

AIOH Code of Conduct

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1. Purpose

- 1.1. The AIOH is a community as well as a profession. Members meet at conferences, sit together on committees, teach and assess one another, mentor those entering the profession, and debate in shared forums. This Code sets out the standards of behaviour expected within that community.
- 1.2. The purpose of this Code is to:
- a) (a) establish clear standards of respectful behaviour for everyone participating in Institute activities.*
 - b) (b) prevent bullying, harassment, sexual harassment, discrimination, vilification, and victimisation.*
 - c) (c) give people who experience or witness such conduct a clear, safe, and usable way to report it; and*
 - d) (d) support the Institute in meeting its legal obligations, including its positive duty to take reasonable and proportionate measures to eliminate sex discrimination, sexual harassment, and hostile environments.*
- 1.3. The Institute does not treat this Code as a document that sits on a website. The Institute will take active and proportionate measures to prevent the conduct this Code prohibits, including designating and publicising contact officers at major events, briefing committee and Council members on their obligations, reviewing incidents for systemic causes, and reporting annually to Council on the operation of this Code in de-identified form.

2. How this Code fits with other Institute documents

The Institute has both a Code of Conduct and a Code of Ethics. They cover different things and neither is subordinate to the other.

	Code of Ethics	Code of Conduct (this document)
Governs	The exercise of professional judgement in occupational hygiene practice	Behaviour within the AIOH community
Typical subject matter	Competence, data integrity, conflicts in professional engagements, communication of risk, escalation of unmanaged risk	Respect, bullying, harassment, discrimination, conduct at events and in Institute forums
Typical setting	A workplace, a client engagement, a report, a court	A conference, a committee, a mentoring relationship, a member forum

- 2.1. Professional conduct may engage both Codes. Where it does, it may be assessed under either or both, but a person will not be penalised twice for the same conduct.
- 2.2. Where the two Codes are inconsistent on a matter of professional practice, the Code of Ethics prevails. Where they are inconsistent on a matter of behaviour within the Institute, this Code prevails.
- 2.3. Nothing in this Code limits a member's obligations under the Code of Ethics. Nothing in this Code restricts a disclosure that is permitted or required under clause 9 or clause 12 of the Code of Ethics or required by law.
- 2.4. Reports of breaches of this Code are managed under the **Professional Conduct, Complaints and Disciplinary Procedure**. Definitions used in the Code of Ethics apply to this Code unless this Code provides otherwise.

3. Application and scope

- 3.1. **To whom this Code applies.** This Code applies to:
 - a) *all covered persons as defined in clause 3.1 of the AIOH Code of Ethics.*
 - b) *Institute employees and contractors.*
 - c) *non-members participating in Institute activities, including delegates, speakers, exhibitors, sponsors, trainers, examiners, volunteers, and guests.*
- 3.2. **When this Code applies.** This Code applies to conduct occurring:
 - a) *at any Institute activity, including conferences, meetings, seminars, courses, examinations, site visits, workshops, webinars and associated social functions, whether held in person or online.*
 - b) *in dealings between persons whom this Code applies to (clause 3.1) arising out of Institute business, including committee work, Council business, certification and accreditation processes, mentoring, peer review, and administration of this Code.*
 - c) *in Institute communications and forums, including email, member forums, mailing lists, and Institute-hosted social media; and*
 - d) *in public communications where the person is identifiable as an AIOH member or officeholder and the conduct concerns another person covered by this Code.*
- 3.3. **What this Code does not cover.** This Code does not govern persons to whom this Code applies' professional dealings with clients, employers, workers, or the public in the course of occupational hygiene practice. Those are governed by the **Code of Ethics**.
- 3.4. **Conduct outside Institute activities.** This Code does not reach into a person's private life or their own workplace, except where the conduct is directed at a person covered by this Code and arises out of, or has a substantial connection to, Institute activities. Conduct outside that boundary may still be relevant under clause 15.5 of the Code of Ethics (conduct bringing the profession into disrepute).

