



Pact Group Holdings Ltd
ACN 145 989 644

Equal Opportunity, Harassment and Bullying Policy

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1 INTRODUCTION

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Pact Group Holdings Ltd and its wholly owned subsidiaries (Pact Group) is committed to being an equal opportunity employer and to ensuring its workplace is free of unlawful discrimination, harassment and bullying.

2 PURPOSE

This document outlines the Pact Group's policy concerning these matters. It explains the terms used and refers to applicable laws. It also sets out the procedures for making complaints and investigating issues relating to unlawful discrimination, harassment or bullying.

This policy does not form part of any contract (including a contract of employment) and does not create enforceable contractual rights in employees' favour.

3 OVERVIEW

1	The policy applies to employees and others in the Pact Group workplace
2	The Pact Group demands high standards of behaviour in its workplace
3	The Pact Group will not tolerate unlawful discrimination, harassment, bullying, vilification or victimisation. These sorts of behaviours are inappropriate and have no place in the Pact Group workplace or environment
4	In most cases, these behaviours are also prohibited by law. You should note that you may be personally liable for breaches of relevant laws

4 BEHAVIOURS PROHIBITED UNDER THIS POLICY

This policy prohibits a range of behaviours, all of which are also unlawful. The consequences for failure to comply with this policy are set out below in the section 7 of this policy.

4.1 DISCRIMINATION

4.2 WHAT IS UNLAWFUL DISCRIMINATION?

Not all discrimination is unlawful. Discrimination is only unlawful when it occurs on the basis of a prohibited ground and in a prohibited area. Discrimination in the area of employment is unlawful.

4 BEHAVIOURS PROHIBITED UNDER THIS POLICY



4.3 ON WHAT GROUNDS IS DISCRIMINATION UNLAWFUL?

Prohibited grounds or attributes of discrimination vary depending on the state or federal jurisdiction.



Discrimination on the basis of an attribute may include:

- an attribute a person has, used to have or may have in the future;
- an attribute a person is presumed to have; and
- discrimination on the basis a person associates with a person that has or had a particular attribute.

4 BEHAVIOURS PROHIBITED UNDER THIS POLICY

4.4 WHAT TYPES OF DISCRIMINATION ARE PROHIBITED?

Unlawful discrimination can be direct or indirect.

Direct discrimination	<i>Direct discrimination</i> occurs when a person treats or proposes to treat another person less favourably because that other person possesses a protected attribute
Indirect discrimination	<i>Indirect discrimination</i> is concerned with policies, requirements and practices that appear to be neutral but have an unreasonably discriminatory effect or operation in practice. Indirect discrimination occurs where a person imposes, or proposes to impose, a requirement, condition or practice that: <ul style="list-style-type: none">• Someone with a protected attribute does not, or cannot comply with;• A higher proportion of people without that attribute, or with a different attribute, do or can comply with; and• is unreasonable in the circumstances

4.5 HARASSMENT

Harassment, including sexual harassment, is unlawful and in breach of this policy.

What is harassment?

Harassment is any form of behaviour that is unwelcome, causes offence to, or humiliation or intimidation of, another person and a reasonable person would have anticipated would cause offence, humiliation or intimidation to the person harassed.

Harassment is unlawful under state and federal law.

Examples of Harassment

1. Distributing offensive material

2. Making belittling comments about a person's gender or religion

3. Mimicking a person's accent or disability

4. Displaying lewd pictures, images or gestures

5. Bullying or intimidation

4 BEHAVIOURS PROHIBITED UNDER THIS POLICY

4.6 BULLYING

Workplace bullying is unlawful.

What is bullying?

Bullying is generally defined as repeated, unreasonable behaviour directed toward a person or group of people that creates a risk to their health and safety (whether psychological or physical). Bullying can be physical or verbal.

Examples of bullying conduct

1. Verbal abuse

2. Physical violence (such as pushing or shoving)

3. Throwing objects

4. Excluding or isolating a person

5. Assigning a person meaningless tasks unrelated to their job or setting impossible assignments

What is not bullying?

A single incident would not constitute bullying, unless it was a physical attack of violence. However, even single incidents of behaviour such as that outlined above will not meet the Pact Group's expectations of appropriate workplace behaviour and a person engaging in such conduct may be disciplined.

Reasonable managerial direction or performance counselling or discipline is not bullying.

4.7 SEXUAL HARASSMENT

Sexual harassment occurs where a person:

- makes an unwelcome sexual advance or request for sexual favours; or
- engages in other unwelcome conduct of sexual nature, toward another person, where a reasonable person would have anticipated having regard to all the circumstances that the person harassed would be offended, humiliated or intimidated.

Conduct of a sexual nature includes making an oral or written statement of a sexual nature to a person, or in the presence of a person.

4 BEHAVIOURS PROHIBITED UNDER THIS POLICY

Examples of sexual harassment

1. Uninvited touches, kisses or embraces, or other unnecessary familiarity such as deliberately brushing against a person or putting an arm around them
2. Displays of sexually graphic or obscene material including posters, internet material, photos or screensavers
3. Sexual jokes, abusive language, innuendos, offensive phone calls or emails
4. Gender-based jokes or insults
5. Suggestive comments about a person's physical appearance
6. Repeated invitations to socialise after having been refused before
7. Persistent questions or insinuations about a person's private life

What is not sexual harassment?

