



QMS MEDIA PTY LTD

**EQUAL OPPORTUNITY (EEO), BULLYING
& NON-HARASSMENT POLICY**

INTRODUCTION

QMS Media Pty Limited (QMS Media) is an equal opportunity employer and is committed to building a diverse workforce. QMS Media aims to provide a working environment in which everyone is treated with equality, fairness and respect and where employment policies and practices are based on, and operate according to, the principle of merit.

It is QMS Media's policy to maintain a work environment free of intimidation, threat or humiliation. Harassment and/or discriminatory behaviour in any form will not be tolerated. This policy is aimed at unwanted and inappropriate attention and does not affect consensual behaviour therefore does not seek to prevent relationships being formed at work.

The following policy outlines the obligations under relevant Equal Employment Opportunity (EEO) legislation.

DISCRIMINATION

Discrimination can occur in two forms, either directly or indirectly:

- Direct discrimination: any action that specifically excludes a person, or a group of people from a benefit or opportunity, or significantly reduces their chances of obtaining it because a personal characteristic irrelevant to the situation is applied as a barrier.
- Indirect discrimination occurs when a requirement, condition or practice is put in place, and as a result is likely to disadvantage an individual or group of employees with a particular attribute. As a result of this disadvantage reduces their access to a particular benefit or opportunity

Discrimination can be related to any of the grounds which include:

- Gender;
- Gender identity;
- Intersex status;
- Race (including colour, descent, ethnic background, or nationality);
- Disability, whether physical, intellectual, or mental;
- Age;
- Family responsibility as a carer;
- Pregnancy;
- Breastfeeding requirements;
- Transgender status;
- Political belief;
- Sexual orientation;
- Religious belief;
- Marital status;
- Trade union membership or not;
- Physical features

HARASSMENT

Harassment constitutes any unwelcome and/or uninvited verbal or physical behaviour or conduct that has no legitimate workplace function and intimidates, humiliates, vilifies, or offends another person(s).

Harassment does not just refer to sexual harassment but also to harassment on any basis including, but are not limited to, race, disability, pregnancy, potential pregnancy or a person's sexual orientation, personal characteristics, appearance, or beliefs.

Harassment includes 'vilification', a public act which incites, encourages, or urges others to hate, have serious contempt for, or severely ridicule, a person or group of people because they are (or are thought to be) members of a particular group.

It is the impact on the recipient that determines whether behaviour constitutes harassment and not necessarily the intention of the alleged harasser. It is no defence for such incidents or behaviour to be regarded as "common place" or intended as a "joke".

Forms of harassment, bullying and discrimination include (but are not limited to):

- Forwarding crude or offensive emails to other employees
- Verbal abuse or threats;
- Unwelcome remarks, jokes, innuendoes or taunting about a person's body attire, marital status, ethnic or national origin, sexuality, physical or mental capability;
- Displaying sexually suggestive, racist, or other derogatory material;
- Intimidation;
- Practical jokes which may cause awkwardness or embarrassment;
- Unwelcome invitations, requests (either indirect or direct)
- Leering or other gestures;
- Unnecessary physical contact such as touching, patting, pinching, or punching;
- Physical assault;
- Persistent questions about an employee's remuneration;
- Excluding or isolating employees

BULLYING

Bullying constitutes any "unreasonable behaviour directed toward an employee or group of employees that creates a risk to health and safety".

"Unreasonable behaviour" is behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine, or threaten another person. "Behaviour" includes actions of individuals or a group and may involve using a system of work as a means of victimising, humiliating, undermining, or threatening. The fact that no offence was intended does not mean that the bullying is not unlawful.

Bullying can take many different forms. Bullying includes (but is not limited to);

- Abusive shouting at an individual to get things done;
- Humiliating an individual in front of his or her colleagues or customers;
- Picking on one person;
- Conduct that denigrates, ridicules or humiliates an individual, especially in front of colleagues;
- Conduct which is intimidating, physically abusive or threatening;
- Consistently undermining someone and his or her ability to do the job;
- Work overload deliberately designed to place the employee at a disadvantage;
- Ignoring or excluding an individual;
- Refusing reasonable requests;
- Aggressive communication, including use the email.