- 3.5. **Employees.** Where an AIOH employee is alleged to have breached this Code, the matter will be dealt with under the Institute's employment policies and processes, not under the Professional Conduct, Complaints and Disciplinary Procedure. An employee who is also a member may be dealt with under both, subject to clause 2.2.
- 3.6. **Non-members.** Where a non-member participating in an Institute activity is alleged to have breached this Code, the Institute may act under the terms and conditions applying to that activity, including by requiring the person to leave, cancelling their registration without refund, and declining future registrations. Registration for any Institute activity is conditional on acceptance of this Code.
- 3.7. **Former members.** A person's resignation, lapse of membership or surrender of certification does not prevent a report being made about conduct occurring while this Code applied to them, and does not terminate a process already underway.

4. Definitions

Terms defined in the Code of Ethics have the same meaning in this Code. In addition:

- 4.1. **Institute activity** has the meaning given in clause 3.2(a).
- 4.2. **Contact Officer** means a person appointed by the Institute under clause 16 to receive reports under this Code.
- 4.3. **Reporter** means a person who makes a report under this Code, whether they experienced the conduct themselves or witnessed it.
- 4.4. **Respondent** means a person whose conduct is the subject of a report.
- 4.5. **Support person** means a person who accompanies a reporter or respondent for support, who is not a witness to the conduct and does not function as an advocate unless the Institute agrees.

Plain-language descriptions of bullying, harassment, sexual harassment, discrimination, vilification, and victimisation are set out in **Appendix A**. Those descriptions are intended to help people recognise the conduct, not to substitute for the legal definitions, which are found in the legislation referred to in Appendix B.

5. Standards of behaviour

All persons covered by this Code must:

- 5.1. Treat others with respect, courtesy, and dignity.
- 5.2. Not bully, harass, sexually harass, discriminate against, vilify, or victimise any person.
- 5.3. Exercise good judgement and consideration in their dealings with others, including where they disagree.
- 5.4. Take responsibility for their own behaviour and its effect on others, regardless of what they intended.
- 5.5. Disagree professionally. Robust technical debate is part of the profession, and this Code does not discourage it. Criticism should be directed at ideas, methods, and conclusions, not at the person advancing them.
- 5.6. Not encourage, assist, direct or pressure another person to breach this Code.
- 5.7. Cooperate honestly with any process conducted under this Code.
- 5.8. A person who witnesses conduct that may breach this Code is encouraged, where it is safe and appropriate to do so, to make it clear that the conduct is unwelcome, to check on the person affected, and to report it under clause 16. No person is obliged to intervene in a way that puts them at risk, and no person is penalised for not intervening.

6. Bullying

- 6.1. Bullying is repeated unreasonable behaviour directed at a person or group that creates a risk to health or safety. It may be verbal, physical, psychological, or social, and may occur in person or online.
- 6.2. Bullying does not require an intention to cause harm. Conduct is assessed by reference to what a reasonable person, having regard to all the circumstances, would consider unreasonable.
- 6.3. Reasonable and fairly conducted action is not bullying. This includes managing performance, giving honest feedback on professional work, declining a proposal, making an adverse assessment or examination decision, upholding a deadline, or acting under this Code or the Professional Conduct, Complaints and Disciplinary Procedure.
- 6.4. A single serious incident is not bullying as defined but may constitute harassment (clause 7) or a breach of clause 5.1.

7. Harassment and sexual harassment

- 7.1. Harassment is unwelcome conduct in relation to a protected attribute that a reasonable person would anticipate might make the person feel offended, humiliated, or intimidated. Unlike bullying, a single incident can constitute harassment.
- 7.2. Sexual harassment is unwelcome conduct of a sexual nature in circumstances where a reasonable person would anticipate the possibility that the person would feel offended, humiliated, or intimidated. It includes unwelcome physical contact, sexual propositions, persistent invitations after refusal, comments about a person's body or sex life, sexually explicit or suggestive messages or images, staring or leering, and intrusive questions about a person's private life.
- 7.3. Sexual harassment is prohibited absolutely. It is not excused by any of the following, and none of these will be treated as mitigating:
- a) *that the conduct occurred at a social function or after hours.*
 - b) *that alcohol was involved.*
 - c) *that it was intended as a compliment, a joke, or as friendly.*
 - d) *that the person did not object at the time; or*
 - e) *that similar conduct has been tolerated in the past.*
- 7.4. **Hostile environments.** Conduct that creates an environment that is hostile based on sex, including sexualised conversation, display of sexual material, and sex-based jokes and commentary, is prohibited whether it is directed at a particular person or not.
- 7.5. **The Institute's positive duty.** The Institute will take reasonable and proportionate measures to eliminate sex discrimination, sexual harassment, hostile environments based on sex, and related victimisation. Measures include publicising this Code and reporting pathways in advance of and at every major event; appointing and identifying Contact Officers at conferences; briefing session chairs, trainers, examiners and committee chairs; managing the availability and service of alcohol at Institute functions; and reviewing reports for systemic causes rather than treating them as isolated incidents.

