

Respect @ Work Bullying and Harassment

PeopleIn Ltd ACN 615 173 076

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Bullying & Harassment POLICY

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Bullying & Harassment POLICY

1 SCOPE

This policy applies to all everyone who works for, acts for, or in some way, represents PeopleIN, or any of its controlled subsidiaries, anywhere in the world including:

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

It applies to employees whilst:

- At the workplace
- Attending work-related interactions with fellow employees, and with clients, candidates and other stakeholders;
- Fulfilling work-related obligations;
- At a Host Client/stakeholder premises; and/or
- At a Group sponsored or funded functions or activities during and/or outside working hours.
- Other actions by employees outside working hours may also fall within the scope of this policy if there is an impact on the employee's ability and/or suitability to do his/her job or the actions bring the Group into disrepute.

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 any PeopleIN workplace, bullying and harassment are never tolerated. All staff are directed not to behave in any manner that could be perceived as bullying or harassment. Staff found to engage in such behaviours will be subject to disciplinary action up to and including termination of their engagement or employment. At PeopleIN bullying and harassment are never tolerated.

3 BUSINESS PRINCIPLES

At PeopleIN we have built a culture of respect and inclusiveness by embracing and supporting people of all 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 Ltd (the Group) is committed to the prevention of bullying and harassment in the workplace. This policy aims to assist employees in understanding what bullying and harassment is and how we are all responsible for ensuring a workplace of where respect and inclusiveness is our culture and our practise.

At PeopleIN we know that our employees 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 employees bring to our organisation. Our people represent our culture, our reputation, and the Group's achievements.

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Every person engaged in a PeopleIN business is responsible for contributing to the success of our Respectful Workplace Policy framework. We are all responsible for our actions. If you feel that you or another staff member are uncomfortable with behaviours in your workplace or are being subjected to bullying or harassment in the workplace, you should raise that matter promptly. If the circumstances are not addressed, you should escalate these matters through the procedures contained in the appendix to this document.

Upon induction to a PeopleIN business all staff shall be provided with a copy of this policy and procedure. All staff shall read and confirm their understanding of the document and confirm their intention to adhere to the standards provided for in this document. This policy shall remain a part of the PeopleIN annual refresher training.

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.
- (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
- (c) Any form of non-inclusive behaviour

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 managed as misconduct. Any staff member found to have engaged in such behaviour will be subject to disciplinary action up to and including termination.

4 **EMPLOYEE’S ROLE IN PREVENTION**

All employees have a “duty of care” to take all reasonable steps towards the prevention of bullying, harassment or victimisation

- (a) 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.

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- (b) It is also Managers and Supervisors responsibility to ensure all employees behave in accordance with the principles of our Respect @ Work policy framework.
- (c) Manager's/Supervisor's have a responsibility to provide leadership and guidance as a role-model
- (d) Employees and co-workers are to perform their roles within the directions and expectations of the Group and if exposed to or witnessing workplace bullying or harassment raise those matters promptly within their reporting line.
- (e) The Group 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. 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
- Inappropriate use of multi-media and social media i.e. text messaging, phone calls, 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 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
 - 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 can also fall into those behaviours associated with bullying. Harassment is described as acts which create an unpleasant or hostile situation for people, caused especially by uninvited and unwelcome verbal or physical conduct.

Harassment is behaviour that is not wanted, that offends, humiliates or intimidates. Harassment may occur because of a persons gender of gender expression, pregnancy, ethnicity, religion, age, marital status, sexual orientation, gender identity, disability or carer's responsibilities.

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.

A person may be found liable for victimisation even though the original allegation is not proven.

Examples of Victimisation

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

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- Humiliating a staff member in a meeting because they gave evidence in support of a fellow employees 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 Managing Procedures.

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

7 RELATED DOCUMENTS

- Grievance and Complaint Management Policy
- Disciplinary Policy
- Equal Employment Opportunity Policy

8 RELEVANT LEGISLATION

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

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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. The Employee is responsible for regularly reviewing its terms.