

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

Document No.:	03-12-PCY-037_Rev2_Workplace Bullying, Sexual Harassment & Discrimination Policy
Issue Date:	21/07/2025
Revision No.:	3
Pages	1 of 16

3	21/07/2025	Use	N. Kerrisk	T. Krause	T. Krause	21/07/2025
2	23/11/2023	Use	L. Lesmeister	T.Krause		29/11/2024
Rev	Date	Issued For	Originator	Reviewed	Approved	Next Review

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

PURPOSE OF POLICY

EDMS Australia is committed to providing a workplace which is free from workplace bullying, sexual harassment, and unlawful discrimination. This organization aims to ensure all those participating in the workplace are treated with respect, dignity, and fairness with the aim of creating an environment which promotes positive working relationships.

This policy sets out the types of behaviours and conducts which are not acceptable and establishes procedures for handling complaints.

This policy applies to all existing and prospective full-time, part-time, and casual employees, a person conducting a business or undertaking, directors, office workers, as well as all agents and contractors (including contractors or subcontractors) of EDMS, engaged from time to time, collectively referred to in this policy as “workplace participants.”

APPLICATION OF POLICY

This policy and procedure are not limited to the workplace or working hours and will include all work-related events which include, but is not limited to lunches, client’s functions, meetings and conferences as well as social functions such as Christmas parties.

This policy also relates to, but is not limited by the following types of communication:

- Verbal communication either over the telephone or in person in the workplace and outside of it.
- Written communication including Letters, Notes, Minutes of Meetings, etc.
- Internal and External electronic communication including Email, Instant messaging services, Internal Intranet, Faxes, social media and networking forums including Facebook, LinkedIn, Twitter and other forms of social media; and communications via text message.

STANDARDS OF BEHAVIOUR

In line with EDMS Australia’s commitment to creating a workplace which is free from workplace health and safety risks and one which strives to create positive working relationships, all those workplace participants covered by this policy and procedure are expected to observe the following minimum standards of behaviour, including:

Template No.: 05-01-BLK-001
Revision No.: 3
Date: 06/09/2023
Reviewed: N. Kerrisk
Approved:

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

- a. Being polite and courteous to others.
- b. Being respectful of the difference between people and their circumstances.
- c. Ensuring they do not engage in any workplace bullying, harassment or unlawful discriminatory behaviour(s) towards others in, or connected with the workplace which includes customers, clients, supervisors and other managers.
- d. Ensuring they do not assist, or encourage others in the workplace, or in connection with the workplace to engage in bullying, harassment or unlawful discriminatory behaviour(s) of any type.
- e. Adhering to the complaint procedure in this policy, if they experience any workplace bullying, harassment or unlawful discriminatory behaviour(s) personally.
- f. Reporting any workplace bullying, harassment or unlawful discriminatory behaviour(s) they see happening to others in the workplace or connected with the workplace in line with the complaint procedure in this policy.
- g. Keeping information confidential if involved in any investigation of workplace bullying or harassment of any type.

These standards of conduct are intended to operate in addition to, and in conjunction with EDMS Australia's Code of Conduct Policy.

BULLYING

Bullying Behaviour is repeated, unreasonable behaviour directed towards a workplace participant, or group of workplace participants that creates a risk to health and safety and is unlawful.

Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable behaviour means behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimizing, humiliating, intimidating, or threatening.

Examples of bullying may include, but are not limited to:

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

- a. A manager or supervisor using a management style that is harsh, involves shouting, constant criticism or humiliation of a workplace participant, or group of workplace participants in private or in front of their peers.
- b. A workplace participant being treated less favorably by another workplace participant, or group of workplace participants in the workplace, including, but not limited to, bullying or intimidation; forcing an employee to participate in an “initiation” process; the playing of practical jokes or forcing a workplace participant to undertake demeaning task(s).
- c. Sniggering or gossiping behind someone’s back.
- d. Laughing at someone in the workplace which is intended to make them feel uncomfortable or distressed.
- e. A Manager setting unreasonable timelines or constantly changing deadlines for a workplace participant to meet or setting tasks that are unreasonably below or beyond a person’s skill level.
- f. Continuously and deliberately excluding someone from the workplace activities include ignoring them and keeping them isolated from relevant communications about work issues.

