

1. Version Control

Version	Date	Author	Approved by	Initial
1	21/07/2025	R. Ridd	Nick Somes	NS
2				

2. Purpose

EcoDynamics strives to provide a workplace environment that is free from discrimination, harassment, victimisation and bullying. We value our people and place high importance on supporting a safe and healthy workplace where individuals feel respected and treated with dignity.

This policy provides up to date information to assist employees fulfill their responsibilities to address workplace discrimination, harassment and bullying.

Every employee will have access to this policy and receive regular refresher content about its content.

We will periodically review the policy to ensure it is up to date and make employees aware of the changes.

We will act to ensure behaviour is consistent with our values and legislation.

3. Application

This Policy applies to all employees, contractors and other workers of ecoDynamics Group and its associated entities (as that term is defined under section 50 AAA of the Corporations Act 2001 (Cth)). This Policy applies at all times when employees and contractors are directly representing ecoDynamics in their role or indirectly representing ecoDynamics through association. This includes:

- In the workplace;
- At ecoDynamics events and work-related functions;
- In a virtual setting; and
- Out of hours activities.

4. Discrimination

This policy reflects the spirit and intent of federal and state affirmative action and anti-discrimination legislation in Australia, including:

- Equal Opportunity Act 2010 (Vic);
- Sex Discrimination Act 1984 (Cth)
- Disability Discrimination Act 1992 (Cth);
- Age Discrimination Act 2004 (Cth);
- Racial Discrimination Act 1975 (Cth); and
- Fair Work Act 2009 (Cth).

EcoDynamics is an equal opportunity employer, committed to ensuring that decisions about an employee's work are based on their ability to perform their responsibilities and to develop in their employment.

EcoDynamics is committed to ensuring our employment practices are free from unlawful discrimination based on:

- Age;
- Breastfeeding and pregnancy;
- Disability or impairment;
- Employment activity;
- Gender identity;
- Industrial activity;
- Lawful sexual activity;
- Marital status;
- Parental and Carer status;
- Physical features;
- Political Belief or Activity;
- Profession, trade or occupation;
- Race, including colour, nationality, ethnicity and ethnic origin;
- Religious belief or activity;
- Sex;
- Sex characteristics;
- Sexual orientation, and
- Personal association with someone who has, or is assumed to have, any of these characteristics.

Direct and Indirect discrimination

Direct discrimination

Direct discrimination happens when someone is treated unfavourably because of a personal characteristic protected by the law.

Direct discrimination often happens because of unfair assumptions about what people with certain personal characteristics can and cannot do.

Indirect discrimination

Indirect discrimination happens when there is an unreasonable requirement, condition or practice that disadvantages a person, or a group of people because of a personal characteristic.

Sexual harassment and discriminatory harassment

Ecodynamics is committed to providing an environment that is free from sexual or discriminatory harassment.

Harassment refers to words or behaviour that threatens, intimidates or demeans a person. It is unwanted, uninvited and unwelcome and causes nuisance, alarm or substantial emotional distress. Unlike bullying, a one-off incident can constitute harassment.

Sexual harassment

Sexual harassment is unwelcome conduct of a sexual nature that a reasonable person would anticipate would offend, humiliate or intimidate the person harassed. It includes an unwelcome sexual advance, unwelcome request for sexual favours and any other unwelcome conduct of a sexual nature. It does not require an intention to harass and does not require the recipient to ask for the behaviour to stop.

Harassment can be a single incident or repeated behaviour. It can be physical, verbal or written.

Examples of sexual harassment include:

- Distribution or display of material (including through email) that may be offensive, such as sexually explicit posters or pictures, racist or sexist jokes or cartoons;
- Demands for sexual favours, either directly or by implication;
- Unwanted and deliberate physical contact; and/or

- Indecent assault, rape, and other criminal offences.

Sometimes people accused of sexual harassment say they were only joking, but jokes can still be insulting, threatening and unwelcome. It doesn't matter what the intention is, sexual harassment is against the law.

