



AMENDMENTS TO AUSTRALIAN RULES OF RACING

AR.1 & AR.175(x) – Bullying and harassment

Summary:

Racing Australia is amending the rule prohibiting workplace harassment to include bullying.

The rule amendment reflects a change in terminology used socially and legally with respect to what is considered unacceptable workplace behaviour. While many elements of bullying are the same as harassment, the key differences are that bullying requires the unreasonable behaviour to be repeated (i.e. more than once) and to create a risk to the bullied person's health and safety (e.g. physical, psychological).

The definition of bullying is consistent with the Fair Work Commission's definition and, like workplace harassment, notes that reasonable management action carried out in a reasonable way does not constitute bullying.

1. Add new definition to AR.1 as follows:

AR.1

In the interpretation of these Rules, (and of any programme of a race meeting held thereunder), the following words unless the context otherwise requires, shall have or include meanings as follows:-

....

“**Bullying**” means repeatedly acting unreasonably towards a person, which behaviour creates a risk to health and safety.

Acting unreasonably includes victimising, humiliating, intimidating or threatening. Reasonable management action that is carried out in a reasonable way is not bullying.”

....

Date of Effect: 1 August 2018

2. Add sub-paragraph to AR.175 as follows:

AR.175

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise;

....

“(x) Any person who in their opinion is guilty of workplace harassment or bullying of a person while the latter is acting in the course of his duties when employed, engaged or participating in the racing industry.”

....

Date of Effect: 1 August 2018