WHAT IS NOT BULLYING BEHAVIOUR

Fair and reasonable management action taken to counsel an employee for instances of underperformance, investigating complaints made against employees, discipline for misconduct and other work directions in line with business needs does not amount to bullying.

SEXUAL HARASSMENT PREVENTION PLAN

EDMS Australia is committed to providing a safe and respectful workplace for all employees.

In addition to this policy, EDMS Australia maintains a written Sexual Harassment Prevention Plan, which outlines the specific risks of sexual harassment identified within the workplace, along with the control measures implemented to address them.

The EDMS Sexual Harassment Prevention Plan also outlines how employees can report concerns or incidents of sexual harassment, including:

Template No.: 05-01-BLK-001
Revision No.: 3
Date: 06/09/2023
Reviewed: N. Kerrisk
Approved:

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

- Speaking with your supervisor
- Contacting the HR team
- Reporting anonymously via a QR code – the anonymous reporting via the QR code is for Sexual Harassment instances only.

This QR code can be found in the EDMS Talent Management System, under Files.

THE SEXUAL HARASSMENT PREVENTION PLAN:

- Identifies workplace-specific risks related to sexual harassment.
- Details the preventative actions and control measures the company has implemented.
- Outlines the steps EDMS Australia will take to prevent sexual harassment across all levels of the organisation.
- Explains the process for managing and responding to sexual harassment allegations or incidents.

This plan is available to all employees and can be accessed at any time via the Talent Management System, under:

Documents > Catalogue > Files

All employees are encouraged to familiarise themselves with the contents of the Sexual Harassment Prevention Plan and refer to it alongside this policy when required.

HR Contact: hr@edmsaustralia.com.au or 4758 4411

- External services: 1800RESPECT (1800 737 732)

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

DEFINITION OF SEXUAL HARASSMENT

Under the Fair Work Act, sexual harassment is an unwelcome sexual advance, an unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature in relation to another person.

For a person to have sexually harassed someone, it must be reasonable to expect that in the situation, there's a possibility that their behaviour would offend, humiliate or intimidate the other person.

The perception by a workplace participant that they have been sexually harassed is sufficient for them to lodge a complaint.

Sexual harassment does not refer to behaviour based on mutual attraction, friendship and respect if the interaction is consensual, welcome and reciprocated. Sexual harassment is unlawful under both the Anti-Discrimination Act 1991 and Sex Discrimination Act 1984.

Sexual harassment can be a single incident or a series of inappropriate actions. Obviously, some actions or remarks are so offensive that they constitute sexual harassment in themselves, even if they are not repeated.

Other single incidents, such as an unwelcome invitation to go out or unwelcome compliments, may not constitute harassment if they are isolated incidents but could be termed as sexual harassment if the behaviour continues over a period of time.

Sexual harassment may include:

- a. Inappropriate physical contact, such as unwelcome touching.
- b. Making promises or threats in return for sexual favours.
- c. Sexually explicit conversation.
- d. Offensive phone calls or letters.
- e. Inappropriate photographs taken on a mobile phone and/or camera.
- f. Stalking (criminal offence).
- g. Offensive email messages or computer screen savers.

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

- h. Offensive messages via social media i.e. Facebook, Instagram, Snapchat etc.
- i. Offensive text messages or mms messages.
- j. Demands that revealing clothing be worn.
- k. Sexual assault (criminal offence).
- l. Obscene telephone calls (criminal offence).
- m. Sexual jokes or innuendos.
- n. Unwelcome comments about a person's sex life or physical appearance.
- o. Sexual propositions or continual requests for dates.
- p. Displays of sexually graphic material or pornography include posters, pin ups, cartoons, graffiti or messages left on noticeboards, desks or any other public area.
- q. "Flashing" or sexual gestures (criminal offence)'.- r. Sex-based insults, taunts, teasing or name-calling.
- s. Staring or leering at a person or at parts of their body.
- t. Intrusive questioning about a person's private life or body.

EDMS Australia recognizes and acknowledges that sexual harassment may involve comments and behaviour that offend some persons but not others. EDMS Australia accepts that individuals may react differently to certain comments and behavior, and as a result, has determined that a high standard of behavior is required of all staff.

