

# PM-Partners group

## Workplace Harassment Policy

### 1. Purpose

PM-Partners group (the “Company”) is committed to providing a safe and healthy work environment in which all workplace participants are treated fairly, with dignity and respect.

This policy outlines the Company’s commitment to a safe workplace and is aimed at ensuring, so far as it reasonably can, that workplace participants are not subjected to any form of injury or illness as a result of being in the workplace. It also details the legal responsibilities of the Company and workplace participants in relation to preventing injury/illness in the workplace.

### 2. Scope

The Workplace Harassment Policy is applicable to all PM-Partners workplace participants.

### 3. Definitions

- » Company – includes all subsidiaries that are owned or controlled, directly or indirectly, by PM-Partners group.
- » Workplace Participants – PM-Partners group employees including members of the Board of Directors, independent contractors, casual staff and agency staff.
- » Human Resources (HR) – for local application the HR Manager will take responsibility. For regional workplace participants the Head Of or Service Delivery Manager will take responsibility.

### 4. Responsibility and Authority

| Role                   | Responsible | Accountable | Consult | Inform |
|------------------------|-------------|-------------|---------|--------|
| Workplace Participants | ✓           | ✓           |         |        |
| HR Manager             | ✓           | ✓           | ✓       | ✓      |
| Regional Head Of       | ✓           | ✓           | ✓       | ✓      |
| Manager/Supervisor     | ✓           | ✓           | ✓       | ✓      |

### 5. Policy

This policy covers all employees of the Company (whether full-time, part-time or casual) and all persons performing work at the direction of, in connection with, or on behalf of the Company (for example contractors, subcontractors, agents, consultants, and temporary staff) (collectively “workplace participants”).

This Policy extends to all functions and places that are work related, for example, work lunches, conferences, Christmas parties and client functions. This Policy does not form part of any employment agreement, nor does it form part of any contract for service.

## 5.1. Legal responsibilities

Everyone at the workplace has a legal responsibility to prevent harassment from occurring.

Under the Work Health and Safety Act (2011) the Company has the primary duty to eliminate or minimise, as far as reasonably practicable, the risks to health and safety in the workplace. This duty includes the implementation of strategies to prevent workplace harassment. This policy will assist the Company in complying with its legal responsibilities.

Workplace participants are also required under the Legislation to take reasonable care for their own health and safety, as well as that of others at the Company's workplace. They must also comply with any reasonable instruction given by the Company. Compliance with this policy will assist workplace participants in meeting their legal responsibilities.

If workplace participants fail to adhere to the legislation this may result in Criminal proceedings. The Work Health and Safety Act (2011) states that if a workplace participant is found guilty of committing discriminatory conduct, a penalty may be issued. In addition to this the offender may be ordered to pay compensation to the person that was subjected to discrimination.

## 5.2. What is Workplace harassment?

Workplace harassment is repeated, unreasonable behaviour, directed towards a workplace participant or a group of workplace participants that creates a risk to health and safety. It includes both physical, verbal and psychological risks.

'Repeated behaviour' refers to the persistent nature of the behaviour and can refer to a range or pattern of behaviours over a period of time (for example, verbal abuse, unreasonable criticism, isolation and subsequently being denied opportunities – i.e. a pattern is being established from a series of events).

'Unreasonable behaviour' means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten another person.

### Examples of workplace harassment

Harassment behaviours can take many different forms, from the obvious (direct) to the more subtle (indirect). The following are some examples of both direct and indirect harassment:-

#### Direct:

- » Abusive, insulting or offensive language.
- » Spreading misinformation or malicious rumours.
- » Behaviour or language that frightens, humiliates, belittles or degrades, including over criticising, or criticism that is delivered with yelling or screaming.
- » Displaying offensive material.
- » Inappropriate comments about a person's appearance, lifestyle, their family or sexual preferences.
- » Teasing or regularly making someone the brunt of pranks or practical jokes.
- » Interfering with a person's personal property or work equipment.
- » Harmful or offensive initiation practices.

## Indirect

- » Unreasonably overloading a person with work, or not providing enough work.
- » Setting timeframes that are difficult to achieve, or constantly changing them.
- » Setting tasks that are unreasonably below, or above, a person's skill level.
- » Deliberately excluding or isolating a person from normal work activities.
- » Withholding information that is necessary for effective work performance.
- » Deliberately denying access to resources or workplace benefit and entitlements, for example training, leave.
- » Deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular worker or workplace participants.

The above examples do not represent a complete list of harassing behaviours. They are indicative of the type of behaviours which may constitute harassment and therefore unacceptable to the Company.

A single incident of unreasonable behaviour does not usually constitute harassment. However, it should not be ignored as it may have the potential to escalate into inappropriate behaviour.

A person's intention is irrelevant when determining if harassment has occurred. Harassment can occur unintentionally, where actions which are not intended to victimise, humiliate, undermine or threaten a person actually have that effect.

Harassment in the workplace is harmful not only to the target of the behaviour but damages the Company's culture and reputation. It is unacceptable and will not be tolerated.

