

# Speak up against unacceptable behavior on your project site.

Call 1800 814 813 to report something you think is not quite right.

No one should ever feel unsafe or be the subject to unreasonable or unlawful behaviour on a Transport for NSW project site.

This guide helps explain the types of behaviors and how to report them to a regulator or law enforcement authority.

We all have an obligation to Speak Up to support safe and ethical workplaces. If you feel something does not feel right, report it confidentially to **Speak Up** on **1800 814 813**, email **transportspeakup@transport.nsw.gov.au** or visit **nsw.gov.au/transport-corruption-reporting-platform**



Examples of unacceptable behaviours

## Criminal behaviour

- **Intentionally or recklessly inflicting bodily harm (of any kind), physical assault**
- **Stalking, intimidation, harassment or abuse.** For example, 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
- **Breaches of the peace.** For example, rioting; forcible entry; forcible detention; threatening violence; recruiting person to become participant in criminal organisation
- **Arson**
- **Vandalism or graffiti**
- **Theft**
- **Trespass** including break and enter
- **Wilful property damage.** For example, damaging equipment to prevent its use
- **Public nuisance.** For example, disruptive behaviours such as obstructing entry ways or harassing individuals who are attempting to enter a worksite
- **Taking or dealing in illegal substances**

## Corrupt conduct

- **Fraud.** For example, falsely reporting the number of hours worked and pocketing the difference in fees received
- **Giving, receiving or soliciting corrupting benefits.** For example, paying to secure endorsement of an enterprise agreement
- **Bribery.** For example, accepting payment in exchange for award of a contract, or offering payment to ignore safety violations
- **Extortion.** For example, using threats to extract money or services
- **Conduct of business for improper private gain.** For example, 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.** For example, collusion to inflate the costs of a project or work package, concealing conflict of interest, misuse of confidential information

## Improper industrial activity

- **Unlawful industrial action.** For example, a group of workers arbitrarily cease work in protest over a workplace dispute; workers blocking entrances and access to workplaces
- **Entry without required permit.** For example, union official enters worksite without required entry permit
- **Hindering/obstructing/behaving in an improper manner.** For example, making videos or photographs without a lawful basis, refusing to be escorted, refusing reasonable directions
- **Intimidation, bullying and/or threats to make an enterprise agreement.** For example, telling a contractor they will be excluded from work if they do not enter into a specified form of enterprise agreement or an enterprise agreement endorsed by a particular organisation
- **Coercion-allocation of duties.** For example, coercing a person to engage a particular subcontractor because they are, or are not, associated with a union.
- **Non-compliance with other site entry requirements**

## Workplace health and safety non-compliance

- **Occurrence or failure to report a notifiable incident.** For example, death, serious injury, illness or dangerous incident
- **Behaviours that pose a risk to the psychological health and safety of personnel.** For example, bullying, threatening or intimidating behaviour such as swearing, yelling or shirt-fronting, posting unauthorised materials on social media
- **Entry without permit or entry permit notice**
- **Breach of entry permit conditions**
- **Non-compliance with other site entry requirements.** For example, entry into exclusion zones
- **Non-compliance with Provisional Improvement Notices** or other enforcement actions undertaken, or instigated by, the relevant WHS Regulator
- **Illegitimate exercise of powers by Health and Safety Representatives (HSRs).** For example, unlawful or invalid issuing of Provisional Improvement Notices, or cease work notices, by HSRs

How to report

- **NSW Police** (phone **000** for emergencies and **131 444** for all non-emergency situations)

- **Independent Commission Against Corruption (ICAC)**
- **NSW Ombudsman**

- **NSW Construction Compliance Unit (CCU)**
- **NSW Industrial Relations Commission**
- **Fair Work Ombudsman (Federal)**

- **Report to supervisor/manager in the first instance**
- **Report through Transport for NSW Safety Reporting Line on 1300 131 469 or My HSEngara**
- **SafeWork NSW** - phone **13 10 50**, or via **speakup.safework.nsw.gov.au** (confidential)

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