8. Discrimination and vilification

- 8.1. Discrimination occurs where a person is treated less favourably, or a requirement is imposed that disadvantages them, because of a protected attribute.
- 8.2. Protected attributes include (and are not limited to) race, colour, national or ethnic origin, immigration status, sex, sexual orientation, gender identity, intersex status, pregnancy, breastfeeding, marital or relationship status, family or carer's responsibilities, age, physical or mental disability, religion, political opinion, industrial activity, and any other attribute protected by applicable Commonwealth, state or territory law.
- 8.3. Vilification based on race, religion, sexual orientation, gender identity, disability is prohibited.

- 8.4. The Institute will make reasonable adjustments to enable people with disability to participate fully in Institute activities and expects the same approach from those organising activities on the Institute's behalf.

9. Victimisation

- 9.1. Victimisation is prohibited and is a breach of this Code in its own right.
- 9.2. No person may subject another to any detriment because that person has, in good faith:
- a) made a report under this Code or under the Professional Conduct, Complaints and Disciplinary Procedure.*
 - b) provided information, given evidence or functioned as a support person in such a process.*
 - c) raised a concern about conduct that may breach this Code; or*
 - d) made a disclosure under clause 12 of the Code of Ethics.*
- 9.3. Detriment includes exclusion from professional or Institute opportunities, withdrawal of a mentoring, supervisory or reference relationship, adverse comment to employers or clients, removal from committee roles, and any conduct intended to discourage a person from proceeding.
- 9.4. A report that is not substantiated is not, for that reason alone, a report made in bad faith. A reporter who acts honestly and on reasonable grounds is protected by this clause whatever the outcome.

10. Seniority, mentoring, and assessment relationships

- 10.1. Occupational hygiene is a small profession in which senior members frequently teach, mentor, supervise, examine, and assess those more junior, and in which a single individual may hold significant influence over another's career.
- 10.2. A person in a position of relative influence - including mentors, supervisors, trainers, examiners, assessors, session chairs, committee chairs, Council members, and employers of other members - carries a correspondingly greater responsibility under this Code, and their conduct will be assessed regarding that responsibility.
- 10.3. A person in such a position must not use it, or allow it to be perceived as being used, to obtain any personal benefit, to pursue a personal relationship, or to discourage a person from exercising their rights under this Code.
- 10.4. Where a personal relationship exists or develops between a person and someone they mentor, supervise, examine, or assess, the person in the position of influence must disclose it to the Institute and withdraw from the assessment or supervisory role.
- 10.5. Students, early career members, and those undertaking certification are entitled to particular care. Conduct towards them will be assessed having regard to their position.

11. Institute events

- 11.1. Everyone attending an Institute event is covered by this Code, for the duration of the event and at associated social functions.
- 11.2. At major Institute events, the Institute will identify at least two Contact Officers who can receive reports during the event, at least one of whom will ordinarily not be a member of Council. Their details will be made readily available to attendees before and during the event.
- 11.3. Where alcohol is served, the Institute will ensure responsible service, provide substantial food and appealing non-alcoholic options, and set a clear end time for service. Intoxication does not excuse a breach of this Code.
- 11.4. The Institute may require a person to leave an event, cancel their registration, or decline future registrations, where it reasonably considers this necessary to protect the safety or wellbeing of others. Action under this clause is protective, is not a finding of breach, and does not prevent or determine any subsequent process.
- 11.5. Photography, recording and streaming at Institute events must respect participants' wishes. A person who asks not to be photographed or recorded must not be.