BREACH OF POLICY

This policy encompasses all the time and places where employees are acting in a work capacity or as a representative of the Company across Australia and applies to:

All employees (including permanent, casual or temporary staff, contractors, sub-contractors, work experience students) and

Visitors including non-employees who visit the workplace/function to perform a service and anyone attending a function under the auspices of QMS Media.

Employees must not engage in behaviour including but not limited to;

- Racial, religious, or other stereotyping.
- Derogatory jokes or gestures.
- Physical or verbal conduct of a sexual, racist, or defamatory nature.
- Intimidation or aggressive acts.
- Inappropriate humour.
- Communicating or displaying offensive material in the workplace or at company events.

QMS Media has the responsibility to:

- Provide all employees and visitors with an environment free of harassment, discrimination, and bullying;
- Provide a procedure to investigate complaints of harassment, discrimination, bullying and workplace violence in confidence, objectively and in a timely manner;
- Ensure that a comprehensive and regularly reviewed policy on harassment, discrimination, bullying, and workplace violence is in place.
- Ensuring that this policy is communicated to all employees; and
- Educate all employees about harassment, discrimination, bullying and workplace violence.

Employees have the responsibility to:

- Comply with this policy and all laws governing behaviour in the workplace;
- Challenge offensive behaviour (call it out when you hear/see it);
- Report any incidents of harassment, discrimination, bullying and workplace violence they see happening around them to an appropriate manager and/or People and Culture;
- Ensure they do not victimise any person involved in a complaint of harassment, discrimination bullying and workplace violence; and
- Treat all employees and visitors fairly with respect and dignity.

Supervisors, Manager, People and Culture employees have the additional responsibility to:

- Promote and develop a work environment free of harassment, discrimination, bullying and workplace violence;
- Set a personal example; and
- Managers have the further responsibility to advise People and Culture if a complaint of harassment and/or discrimination, and/or bullying, and/or workplace violence is made directly or indirect to them, as soon as possible.

GRIEVANCES

If an employee thinks that he/she is being discriminated against, harassed, or bullied, or witnesses any incidences of discrimination, harassment or bullying he/she is encouraged to do something about it and speak to a manager or People and Culture. The purpose of these procedures is to stop any unlawful and improper behaviour that may be occurring and to

produce quick and effective remedies without breaching confidentiality (please refer to the QMS Media Grievance Policy for more details).

CONFIDENTIALITY

The employee making the complaint is encouraged to allow QMS Media to investigate by giving his/hers/their consent for the appropriate representative of QMS Media to speak to the alleged bully or harasser and/or relevant witnesses. A failure to give this consent may severely restrict any action QMS Media may be able to take.

QMS Media will try to respect the wishes of the employee making the complaint if they wish to do so in confidence. QMS Media reserves the right to investigate allegations of harassment even though the person complaining does not wish QMS Media to do so if QMS Media believes that it is in the best interest of employees for it to do so.

All employees involved in a complaint under this policy must respect the confidentiality of the parties involved. The leaking of confidential information by any employee to non-authorized persons is a disciplinary offence which will be subject to disciplinary action.

BREACH OF POLICY

Any reported, alleged or apparent incidences of discrimination, harassment, bullying and workplace violence (as defined in this policy), or other contravention of the express or implied intent of this policy, will be subject to an investigation. Appropriate action will be taken in accordance on the outcome of the investigation.

All employees are advised that breaches of this policy will result in disciplinary action, which may include immediate termination of employment. Breaches of this policy may result in an employee being held personally liable in the appropriate jurisdiction, if legal action is taken.

REVIEW OF POLICY

This policy will be reviewed as required having regard to the changing circumstances of the Company and to ensure continued compliance.

Developed: 23rd September 2016

Reviewed: 12th July 2023