



Barkly Engineering Anti Discrimination and Sexual Harassment Policy

Barkly Engineering is committed to creating and maintaining a workplace free from discrimination and harassment. Sexual harassment or discrimination is unacceptable and will not be tolerated under any circumstances.

Objective

The objective of this policy is to:

Ensure a health and safe workplace for all employees, contractors and visitors

Ensure that all Barkly Engineering employees understand their rights and obligations around reporting and preventing discrimination and sexual harassment

Establish appropriate steps to manage complaints that may arise

Encourage employees to 'look out for each other and ensure that the workplace remains free from discrimination and sexual harassment.

Scope

This policy applies to all Barkly Engineering employees, contractors and visitors. All persons are to fully comply with this policy and its intentions.

Application

The Queensland *Anti Discrimination Act 1991* prohibits discrimination on the basis of the following attributes—

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| (a) sex; | (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 on the basis of any of the above attributes. |

Discrimination also occurs on the basis of an attribute happens if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute.

The person's motive for discriminating is irrelevant, as is whether they themselves believe that the treatment is less favourable.

Sexual harassment happens if a person subjects another to an uninvited and unwelcome acts of physical intimacy or demands or requests (whether directly or by implication) for sexual favours from the other person.

This can include making a remark with sexual connotations relating to the other person and engaging in any other unwelcome conduct of a sexual nature in relation to the other person.



It is sexual harassment if the person engaging in the conduct does so with the intention of offending, humiliating or intimidating the other person and in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

Vilification on grounds of race, religion, sexuality or gender identity is unlawful.

A person must not, by a public act, incite hatred towards, serious contempt or severe ridicule of, a person or group of persons on the ground of the race, religion, sexuality or gender identity.

Victimisation happens if a person acts or threatens to act to the detriment of another person because they have —

- (i) refused to do an act that would breach the Act; or
- (ii) in good faith, alleged, or intends to allege that a person committed an act that would amount to a breach of the Act; or
- (iii) is, has been, or intends to be, involved in a proceeding under the Act against any person.

Responsibilities

Barkly Engineering will take the following actions to prevent and control exposure to the risk of workplace harassment:

- provide all workers with discrimination and sexual harassment awareness training
- develop a code of conduct for workers to follow
- introduce a complaint handling system and inform all workers on how to make a complaint, the support systems available, options for resolving grievances and the appeals process
- regularly review the anti discrimination and sexual harassment policy, complaint handling system and training.

Barkly Engineering requires all workers to behave responsibly in compliance with this policy by not tolerate discriminatory or sexually inappropriate behaviour, to maintain privacy during investigations and to immediately report incidents of discrimination or sexual harassment to their immediate supervisor or manager.

Managers and supervisors must also ensure that workers are not exposed to discrimination or sexual harassment. Management are required to personally demonstrate appropriate behaviour, promote this policy, treat complaints seriously and ensure where a person lodges or is witness to a complaint, that this person is not victimised.

Where workers can go for assistance

A worker who is being harassed can contact their immediate supervisor or manager for information and assistance in the management and resolution of a discrimination or sexual harassment complaint.

Commitment to promptly investigate complaints

Barkly Engineering has a complaint handling system which includes procedures for reporting, investigating, resolving and appealing complaints. Any reports of discrimination or sexual harassment will be treated seriously and investigated promptly, fairly and impartially. A person making a complaint and/or who is a witness to workplace harassment will not be victimised.

Consequences of breach of policy

Disciplinary action will be taken against a person who harasses a worker or who victimises a person who has made or is a witness to a complaint. Complaints of alleged workplace harassment found to be malicious, frivolous or vexatious may make the complainant liable for disciplinary action.

Graham Liddell
Managing Director
Barkly Engineering Pty Ltd

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