

1. PURPOSE

Gold Road Resources (**Gold Road** or **the Company**) are Equal Opportunity Employers who are committed to providing a safe workplace that is free from workplace behaviours that are unlawful or a risk to health and safety and one where diversity is valued and encouraged. Gold Road is committed to making decisions in relation to recruitment, selection and promotions based on merit only.

This policy is consistent with the State Equal Opportunity Act 1984 (WA), Work, Health and Safety Act 2020 (WA) and its related regulations and codes, Industrial Relations Act 1979 (WA) and the following Federal Equal Opportunity legislation, namely the Sex Discrimination Act 1984 (Cth), Racial Discrimination Act 1975 (Cth), Disability Discrimination Act 1992 (Cth), Age Discrimination Act 2004 (Cth), the Australian Human Rights Commission Act 1986 (Cth) and the Fair Work Act 2009 (Cth).

2. SCOPE

This policy is consistent with Gold Road values and Code of Conduct. Employees who engage in unlawful behaviours or safety breaches related to how they treat one another, as outlined in this policy may be subject to disciplinary action, up to and including instant dismissal in accordance with Gold Road grievance management policy.

3. PROCEDURE

3.1 Application

This policy applies to everyone who works at Gold Road, including employees, potential employees, trainees, contractors and labour-hire staff, regardless of whether they work full time, part-time or casual as well as volunteers, visitors, clients, and service providers.

This policy applies in the workplace including work outside normal work hours and at work related events such as conferences, training events and social functions, like after hours drinks, Christmas party, conferences and at any other place where you are a representative of Gold Road and where it can be shown that there is a workplace connection or workplace impact.

3.2 Responsibilities

All employees at Gold Road must be aware of this policy. They are responsible for ensuring:

- Their behaviour in the workplace complies with this policy
- If an employee observes behaviour that they think contravenes this policy, then they must inform a manager of this as soon as is possible
- If an employee has any questions in relation to this policy, then they can ask a manager or People and Culture
- They respect the confidentiality of any complaint made and avoid gossip in relation to any possible inappropriate conduct
- Employees may be personally liable for their actions if they do not comply with the above requirements.

Managers and supervisors have a greater responsibility in the workplace than other employees. In addition to the above requirement managers and supervisors must:

- Apply the policies in this document consistently in the workplace to ensure that all employees are protected from workplace behaviours that are unlawful or a risk to health and safety
- Have a higher standard of behaviour to comply with than other employees and must act as a role model for appropriate standards of behaviour
- Manage a complaint in accordance with the Grievance Handling Procedure
- Not allow, permit, assist or tolerate inappropriate actions occurring or continuing by their action or inaction
- Not victimise a person for making a complaint
- Managers/supervisors may be secondarily liable for their actions if they do not comply with the above requirements.

As an Employer, Gold Road must:

- do all that is reasonably practicable to eliminate and/or minimize risk in relation to unlawful behaviours and possible safety breaches
- make this policy accessible to all staff
- include this policy in the Employee onboarding and discuss with new employees at induction
- educate all employees in relation to their rights and responsibilities in relation to unlawful workplace behaviours and possible safety breaches
- educate managers and supervisors in relation to their extra responsibilities and duties because of their role in the organisation
- have trained contact officers to support employees throughout the process and/or offer free confidential access to the Gold Road Employee Assistance Program
- an employer may be vicariously liable for their actions if they do not comply with the above requirements.

4. DISCRIMINATION

Discrimination can be either direct or in direct.

Direct Discrimination is when a person is treated less favourably than another person in the same or similar circumstances based on one of the following grounds:

Gender	Intersex status
Sexual Orientation	Marital Status
Race (includes colour, ethnicity, national origin, language)	Family Responsibility
Impairment or disability	Family Status
Age	Political Conviction
Pregnancy or potential pregnancy	Religious Conviction
Breastfeeding	Gender Identity/History/transgender
Spent Conviction	Trade Union membership/activities

Fines Enforcement Registrar

Medical record (Cth)

Indirect Discrimination is when there is an unreasonable rule (policy, procedure or practice) that appears neutral but has a negative effect on a particular group of people with characteristics that would fit into one of the grounds mentioned in the direct discrimination definition and the discriminated person is not able to comply with the rule.

5. HOSTILE WORKPLACE AND ENVIRONMENT

It is unlawful for a person to subject another person to a workplace environment that is hostile on the ground of the sex of the person making the complaint.

A hostile workplace environment occurs when a reasonable person, would have anticipated the possibility of the conduct resulting in the workplace environment being offensive, intimidating or humiliating to a person of the sex, by reason of their sex or a characteristic normally attributed to their sex.

Conduct can mean written or oral. Factors to be considered include the seriousness of the conduct, whether the conduct was continuous or repetitive, and the role/influence or authority of the person doing the conduct. The conduct is limited to the workplace. The conduct does not have to be directed at the person making the complaint. The conduct is broader than behaviours of a sexual nature but could also include sexual content.

6. HARASSMENT

Unlawful harassment is unwanted, uninvited and inappropriate behaviour based on a person's gender, race, disability or sexual in nature.

6.1 Sexual Harassment

Sexual Harassment is unwelcome conduct of a sexual nature that a reasonable person would anticipate the possibility that the 'victim' would be offended, humiliated or intimidated by. The conduct includes oral and written statements and physical gestures.

