

Respect @ Work Bullying and Harassment

PeopleIN Limited (ACN 615 173 076)

adopted on 28 Jan 2025

Bullying & Harassment POLICY

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Bullying & Harassment POLICY

1 SCOPE

This policy applies to everyone who works for, acts for, or in some way, represents PeopleIN Limited together with its controlled subsidiaries (**PeopleIN**), anywhere in the world including:

- full time, part time, casual, permanent or temporary;
- contract or commission workers; and
- volunteers, vocational and work experience placements (**Staff**).

It applies to Staff:

- At the workplace;
- Performing work duties;
- Attending work events;
- Fulfilling work-related obligations;
- At a client/stakeholder premises; and
- Out of hours when the relevant conduct has a relevant connection to the employment relationship such as where the conduct is likely to cause serious damage to the relationship between the employee and other PeopleIN employees or the employee and PeopleIN; the conduct damages PeopleIN's interests; or the conduct is incompatible with the employee's duty as an employee.

2 OBJECTIVE

The objectives of this policy are to promote a diverse and inclusive workplace environment whilst ensuring a workplace free of bullying and harassment. At PeopleIN, bullying and harassment are not tolerated. All staff are directed not to engage in bullying or harassment. Staff that engage in such behaviours will be subject to disciplinary action up to and including termination of their engagement or employment. This policy aims to assist Staff in understanding what bullying and harassment is and how we are all responsible for ensuring a workplace culture of respect and inclusiveness.

3 BUSINESS PRINCIPLES

At PeopleIN we have built a culture of respect and inclusiveness by embracing and supporting people of all cultures and backgrounds. The PeopleIN group of companies have Corporate Values which guide how we build our culture and celebrate our achievements. They are:

- **We are HUMAN**
- **We are MEMORABLE**
- **We are BOLD**
- **We achieve the EXTRAORDINARY**

PeopleIN is committed to the prevention of bullying and harassment in the workplace.

At PeopleIN we know that our Staff are our most valuable asset. We recognise that we are the sum of our individual differences, life experiences, knowledge, innovation, creativeness, personal capabilities, and the talents that our Staff bring to our organisation. Our people represent our culture, our reputation, and PeopleIN's achievements.

Every person engaged in a PeopleIN business is responsible for contributing to the success of our Respect@Work policy framework.

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Upon induction to PeopleIN all Staff shall be provided with a copy of this policy. All Staff will read and confirm their understanding of the document and confirm their intention to adhere to the standards provided for in this document. PeopleIN will conduct annual refresher training in relation to its expectations to prevent bullying and harassment in the workplace.

3.1 The PeopleIN Respect@Work Principles – The Must Do's of PeopleIN

We build and maintain a respectful workplace by behaving in accordance with these principles:

- (a) we treat each other with respect and consideration;
- (b) we are inclusive, valuing others and embracing our differences;
- (c) we recognise the efforts and achievements of others;
- (d) we consider the impact of our behaviours on others;
- (e) we apply these principles throughout the lifecycle of PeopleIN employment, from recruitment to retirement; and
- (f) we call out inappropriate treatment or behaviours and recognise our personal and collective responsibilities to maintaining a respectful workplace.

3.2 Unacceptable Behaviours – The Must Never Do's of PeopleIN

At PeopleIN the following behaviours are strictly prohibited and are never acceptable:

- (a) any form of violence, threats, abuse, bullying or harassment under any circumstances;
- (b) any form of victimisation; and
- (c) any form of non-inclusive behaviour.

3.3 Bullying and harassment are misconduct and disciplinary action will occur

Staff must be aware that any form of bullying and/or harassment is **strictly prohibited**. Where substantiated these behaviours will be addressed as misconduct. Any staff member found to have engaged in such behaviour will be subject to disciplinary action up to and including termination of employment.

4 STAFF ROLE IN PREVENTION

All Staff have a "duty of care" to take all reasonable steps towards the prevention of bullying, harassment or victimisation:

- Managers and supervisors are required to be aware of, identify and eliminate inappropriate behaviour regardless of whether a formal or informal complaint has been received.
- Managers and supervisors have a responsibility to ensure that all Staff behave in accordance with the principles of our Respect@Work policy framework.

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- Managers and supervisors have a responsibility to provide leadership and guidance as a role-model.
- Employees and co-workers are to perform their roles within the directions and expectations of PeopleiN and if exposed to or witnessing workplace bullying or harassment are to raise those matters promptly within their reporting line, directly to Human Resources, or in accordance with Section 6
- PeopleiN takes very seriously its responsibilities to handle complaints of bullying, and harassment promptly and impartially.

5 DEFINITION OF BULLYING AND HARASSMENT

Pursuant to the *Fair Work Act 2009*, a worker is considered to be bullied at work if:

- A person or group of people repeatedly act unreasonably towards them or a group of workers; and
- The behaviour creates a risk to health and safety.

Unreasonable behaviour includes victimising, humiliating, intimidating or threatening conduct. Whether a behaviour is unreasonable can depend on whether a reasonable person might see the behaviour as unreasonable in the circumstances.