Sexual harassment is not sexual attention or friendship that is invited, mutual, consensual and reciprocated. We have no concern with the private lives of our team members, unless it affects job performance, behaviour in the workplace or our reputation.

4.8 VILIFICATION

In addition to the prohibition on harassment, in most states where the Pact Group operates it is unlawful to vilify a person on the basis of race, colour, homosexuality, HIV or AIDS status or transgender status. Vilification is any public act that could incite hatred, serious contempt or severe ridicule towards people because of the above characteristics.

The Pact Group will not tolerate any form vilification irrespective of where the vilification takes place or who the vilification is directed towards.

4.9 VICTIMISATION

It is unlawful to victimise a person who, in good faith, makes a complaint of discrimination, bullying, harassment or vilification or participates in any way in the handling of such a complaint. Some examples of unlawful victimisation include ostracising, demoting or dismissing the person. Victimisation is a serious violation of this policy.

5 DEALING WITH PROHIBITED BEHAVIOURS

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5.1 IF DISCRIMINATION OR HARASSMENT OCCURS

If you believe you are suffering discrimination, harassment, bullying, vilification or victimisation at work, whether from colleagues, clients or any other person, and you feel able to do so, you should make it clear to the discriminator or harasser that their behaviour is unwanted and unwelcome.

If you feel unable to communicate directly with the discriminator or harasser, you should refer the matter to your Senior Manager, an Executive Manager or the General Counsel. They will handle your complaint in accordance with this policy.

Alternatively, you may prefer to make a report through the independent reporting service. The Pact Group Whistleblower policy contains the contact details for this service.

5.2 CONFIDENTIALITY

All parties involved in an investigation will be expected to maintain the strictest confidentiality in relation to the investigation. This is extremely important to protect all parties involved, including the complainant, the alleged perpetrator, witnesses and informants.

5.3 ACTION BY THE PACT GROUP

The Pact Group has a duty to provide a working environment that is free from harassment and unlawful discrimination, and safe and free from risks to health. This means that it might be appropriate for us to consider taking some additional steps in response to your complaint even though you may not want us to proceed. If we consider this is necessary, we will discuss with you the further steps we consider we need to take and how we will take those steps.

6 EMPLOYEE RESPONSIBILITY

All employees must familiarise themselves with, and comply with, this policy.

You must ensure that:

- you always treat your colleagues and clients with dignity and respect;
- you do not engage in unlawful discrimination or harassment at the workplace or in the course of performing your duties for us (whether on or off our premises in any work-related environment, including at our social functions, conferences and training sessions);
- any complaints you make are legitimate;
- if you believe you are the target of harassment or discrimination, you either resolve the matter confidentially with the person engaging in the conduct or promptly refer the matter to your Senior Manager, an Executive Manager or the General Counsel or to the independent reporting service; and
- behaviour you witness at the workplace that you believe constitutes discrimination or harassment is brought promptly and confidentially to the attention of your Senior Manager, an Executive Manager or the General Counsel.

7 CONSEQUENCES OF BREACH OF THIS POLICY

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The Pact Group will investigate all suspected breaches of this policy.

The Pact Group is committed to eradicating conduct of this type. Accordingly, if a person is found to have breached this policy, in the absence of a satisfactory explanation of the person's conduct, the Pact Group will take:

- immediate steps to ensure the behaviour is not repeated; and
- appropriate disciplinary action against the person.

Appropriate disciplinary action may include warnings, formal counselling and/or termination of employment. This includes, in appropriate circumstances, termination without notice.

'One-off' or non-intentional breaches may result in the full range of disciplinary action.

The person may also be subject to complaints and personal liability under applicable state or federal legislation.

Disciplinary action may be taken against any person who makes a complaint under this policy dishonestly or maliciously.

8 OTHER AVENUES FOR COMPLAINT

Nothing in this policy is intended to affect the right of a person to approach an external agency in relation to their complaint. For example:

- Australian Human Rights Commission (www.humanrights.gov.au)
- Victorian Equal Opportunity and Human Rights Commission (www.humanrightscommission.vic.gov.au)
- New South Wales Anti-Discrimination Board (www.antidiscrimination.lawlink.nsw.gov.au)
- Queensland Anti-Discrimination Commission (www.adcq.qld.gov.au)
- Tasmanian Anti-Discrimination Commission (www.antidiscrimination.tas.gov.au)

Complaints of a criminal nature such as violence, sexual assault or stalking should be referred to the Police.

9 RELEVANT POLICIES

You should also review the Pact Group's other relevant policies. Copies of these policies are available on the Pact Group's intranet. Each employee must be familiar with and comply with each of these policies.

10 FURTHER INFORMATION

If you are not sure whether this policy impacts on an intended course of action or behaviour, you should refrain from engaging in the conduct and seek advice from your HR Manager, the Compliance Manager or the General Counsel. If in doubt, don't do it.

For more information about this policy or your EEO rights and obligations, conduct your HR Manager.

8 VERSION CONTROL PAGE

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