## 5.3. What Does Not Constitute Workplace harassment?

Managing staff does not constitute harassment, if it is done in a reasonable manner. Managers have the right, and are obliged to, manage their staff. This includes directing the way in which work is performed, undertaking performance reviews and providing feedback (even if negative) and disciplining and counselling staff. Examples of reasonable management practices include:

- » Setting reasonable performance goals, standards and deadlines in consultation with workplace participants and after considering their respective skills and experience.
- » Allocating work fairly.
- » Fairly rostering and allocating working hours.
- » Transferring a worker for legitimate and explained operational reasons.
- » Deciding not to select a workplace participant for promotion, following a fair and documented process.
- » Informing a workplace participant about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements.
- » Informing a workplace participant about inappropriate behaviour in an objective and confidential way.
- » Implementing organisational changes or restructuring.
- » Performance management processes.

## 6. Procedure

### WHAT STEPS WILL THE COMPANY TAKE TO PREVENT WORKPLACE HARRASSMENT?

The Company will take all reasonable steps to prevent harassment through a risk management process. This process includes:

- » Identification of harassment risk factors - these are things and situations which could contribute to harassment such as the way in which staff are managed, or organisational change such as redundancies (refer to the common risk factors set out below).
- » Assessment of the likelihood of harassment occurring from the risk factors identified and their potential impact on the workplace participants or workplace.
- » Eliminating the risks, as far as reasonable practicable, or controlling, or minimising, them as far as reasonably practicable.
- » Reviewing the effectiveness of the control methods put in place and the process generally.
- » Training workplace participants about harassment, how to deal with it and its impact on the workplace either via formal training or coaching.

## 6.1. What are some of the Common Risk Factors which may lead to Harassment

Harassment can result from a number of different factors in a workplace, from the general culture to poor management skills. Some risk factors which make harassment more likely to occur are:

- » Organisational change - i.e. significant change in the workplace that may lead to job insecurity for example, restructure and redundancy, introduction of technology, change in management.
- » The culture – the company's values, views and beliefs can either expressly or implicitly encourage inappropriate behaviours, for example, when a company promotes aggressive behaviour as a means of ensuring its workplace participants are performing their roles, or adopts a culture in which it is acceptable to ignore such behaviours.
- » Negative leadership styles – such as strict, autocratic management styles, which do not allow for flexibility or involvement by workplace participants; or passive, 'laissez-faire' management styles which are characterized by a tendency to avoid decisions, inadequate supervision and little guidance to workplace participants.
- » Inappropriate systems of work – this includes excessive workloads, unreasonable timeframes, uncertainty about roles and how they should be performed, and lack of support.
- » Poor work relationships – this can be characterized by poor communication between workplace participants and management, or negative relationships with supervisors or colleagues, excessive criticism by manager and the exclusion or isolation of workplace participants.
- » Workforce characteristics – a company's workforce can be made up groups of workplace participants who may be at a higher risk of harassment because of certain characteristics: for example, young workplace participants, new workplace participants, apprentices, injured workplace participants, workplace participants in a minority group because of their race, disability, religion, gender or sexual preference.

The Company will consider these factors when undertaking its risk management process.

## 6.2 Complaint Procedure

If a workplace participant feels that they have been bullied, they should not ignore it.

The Company has a complaint procedure for dealing with harassment (refer to Code of Conduct procedure). The complaint procedure has numerous options available to suit the particular circumstances of each individual situation. The procedure should be referred to and followed.

## 6.3 Management's Role

Managers and supervisors have a key role in the prevention of workplace harassment.

Managers and supervisors must:

- » Ensure that they do not bully workplace participants, other managers or supervisors, clients or customers.
- » Ensure that they do not aid, abet or encourage other persons to engage in inappropriate behaviour.
- » Ensure all workplace participants who report to them are aware and understand this policy and their responsibility to comply with it.
- » Ensure that all workplace participants who report to them understand that any harassment in any form is unacceptable and will not be tolerated by the Company.
- » Act promptly and appropriately if they observe behaviours displaying harassment.
- » Ensure that all workplace participants who report to them understand that they should report behaviours displaying harassment.
- » Ensure all workplace participants who report to them are aware and understand the complaint procedures.
- » Act promptly if a complaint is made. If this is not possible, or is inappropriate, inform the Human Resources Manager, as soon as possible.

## 6.4 Workplace Participant's Role

All workplace participants must:

- » Understand and comply with this policy.
- » Ensure they do not engage in any conduct which may constitute harassment towards other workplace participants, customers/clients or others with whom they come into contact through work.
- » Ensure they do not aid, abet or encourage other persons to engage in behaviours that display harassment.
- » Follow the Company's complaint procedure if they experience harassment.
- » Report any harassment they see occurring to others in the workplace in accordance with this policy.
- » Maintain confidentiality if they are involved in the incident of the complaint.

## 6.5 Breach of this Policy

The Company takes very seriously its commitment to providing a safe and healthy work environment, free from harassment. All workplace participants are required to comply with this policy.

If a workplace participant breaches this policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Workplace participants who are contractors or agency staff who are found to have breached this Policy may have their contracts with the Company terminated or not renewed.

If a workplace participant makes a false complaint, or a complaint in bad faith (e.g. making up a complaint to get someone else in trouble, or making a complaint where there is no foundation for the complaint), that workplace participant may be disciplined and may be exposed to a defamation claim.

## 6.5 More Information

If a workplace participant is unsure about any matter covered by this policy, or requires more information about workplace harassment they should seek the assistance of their manager, or of the Human Resources Manager. They may also wish to seek external advice from the relevant regulatory authority, such as WorkCover/WorkSafe/SafeWork.

## 6.6 Review

This procedure will be reviewed annually, through consultation with workplace participant and health and safety representatives, or when legislative requirements change, or in the event of a serious occurrence involving harassment.