

	Workplace Diversity (Respect @ Work) Policy Version 1.2	People & Culture
		11 pages
Target audience:	<ul style="list-style-type: none"> All staff 	
Contact person:	Meredith Menzies, GM Employee Experience	
Policy owner:	Mark Graham, Chief People Officer	
Related Standards:		Related Guidance documents:
Federal laws <ul style="list-style-type: none"> Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022 (Cth) Australian Human Rights Commission Act 1986 (Cth) Age Discrimination Act 2004 (Cth) Disability Discrimination Act 1992 (Cth) Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) State and Territory laws <ul style="list-style-type: none"> Australian Capital Territory Discrimination Act 1991 (ACT) New South Wales Anti-Discrimination Act 1977 (NSW) Northern Territory Anti-Discrimination Act 1996 (NT) Queensland Anti-Discrimination Act 1991 (QLD) South Australia Equal Opportunity Act 1984 (SA) Tasmania Anti-Discrimination Act 1998 (TAS) Victoria Equal Opportunity Act 1995 (VIC) Western Australia Equal Opportunity Act 1984 (WA) 		<ul style="list-style-type: none"> Complaints & Grievances Policy Discipline and Misconduct Policy Flexible Working Arrangements Policy Anti- Bullying Policy Internet, Email and Computer Use Policy
Effective date:	Updated as per:	Modification:
01-12-2013	20-04-2022 01-11-2023	Format change to RGF branding Update to incorporate legislative changes: Respect@Work
Approved by:		Approved on:
Chief People Officer & Chief Legal and Risk Officer		01-12-2013

Group Policy compliance

Primary responsibility for adherence to this Policy resides with the SBU Unit CEO. Local laws and regulations supersede this policy. Should this policy be found to be in contradiction with such regulations, it is the CEO's responsibility to immediately inform the General Counsel of this matter. This policy supersedes all local company policies. Should a local policy contradict this policy, it is the CEO's responsibility to align the local policy with this policy.

I. PURPOSE OF THE POLICY

Our workplaces should provide us with environments that are safe, inclusive and respectful, allowing each of us to achieve our best.

The diversity and unique skills of each individual brings many benefits to RGF Staffing APEJ (RGF), including innovation, adaptability to change and greater engagement with our internal and external stakeholders. RGF is committed to providing a work environment free from all forms of discrimination, sexual harassment, sex-based harassment and victimisation.

All of us at RGF should be actively seeking to eliminate sexual harassment, sex based harassment and victimisation in the workplace and behave in accordance with this policy and RGF's culture and values. This policy sets out the expectations and responsibilities of all people within RGF with regards to discrimination and harassment in the workplace.

II. SCOPE OF THE POLICY

This policy applies to all RGF People, meaning:

- *Employees who are employed to do work directly for RGF at RGF sites;*
- *Employees who are employed to work directly for RGF's clients;*
- *independent contractors (or representatives of independent contractors) who are engaged to provide services directly to RGF; and*
- *volunteers or other site based people, work experience students, interns, exchange workers and employees of our clients who work from RGF sites.*

This policy applies at all times when RGF People are interacting with and/or representing RGF. This means this policy applies:

- *during work time; or if visiting the workplace out of hours because of a connection to work;*
- *to conduct that occurs in connection with work;*
- *to work-related social functions;*
- *to conduct that occurs out of work hours, such as through text message, if the communication arises out of work matters;*
- *when you are interacting with clients, members of the public or suppliers whilst on business related travel; and*
- *to other behaviour outside of work time which may have an adverse impact on RGF or the workplace (e.g. it could affect RGF's or a client's reputation, cause bad feelings or affect behaviour in the workplace)*

III. COMPULSORY ITEMS

This policy applies to all RGF Staffing APEJ employees.

IV. GOLDEN RULES

RGF does not tolerate discrimination or harassment in any form.

V. GLOSSARY

Official term	Explanation
Diversity	All the ways we are different from each other. It includes, for example, visible differences such as age, gender, ethnicity and physical appearance, as well as underlying differences such as thinking styles, religion, nationality, family situation, sexual preference and educational background.
Discrimination	When a person is treated less favourably than another person because of a particular trait that the person has or is assumed to have, where that attribute is protected by legislation.
Sexual Harassment	Any unreasonable, uninvited or unwelcome sexual advance, or request for sexual favours that a reasonable person would consider offensive, humiliating, intimidating or threatening to another person or which makes a workplace uncomfortable for another person.
Sex Based Harassment	Any unwelcome conduct of a demeaning nature because of a person's sex, in circumstances which a reasonable person would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.
Victimisation	When a person is subjected to some form of detriment because they made a complaint in good faith or were a witness to, or involved in the investigation of, a complaint of discrimination or harassment.