5.1 Types of Bullying Direct

Direct bullying involves face-to-face bullying. Examples of direct bullying include, but not limited to:

- verbal actions such as name-calling, insults, shouting;
- physical actions such as striking or pushing;
- intimidation, including blocking a person's exit or unexplained rages directed at a person;
- belittling remarks;
- unreasonable persistent criticism which is not part of a performance management process; and
- inappropriate use of social media e.g. text messaging, Facebook, Snap Chat, Twitter, YouTube, instant online messaging.

Indirect

Indirect bullying is when the bullying action is not easily seen by others and is potentially conducted out of sight. Examples of indirect bullying may include, but is not limited to:

- Unjustified and unreasonable exclusion from work related activities. This includes not notifying employees of meetings, opportunities, results and outcomes directly affecting their employment or ability to do their job effectively, ignoring an employee at meetings, deliberately omitting or not acknowledging employees' ideas, contributions and opinions.

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- Inappropriate or unreasonable blocking of promotion, training, development or other work opportunities.
- Constantly and inappropriately changing and/or setting impossible deadlines, tasks or targets.

5.2 What is not considered to be workplace bullying

- Reasonable management action and decisions, discussions or actions carried out in a reasonable way, such as
 - performance management processes;
 - disciplinary action;
 - informing a worker about unsatisfactory work performance or inappropriate work behaviour;
 - directing a worker to perform duties in keeping with their job; and
 - maintaining reasonable workplace goals and standards.
- Management instructions, directions and requirements that are made fairly and appropriately.
- Similarly, differences of opinion, conflicts and working relationship issues are part of working life and generally do not constitute bullying or harassment.

5.3 Harassment

The behaviours associated with harassment are prohibited across a range of legislation including:

- Sexual harassment under the *Sex Discrimination Act 1984* occurs where a person makes an unwelcome sexual advance, an unwelcome request for sexual favours, or engages in other unwelcome conduct of a sexual nature in relation to a person. This occurs in circumstances where it is possible that the person harassed would be offended, humiliated or intimidated.
- Racial Discrimination under the *Racial Discrimination Act 1975* prohibits offensive behaviour based on racial hatred. Offensive behaviour includes an act that is likely to offend, insult, humiliate or intimidate another because of their race, colour or national or ethnic origin.
- Disability discrimination under the *Disability Discrimination Act 1992* prohibits harassment in relation to an employee's disability.

5.4 Victimisation Definition

Victimisation is when a person treats or threatens to treat another person unfavourably (which may include humiliation/adverse employment opportunities) because that person:

- made a complaint or intends to make a complaint; or
- assisted another person to make a complaint; or
- refused to do something because it would be bullying, discrimination, sexual harassment or victimisation.

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Examples of Victimisation

Victimisation can include physical, visual, verbal and non-verbal behaviour. Examples include, but are not limited to:

- Humiliating a staff member in a meeting because they gave evidence in support of a fellow employee's complaint of sexual harassment
- Refusing a promotion to an employee because they lodged a discrimination complaint.

6 PROCEDURES FOR MANAGING BULLYING, HARASSMENT, OR VICTIMISATION

If you or a colleague are experiencing or witnessing inappropriate behaviours, bullying or harassment you may raise those issues and have them addressed pursuant to the PeopleIN Grievance and Complaint Management Procedure.

Any grievance or complaint raised pursuant to this policy shall be managed in accordance with the PeopleIN Grievance and Complaint Management Procedure.

This will involve a process of:

- Attempted informal resolution of the issue between staff members. If this is not effective or appropriate in the circumstances the matter will escalate to the next step.
- Formal resolution through escalation to supervisor or HR.
- The resolution of the matter will be addressed promptly and in a manner that is sensitive and prioritises: safety at work, the preferences of the complainant in how the matter is addressed (where appropriate) and procedural fairness to all of the parties involved in the matter.
- The matter will be resolved to ensure a safe workplace free from sexual harassment and unlawful discrimination.

Alternatively, where appropriate, such a matter may be addressed as a whistleblower disclosure or otherwise as a confidential disclosure under the PeopleIN Whistleblower Policy. This ensures there is a confidential option for disclosure of unacceptable behaviours.

7 RELATED DOCUMENTS

PeopleIN Code of Conduct

PeopleIN Diversity and Inclusion Statement

PeopleIN Grievance and Complaints Management Policy

PeopleIN Whistleblower Policy

8 RELEVANT LEGISLATION

- Australian Capital Territory – *Discrimination Act 1991*
- New South Wales – *Anti-Discrimination Act 1977*
- Northern Territory – *Anti-Discrimination Act 1996*

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- Queensland – *Anti-Discrimination Act 1991*
- South Australia – *Equal Opportunity Act 1984*
- Tasmania – *Anti-Discrimination Act 1998*
- Victoria – *Equal Opportunity Act 2010*
- Western Australia – *Equal Opportunity Act 1984*.
- *Age Discrimination Act 2004*
- *Australian Human Rights Commission Act 1986*
- *Disability Discrimination Act 1992*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Fair Work Act 2009*

9 POLICY REVIEW

This policy will be reviewed at least annually (or more frequently if necessary due to technical or other business policy requirements). The Group reserves the right to suspend, modify, or withdraw this Policy at any time. Staff are responsible for regularly reviewing its terms.