12. Communications, social media, and online forums

- 12.1. This Code applies to Institute email lists, member forums, webinars, chat channels, and Institute-hosted social media in the same way it applies to conduct in person.
- 12.2. In those forums, and in public communications where the person is identifiable as an AIOH member or officeholder, a person must not:
 - a) *make personal attacks on, or derogatory comments about, another person covered by this Code.*
 - b) *publish another person's personal information without consent.*
 - c) *publish material relating to a report or process under this Code or the Professional Conduct, Complaints and Disciplinary Procedure; or*
 - d) *engage in conduct that would breach clauses 6 to 9 if it occurred in person.*
- 12.3. Criticism of professional work, published research, methods or Institute positions is legitimate and is not a breach of this Code, provided it is directed at the substance and expressed with reasonable courtesy.
- 12.4. Representation of Institute positions is governed by clause 15.2 of the Code of Ethics. A person must not state or imply that a personal view is the Institute's position.
- 12.5. Moderators of Institute forums may remove content that breaches this Code and will report serious or repeated breaches under clause 16.

13. Privacy and confidentiality

- 13.1. Every person covered by this Code must respect the privacy of others, manage personal information only for the purpose for which it was provided, and comply with the *Privacy Act 1988* (Cth) and the Institute's Privacy Policy.
- 13.2. Information obtained through participation in Institute business, including Council and committee deliberations, certification and accreditation decisions, examination material, and information about individual members, must be kept confidential and not used for personal or commercial advantage.
- 13.3. Nothing in this clause prevents or limits:
- a) *a disclosure permitted or required under clause 9 or clause 12 of the Code of Ethics.*
 - b) *a disclosure required by law.*
 - c) *a report made under clause 16 of this Code; or*
 - d) *a person discussing their own experience with a support person, a legal or medical adviser, or a person providing them with support.*

14. Conflicts of interest

- 14.1. A person acting in any Institute role must disclose, promptly and in writing, any interest, relationship, or obligation that could improperly influence, or be reasonably seen as improperly influencing, the performance of that role.
- 14.2. Disclosure must be made to the chair of the relevant body, or to the Secretary where the person is a chair. The person must then follow any direction given about managing the conflict, which may include withdrawing from discussion or decision.
- 14.3. Conflicts arising in professional practice are governed by clause 8 of the Code of Ethics. Conflicts arising in Institute roles are governed by this clause and the AIOH Conflict of Interest Policy.
- 14.4. A person must not use their Institute position, or the appearance of it, to obtain commercial advantage for themselves or their employer.

15. Use of the AIOH name, logo, and position

- 15.1. The AIOH name, logo, and any Institute position title may be used only as authorised by the Institute.
- 15.2. A person must not represent themselves as holding an Institute office, membership grade, or certification they do not hold, or as speaking for the Institute without authority. Accurate representation of qualifications and membership status is also required by clause 15.3 of the Code of Ethics.

16. Reporting a breach

- 16.1. **Anyone** who experiences or witnesses conduct that may breach this Code is encouraged to report it. You do not need to be certain that the conduct breaches this Code, and you do not need to have resolved it yourself first.
- 16.2. **How to report.** A report may be made:
- a) *to the AIOH Secretary.*
 - b) *to a Contact Officer, whose details are published on the Institute's website and in the program of every major event.*
 - c) *to the President or the Chair of the Governance, Risk and Standards Advisory Committee, where the Secretary is the respondent or is otherwise conflicted; or*
 - d) *at an event, to any Contact Officer identified at the venue.*
- 16.3. **More than one route is provided deliberately.** No person should have to report to the person they are reporting about, or to someone close to them.
- 16.4. **Informal resolution.** A person who is unsure whether to make a formal report may seek confidential guidance from any of the contacts in clause 16.2 without commencing a process. Where the conduct is at the lower end and the person affected wishes it, the matter may be resolved informally - for example by a conversation with the respondent, a change to arrangements at an event, or a reminder of expectations. Informal resolution is not available for sexual harassment, discrimination, vilification, or victimisation, or where there is an ongoing risk to any person.
- 16.5. **Anonymous reports.** The Institute will accept anonymous reports. An anonymous report will be used to inform preventive action and may be investigated where the information allows, but the Institute may be unable to act against an individual where doing so would deny the respondent a fair opportunity to respond.
- 16.6. **Confidentiality.** A report and the identity of the reporter will be treated confidentially and disclosed only to those who need to know to respond to it, or where disclosure is required by law or necessary to prevent a serious risk to any person. Where a matter proceeds to investigation, the respondent will ordinarily need to be told the substance of the allegation and, in most cases, who has made it - because they cannot fairly answer it otherwise. The Institute will tell a reporter what disclosure will be necessary before proceeding, so they can make an informed decision.
- 16.7. A report should be made as soon as reasonably practicable. A report made after a delay will still be considered; the Institute recognises that people affected by this conduct often take time to come forward, and delay alone is not a reason to decline a report. Delay may affect what can fairly be established.
- 16.8. Nothing in this Code prevents or discourages a person from reporting conduct to the police, a work health and safety regulator, the Australian Human Rights Commission, a state or territory equal opportunity body, their employer, or any other appropriate

