

# Discrimination, Harassment and Bullying Policy

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## POLICY STATEMENT

Bingo Industries Limited (from here on referred to as Bingo) aims to provide an equal employment opportunity workplace in which the working environment is built on the talent, contributions and resources of a diverse team of individuals, and which is free from all forms of harassment (including sexual harassment), bullying, unlawful discrimination, victimisation and vilification.

At Bingo, equal employment opportunity means striving to always ensure that decisions are made, and behaviours are motivated, based on merit and fairness according to skills, qualifications and aptitudes, rather than irrelevant personal characteristics. This applies throughout the various stages of the employment life-cycle, such as recruitment and selection, terms and conditions, training, development and promotion, remuneration and benefits, succession planning, workforce organisation and termination.

This Policy applies to behaviour at work, wherever it occurs, and at all work-related functions and activities, including external training and other events and activities sponsored by Bingo. It also applies to employees' behaviour in relation to Bingo's suppliers, customers and others with whom an employee deals in relation to their work.

Bingo does not tolerate behaviour that constitutes harassment (including sexual harassment), bullying, discrimination, victimisation or vilification under this policy or under applicable law. Resulting disciplinary action could include dismissal, with or without notice. In addition, employees who engage in, or who cause, direct or assist others to engage in, such behaviours may be personally liable under applicable State or Federal legislation.

It is everyone's responsibility to ensure our working environment is free from all forms of this behaviour. Bingo expects strict compliance with these responsibilities by all employees at all times.

## AIMS AND OBJECTIVES

- This Policy summarises Bingo's approach to equal employment opportunity
- Describes workplace discrimination, bullying and harassment
- Explains Bingo's expectations of employees, and where to get more information

## SCOPE

This policy applies to all employees of Bingo Industries, and of its subsidiaries and associate companies (together referred to in this policy as **Bingo**) including -

- Permanent full-time and part-time employees
- Employees on a fixed term or fixed task contract
- Casual employees
- Temporary employees

And all individual contractors and employees of incorporated contractors engaged by Bingo (together referred to in this policy as **employees**).

This policy is not contractual and does not give you enforceable rights.

## DEFINITIONS

**Bullying:** Includes repeated unreasonable or negative behaviour that is directed towards one or more employees that creates a risk to health and safety and/or which has the effect of humiliating, intimidating, offending, degrading, insulting, undermining or threatening them.

**Direct Discrimination:** Occurs when someone is treated unfavourably because of a personal characteristic that is protected under applicable law, or is treated less favourably than a person without that characteristic.

**Indirect Discrimination:** Occurs when a rule appears on its face to be neutral, but has a disproportionate, disadvantageous or discriminatory impact on certain people because of a personal characteristic that is protected under applicable law, and the rule is unreasonable.

**Complainant:** The person making the complaint or raising the grievance.

**Harassment:** Includes verbal or physical conduct that is unwelcome or unsolicited, and/or which offends, humiliates, causes distress to or intimidates a person.

**Sexual Harassment:** Includes unwelcome conduct of a sexual nature in circumstances in which it could reasonably be expected to make a person feel offended, humiliated or intimidated, and a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would feel that way.

**Respondent:** The person against whom the grievance is raised or complaint is made.

**Victimisation:** Unfavourable treatment of a person because of the person's involvement as a complainant or as a witness to a complaint/grievance. Unfavourable treatment could include exclusion, adverse changes to the work environment, harassment, discrimination, bullying or other forms of adverse consequence.

**Vilification:** Includes any public act that could incite hatred, serious contempt or severe ridicule of or towards one or more employees because of their race, colour, sexual preference, HIV or AIDS status or transgender status, or any other protected personal characteristic.

## RESPONSIBILITIES

### AS AN EMPLOYER, BINGO WILL STRIVE TO

- Provide you with the opportunity to achieve and advance through your hard work and enthusiasm
- Reward you for your contribution and recognise the efforts you make above and beyond the basic requirements of your role
- Maintain a safe, healthy, fair and respectful workplace
- Create an enjoyable work environment in doing our best for our customers

### BINGO EXPECTS YOU TO

- Give the company your loyalty and your best efforts
- Be passionate about the work you do
- Stand up for the company and your colleagues outside work
- Show respect, trust and care for the company, your colleagues and our customers
- Work consistently with Bingo's values, always understanding how your behaviour can make a positive difference to the way we work at Bingo
- Follow all Bingo policies and procedures

### INTENT IS IRRELEVANT AND IGNORANCE IS NO EXCUSE

Conduct in breach of this policy and relevant laws can occur even where there is no intention to cause offence, harm or distress. It can also occur where the perpetrator did not realise their behaviour was in breach of this policy or applicable law.

Just because a person does not ask for particular negative treatment to stop, it does not mean that they consent to being treated that way.

Bingo expects all employees to respect and protect the individuals they come into contact with at work, and to take responsibility for ensuring their own behaviour does not, and could not be seen to, offend, humiliate, intimidate or discriminate against those individuals.

## **REASONABLE ADJUSTMENTS FOR A DISABILITY/IMPAIRMENT**

Reasonable adjustments are changes that allow people with a disability to work safely and productively. Reasonable adjustments will be made where required to enable the person to participate in the recruitment process or perform the genuine and reasonable requirements of the job. If you require such an adjustment, please contact your People and Culture representative or Bingo's SEQ team.

