# Appendix A: Definitions

The following table provides definitions of terms used in the workforce survey and through this report.

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| Term  | Definition  |
| Bullying  | When someone repeatedly and unreasonably uses words or actions against someone else to cause them distress and harm – this can constitute discrimination under the *Equal Opportunity Act 2010* (Vic) if it is directed at a person because of a protected attribute. Bullying can include verbal, physical or written abuse and when bullying is discrimination, the behaviour does not need to be repeated. Examples include (when related to a protected attribute): * behaving aggressively towards others
* teasing or playing practical jokes
* pressuring someone to behave inappropriately
* excluding someone from work-related events
* unreasonable work demands.

Bullying that is unrelated to a protected attribute – for example, when one person bullies another because they do not like them – is not discriminatory. It is, however, a known source of workplace harm covered by the *Occupational Health and Safety Act 2004* (Vic). It is also prohibited under the *Fair Work Act 2009* (Cth). Bullying under these Acts differs from bullying under the Equal Opportunity Act in that there must be repeated unreasonable behaviour directed at an employee or group of employees that creates a risk to health and safety.Bullying can also amount to sexual harassment under the Equal Opportunity Act if it is verbal, written or physical abuse of a sexual nature which could reasonably be expected to make the other person feel offended, humiliated or intimidated. |
| Disability  | This term broadly reflects any impairment (including physical, mental, intellectual, cognitive, learning, communication or sensory) or functional limitation (whether or not the impairment or limitation is permanent, temporary, episodic in nature or evident) that, in interaction with a barrier, hinders a person's full and equal participation. |
| Discrimination  | This is unfavourable treatment based on a protected attribute (or a characteristic that a person with that attribute generally has) in an area of public life. All attributes protected under the *Equal Opportunity Act 2010* (Vic) (for example, race, disability, sex, age) were directly within the scope of the Phase 1 Review. The Equal Opportunity Act prohibits both direct and indirect discrimination. Direct discrimination occurs when a person treats another person unfavourably because of a protected attribute. Examples include where an employer decides not to hire an applicant based on their sexual orientation or denies a woman a promotion because of her actual or perceived caring responsibilities. Indirect discrimination recognises that treating all people the same, regardless of their differences, may unfairly disadvantage some people. Indirect discrimination occurs when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people because of a protected attribute. Examples include workplace policies that fail to consider the needs of older workers, especially as they transition to retirement, or the construction of buildings that fail to provide safe and private spaces for employees to breastfeed or pray. |
| Employee  | This term is used in its broadest sense to cover all permanent, fixed-term and casual employees, as well as contractors, temps and people on WorkCover. |
| First responder  | This refers to Ambulance Victoria’s Community Emergency Response Team volunteers and Ambulance Community Officers. |
| Flexible work arrangement  | Anyone can request flexibility – but certain employees have a legal entitlement to request flexible working arrangements under the *Fair Work Act 2009* (Cth). Employees who have this legal entitlement include permanent employees who have worked with the employer for at least 12 months and regular casual employees who have worked with the employer regularly and systematically for at least 12 months and have a reasonable expectation of continuing doing so. Also, the request must be because the employee is: * pregnant
* a parent of, or has responsibility for the care of, a child who is school age or younger
* a carer (within the meaning of the *Carer Recognition Act 2010* (Cth))
* a person with disability
* aged 55 or older
* experiencing family and domestic violence; or
* providing care or support to an immediate family member, or someone they live with, because they are experiencing family and domestic violence.

If a state or territory law gives an employee a better entitlement to flexible working arrangements, then that state or territory law still applies. Under the *Equal Opportunity Act 2010* (Vic), it is unlawful to discriminate against an employee on the basis of protected attributes, several of which may relate to requests for flexible work, including age, disability, parent or carer status, pregnancy or sex. The Equal Opportunity Act also expressly requires employers to reasonably accommodate parental or carer responsibilities. In addition to the grounds listed under the Fair Work Act above, clause 23.3 of the Ambulance Victoria Enterprise Agreement 2020 also provides for 2 additional circumstances: where an employee has a medical condition that requires a flexible work arrangement or is transitioning to retirement in accordance with a documented and agreed retirement plan.  |
| Harmful conduct  | This includes behaviours such as incivility and disrespect. While these behaviours may not be unlawful under the *Equal Opportunity Act 2010* (Vic), they can still cause significant harm in the workplace and also enable conduct that is unlawful. |
| Isolated work environment  | This includes geographical, physical or social isolation, for example, on the road, in rural areas and in branch sleeping quarters. |
| Manager  | This refers to a current line manager. |
| Participant | This term is used in the Report when referring to people who have participated in the Progress Evaluation Audit. |
| Reasonable adjustment  | Under the *Equal Opportunity Act 2010* (Vic), employers are required to make reasonable adjustments for a person with disability. Reasonable adjustments are changes to work environments or arrangements that are required to allow people with disabilities to work safely and productively. |
| Senior leader  | This refers to a person who has the role of director or higher. |
| Sexual harassment  | Sexual harassment is unwelcome conduct of a sexual nature, unwelcome sexual advances or unwelcome requests for sexual favours that could be expected to make a reasonable person feel offended, humiliated or intimidated. Examples include: * comments about a person’s private life or the way they look
* brushing up against someone, touching or hugging
* sexually suggestive comments or jokes
* attempted or actual sexual assault or rape.

Sexual harassment may also meet the definition of discrimination under the *Equal Opportunity Act 2010* (Vic) when it is based on a protected attribute, such as sex. In addition, some forms of sexual harassment may constitute a criminal offence under the *Crimes Act 1958* (Vic). Examples include attempted or actual sexual assault or rape, stalking and unwanted touching of a sexual nature. |
| Unlawful conduct  | This is an umbrella term for discrimination, sexual harassment, bullying and victimisation prohibited under the *Equal Opportunity Act 2010* (Vic). |
| Victimisation  | Victimisation occurs when a person punishes or threatens to punish someone because they have asserted their rights under the *Equal Opportunity Act 2010* (Vic) by making a complaint (or it is believed they intend to make a complaint); helped someone else to make a complaint; or refused to do something because it would be discrimination, sexual harassment or victimisation. Examples include: * being denied progression and promotion opportunities
* experiencing verbal abuse and bullying
* having work and performance subjected to excessive scrutiny.
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| Workforce survey respondent | This term is used in the Report to refer to a person who responded to the workforce survey that was open to current Ambulance Victoria employees and first responders between 14 June and 7 July 2024. |