It does not matter that a person did not mean to be offensive.

Behaviour that is based on mutual attraction and that is consensual, welcome and reciprocated is not sexual harassment.

6.2 Sex Based Harassment

Sex based harassment is when a person engages in unwelcome conduct of a demeaning nature in relation to a person's sex and which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

6.3 Racial Harassment

Racial harassment is when a person is threatened, abused, insulted or taunted about their race, or a characteristic generally associated with their race and they believe if they object to the unwanted behaviour they will be disadvantaged in their workplace, or they are disadvantaged.

6.4 Disability Harassment

Disability harassment is when a person is threatened, abused, offended or excluded because of their disability.

7. BULLYING

Bullying is repeated unreasonable behaviour that is directed towards an employee, or group of employees, that creates a risk to health and safety.

Instructing a person to do a job within their job description is not bullying. Providing legitimate comments and advice, including relevant negative feedback from managers and supervisors in relation to work performance or work-related behaviours is not bullying.

8. WORKPLACE VIOLENCE AND AGGRESSION

Workplace violence is any incident where a person is threatened, attacked, or physically assaulted whilst at work or where there is a workplace connection. Threats of harm can be direct or indirect via a third person being informed of them and can be visual, oral, in writing, or through gestures. Threats of harm can also be in relation to a person's family.

Aggression is defined very broadly to include abusive and intimidating behaviours that create a risk to health and safety

An employer has a duty to provide a safe workplace for employees free of bullying, violence and aggression. Violence and aggression do not have to be repeated behaviours, as one-off is sufficient. These behaviours include protection from other employees and also from external sources such as clients and suppliers.

9. MISCONDUCT

Misconduct is improper or unacceptable conduct, which fails to meet the requirements of relevant regulations, codes of conduct, policies, procedures or all lawfully given directions (verbal or written) and has the potential to cause a risk to safety and health.

10. CONFLICT

Conflict is unresolved conflict between 2 or more people over a work-related matter(s) and the behaviour becomes inappropriate or unreasonable and poses a risk to health and safety.

If the employer has taken all reasonable measures, but the conflict is unresolvable, it is taken to have been resolved.

11. PSYCHOSOCIAL HAZARDS

Psychosocial hazards are related to the physical, psychological, and social conditions of a workplace which can lead to psychological or physical harm.

The following are considered to be psychosocial hazards:

Poor leadership practices and workplace culture	Low recognition and reward
Poor or no policies and procedures	Poor organisational justice
Work demands	Insecure work
Low level of control	Adverse environmental conditions
Inadequate support	Remote and isolated work
Lack of role clarity	Fatigue and burnout
Poor organisational change management	Inappropriate and unreasonable behaviours
Family and domestic violence	Traumatic events
Vicarious and secondary trauma	

12. VICTIM PROTECTION

Any employee who has made a complaint or is a witness to a complaint in relation to discrimination, harassment or bullying will not be discriminated against or suffer any other disadvantage for having made a complaint in good faith. If they do experience this, then it is called victimisation and it is also unlawful.

13. NON-UNLAWFUL CONDUCT

Gold Road has a legitimate right to direct and control how work is performed. Supervisory staff have a responsibility to monitor workflow and give feedback. Legitimate comments or advice including criticisms regarding standards of work, workplace behaviour or feedback on performance are not unlawful.

This policy does not apply to situations where an employee has a grievance about legitimate and reasonable:

- Performance management processes;
- Disciplinary action; and
- Allocation of work.

14. DISCIPLINE

Discrimination, harassment, bullying and other safety breaches, workplace violence and victimisation will not be tolerated in Gold Road. An employee who engages in any conduct that constitutes these behaviours as defined in this policy will be subject to disciplinary action up to and including instant dismissal.

Any manager who is made aware of any of the behaviours outlined in this policy and who does not deal with the conduct appropriately or report the conduct to the appropriate personnel will also be subject to appropriate disciplinary action, up to and including instant dismissal.

15. MANAGING A COMPLAINT

Every allegation of discrimination, harassment, bullying, workplace violence and victimisation will be reviewed by Gold Road in accordance with the Grievance Procedure. If after the investigation it is found that an employee has breached this policy, then appropriate disciplinary action will be taken up to and including instant dismissal.

Prior to lodging a complaint an employee may seek the support of an appropriate person to talk through the situation. An appropriate person could be internal to Gold Road such as a Contact Person/Peer Support Officer, Manager or People and Culture or external to Gold Road such as our Employee Assistance Program.

At any stage in the process an employee may choose to make a complaint external to Gold Road and can lodge a complaint with the Equal Opportunity Commission, The Australian Human Rights Commission, Fair Work Australia, The Industrial Relations Commission and/or WorkSafe.

16. VEXATIOUS COMPLAINTS

If a complaint is made and is subsequently found to be a frivolous or vexatious complaint (no merit to the complaint) then the person who made the complaint will be subject to disciplinary action up to and including instant dismissal.

17. SUPPORTING, REFERENCE AND RELATED DOCUMENTS

- Managing Performance Procedure
- Grievance Resolution Procedure
- Workplace Investigation Procedure

18. DOCUMENT CONTROL

Version Number	Revision Date	Document Owner	Document Approver
Version 2.0	8 December 2023	GM – People & Culture	Board of Directors