Discriminatory harassment

Discriminatory harassment is unwelcome conduct where someone is treated less favourably based on particular protected attributes such as their sex, race, disability or age. Treating a person less favourable can include harassing or bullying a person.

Examples of discriminatory harassment include:

- Acting towards, or speaking to a person in a manner that threatens or vilifies that person;
- Making jokes, suggestive comments or offensive gestures related to a person's race, colour, ethnic origin, disability, gender or sexual characteristics;
- Persistent questions about a person's private life; and/or
- Personal comments about appearance, size or clothing.

5. Victimisation

When we talk about someone being victimised it means they are being treated badly or unfairly because they have made a complaint. That complaint may be about discrimination, sexual harassment or racial or religious vilification, or it's believed they intend to make a complaint, or they've helped someone else make a complaint.

Unlawful victimisation is

- subjecting or threatening to subject the person to any detriment; and
- a substantial reason for the treatment is because the other person has made a complaint against the law.

A person is subjected to a detriment if another person engages in conduct that makes them feel;

- Uncomfortable;
- Isolated;
- Unwelcome;

- Intimidated; or
- Insecure.

Detriments can include behaviour such as bullying or disciplinary action.

Examples of detriments that may be victimisation include:

- Placing a complainant at a detriment in their employment e.g. demoting them;
- Denying the complainant a workplace right e.g. rejecting an annual leave request;
- Excluding the complainant from a workplace activity e.g. not inviting to a social event.

6. Bullying

Bullying is repeated, unreasonable behaviour directed to an individual or a group of workers that creates a risk to health or safety. Workplace bullying is a risk to both physical and psychological health.

Examples of bullying include:

- Abusive, insulting or offensive language or comments;
- Aggressive and intimidating conduct;
- Belittling or humiliating comments;
- Victimisation;
- Practical jokes or initiation;
- Unjustified criticism or complaints;
- Deliberately excluding someone from work related activities;
- Withholding information that is vital for effective work performance;
- Setting unreasonable timelines or constantly changing deadlines;
- Setting tasks that are unreasonably below or beyond a person's skill level;
- Denying access to information, supervision, consultation or resources to the detriment of the worker;
- Spreading misinformation or malicious rumours; and/or
- Changing work arrangements such as rosters and leave to deliberately inconvenience a particular worker or workers.

If the behaviour involves workplace violence, for example physical assault or the threat of physical assault, it should be report to the police.

Everyone at ecoDynamics has a responsibility for workplace health and safety and can help prevent bullying.

What is not considered bullying

Single incidents

A single incident of unreasonable behaviour is not considered to be workplace bullying; however it may have the potential to escalate and should not be ignored. Everyone covered by this policy is supported to raise a concern about unreasonable behaviour.

Workplace Conflict

Low level workplace conflict is generally not considered to be workplace bullying. This is because not all conflicts or disagreements have negative health effects. When conflict is at a low level and is task based, it can be beneficial, for example, where debate leads to new ideas and innovative solutions. Conflict does not always pose a risk to health and safety. In some cases, however, conflict that is not managed safely may escalate to the point where it meets the definition of workplace bullying.

Reasonable management action

It is reasonable for managers and supervisors to allocate work and give feedback on a worker's performance. These actions are not workplace bullying if they are carried out in a lawful and reasonable way, taking the particular circumstances into account. This is referred to as reasonable management action.

The following examples would be considered reasonable management action;

- Setting realistic and achievable performance goals, standards and deadlines;
- Fair and appropriate rostering and allocation of working hours;
- Transferring a worker to another area or role for operational reasons;
- Deciding not to select a worker for a promotion where a fair and transparent process is followed;
- Informing a worker about unsatisfactory work performance in an honest, fair and constructive way;
- Informing a worker about unreasonable behaviour in an objective and confidential way;
- Implementing organisational changes or restructuring; and/or

- Taking disciplinary action, including suspension or terminating employment where appropriate or justified in the circumstances.

7. Reporting an incident

Every person covered by this policy is supported to raise a concern about behaviour they have witnessed or experienced. EcoDynamics may also choose to investigate an issue, even if a complaint isn't made, if we feel that the behaviour is inconsistent with our Code of Conduct, or we have a legal obligation to.

