

Bullying & Harassment Policy

1. Introduction

Industrial Recruitment Partner's (IRP) operates according to 4 core values; Safety, Honesty, Accountability and Service. These values are reflected in our company policies and assist us in achieving our mission of creating an organisation that, through our service, innovation and dedication, helps people realise their goals and ambitions.

The purpose of this document is to describe Industrial Recruitment Partners' policy and procedures in relation to workplace bullying and harassment. This includes defining what constitutes 'bullying'; who the policy applies to; the impact of bullying; the procedures and resources to prevent or deal with bullying; roles and responsibilities, and associated consequences related to a breach of this policy. By doing so, the policy and its associated procedures contribute towards compliance with the relevant state and federal legislation.

IRP will ensure the policy's currency through regular review and necessary amendments according to legislative changes.

2. Scope

This policy applies to all employees of Industrial Recruitment Partners. This includes both internal employees and external employees (candidates) who work at Host Employer worksites. This policy covers all instances of possible harassment or bullying in the workplace.

3. Policy Statement

Industrial Recruitment Partners does not tolerate any form of workplace bullying or harassment. IRP is committed to providing all employees and visitors the right to operate in an environment free from bullying and harassment. This will be achieved through IRP and its employees to:

- Always personally demonstrate appropriate behaviour when working and/or representing IRP.
- Recognise that bullying is not consistent with IRP's core values policies, and is a safety and health issue.
- Identify bullying behaviour early.
- Support employees in taking early preventative actions.
- Take effective action to eliminate bullying when it has been identified.

4. Rights and Responsibilities

4.1 Background

Workplace harassment and bullying can lead to:

- Absenteeism by those feeling discriminated against, bullies or harassed
- Increased work errors
- Increased work accident rate, injury/stress claims, and associated costs both rehab and workers compensation premiums
- Low morale
- Decreased productivity and work quality
- Sabotage or other forms of aggressive or destructive behaviour
- Loss of reputation/public image

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- Unnecessary resignations and loss of good staff
- Internal grievances and external legal challenges

Labour hire further encompasses some areas that are traditionally seen as “high risk” for bullying and harassment. These include employment of people from different cultural backgrounds, temporary and casual staff, and new workers in a given environment.

4.2 Definitions

Workplace

Workplace is taken to mean ALL venues where employees carry out their duties on behalf of Industrial Recruitment Partners.

Bullying

Bullying can be defined as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, that a reasonable person would regard as undermining the individual's right to dignity through victimising, harming, humiliating, intimidating or threatening a person or persons, thereby creating a risk to health and safety.

In terms of the definition, typically only repeated behaviours qualify as bullying. One-off incidents do not normally qualify as bullying, although these may be considered inappropriate and may result in action in accordance with the IRP Discipline policy. Bullying can take place between:

- A manager or supervisor and subordinate (for example, manager continually “puts down” employee and calls them inappropriate names).
- Between co-workers (for example, an employee is excluded from workplace functions by other employees)
- Between an employee and client (for example, employee is pushed into performing a job outside their job descriptions and which the employee feels is unsafe to perform).

Bullying may occur 'downwards', conducted by managers towards their employees, 'upwards', directed at managers from their employees, or 'horizontally', from one colleague to another. It may also refer to abusive group behaviour that is prolonged or systematic and otherwise known as "workplace mobbing".

Bullying can take many forms including face-to-face, telephone, email or other electronic forms. Where bullying involves assault or threats of assault, it may become a criminal matter. Where bullying is alleged to be in relation to sex, race, disability harassment or constitutes discrimination, reference will be made to state and federal legislation related to these matters and appropriate action taken.

Harassment

Harassment is a type of discrimination which can take many forms. These include inappropriate actions, behaviours, comments or physical contact that is objectionable or causes offence. Unlawful harassment may relate to any of the characteristics covered by the various related legislation, such as:

- Age
- Disability/impairment
- Lawful sexual activity, including sexual orientation
- Marital status, including de-facto relationships
- Physical features
- Political or religious belief or activity
- Pregnancy and breastfeeding in public

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- Country of origin
- Sex and gender identity
- Status as a parent or carer
- Irrelevant criminal conviction
- Personal association with someone with any of the above attributes

It is irrelevant whether or not the inappropriate behaviour was intended. It is further important to note that it is the person subjected to the behaviour who determines whether the behaviour is welcome or unwelcome. Any behaviour that makes the victim feel offended, humiliated, intimidated or frightened or uncomfortable can be considered harassment.

Complainant

A complainant is a person who claims to be the subject of bullying and who complains or reports the experience.

Specialist Contact Officer

A staff member of IRP who is appointed to this position to provide timely, objective and confidential procedural guidance and advice regarding the company's policy and procedure for bullying. Specialist Contact personnel for staff will undergo specific training.

Supervisor

A supervisor refers to any staff member with supervisory and management responsibility for one or more other staff.

Appropriate Behaviour

The manner in which one behaves is suitable or proper in the circumstances. Refer to the Code of Conduct & Ethics for more information.

Victimisation

Victimisation is when one person subjects, or threatens to subject, someone else to some form of detriment or harm. Some people worry that they will be harassed or victimised if they make a complaint, particularly against someone they have a continuing relationship with, such as their employer. It is unlawful to victimise a person because they have made a complaint about discrimination or sexual harassment.

4.3 Responsibility of Employees

All employees shall take reasonable care to ensure their own safety and health when employed with IRP, and to avoid adversely affecting the safety or health of any other person through any act of bullying or omission in dealing with acts of bullying. This responsibility includes both psychological as well as physical health. Any person who believes they are being subjected to bullying is encouraged to report such incidents and take responsibility for reaching an effective resolution. Supervisors will ensure that complainants are not victimised for making a complaint in good faith.