authority - whether or not they also report to the Institute, and whether before, during or after any Institute process. The Institute will not treat external reporting as a breach of this Code or of any confidentiality obligation.

17. Support

- 17.1. A reporter and a respondent may each be accompanied by a support person at any meeting held under this Code.
- 17.2. The Institute will provide reporters and respondents with information about external support services. Contact details are in **Appendix B**.
- 17.3. Where conduct may constitute a criminal offence, the Institute will inform the person affected of their options, will not discourage them from contacting police, and will not require them to report to the Institute first.

18. How reports are managed

- 18.1. Reports of breaches of this Code by members are managed under the Professional Conduct, Complaints and Disciplinary Procedure, which sets out preliminary assessment, classification, investigation, determination by a Tribunal Panel, outcomes, and review. Breaches of this Code are classified under that Procedure as *unsatisfactory behavioural conduct*, *behavioural misconduct*, or *serious misconduct*, according to their seriousness.
- 18.2. That Procedure applies its guiding principles - procedural fairness, independence, confidentiality, evidence-based decision making, proportionality, consistency, and timeliness - to matters under this Code as it does to matters under the Code of Ethics.
- 18.3. Reports about employees are managed under the Institute's employment policies (clause 3.5). Reports about non-members are managed under clause 3.6 and the relevant event terms and conditions.
- 18.4. Interim measures. Pending the outcome of any process, the Institute may put in place measures to protect the people involved - such as adjusting event arrangements, altering committee allocations, or suspending a mentoring or assessment relationship. Interim measures are protective, are not a finding of breach, must not be punitive, and will be reviewed regularly.
- 18.5. The Institute will acknowledge a report within five (5) business days and will keep the reporter and respondent informed of progress in accordance with the timeframes in the Professional Conduct, Complaints and Disciplinary Procedure.

19. Breaches and consequences

- 19.1. A breach of this Code may result in any outcome available under the Professional Conduct, Complaints and Disciplinary Procedure, including guidance or education, a formal written warning, conditions on membership or certification, suspension, or expulsion from membership and certification.
- 19.2. Outcomes will be proportionate to the nature and seriousness of the conduct, assessed having regard to its effect on the person affected, whether it was repeated or part of a pattern, whether the respondent held a position of influence (clause 10), any abuse of trust, whether the conduct was acknowledged and remedied, and any previous findings.
- 19.3. The Institute may refer conduct to police, a regulator or another authority where it considers this necessary and will do so where the conduct may constitute a serious criminal offence and the person affected consents, or where there is a serious risk to the safety of any person.
- 19.4. **Misuse of this Code.** Deliberately making a false, misleading report, or using a report to harass or disadvantage another person, is itself a breach of this Code. Clause 9.4 applies: a report that is not substantiated is not, for that reason alone, a report made in bad faith, and this clause will not be used to discourage honest reporting.

20. Interpretation

- 20.1. Whether conduct breaches this Code is assessed objectively, by reference to what a reasonable person, aware of all the circumstances, would consider unacceptable. The respondent's intention is relevant to seriousness but is not determinative of whether a breach occurred.
- 20.2. The effect of conduct on the person affected is relevant and will be considered but is not by itself determinative.
- 20.3. Appendices A and B are guidance. They do not form part of the operative Code and are not exhaustive.
- 20.4. Headings and the order of clauses do not affect interpretation.

21. Review

- 21.1. This Code will be reviewed by Council at least every three years, and earlier where required by a change in legislation, a change in Institute governance, or an issue identified through the operation of this Code.
- 21.2. The policy owner is responsible for diarising the review and reporting to Council when it falls due.
- 21.3. Council will receive an annual de-identified report on the number and nature of reports made under this Code, outcomes, and any systemic issues identified.

