

1.0 Overview

All employees have a right to be treated equitably and without harassment, discrimination or bullying occurring in the workplace. All employees have the responsibility to respect the rights of fellow employees, by not taking part in any action that may constitute harassment, discrimination or bullying and by supporting and promoting the achievement of equal opportunity.

2.0 Policy statement

This policy reflects the spirit and intent of federal and state affirmative action and anti-discrimination legislation in Australia. Aurelia Metals (The Company) believes that people are more productive in an environment that is free from discrimination.

Aurelia Metals is an equal opportunity employer. It is committed to ensuring that factors relating to a person's ability to perform his or her responsibilities, and to develop in his or her employment, are paramount in its decisions about an employee's work.

This policy aims to inform all employees and contractors of their obligations pursuant to relevant workplace legislation in Australia.

This policy aims to clarify the standard of conduct expected of all employees and contractors in relation to their interaction with others and aims to promote a positive working environment for all employees and contractors.

Compliance with this policy is a condition of employment/engagement for all Company employees and contractors.

3.0 Policy application

3.1 This policy applies to all Aurelia employees and contractors, who must not discriminate against, harass, bully or be violent towards:

- An employee or co-worker;
- A prospective employee;
- A contract worker;
- A prospective contract worker;
- A visitor or employee of another organisation visiting or carrying out duties on any YTC site/premises;
- A client or customer; and/or
- Any other workplace participant.

3.2 This policy applies to all aspects of employment including:

- While at work;
- Work related training;
- Work-related or sponsored functions;
- While travelling on work related business; and
- On other occasions where interactions between parties, has the potential to have a demonstrable impact on the workplace.

3.3 This policy applies to the workplace and the workplace:

- Extends beyond the physical boundaries and set times of work for work related activities
- Includes interaction between employees, with other organisations and the public
- Includes any place where an employee attends for any work related context, including social functions

4.0 What is Equal Opportunity about?

Equal Opportunity (EO) is about making sure that workplaces are free from all forms of unlawful discrimination, harassment and workplace bullying.

Equal opportunity means ensuring that employment policies and practices are based on, and operate according to, the principle of merit. The Employer is therefore committed to ensuring that its employment practices are free from any form of discrimination based on the following attributes:

Sex discrimination	Race and Religious Discrimination	Other
<ul style="list-style-type: none"> • Breastfeeding • Family responsibilities • Gender or gender identity • Lawful sexual activity • Marital status (including de facto arrangements) • parental/carer status • pregnancy • Sexual orientation 	<ul style="list-style-type: none"> • Colour • Race, national extraction or social origin • Race • Religious belief or activity 	<ul style="list-style-type: none"> • Age • Disability/impairment • Industrial activity • Physical features • Political belief or activity • Employment activity • Personal association with someone who has, or is assumed to have, any of the above characteristics.

5.0 Discrimination at work

Discrimination can take many forms, some of which are direct or open. Others may be indirect or hidden.

Direct discrimination occurs when a person is treated less favourably than another, simply because of a personal characteristic or status unrelated to job performance, such as gender, race, sexuality, marital status (as listed above).

Indirect discrimination occurs when a policy or requirement which at first glance seems fair, in fact operates to the detriment of a particular group of people because of a characteristic of that group, such as age, race, family circumstances or gender (as listed under section 4.0).

6.0 Harassment at work

Workplace harassment comes in many forms, but is generally unwelcome behaviour that causes another person distress, seriously offends, humiliates or intimidates another person or persons. Harassing behaviour can be:

- Uninvited and unwelcome;
- Intentional or unintentional;
- Conducted by one person or a group of people; and/or
- Where one person or a group of people are affected.

Harassment may be a one off incident. Unlawful conduct may involve inappropriate actions, behaviour, comments or physical contact.

What does not constitute Harassment?

Workplace counselling or discipline, which is fair and addresses genuine problems with work performance in a constructive manner, does not constitute harassment.

It is important to recognise that behaviour or comments that may not offend one person may be unwelcome or offensive to another.

7.0 Workplace bullying

Workplace bullying occurs when a person or a group of people **repeatedly** behaves unreasonably towards a worker or a group of workers at work AND the behaviour **creates a risk to health and safety**.

Bullying does not include **reasonable management action** carried out in a reasonable manner.

Bullying behaviour may involve for example any of the following types of behaviour:

- Aggressive or intimidating conduct
- Belittling or humiliating comments
- Spreading malicious rumours
- Teasing, practical jokes or 'initiation ceremonies'
- Exclusion from work-related events
- Unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- Displaying offensive material
- Pressure to behave in an inappropriate manner.

However, this behaviour must be repeated and unreasonable and must create a risk to health and safety in order for it to be bullying.

What is 'reasonable management action'?

Reasonable management action carried out in a reasonable manner does not constitute bullying.

Reasonable management action may include for example:

- Performance management processes
- Disciplinary action for misconduct
- Informing a worker about unsatisfactory work performance or inappropriate work behaviour
- Directing a worker to perform duties in keeping with their job
- Maintaining reasonable workplace goals and standards.