

Speak up against unacceptable behaviour on infrastructure project sites

The purpose of this guide is to help inform the identification and reporting of unacceptable workplace behaviours



Workplace health and safety breaches

Failure to report a notifiable incident

E.g. death, serious injury, illness or dangerous incident.

Behaviours that pose a risk to the psychological health and safety of personnel

E.g. bullying, threatening or intimidating behaviour such as swearing, yelling or shirt-fronting, sexual harassment, posting unauthorised materials on social media.

Entry without permit or breach of entry permit conditions

E.g. taking videos or photographs without a lawful basis, refusing to be escorted, refusing reasonable directions.

Non-compliance with other site entry requirements

E.g. refusing site induction, unauthorised entry into exclusion zones.

Illegitimate exercise of powers by health and safety representatives

E.g. unlawful or invalid issuing of Provisional Improvement Notices by HSRs.

Non-Compliance with Provisional Improvement Notices

Ongoing repeated breaches of site safety rules

How to report:

 Call SAFEWORK SA on 1300 365 255



Criminal behaviour

Intentionally or recklessly inflicting bodily and/or mental harm (of any kind), or physical assault

E.g. kidnapping, unlawful threats.

Stalking, intimidation, harassment or abuse

E.g. photographing employees, contractors or public servants for the purpose of causing harassment, posting unauthorised materials on social media, off-site visits without consent, shouting or directing verbal insults.

Conspiracy

(when people agree to work together commit a criminal act)

Public nuisance

E.g. disruptive behaviours such as obstructing entry ways or harassing individuals who are attempting to enter a worksite, rioting.

Willful property damage

E.g. damaging equipment to prevent its use.

Arson

E.g. damage caused by fire.

Trespass (including break and enter)

E.g. forcible entry.

Recruiting person to become participant in criminal organisation

Vandalism or graffiti

Theft

For crime related non-urgent matters:

 Call SAPOL on 131 444



Improper industrial activity

Unprotected industrial action

E.g. employees leaving work en masse to attend a protest, refusing to perform certain duties without proper agreement, unauthorised absences.

Entry without permit

E.g. union officials who enters a worksite without a current entry permit (and have not given notice of their attendance) or who do not have an exemption certificate, and refuse to follow reasonable instructions by site supervisor.

Breach of entry permit conditions

E.g. taking videos or photographs without a lawful basis, refusing to be escorted, refusing a reasonable direction, and/or interrupting/hindering/obstructing the performance of work.

Coercion to enter into an enterprise agreement

E.g. telling an employee or contractor that they will be excluded from work if they do not enter into a specific form of enterprise agreement.

Force or threats regarding engaging specified suppliers or contractors

E.g. using language to suggest that if a contractor does not hire specific subcontractors they will face work stoppages.

Blocking entrances and access to workplaces

E.g. workers forming a picket line which hinders or obstructs others attempting to access the worksite.

Inappropriate procurement practices

E.g. the engagement of subcontractors because of affiliations rather than on merit.

Unfair payment conditions

E.g. unauthorised/unlawful withholding of pay.

For workplace that isn't following the law:

 Call FAIRWORK OMBUDSMAN on 13 12 94



Corrupt conduct

Fraud and offences of dishonesty

E.g. falsely recording, creating or maintain official records, e.g. timesheets or compliance checks.

Giving, receiving or soliciting corrupting benefits

E.g. payment includes paying, persuading or receiving to secure a contract or agreement.

Secret benefits (cash or in kind)

E.g. accepting a personal benefit from a supplier in exchange for ensuring the supplier's engagement on the project.

Bribery

E.g. making or accepting payment in exchange for award of a contract, or offering payment to ignore safety violations.

Extortion and blackmail

E.g. demands or threats with the intention for the victim to comply, such as using threats to extract money or services.

Conduct of business for improper private gain

E.g. coercive power for improper gain, includes using a power of position to influence for business or personal gain, such as using a position of power to influence the engagement of a contractor which is owned by a relative.

Dishonest, unfair, unconscionable or anti-competitive procurement

E.g. fraudulent procurement activity, includes any dishonest, unfair, unconscionable or anti-competitive conduct that is intended to inflate costs or manipulate a project outcome.

For complaints and reports about public administration in South Australia:

 Call OPI on 1300 782 489



Contact the Office for Public Integrity to report unacceptable behaviour

Call: 1300 782 489

Report online: www.publicintegrity.sa.gov.au/complaint

Your personal information will be managed carefully in line with relevant legislation. For more information about your privacy and protections visit www.publicintegrity.sa.gov.au/public-interest-disclosures/your-protections

No worker should feel unsafe or be subjected to unacceptable or unlawful behaviour on Department for Infrastructure and Transport project sites.

We all have an obligation to support a safe and ethical workplace.

If something does not feel right on your project site, confidentially report it.



dit.sa.gov.au/unacceptable-behaviours



Government of South Australia

Department for Infrastructure and Transport

The Department for Infrastructure and Transport is firmly committed to upholding the laws and policies of the Commonwealth and South Australian Governments, aimed at fostering appropriate, ethical behaviour and healthy, safe and lawful work environments for its employees, contractors, suppliers, partners and community.