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## Anti-discrimination, EEO and Bullying Policy

This Code applies to all employees, agents and contractors (including temporary contractors) of the business (**Workers**).

This policy may be changed from time to time. The policy does not form part of any contract.

### Discrimination

As a general principle we should treat everyone with fairness, dignity and respect.

You are required to conduct yourself in a way that is not harassing or discriminatory to others. What this means is, you should not harass or otherwise treat someone differently or less favourably because they:

come from a different background, including their race, skin colour, nationality, descent, ethnic, ethno-religious or national origin;

have different religious beliefs, affiliations, convictions or activities;

are male, female or otherwise do or do not identify with a particular gender or combination of genders;

are married or not married or have a particular relationship status;

are or are not pregnant or might be pregnant;

are or are not homosexual, transsexual, bisexual or otherwise identify with a particular sexual preference/orientation;

have carers' responsibilities, family responsibilities, carer or parental status or are childless;

have any disability/impairment, including physical, mental and intellectual disability;

breastfeed;

are or are not a particular age;

have or do not have particular physical features;

are from a particular profession, trade, occupation or calling;

have, hold or undertake particular political beliefs, opinions, affiliations, convictions or activities;

are or are not a member of a trade union;

have the right to take or have taken action that is legitimately associated with their trade union membership;

have particular workplace rights or entitlements, including the right to make a complaint or inquiry in relation to their employment;

have a medical record that is not relevant to their employment;

have a criminal record that is not relevant to their employment (including spent convictions);

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have or do not have human immunodeficiency virus (HIV) and/or acquired immune deficiency syndrome (AIDS);

have the need to take leave for the purposes of Defence services; or

past or present association (i.e. association with a Worker who has one or more of the attributes for which discrimination is prohibited).

### **Sexual Harassment**

As a general principle we should assume that any behaviour at work (or in connection with work) that is of a sexual nature is unlikely to be conduct that is acceptable or welcome.

You are required to conduct yourself in a way that avoids conduct of a sexual nature.

Examples of sexual harassment include, but are not limited to:

physical contact such as pinching, touching, grabbing, kissing or hugging;

staring or leering at a Worker or at parts of their body;

sexual jokes, comments or conversations about sexual matters;

requests for sex or 'sexual favours';

persistent requests to go out, where they are refused;

displays of offensive material such as posters, screen savers, internet material etc;

accessing or downloading sexually explicit material from the internet;

suggestive comments about a Worker's body or appearance; or

sending rude or offensive emails, attachments or text messages.

### **Bullying**

Workplace bullying is repeated, unreasonable behaviour by one or more Workers, against another Worker or Workers and where that behaviour creates a risk to health and safety.

The behaviour:

need only have happened more than once and might be different behaviour; and

will be unreasonable if a reasonable Worker would view the behaviour as unreasonable.

Even if you did not intend to engage in bullying behaviour it can still be bullying.

### **What is not bullying?**

We understand that you might feel pressure and concern if:

you are subject to a process or having performance related discussions with your manager. However, this is not bullying so long as you are being given reasonable performance goals, standards and deadlines;

you are being rostered and allocated working hours in a fair and reasonable manner;

you are not selected for a promotion, following a fair process; or

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you are being disciplined for any reason in an objective and confidential way.

### **Rights and Responsibilities**

Workers should be aware that they can be held legally responsible for their unlawful conduct.

Workers who aid, abet or encourage other Workers to behave in a manner contrary to the law, can also be legally liable.

### **Failing to Comply with this Policy**

Outcomes for failing to follow this policy include counselling, warnings and in the worst cases, dismissal/termination.