1. Policy

RGF is committed to creating a positive workplace culture free from all forms of discrimination and harassment, and where all our people are encouraged to “Unleash their Potential”, by being treated fairly, with dignity, courtesy and respect. RGF will not tolerate discrimination or harassment in any form.

RGF is committed to eliminating conduct that includes:

- Sexual harassment (unwelcome conduct of a sexual nature);
- Harassment on the grounds of sex (unwelcome conduct based on the sex of the person, but not necessarily sexual in nature);
- Discrimination on the grounds of a person’s sex (differential treatment based on the sex of the person);
- Conduct that subjects a person to a hostile workplace environment on the ground of sex (conduct that results in an offensive, intimidating and humiliating environment for people of one sex, but not necessarily directed at a person);
- Acts of victimisation that relate to complaints, proceedings, assertions or allegations in relation to the above four points.

RGF expects all its staff to display appropriate workplace behaviour which means:

- treating everyone who you may come into contact with at work, including other RGF People, clients, customers and suppliers, with respect. In the case of external employees/ contractors this includes all people engaged, employed or otherwise present at the client’s workplace;
- taking steps to appropriately resolve or report any incident of discrimination or harassment of which you may become aware;
- offering support to anyone who may be experiencing discrimination or harassment and letting them know where they can seek help and advice;
- assisting and cooperating with any investigation of a complaint where required;
- maintaining confidentiality of information provided during the investigation of a complaint;
- not spreading gossip or rumours about a person or situation; and
- ensuring your actions are consistent with RGF’s Code of Conduct and Values

This policy applies at all times when RGF People are interacting with and/or representing RGF.

This means this policy applies:

- during work time;
- to conduct that occurs in connection with or outside work;
- to people who have a workplace relationship (and do not fall within the definition of employer and employee, but who nevertheless have a working relationship);

- to work-related social functions;
- when you are interacting with clients, members of the public or suppliers,
- whilst on business related travel; and
- to other behaviour outside of work time which may have an adverse impact on RGF or the workplace (e.g. it could affect RGF's or a client's reputation, cause bad feelings or affect behaviour in the workplace).

2. What is Diversity?

Diversity means all the ways we are different from each other. It includes, for example, visible differences such as age, gender, ethnicity and physical appearance, as well as underlying differences such as thinking styles, religion, nationality, family situation, sexual preference and educational background.

Embracing diversity and the unique skills and experiences of each individual is fundamental to our business success. Whether working on a client site or directly at a RGF office, diversity is at the core of our vision of "Unleashing Potential". We embrace the diversity of our people to help us achieve our vision.

3. Discrimination and Harassment

3.1 What is Discrimination?

Direct discrimination is when a person is treated less favourably than another person because of a particular trait that person has or is assumed to have, where that attribute is protected by legislation. It is unlawful (see Related Standards on the front page) to discriminate against someone on the grounds of:

- sex;
- marital status;
- pregnancy or potential pregnancy;
- breastfeeding;
- family or carer's responsibilities;
- race, colour, nationality, descent, ethnic or ethno- religious background;
- disability (including intellectual disability, physical disability or psychiatric illness);
- age
- sexuality;
- transgender;
- political opinion;
- social origin;
- religion; or
- being associated with a person who has any of the above characteristics.

For example, it may be unlawful discrimination if:

- a person is looked over for a job opportunity because of his or her race; or
- a person is denied access to training opportunities because he or she has a disability.

Some states/territories cover additional grounds of unlawful discrimination, e.g. irrelevant criminal record, irrelevant medical record or physical features. We strive to treat people without reference to any irrelevant characteristic, as part of respectful workplace interactions and merit based decision making.

Indirect discrimination refers to a rule or practice which is applied generally but which has a particular impact on a person due to the person possessing one of the above attributes, and where this rule or practice is not reasonable having regard to all the circumstances.

Indirect discrimination is harder to detect. RGF encourages all people, including managers, to consider any unintended impacts of business rules or practices and how these may be adjusted to be more inclusive, taking into account the requirements of the business.

3.2 What is Harassment?

Harassment is any unreasonable, uninvited or unwelcome behaviour that a reasonable person would consider offensive, humiliating, intimidating or threatening to another person or which makes a workplace uncomfortable for another person.

Sexual and sex based harassment is unlawful and will not be tolerated. It is unlawful (see Related Standards above) to harass someone on the basis of one of the prohibited grounds (listed in section 3.1, "What is discrimination?")

- Intention does not matter, if it has the effect of being offensive, humiliating or intimidating, that could be harassment. For example, a racist joke which some people found funny, but another person felt was offensive or humiliating;
- Harassment doesn't need to be directed at a particular person- if a reasonable person is likely to be offended it can be unlawful harassment. e.g., a sexually explicit screen saver or poster can be considered a form of sexual harassment;
- A single act can be harassment- although often harassment may be repeated, a single act can also constitute harassment. Harassment may take the form of persistent innuendoes or threats. It may be silent or loud, subtle or openly hostile. It can be public or private;
- Words, images or actions can be harassment- It can include words or statements that are transmitted by post, fax, phone (including text message), video, email, computer servers (including use of social media forums) or material displayed on someone's phone at work.