Appendix A - The behaviours, explained

This appendix helps people recognise the conduct this Code prohibits. It uses Institute settings rather than generic workplace examples. It does not reproduce the legal definitions, which are in the legislation referred to in Appendix B and which change over time.

Bullying

- Repeated unreasonable behaviour that creates a risk to health or safety. In an Institute setting it might look like:
- Persistently interrupting, talking over, or dismissing the same person in committee meetings
- Repeatedly excluding a member from working group communications, they should be included in
- Sustained, personalised criticism of a member's work in a shared forum, going beyond the substance.
- Setting a volunteer unreasonable demands and then criticising them publicly for not meeting them
- Repeated "jokes" at one person's expense after being asked to stop.

Not bullying: an examiner failing a candidate; a chair ruling a member out of order; a peer reviewer rejecting a paper; a supervisor giving direct feedback that work is not good enough; the Institute investigating a report under this Code. What matters is whether the action is reasonable and conducted reasonably.

Harassment

- Unwelcome conduct connected to a protected attribute that a reasonable person would expect might offend, humiliate, or intimidate. **One incident is enough.**
- A remark about a member's accent, name, or nationality
- Comments or "jokes" about a member's age, in either direction
- Persistent questioning about a member's religious practice or observance
- Mimicking or commenting on a member's disability or the adjustments they use.

Sexual harassment

- Unwelcome conduct of a sexual nature. **One incident is enough**, and it does not matter that no offence was intended.
- Unwelcome touching, including a hand on the back or waist at a conference function.
- Repeated invitations after a refusal, at an event or afterwards by message
- Comments about a member's appearance or body, or speculation about their sex life
- Sexually explicit messages, images, or links sent through Institute channels or to a contact obtained through the Institute.
- Standing too close, staring, or blocking someone's exit from a conversation.
- Also prohibited: **hostile environments** - sexualised conversation or material in a session, at a stand, or in a forum, even if not directed at anyone in particular.

Discrimination

- Treating someone less favourably because of a protected attribute or imposing a requirement that disadvantages them.
- Passing over a member for a committee role because of pregnancy or carer's responsibilities
- Declining to mentor a member because of their religion
- Scheduling that ignores a reasonable adjustment request without considering alternatives
- Selecting speakers based on an attribute rather than expertise

Vilification

- Inciting hatred, serious contempt or severe ridicule of a person or group because of race, religion, sexual orientation, gender identity, disability, or HIV/AIDS status.

Victimisation

- Any detriment imposed because someone reported, supported a report, or gave evidence.
- Withdrawing a mentoring relationship or a reference after a report is made.
- Telling other members or an employer that someone is "difficult" because they raised a concern.
- Removing someone from a working group after they gave evidence.
- Contacting a reporter to pressure them to withdraw

Appendix B - Where to get help

Within the Institute

AIOH Secretary	secretary@aioh.org.au
Contact Officers	Current Contact Officer details are available on the AIOH website or may be obtained by contacting the Institute.
President / GRSAC Chair	president@aioh.org.au grsac.chair@aioh.org.au <i>where the Secretary is conflicted</i>

External support and advice

Emergency	000
Lifeline	13 11 14
1800RESPECT (sexual assault, family, and domestic violence)	1800 737 732
Australian Human Rights Commission	1300 656 419
Victorian Equal Opportunity and Human Rights Commission	1300 292 153
Fair Work Ombudsman	13 13 94
Respect@Work	respectatwork.gov.au

Members outside Victoria should contact the equal opportunity or anti-discrimination body in their own state or territory. Members overseas should contact the equivalent body in their jurisdiction; the Institute can assist in identifying it.

Legislation relevant to this Code includes the *Sex Discrimination Act 1984* (Cth) (including the positive duty introduced by the *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022*), the *Racial Discrimination Act 1975* (Cth), the *Disability Discrimination Act 1992* (Cth), the *Age Discrimination Act 2004* (Cth), the *Fair Work Act 2009* (Cth), the *Privacy Act 1988* (Cth), the *Equal Opportunity Act 2010* (Vic), the *Racial and Religious Tolerance Act 2001* (Vic), and equivalent legislation in other states and territories. This list is indicative and is not a substitute for legal advice.

End of Code.