



# Employee Matters

## What do I do if an employee claims that they are being bullied?



- Have you completed and documented an interview with the employee making the complaint?
- Would you be deemed an unbiased investigator by all parties?
- Did you know that the employee being bullied can go direct to FWA and get an 'order to stop'?
- Do you have any evidence that they may be being bullied?
- Do you have the ability to suspend the alleged bully on full salary during an investigation under your Modern Award, if you think that this is required?
- Have you found sufficient evidence to investigate further?
- Have you asked the alleged employee to come to a meeting and to bring along a support person?
- Have you confirmed the allegation, suspension (if appropriate) and next steps to the alleged employee?
- Have you completed and documented a formal investigation, while protecting confidentiality?
- Have you put your findings to the alleged individual with their support person present?
- Did you ask them to respond to the allegations either immediately or in a reasonable time?
- Have you documented all conversations and asked the employee to sign as accurate?



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Did you find the case to be false 'on the balance of probability' and return the individual to normal duties?

Did you find the case to be proven 'on the balance of probability' to be proven and have either disciplined or terminated the individual with or without notice?

If you have answered 'No' to any of these you are either in breach of your legal compliance or alternatively not following 'best practice' employee relations. You should seek further qualified advice.