4.4 Measures to manage bullying at IRP (refer to attached Flow chart)

Complete a self-audit checklist

It is advisable to complete a self-audit checklist for bullying which is designed to assist a person to assess the situation, define the problem, determine if the experience falls into the category of bullying, identify relevant IRP policy and determine courses of action available.

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Seek advice

Informal action is recommended as a first approach, and a complainant may wish to seek advice and guidance from available internal services trained in the issue of bullying and conflict resolution. These contacts first include your Account Manager or the OHS Manager.

Keep a record

Bullying can sometimes be difficult to prove. It is therefore important for a complainant to keep a diary of incidents, to record when and where they occurred, what was said/done, how it made them feel, who was involved, potential witnesses, as well as the names/details of people who will support their claims.

Approach the person directly

Unless a person feels they are unable to, or where they believe it may be unsafe for them to do so, they should initially discuss the matter with the person/people concerned and request an end to their inappropriate behaviour.

Raise the matter with a supervisor

Should direct action not be successful or appropriate, the complainant should raise the matter with their supervisor (or another person in authority if the alleged bully is the person's direct supervisor, i.e. the OHS Manager or an IRP Managing Director).

Report the issue

A complainant should report the issue using the *Event and Hazard Report* form. A complainant may choose to complete this form with the assistance of the Account Manager. Reporting of the issue identifies bullying as a hazard and allows for IRP to assess the risk, and provide procedural advice for resolution, to meet its obligations for the health and safety of employees.

Proceed through Resolution Flowchart

It outlines the procedure for the resolution of complaints with an emphasis on early resolution to be managed at the lowest appropriate level of management.

The Account Manager or OHS Manager are IRP officers available to provide objective and confidential guidance. For all complaints of bullying or harassment, a prompt and careful investigation is essential for quick resolution. If any party in the process believes it is necessary to enlist professional assistance external to their area they may discuss this option with their Account Manager. In certain cases, external counselling will be offered to the involved employees.

Monitoring

For monitoring purposes, a responsible officer will collect all available information to contribute to a database in order to monitor the incidence of bullying, make any changes necessary to either the procedure or its implementation on review, and ensure existing policies are consistent with IRP's approach to managing bullying.

Advice for a person who is accused of bullying

A person accused of bullying may seek support or advice from internal support services such as the Account Manager or OHS Manager. Using these support sources will not be interpreted as an indication of guilt or admission but are intended to assist with dealing with the allegations. As part of the process of dealing with the accusation, it is advisable to complete a self-audit checklist for bullying which assists to reflect on behaviour, define the problem, determine if the behaviours fall into the category of workplace bullying, identify relevant IRP policy and clarify procedures for resolution and resources available to you.

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If a person is accused of bullying this can often be as stressful as for the complainant. The different stages of the procedure allow for problems to be dealt with either informally or formally and are aligned with the principles of natural justice. A person accused of bullying has the opportunity to be represented where this is relevant at the appropriate stage of the procedure and must be given a clear account of the allegation to enable the person to state their case and respond.

4.4 Responsibilities of IRP

Supervisors will promote this Policy and Procedure and treat complaints seriously and investigate them promptly, confidentially and impartially in accordance with IRP policy. An emphasis should be made on the early and informal resolution of conflict where possible.

Where supervisors/managers have witnessed or been advised of inappropriate behaviour, appropriate preventative action should be taken to support the maintenance of a safe environment for employees. IRP requires all supervisors, where practicable, to provide and maintain a working environment in which their employees are not exposed to hazards, which includes the psychological as well as the physical environment in this requirement. Supervisors who fail to act on reported incidents of bullying may be in breach of IRP's Occupational Health & Safety Policy and relevant state and federal legislation.

IRP is committed to the provision of training to all its employees on this policy and what constitutes appropriate behaviour and what constitutes bullying and harassment. The consequences of policy breaches will be clearly outlined in the training.

4.5 Confidentiality

It is imperative that all information regarding complaints of bullying, or discussion which could lead to a complaint be kept confidential. Reasons for this include:

- Prevention of victimisation of the parties involved;
- Prompt, successful resolution relies on minimum numbers of people involved in the complaint;
- Employees may take sides resulting in escalation of the complaint;
- The person against whom bullying is alleged has a right, as a requirement of natural justice, to expect allegations to be kept confidential; and
- In the case of complaints made under IRP policy, complaints should be protected by qualified privilege, a legal defence against claims of defamation, provided that they act strictly as specified within the policy.

5. Consequences for Failure to Comply

Bullying when employed by IRP will not be tolerated. Action to address bullying within IRP may take the form of remedial action, including development activities, monitoring of behaviour through a performance management process, or disciplinary procedures, depending upon the seriousness of the matter for employees.

Disciplinary action against perpetrators who are IRP employees will occur following investigation that demonstrates breach of the Policy through either bullying or victimising a person who has made a complaint. In addition to any actions and penalties imposed by IRP, the occupational health and safety authority or fair Work Commission may also take action in prosecuting offenders under the legislation relevant to that state or territory. If deemed serious enough criminal action may also be taken.

As allegations of bullying are viewed seriously, all IRP employees should be aware that where IRP is satisfied that a complaint is malicious, frivolous or vexatious, the complainant may face disciplinary action.

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Refer to the IRP Disciplinary Policy and Code of Conduct & Ethics for further information.

6. Contacts for Questions and Information

For additional information relating to this policy, IRP employees can contact their IRP Account manager, the IRP OHS Manager, a supervisor or any member of the IRP management team.



Peter Spark

Director

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