## **BULLYING**

Bullying can include behaviour of a physical or psychological nature, and can occur in private or in front of others. The behaviour is considered unreasonable if a reasonable person, in all of the circumstances, would expect the employee/s to feel that way.

One-off behaviour may not be technically be regarded as bullying, however it may nonetheless constitute harassment, and/or be in breach of the Code of Conduct or other workplace standards.

Health and safety laws place duties on Bingo and its employees to prevent risks to the health and safety of individuals. In particular, employees must take reasonable care for the health and safety of persons who may be affected by their acts or omissions at a workplace and to cooperate with Bingo's actions taken to comply with the laws.

Examples of bullying behaviour could include:

- Aggressive behaviour such as slamming doors, swearing, shouting, using intimidating words or conduct or threatening violence
- Deliberately excluding, ignoring or isolating a person, or withholding information vital for effective work performance this would include speaking in native tongue to other employees
- Publicly belittling a person, their opinions or their contributions
- Unreasonable baiting, teasing, intimidation, humiliation or ridicule
- Deliberately giving an employee an impossible assignment

### **Reasonable management action is not bullying.**

Bullying does not include reasonable business processes carried out in a reasonable manner, such as those in relation to performance management, disciplinary action and allocation of work.

## **DISCRIMINATION**

### Protected personal characteristics

The personal characteristic does not necessarily need to be the only reason for the unfavourable treatment for the discrimination to be unlawful or in breach of this policy.

There are a range of personal characteristics or attributes that are protected under State and Federal laws. These vary between jurisdictions, but could include:

- Age
- Physical or mental disability/impairment
- Physical features
- Sex, sexual orientation or gender identity
- Lawful sexual activity
- Relationship, domestic or marital status
- Status as a carer or parent or family responsibilities
- Pregnancy, potential pregnancy or breastfeeding
- Employment activity or industrial activity
- Political activity/belief
- Race
- Religious activity/belief
- Association with someone having any of these characteristics

There may be additional characteristics protected under particular state or federal laws.

Speaking in native tongue to other employees, although not a deliberate form of discrimination, may be perceived by others who do not speak the language as a form of discrimination through exclusion.

Any conduct that results in a person being directly or indirectly treated less favourably because they have, or are assumed/believed to have, one of these characteristics is likely to be discriminatory and in breach of this policy and applicable law.

## **HARASSMENT**

(Harassment of a sexual nature is dealt with under the heading “Sexual harassment”).

Harassment may be deliberate or unintentional. It may be subtle or obvious, direct or indirect. It may constitute a single act, a course of conduct or the creation of a hostile working environment.

Harassment could include:

- Unwelcome personal questions
- Slurs or negative stereotyping
- Threatening, intimidating or hostile acts, whether physical or non-physical
- Inappropriate and/or denigrating jokes, mocking, imitating or making fun of someone
- The display or circulation of material that denigrates or shows hostility or aversion toward one or more employees

Harassment because of a protected personal characteristic could also constitute unlawful discrimination (see under the heading “Discrimination” in this policy).

## **SEXUAL HARASSMENT**

Sexual harassment could include a range of behaviours, including unwelcome sexual advances and requests for sexual favours as well as a range of other physical and verbal conduct. The behaviour can be obvious or subtle, and may involve employees of the same or different gender. It can occur in person or via phone, email or other means. It may occur in private or in front of others.

Sexual harassment could, for example, include:

- Lewd jokes or sexual comments/innuendo, or sexually offensive language
- Commenting about someone’s body or sexual behaviours
- Displaying, circulating or discussing sexually explicit or suggestive materials
- Inappropriate leering, staring, touching or other physical behaviour
- Repeatedly requesting a dating or sexual relationship (ie, not taking “no” for an answer)
- Repeatedly asking unwelcome questions about a person’s personal life

Some forms of sexual harassment may also constitute discrimination (see under the heading “Discrimination” in this policy).

## **VICTIMISATION**

Bingo does not tolerate victimisation of any person who, acting in good faith, reports (or helps someone else to report), or is thinking of reporting, discrimination, bullying, harassment (including sexual harassment) or vilification or participates in an investigation of such a report.

## **VILIFICATION**

Bingo does not tolerate vilification of any person by any employee.

## **TO MAKE A COMPLAINT**

If you have been subject to, or witnessed, any behaviour in breach of this policy, please report the behaviour as soon as possible in accordance with our Grievance Policy.

Employees who bring genuine complaints and/or make genuine reports must not be victimised for doing so.

Bingo encourages employees to deal actively with grievances as they arise. This means that if you are subject, or witness, to inappropriate conduct or behaviour, we expect you to act promptly to raise the issue.

This also means that if you receive a complaint or grievance, we expect you to take appropriate action in response to it in accordance with this policy and our Grievance Policy. **If in doubt, ask for help.**

### **NEED SUPPORT?**

More information is contained in our Grievance Policy.

Employees are welcome at any time to ask their manager or People and Culture representative for support in dealing with a complaint, concern or otherwise in relation to the matters covered by this policy or the Grievance Policy.

In addition, employees may access Bingo's Employee Assistance Program (EAP) at any time. EAP is a professional, confidential counselling service provided by independent counsellors for employees and their immediate family members. EAP is paid for by Bingo.

### **IMPLEMENTATION AND REVIEW**

In fulfilling these objectives, management is committed to regular consultation with workers to ensure the Policy operates effectively and that appropriate Workplace Health and Safety issues are regularly reviewed. This Policy is reviewed every 2 years by the SEQ and Executive Committee and revised as required.