Sexual harassment by or towards any workplace participant, supplier or customer in any work-related context will not be tolerated under any circumstances.

EDMS Australia has a legal responsibility to take all reasonable steps to prevent sexual harassment from occurring in connection with the workplace. Any instance of sexual harassment that constitutes a criminal offence, shall be reported to the police.

In this regard, EDMS Australia will:

- a. Provide training for managers/supervisors and other workplace participants involved in the complaint resolution process and establish the complaint resolution procedures to be used when dealing with sexual harassment complaints.
- b. Distribute and regularly promote this Policy statement to all existing and new employees.

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

- c. Model appropriate behavior themselves and monitor the working environment to ensure that the appropriate standards of conduct are always observed.
- d. Treat all complaints seriously and take immediate action to investigate and resolve any complaint quickly and fairly and where possible, with complete confidentiality.
- e. Ensure that workplace participants who make or support a complaint of sexual harassment are not subsequently subjected to victimization.
- f. Ensure that any workplace participant found guilty of making mischievous or distressing comments relating to sexual harassment is disciplined accordingly.
- g. Take all reasonable steps to ensure there is no recurrence of the offence.

In addition to this, all workplace participants have a responsibility to assist EDMS Australia by ensuring that:

- a. They comply with this Sexual Harassment Policy by ensuring that they do not perpetrate sexual harassment in the workplace.
- b. They offer assistance or support to any person being harassed; and
- c. They keep any complaint confidential to avoid idle gossip and to prevent potential defamatory proceedings being taken against them.

WORKPLACE DISCRIMINATION

EDMS Australia considers workplace discrimination as an unacceptable form of behavior and will not tolerate any form of discrimination. We believe, and the Anti-Discrimination Act 1991 legislation aims to ensure that all workplace participants have the right to participate in an environment free of discrimination.

It is the goal of EDMS Australia to create an environment free from discrimination and it is the responsibility of all management and employees to support this goal.

ATTRIBUTES

Workplace participants and prospective workplace participants have the right to be free from discrimination based on protected attributes.

The protected attributes under the Fair Work Act and the Anti-Discrimination Act 1991 are:

- a. Sex

Template No.: 05-01-BLK-001
Revision No.: 3
Date: 06/09/2023
Reviewed: N. Kerrisk
Approved:

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

- b. Relationship status
- c. Pregnancy
- d. Parental status
- e. Breastfeeding
- f. Age
- g. Race
- h. Impairment
- i. Religious belief or religious activity
- j. Political belief or activity
- k. Trade union activity
- l. Lawful sexual activity
- m. Gender identity
- n. Sexuality
- o. Family responsibilities
- p. Association with, or relation to, a person identified based on any of the above attributes

WHAT IS DISCRIMINATION ON THE BASIS OF AN ATTRIBUTE?

Discrimination based on an attribute includes direct and indirect discrimination based on:

- a. A characteristic that a person with any of the attributes generally has; or
- b. A characteristic that is often imputed to a person with any of the attributes; or
- c. An attribute that a person is presumed to have, or to have at any time, by the person discriminating; or
- d. An attribute that a person had, even if the person did not have it at the time of the discrimination.

EMPLOYMENT

EDMS Australia is an Equal Employment Opportunity employer. All workplace participants are treated on their merit, without regard to race, age, sex, marital status or any other factor not applicable to the position. Workplace participants are valued according to how well they perform their duties, and their ability and enthusiasm to maintain our standards of service.

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

EDMS Australia is committed to promoting Equal Employment Opportunity in all employment related activities including:

- a. Recruitment and selection.
- b. Placement and job assignments.
- c. Variations to terms of work.
- d. Opportunities for promotion, transfer, training and other benefits.
- e. Decision making and resource allocation.
- f. Remuneration and rewards.
- g. Counselling or discipline; and
- h. Termination.

If a workplace participant has any questions or concerns about discrimination or inequity in the workplace they should bring them to the attention of Management.

Managers and Supervisors must ensure that all workplace participants are treated equitably and in accordance with the Equal Employment Opportunity principles. They must also ensure that people who make complaints or witnesses who may assist in investigations are not victimized in any way.