3.2.1 What is Sex-based harassment?

Sex-based harassment is any unwelcome conduct of a demeaning nature because of a person's sex, in circumstances which a reasonable person would have anticipated the possibility that the person harassed would be offended, humiliated, or intimidated.

Harassment on the grounds of sex **only** relates to harassment that occurs because of:

- The sex of the person harassed;
- A characteristic that relates generally to that person's sex (e.g., anatomical attributes), or,
- A characteristic that is generally attributed to that person's sex (e.g., gender stereotypes, including characteristics generally attributed by society to one sex or the other, such as caring responsibilities or housework being the domain of women).

3.2.2 What is Sexual Harassment?

Sexual harassment is a particular form of harassment that is unlawful. It is unreasonable, uninvited or unwelcome conduct of a sexual nature which makes another person or group of people feel offended, humiliated or threatened. It need not be aimed at a particular person, or be intended to offend, humiliate or threaten any specific person.

Examples of behaviour which could constitute sexual harassment include:

- unwelcome sexual advances;
- sexual or suggestive remarks;
- sexual propositions or repeated requests for dates;
- intrusive questions about a person's private life;
- sexual jokes and innuendo;
- deliberate and unwanted physical contact such as touching, brushing up against a person, hugging etc;
- offensive telephone calls, magazine articles, images, objects, email, screen savers, pictures or calendars; or suggestive looks or leers

Sexual harassment can occur both in the workplace or outside of work - for example in the lunchroom, via work emails, in online forums, or sometimes at work sponsored events outside work.

Sexual harassment can occur between any two people - for example it can commonly occur between men and women, but sexual harassment can also be directed from women to men, men to men or women to women.

4. What is Victimisation?

Victimisation occurs when a person is subjected to some form of detriment because they made a complaint in good faith or were a witness to, or involved in the investigation of, a complaint of discrimination or harassment.

Examples of victimisation include subjecting a person to detriment because they took certain action such as:

- Making or proposing to make a complaint or bring proceedings under various Acts;
- Reasonably asserting their rights, or somebody else's rights, under various Acts;
- Making an allegation that a person has acted unlawfully under various Acts.

Victimisation may also include:

- Moving an employee to a position with lesser responsibilities while their complain is being considered;
- Denying an employee the opportunity of a promotion because they made a sexual harassment complaint;
- Dismissing an employee, or refusing further contract work, because they made a complaint of sexual harassment.

Victimisation is unacceptable and is unlawful.

5. Expectations & Responsibilities

At work, you can expect to be treated with dignity and respect and not subjected to discrimination or harassment of any kind.

You also have the responsibility to:

- understand this policy;
- treat all others with dignity and respect, including all other employees, independent contractors, clients, suppliers and visitors;
- not participate in any inappropriate workplace behaviour (including harassing behaviour);
- not encourage or in any way condone breaches of this policy by others; and
- take appropriate steps to resolve or report any instance of discrimination or harassment.

All managers, along with your RGF consultant if you are based at a client site, are also responsible for creating an environment where discrimination and harassment are not accepted.

They must do their best to:

- model appropriate behaviour;
- promote this policy within their team/workplace;
- monitor the workplace and ensure that acceptable standards of conduct are enforced;
- take appropriate and prompt action in relation to suspected breaches of this policy;

- treat all complaints regarding discrimination or harassment seriously and confidentially.

6. What are the potential consequences of breach of this Policy?

If an employee is found to have engaged in discrimination or harassment, this may result in one or more of the following actions:

- an apology (verbal or written, private or more public);
- informal counselling, mediation or training;
- appropriate disciplinary action which may include a verbal or written warning, up to termination of employment (including summary dismissal); and
- for an independent contractor or representative of an independent contractor, ending of the contract or other appropriate action.

One or more of the above actions may also follow where:

- a person is found to have victimised, vilified or retaliated against a person who has made a complaint of discrimination or harassment; or
- a person is found to have made a deliberately false or malicious complaint.

7. What should I do if I feel I have been discriminated against or harassed?

You should report the incident immediately to your Manager or RGF Consultant as soon as possible in order for appropriate action to be taken and the matter to be addressed. Please refer to the Complaints & Grievances Policy.

The Complaints & Grievances Policy sets out steps you can take to resolve an issue involving alleged discrimination or harassment which can include: asking the person to stop their behaviour, escalating the issue to your manager, or making a formal complaint.

RGF can also provide you with access to our Employee Assistance Program (EAP) which offers confidential support from external counsellors. For more information about accessing EAP:

- contact your direct manager or People & Culture;
- refer to the EAP page on our intranet; or
- contact your RGF consultant (if you are working on a client site).