



## Equal Employment Opportunity, Discrimination, Harassment, Bullying and Workplace Violence Policy

► Please note this policy may be reviewed and changed from time to time



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## Version Control

Version	Description	Author	Date
1.0	Initial Document	Arvinder Grover	05/03/2013
1.1	Revised Document (Updated: Purpose, Commitment Statement, What is EEO, Harassment. Added: Scope, Definitions, What isn't Discrimination?, what isn't bullying?, Breaches & Obligations)	Nicole Saadeh	20/06/2017
1.2	Updated SFI Health Logos and Brand names and template update	Angelina Go	20/11/2023

## Purpose

SFI Health employs and provides services to a cross section of people from diverse social, political and cultural backgrounds in providing products and services to our clients. We aspire to recognise and benefit from the differences in experience and perspectives that our employees bring to the business.

SFI Health values diversity in the workplace, it adds value to our business decisions through different perspectives and experiences. The term diversity in the workplace recognises that individuals within the workforce differ from each other. As a result, they have a wide range of different needs, skills and experiences. Differences between employees are both observable (such as race, gender and age) and not immediately apparent (such as marital status, family/parental status, sexual orientation, political affiliation, religious affiliation, education level, socio-economic status and physical or intellectual impairments).

SFI Health encourages diversity in the workplace, because diversity creates:

- effective adjustment to demographic and cultural changes;
- effective team membership and increased productivity;
- new approaches and ideas;
- wider pool for recruitment selection;
- multi-dimensional corporate image;
- utilisation of employees' overseas experience and qualifications;
- increased access to a diverse market; and
- increased business opportunities

We aim to give every job applicant and employee a fair go. We recruit and promote on the basis of merit; that is, the person who is best for the job will get the job.

As an employer, SFI Health recognises the rights of individuals and groups to be free from discrimination and harassment on legislatively applicable Federal and State grounds such as the following protected attributes:

- |  |                                   |
|--|-----------------------------------|
| • Race   | • Colour                          |
| • Sex  | • Age                             |
| • Physical / mental ability                    | • Marital status                  |
| • Family responsibilities                      | • Religious beliefs or activities |
| • Pregnancy / possible pregnancy               | • Political beliefs or activities |
| • National extraction or social origin         | • Physical features               |
| • Industrial activity                          | • Carer status                    |
| • Lawful sexual activity or sexual orientation | • Breastfeeding in Public         |
| • Gender identity                              | • Sexual orientation              |

## Scope

This policy covers all workers employed by Soho Flordis International Asia Pacific and Soho Flordis International Corporate (SFIAP & SFIC).

Workers of SFI Health include:

- an employee
- a contractor or sub-contractor
- an employee of a contractor or sub-contractor
- an employee of a labour hire company
- an apprentice or trainee
- a student gaining work experience
- an outworker
- a volunteer

This policy is not limited to the workplace or workplace hours. This policy extends to all functions and places that are work related. For example, work lunches, conferences, Christmas parties and client functions.

## Commitment Statement

SFI Health is committed to ensuring that the working environment is free from harassment, discrimination, bullying and workplace violence.

SFI Health considers all types of harassment, discrimination, bullying and workplace violence to be unacceptable form of behaviours that will not be tolerated under any circumstances. We believe all employees should be treated with respect, fairly and in a reasonable way. Harassment, discrimination, bullying and workplace violence are illegal under a range of Federal and State legislation.

SFI Health is therefore committed to ensuring that:

- Harassment, discrimination, bullying and workplace violence complaints are treated seriously and are not tolerated;
- Complaints are attended to promptly and confidentially;
- Complaints are investigated impartially;
- Action is taken to ensure that misconduct does not continue;
- Complainants and witnesses are not victimised in any way;
- All Policies and Procedures comply with EEO principles;
- EEO target groups – such as those that have experienced discrimination in the past (e.g. Women, people with disabilities and people of non- English speaking backgrounds) are not disadvantaged;

- As far as practicable, any staff member making a complaint will be protected against victimisation and reprisals;
- SFI Health is committed to providing all employees with a harassment-free work environment;
- Under Federal and State legislation, SFI Health will ensure that direct or indirect discrimination does not occur in its work environment or dealings with the public; and
- SFI Health will ensure that current and prospective employees receive fair and equitable treatment.