Consistent with our Grievance Resolution Policy and Procedure, there are several pathways that an employee with a concern or an observation can take;

Try to informally resolve the issue

If you have a concern and you are comfortable to do so, talk to the person and tell them that their behaviour is inconsistent with ecoDynamics policy and is offensive and unwelcome and request that they stop

Raise the issue with leadership

At any time, you can raise concerns with your line manager, a senior manager, a Board member or the Group HR Manager. You can choose who you raise concerns with. Consider who would be most appropriate and not have a conflict of interest. Different tactics to resolve the issue may be used, such as conciliation, counselling and/or ongoing monitoring.

Make a formal complaint

At any time, you can make a formal complaint by documenting it in writing and forwarding it to your line manager, a senior manager, a Board member or the Group HR Manager. You can choose who you raise concerns with. Consider who would be most appropriate and not have a conflict of interest.

Refer to the Grievance Resolution Policy and Procedure for more information.

Reports by witnesses

Witnesses may also report work workplace discrimination, bullying or harassment. All identified workplace bullying, and harassment hazards or incidents should be reported so that they can be dealt with promptly.

8. Responding to a report

EcoDynamics commits to respond to issues that arise in line with the following principles:

- To act promptly
- Treat all matters seriously
- Balance confidentiality and transparency
- Ensure procedural fairness
- Be impartial and support all parties
- Minimise conflicts of interest for all parties
- Communicate process and outcomes to parties; and
- Keep appropriate records

Courses of action that ecoDynamics may take include:

- Formal investigation by a suitably qualified external person
- Informal counselling; and/or
- Conciliation between the parties

9. Outcomes of an investigation

The aim of an investigation is to look into the circumstances of the issue raised, work out what has occurred and what the appropriate course of action is. The investigator will focus on whether an allegation is substantiated or not, or if there is insufficient information to decide either way.

An investigation may find that a report of bullying or harassment is not substantiated, and no further action can be taken. Whether or not a complaint is substantiated, measures may need to be taken to resolve any outstanding issues. Measures may involve mediation, individual or group counselling, training, changing working arrangements or addressing other issues within the office that may have contributed to the behaviour occurring.

Where a complaint is substantiated, management may decide to take appropriate management action. The actions taken are likely to be different in each situation and depend on the severity and frequency of the bullying or harassment. Such actions may include:

- Gaining a commitment that the behaviour will not be repeated and monitoring this over time;
- Providing additional information to all workers to raise awareness of bullying and harassment within the workplace;
- Directing employees to undertake relevant training;
- Gaining a commitment that employee will undertake counselling support and/or mentoring;
- Requesting an apology;
- Regular monitoring of behaviours; and/or
- Issuing a verbal or written warning or another form of disciplinary action.

It is likely that a combination of strategies will be appropriate to prevent bullying or harassing behaviour from recurring.

10. Vexatious, Malicious or Frivolous Complaints

Vexatious, malicious or frivolous complaints are those made in bad faith or are trivial in nature or deliberately made to harm the respondent/s. Ecodynamics will not tolerate false allegations. If an employee is found to have made a vexatious, malicious or frivolous complaint, they may be subject to disciplinary action.

11. Policy Review

The ecoDynamics Group may make changes to this policy from time to time within its complete discretion.

12. Related Policies

- Code of Conduct
- Group Grievance Resolution Policy and Procedure
- Group Workplace Health and Safety Policy

Please be advised that any amendments to this document require formal authorisation and must be distributed through official channels to ensure it is an approved and correct version.

This policy serves as a mandatory directive for all personnel affiliated with ecoDynamics Group, whether employed directly or indirectly. This document is to be regarded as an addition to the other ecoDynamics Group's policy and procedures.

Should you require additional information or have inquiries concerning this policy, employees currently associated with ecoDynamic are encouraged to consult the comprehensive resource at <https://www.fairwork.gov.au/> and to engage in discussions with their supervisors or Group Human Resources Manager
