriately investigating complaints and implementing outcomes of investigation;
- conducting training of managers, supervisors and staff on bullying, harassment and discrimination issues; and
- ensuring all employees understand and sign off on the policy.

Will you be prepared to manage your bullying complaints, such as your Workers Compensation psychological claims in the Fair Work Commission from 1 January 2014?

## What should I be doing in preparation of the new laws?

You should consider whether you can answer “yes” to the following questions:

- Do you have the systems and training in place to manage bullying claims?
- Do you have a policy about bullying in your workplace?
- Have your managers been trained in effective management of employees so as to avoid claims?
- Have your staff been trained in appropriate workplace behaviour?
- Do you have satisfactory arrangements for monitoring and a process for managing complaints?
- Are you satisfied that your business has done all it should reasonably do to protect the business and the board against adverse orders and penalties?

## How can I organise training for my business?

The NSW Business Chamber is conducting courses to assist you with training on the new Bullying Laws.

Please contact us if you require any assistance on this issue.

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