## Definitions

Term	Definition
Adverse Action	<p>Adverse action includes doing, threatening or organising any of the following:</p> <ul style="list-style-type: none"> <li>• firing an employee</li> <li>• injuring the employee in their employment, eg. not giving an employee legal entitlements such as pay or leave</li> <li>• changing an employee's job to their disadvantage</li> <li>• treating an employee differently than others</li> <li>• not hiring someone</li> <li>• offering a potential employee different and unfair terms and conditions for the job compared to other employees.</li> </ul>
Reasonable	<p>Whether action was taken in a reasonable manner will depend on the facts and circumstances surrounding the action, the way in which the action impacts upon the worker and the circumstances in which the action was implemented as well as and any other relevant matters.</p>

## What is Equal Employment Opportunity (EEO)?

EEO means that employees are treated fairly and equitably. It means that employees are judged on their ability to do the job based on merit – skills, qualifications and experience, rather than assumptions about them because of different characteristics such as their sex, race marital status, disability, etc. It also means promoting a working environment that is free from sexism, racism, sexual harassment and other forms of discrimination. This applies to all workers of SFIAP & SFIC.

EEO legislation deals with three main areas of practical concern:

- discrimination
- harassment

- affirmative action

All employees have the right to be free of harassment and discrimination in the workplace and have the right to seek advice or make a complaint.

## Discrimination

Discrimination, which includes both direct and indirect discrimination, is essentially any practice that makes distinctions between individuals or groups so as to disadvantage some or advantage others. Direct discrimination refers to individual actions or behaviour usually resulting from prejudice or stereotypical thinking. Indirect discrimination involves instances where certain groups are unreasonably excluded or otherwise disadvantaged by apparently neutral policies, practices, procedures or decisions that are unfair or unequal in their effect.

## What isn't Discrimination?

Adverse action isn't always discrimination, even though it might seem to be. There can be lawful reasons that have nothing to do with someone's personal characteristics.

It's not discrimination if the actions:

- are allowed under state or federal anti-discrimination law;
- are taken against an employee of a religious institution to avoid harming the organisation's religious beliefs;
- do not relate to one of the protected attributes (outlined in the purpose of this policy); or
- relate to the necessary requirements of the job.

## Harassment

Harassment is a form of discrimination. It consists of unwelcome, embarrassing, unsolicited, offensive, abusive, belittling or threatening behaviour directed at an individual or group because of some real or perceived attribute such as a person's ethnicity, sexuality, or disability in circumstances which a reasonable person, would have anticipated that the person harassed would be offended, humiliated or intimidated.

Harassment can be any one or more of the following:

- practical jokes
- swearing
- bullying
- a demand or inappropriate request for sexual/romantic favours
- crude jokes, derogatory comments, offensive messages or phone calls
- graffiti with racial overtones

- name calling, physical threats and offensive gestures
- campaigns of hate and silence
- leering, patting, pinching, touching
- displays of offensive posters, pictures or graffiti

If such behaviour makes an employee feel offended, humiliated or intimidated, then harassment and/or discrimination is occurring in the workplace and immediate action is required.

Harassment can occur on the basis of any of the grounds of discrimination.

Harassment is not always deliberate. Therefore, workers must remember that something, or a type of behaviour, which they personally do not think is offensive, may be offensive to others.

## Bullying

Workplace bullying is aggressive behaviour that intimidates, humiliates and/or undermines a person or group. Bullying can be defined as the repeated less-favourable treatment of a person by another or others in the workplace, which is considered unreasonable and inappropriate workplace practice.

Examples of bullying at work may include;

- Sabotaging someone's work or their ability to do their job by not providing them with vital information, appropriate training and/or resources.
- Behaving aggressively.
- Teasing or practical jokes.
- Pressuring someone to behave inappropriately.
- Excluding someone from work-related events.
- Unreasonable work demands.

Bullying often results from one person or a group needing to dominate or show superiority over another person. A worker is bullied if a person or group of people act unreasonably towards them or a group of workers. A worker is also bullied if the behaviour creates a risk to their health and safety.

## What isn't bullying?

Reasonable management action that's carried out in a reasonable way is not bullying. A manager can make decisions about poor performance, take disciplinary action, direct and control the way work is carried out and enforce company policies and rules in an equal manner.



## Workplace Violence

Violence and aggression include: verbal and emotional abuse or threats; and physical attack to an individual or to property by another individual or group. The impact of violence on a victim depends on the severity of the violence, his or her own experiences, skills or personality.

Violent acts include:

- Verbal abuse, in person or over the telephone
- Written abuse
- Harassment
- Threats
- Ganging up, bullying and intimidation
- Physical or sexual assault
- Armed robbery
- Malicious damage to the property of staff, customers or the business

Workplace violence may not always be a critical or extreme situation from the outset. It sometimes follows a pattern of escalating behaviour – from agitation, expressed anger or frustration and intimidating body language, to verbal/written abuse and threats, physical threats, or assault. Violence can be internal to the organisation or from external sources.