WORKPLACE HARASSMENT

DEFINITION OF WORKPLACE HARASSMENT

Detailed below are examples of behaviors that may be regarded as workplace harassment, if the behavior is repeated or occurs as part of a pattern of behavior. This is not an exhaustive list; however, it does outline some of the more common types of harassing behaviors.

Examples include:

- a. Abusing a person loudly, usually when others are present.
- b. Repeated threats of dismissal or other severe punishment for no reason.
- c. Constant ridicule and being put down.
- d. Leaving offensive messages on email or the telephone.

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

- e. Sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages, and getting a person into trouble in other ways.
- f. Maliciously excluding and isolating a person from workplace activities.
- g. Persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters.
- h. Humiliating a person through gestures, sarcasm, criticism and insults, often in front of customers, management or other employees.
- i. Making derogatory statements or comments regarding an employee's sexuality, marital status, ethnicity or lifestyle choice.
- j. Spreading gossip or false, malicious rumors about a person with an intent to cause the person harm.

A person is subjected to 'workplace harassment' if the person is subjected to repeated behavior, other than behaviour amounting to sexual harassment, by a person, including the person's employer, a co-worker, or group of co-workers of the person that:

- a. It is unwelcome and unsolicited; and
- b. The person considers to be offensive, intimidating, humiliating or threatening; and
- c. A reasonable person would consider to be offensive, humiliating, intimidating or threatening.

'Workplace harassment' does not include reasonable management action taking in a reasonable way by the person's employer in connection with the person's employment. For example, being told by a manager that a repeat of poor conduct will result in termination of employment is not workplace harassment.

ACTIONS THAT ARE NOT WORKPLACE HARASSMENT

Legitimate and reasonable management actions and business processes, such as actions taken to transfer, demote, discipline, redeploy, retrench or dismiss a workplace participant, are not considered to be workplace harassment, provided these actions are conducted in a reasonable way.

EFFECTS OF WORKPLACE HARASSMENT OF PEOPLE AND THE BUSINESS

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

Workplace harassment has detrimental effects on people and the business. It can create an unsafe working environment, result in a loss of trained and talented employees, the breakdown of teams and individual relationships and reduced efficiency. People who are harassed can become distressed, anxious, withdrawn, depressed and can lose self-esteem and self-confidence.

WORKPLACE STRATEGIES TO ELIMINATE WORKPLACE HARASSMENT

EDMS Australia has taken the following actions to prevent and control exposure to the risk of workplace harassment:

- Provide workplace participants with workplace harassment awareness training.
- Introduced a complaint handling system and informed all employees on how to make a complaint, the support systems available, options for resolving grievances and the appeals process.
- Regular reviews of the workplace harassment policy, complaint handling system and training.

RESPONSIBILITIES OF ALL WORKPLACE PARTICIPANTS

EDMS Australia requires all workplace participants to behave responsibly by complying with this policy, to not tolerate unacceptable behavior, to maintain privacy during investigations and to immediately report incidents of workplace harassment to the Engineering Manager, Operations Manager or Human Resource Team.

Managers and Supervisors must also ensure that workplace participants are not exposed to workplace harassment. Management is required to personally demonstrate appropriate behavior, promote the workplace harassment prevention policy, treat complaints seriously and ensure where a person lodges or is witness to a complaint, that this person is not victimized.

BREACH OF POLICY

Template No.: 05-01-BLK-001
Revision No.: 3
Date: 06/09/2023
Reviewed: N. Kerrisk
Approved:

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

All those individuals covered by this policy are expected to adhere to the standards of behavior contained herein at all times. Any employee who is found to have breached this policy will be disciplined accordingly, which may lead up to and include termination of employment. If a contractor of EDMS Australia is found to have breached this policy, their contract stands to be terminated or may not be renewed in the future.

COMPLAINT HANDLING PROCEDURE

All individuals covered by this policy who believe they have been subjected to workplace bullying, sexual harassment, or discrimination are encouraged to act upon such behaviour as soon as possible by following the procedure outlined below. Witnesses to such behaviour are also encouraged to raise a complaint using this procedure.

