

BULLYING AND HARASSMENT POLICY

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Related Documents	Code of Conduct Grievance Handling Policy and Procedure Disciplinary Policy Termination of Employment Policy Whistleblower Protection Policy
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Approved By	Board/Directors
Version	V2
Responsible Officer	HR Manager
References and Legislation	Fair Work Act 2009

1. POLICY

Steinhardt Group Pty Ltd, Steinhardt Corporation Pty Ltd as trustee for Steinhardt Family Trust (trading as Macadamias Australia), and Farmfresh Beneficial Holdings Pty Ltd as trustee for the Farmfresh Fine Foods Unit Trust (trading as Farmfresh Fine Foods), hereafter referred to as the 'Steinhardt Group' is committed to providing a workplace free of all forms of harassment and bullying, as prescribed by Commonwealth and state legislation. It is an employee's right to be treated with dignity and respect and it is also the employee's responsibility to treat others the same way.

Steinhardt Group is committed to meeting its legislative obligations relating to harassment and bullying, and shall take all reasonable, practicable steps to provide and maintain a working environment free from these behaviours.

The internal *Grievance Handling Policy and Procedure* assists employees to raise issues of concern and all complaints will be treated confidentially, seriously, and sympathetically. No employee shall be penalised or disadvantaged as a result of raising any genuine concern or complaint.

2. SCOPE

This policy applies to all employees of Steinhardt Group, whether permanent or casual. All employees have obligations under the *Work Health and Safety Act 2011 (Qld)* to manage risks to health and safety in the workplace and take reasonable care that their acts or omissions do not have a negative impact upon the health and safety of others in the workplace

This policy applies to all activities, and all those involved in those activities, including employees, contractors, customers, and visitors, that take place on work premises and elsewhere where activities are undertaken in the course of employment, or at work-related activities, such as social functions. This policy also applies when employees are away from the primary workplace, with clients or suppliers, at work functions or events not on Steinhardt Group premises.

Relevant and appropriate disciplinary action will be taken against anyone found to have breached this policy.

3. DEFINITIONS

3.1 Harassment

Harassment is unwelcome behaviour which does, or is likely to, offend, humiliate, or intimidate another person. The fact that no offence was intended does not mean that harassment has not occurred. If the behaviour has the effect of being offensive, humiliating or intimidating, that is usually enough. Harassment may occur as a single act, or as a series of incidents, persistent innuendos, or threats. It can take many forms: it may be silent or loud, subtle, or openly hostile, and it may be private or public.

The following examples may constitute harassment in the workplace:

- swearing in the workplace;
- gossiping about a person;
- making, circulating, or displaying jokes containing inappropriate or offensive content;
- intrusive enquiries into another person's personal life, including their religion, family, or private matters;
- constantly monitoring what someone else is doing, giving negative criticism or "nitpicking";
- openly displaying pictures, posters, graffiti, or written materials which might be offensive to some; and/or
- communications via phone, email or computer networks which are threatening, abusive or offensive to employees.

3.2 Sexual Harassment

Sexual harassment occurs when a person makes an unwelcome sexual advance or an unwelcome request for sexual favours or engages in any other unwelcome conduct of a sexual nature in relation to another person.

Sexual harassment may take various forms such as:

- sexual advances and requests for sexual favours;
- inappropriate physical contact or unnecessary familiarity;
- offensive comments on physical appearance, dress, or private life;
- lewd jokes;
- public display of pornography in the workplace, including on the internet by email, or on mobile phones;
- wolf whistling;
- unsolicited physical contact, ie: patting or pinching;
- public display of nudity;
- sexual violence; and/or
- indecent or sexual assault.

Some of the above may also amount to a criminal offence.

Sexual harassment is not about prohibiting friendships at work or genuine consenting relationships. It often relates to a misuse of power to create an unequal working relationship.

3.3 Bullying

Workplace bullying is a form of harassment defined as repeated, unreasonable behaviour that demeans, intimidates, victimises, threatens, or humiliates people, either as individuals or as a group.

Bullying is not necessarily related to an "attribute" a person has.

Bullying may involve a risk to the health and safety of employees.

Workplace bullying includes behaviours such as:

- verbal abuse, threats, sarcasm, or other forms of demeaning or intimidating language or communication;
- psychological harassment;
- physical intimidation;
- putting employees through "initiation rituals";
- deliberate change of work duties for the purpose of victimisation;
- sabotage of another's work;
- placing unreasonable work demands on people;
- ridiculing another's opinion;
- exclusion from work activities of which the person would reasonably expect to be a part; and
- threatening to take unjustified action against a person unless that person complies with unreasonable requests.

Bullying does not cover situations where an employee feels aggrieved about legitimate and reasonable:

- performance management processes;
- disciplinary action in line with company policy; or
- allocation of work in compliance with systems and role requirements.

3.4 Victimisation

Victimisation occurs when a person is treated or threatened to be treated in an adverse manner as a result of making or threatening to make a complaint about bullying. Victimisation also occurs when there is adverse treatment because a person has supported the bullying complaint of another person. Motive is irrelevant.

It is unacceptable for any person to be treated differently for the reason that he or she decided to exercise his or her legal right under the law or to help someone else to do the same.

Employees of Steinhardt Group must not engage in victimization of co-workers, or any other person, during the course of work.

4. COURSE OF ACTION

Steinhardt Group aims to resolve all complaints of harassment and bullying which may arise at the workplace. The Company can only do this if employees tell us about their complaints.

Steinhardt Group aims to treat all such complaints seriously, quickly and as confidentially as is reasonably possible.

If you think you are being harassed and/or bullied, you should not ignore the conduct, hoping it will go away. If you can, you should speak to the person responsible for the conduct and ask that person to stop. If you do not feel that you can do this or it does not work, you should talk to your manager, Human Resources, or any other suitable person.

Human Resources or any other suitable person may be contacted at any time to discuss any complaint or enquiry. You may approach them for general advice or to discuss any issue.

Human Resources may also investigate complaints. Depending on what you want and also on the nature of the complaint, it might be appropriate for Steinhardt Group to make a formal determination about what has happened and to decide about what the consequences should be.

Steinhardt Group has a *Grievance Handling Policy and Procedure* and a *Disciplinary Policy* which includes procedures on reporting, investigating, and resolving workplace issues.

Any reports of workplace bullying, and harassment will be treated seriously and investigated promptly, fairly, and impartially.

5. CONDUCT THAT BREACHES THIS POLICY

Conduct that breaches this policy is unacceptable and, depending on the severity and circumstances, may lead to disciplinary action regardless of the seniority of the particular employee(s) involved.

Steinhardt Group shall take appropriate disciplinary action against any employee who is responsible for, or engages in, any form of harassment or bullying.

Disciplinary action may include any of the following:

- demotion;
- a requirement to provide a written or verbal apology;
- a formal warning;
- a requirement to attend training, counselling, or mediation; and
- dismissal.

6. DOCUMENT CHANGE CONTROL AND APPROVAL

Approval and Amendment History	Versions	Description	Name and Signature of Approval
Board of Directors	V1	New policy approved 12 February 2019	Janelle Gerry – Director
HR Manager 27 June 2019	V1.1	Changes made see Document Control Management Register in HR 'I' Drive in Steinhardt Group Policy Folder	Board 16 August 2019
Board 5 August 2021	V2	This document supersedes any other Bullying and Harassment Policy for Steinhardt Group	Board