Workplace violence will not be condoned by SFI Health and serious disciplinary consequences, including summary dismissal will apply for offences.

The complaints procedure should be followed in the event of a complaint of workplace violence, however in a severe instance of violence you are required to immediately remove yourself from the situation and report the instance to a company manager. The same potential outcomes described in the procedure will apply.

## Equal Opportunity for Women in the Workplace

In relation to the Equal Opportunity for Women in the Workplace Act 1999, it is SFI Health's responsibility to ensure that its employment policies and practices do not discriminate against women and that employment decisions are based on the principle of merit.

Affirmative action means the removal of obstacles in employment so that all employees receive the same opportunities. It is based on the principle of merit, that is, the best person must be employed for the job. Affirmative action aims to take a positive approach, by attempting to prevent discrimination from occurring in the first place as well as removing previous causes of discrimination.

## Responsibilities of Directors and Employees

**The Directors** have a responsibility to:

- ensure that acceptable standards of conduct are observed at all times;
- promote and model appropriate behaviour;
- promote the EEO, Bullying and Workplace Violence Policy;
- treat complaints seriously and ensure that immediate action is taken to investigate and resolve them; and
- Maintain confidentiality principles related to all complaints.

**All Employees** have a responsibility to:

- comply with the SFI Health EEO, Discrimination, Harassment, Bullying and Workplace Violence Policy;
- to refrain from engaging in harassing or discriminating conduct; and
- maintain complete confidentiality if they provide information to, or are involved in an investigation of a complaint.

## Complaints Procedure

SFI Health's EEO Bullying and Workplace Violence policy outlines the types of behaviour that are and are not acceptable within the workplace. Our complaints procedure is:

- **Impartial.** Both sides have a chance to tell their side of the story. No assumptions will be made and no action will be taken until all relevant information has been collected and considered.
- **Free of repercussions.** No action will be taken against anyone for making a valid, truthful complaint or helping someone in making a valid, truthful complaint. Disciplinary action, including possible termination, may ensue against employees who make deliberately false and/or malicious complaints.
- **No victimisation.** The employer will take all necessary steps to ensure that no victimisation occurs against anyone who makes a complaint. Should an employee (the first employee) victimise another employee for making a complaint, the first employee shall be disciplined including as to potential termination of employment.
- **Timely.** All complaints will be dealt with as quickly as possible.
- **Completely confidential.** You can feel secure that if you do make a complaint under this policy, it will remain as confidential as possible. The only people who will have access to information about the complaint will be the person making the complaint, the investigators, and where necessary, the person about whom you have complained. In some situations, some details of a complaint will also have to be told to potential witnesses. Only the people directly involved in making or investigating a complaint will have access to information about the complaint. Employees involved in any way with an investigatory process, including complainants, alleged offenders or witnesses who breach confidentiality requirements

explained to them at any time prior to, during or after the investigation process will face disciplinary consequences for their actions; including potential termination of employment.

The following procedure is to be used to resolve any complaint:

### **Step 1**

Approach the HR Manager who can provide information about the range of choices available to the employee with the complaint.

### **Step 2**

If judged possible by the complainant, try and sort out the problem or concern with the person involved informally. The HR Manager can provide advice on how to do this. This step is not compulsory, but is strongly recommended as a desirable course of action by the Company, to ensure that minor issues are resolved informally between the parties, where possible.

### **Step 3**

If this does not work, or if the problem or concern cannot be sorted out informally, or if the complainant does not wish to attempt an informal attempt at resolution, a formal complaint may be lodged by the employee with the Manager. Details of the complaint must be formally recorded including full details of the alleged incident(s), time, place and/or circumstances. The Manager will then refer these details to the appointed Company representative for investigation.

### **Step 4**

A full examination of complaints will be conducted by a Company representative, (which may be the Manager or another party), where appropriate, and may include the following:

- interview the alleged offender in relation to the substance of the complaint;
- require the alleged offender to provide an explanation concerning the alleged matters; and
- further investigate the matter including taking evidence or witness statements from other parties including parties nominated by the alleged offender in defending the matter.

### **Step 5**

On completing their examination of the matter the investigator will reach a final decision as to the outcome of the investigation and provide this information to the management for final decision.

### **Step 6**

The decision of the management will be actioned, and the complainant and alleged offender advised of the outcomes.

Outcomes may include:

- counselling
- disciplinary action, including termination
- an apology
- training in EEO or other matters.

## Resubmission of Complaints

- Employees are expected to utilise the complaints procedure. If an employee is dissatisfied with any procedural aspects of how his/her complaint has been handled, or is dissatisfied with the outcomes of an investigation, he/she may resubmit the complaint with new relevant information relating to the original complaint.
- Resubmission of a complaint that has been previously finalised in accordance with these procedures, ***unless relevant new information*** has been submitted that could affect the outcome may be declined.

## Reviews

- Either party will have a right to seek a review of the decision made
- The request for a review must be lodged in writing within 10 working days of the advice of the decision. The request must detail the grounds for the request.

The person conducting the review shall:

- Review all relevant material
- Make further inquiries, if necessary
- Decide whether further action is necessary
- Make a decision within 15 working days of receipt of the request
- Advise parties in writing of the decision and the reasons for the decision

## Privacy

Maintenance of all documentation associated with complaints and investigations of discrimination or harassment will be effected strictly in accordance with the relevant privacy legislation.

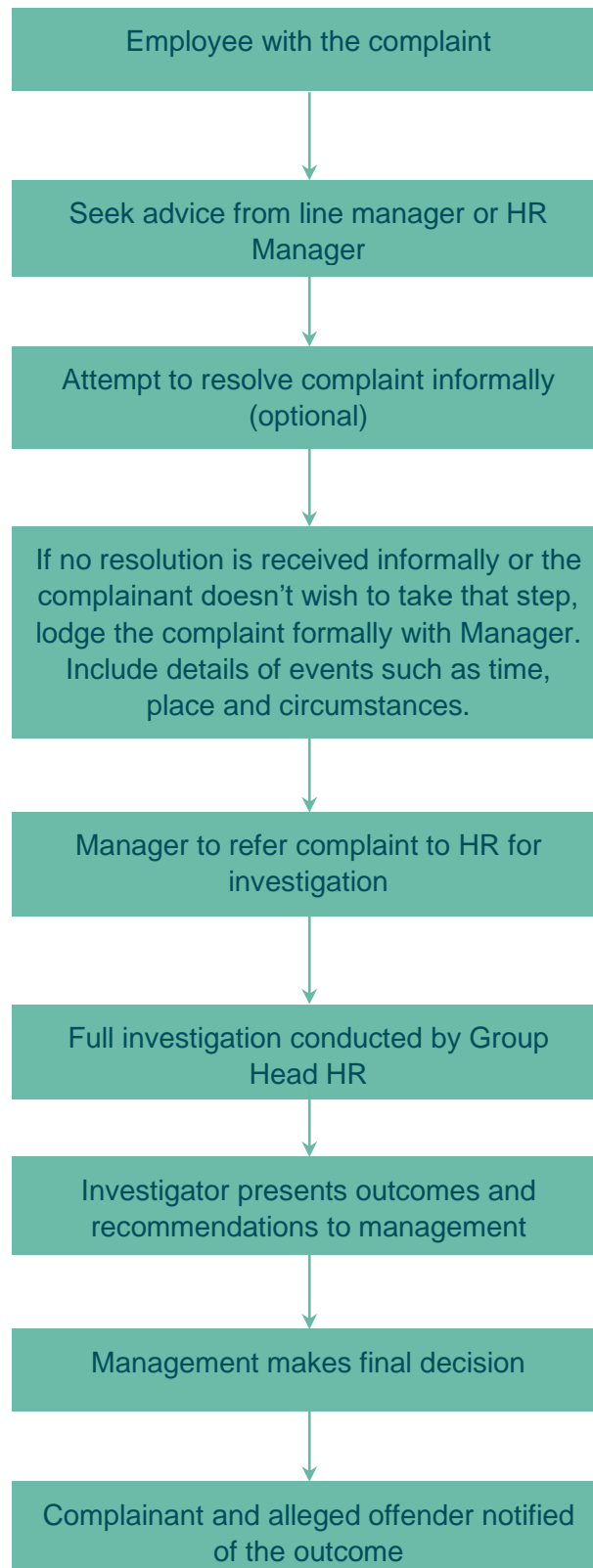
## Breaches & Obligations

You are required to read and comply with the obligations you are responsible within SFI Health's policies and procedures as they relate to your employment. These policies and procedures may be varied from time to time, and you will be required to comply with such variations. Such policies and procedures do not form part of your contract of employment.

SFI Health will not tolerate acts of bullying, discrimination, harassment or workplace violence and such acts will be considered a breach of your obligations under this policy.

A breach of your obligations under SFI Health's policies and procedures may result in disciplinary action up to and including the termination of your employment.

## SFI Health Complaints Procedure for Discrimination, Harassment, Bullying and Workplace Violence



- **Approved – Group Head HR**