AMICABLE RESOLUTION

Wherever practicable and if the person feels comfortable, the aggrieved individual is encouraged to attempt to resolve the matter directly with the person(s) involved. This may include calmly advising them that their behaviour is unwelcome or offensive and asking for it to stop. Often, individuals may not be aware their conduct is inappropriate.

This step is not compulsory. If an individual does not feel safe or comfortable addressing the matter directly, they are encouraged to proceed to the next stage of the complaint's procedure.

If the concern involves the individual's direct manager, and it is not appropriate to raise it with them, they should notify the Human Resources team. With the individual's approval, HR will assist in resolving the matter informally or escalate the issue as needed.

REPORTING WORKPLACE BULLYING, SEXUAL HARASSMENT OR DISCRIMINATION

Complaints can be made through any of the following channels:

- Directly to your manager, if appropriate
- To the Human Resources Team, who can guide and support you through the process

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

- For matters related to *sexual harassment only*, you may also report anonymously via the QR code, located in the EDMS Talent Management System under Files

The QR code is available exclusively for sexual harassment-related complaints.

All other matters, including bullying and general misconduct, should be reported directly to your manager or the HR team.

While anonymous reporting is available for sexual harassment, it is considered best practice to raise your concerns directly with a manager or Human Resources, where possible. This enables EDMS Australia to gather more information, provide timely support, and take appropriate action.

SERIOUS OR UNLAWFUL ALLEGATIONS

In cases where the allegations involve serious misconduct or may constitute a criminal offence, EDMS Australia may:

- Require additional information to investigate the matter appropriately, and
- Have a legal obligation to report the issue to the police or relevant authorities.

All discussions with HR will be conducted sensitively and will seek to fully protect the privacy and wellbeing of the employee possible.

INFORMAL COMPLAINT PROCEDURE

Informal procedures are best suited for less serious matters that may not require disciplinary action. Options may include:

- A conversation with the alleged offender by a Manager or HR
- A facilitated meeting between the parties involved to seek resolution

Employees unsure about whether to make a formal or informal complaint can speak confidentially with HR first before deciding.

FORMAL COMPLAINT PROCEDURE

Template No.: 05-01-BLK-001
Revision No.: 3
Date: 06/09/2023
Reviewed: N. Kerrisk
Approved:

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

A. Written complaint lodged

Formal complaints must be submitted in writing to a Manager or HR. The written complaint should include:

- Names of the individuals involved
- Details of the incident(s)
- Any witnesses, if applicable

B. Formal investigation commenced

a formal investigation will be launched by HR, a Manager, or an external investigator. The process may include:

- Clarifying the allegations and gathering evidence
- Identifying the desired outcome
- Informing the respondent and seeking their response
- Assessing whether a breach of policy occurred
- Applying interim workplace changes if needed (e.g. Alternate duties, paid leave)

If the behaviour warrants disciplinary action, the matter will be referred to the conduct and performance management policy.

CONFIDENTIALITY

EDMS Australia is committed to maintaining confidentiality throughout the complaint process. However, some disclosure may be necessary to investigate properly and ensure a fair process. All involved parties (complainants, respondents, support persons, witnesses) must maintain confidentiality.

Where unlawful conduct is suspected, EDMS may notify the relevant authority.

OUTCOMES

Outcomes will vary depending on the severity and nature of the complaint and may include:

WORKPLACE BULLYING, SEXUAL HARASSMENT & DISCRIMINATION POLICY

- Disciplinary action (including termination)
- Termination or non-renewal of a contractor or agent's engagement
- Mediation or facilitated resolution
- Counselling or training
- Adjustments to work arrangements
- Apologies or written warnings

APPEALS PROCEDURE

If a party is dissatisfied with the outcome, they may request a review by the Director. The Director will review the handling and resolution process and issue a final determination.

FALSE OR MISLEADING ALLEGATIONS

Complaints found to be deliberately false or malicious may result in disciplinary action, up to and including termination.

Michael Hagen
Director
EDMS Australia

Date: 21.07.2025

Template No.: 05-01-BLK-001
Revision No.: 3
Date: 06/09/2023
Reviewed: N. Kerrisk
Approved: