



Prevention of Bullying & Harassment in the Workplace Policy

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Purpose

This Policy seeks to give effect to the GrainCorp Values of

- We Stay Safe; and
- We Do What's Right; and
- We Care

At GrainCorp, we are committed to

- fostering a culture of inclusion and increasing the diversity of our workforce, and
- attracting and empowering people from diverse backgrounds with different skills, strengths and experiences to reach their full potential.

This requires people to:

- be treated with dignity, courtesy and respect, and feel they belong,
- have the opportunity to realise their potential and
- work together to deliver the best outcomes for our customers, shareholders and the communities in which we live and work.

To support this aim, GrainCorp:

- Has developed an Inclusion and Diversity Strategy focused on fostering a culture of inclusion and leveraging diversity of thought to drive collaboration, innovation and better business results, by improving or encouraging greater:
 - Gender equality and balance and ensuring greater representation of women in leadership roles.
 - Cultural, religious and linguistic diversity.
 - optimising people's careers at various life stages.
 - Diversity of sexual orientation (LGBTI+); and
 - Accessible and inclusive employment for people with disabilities.
- Takes a 'zero-tolerance' approach to unlawful discrimination and preventing harassment and bullying as set out in the rest of this Policy.

GrainCorp promotes a 'zero tolerance' approach against all forms of Harassment, which under this Policy comprise of violence in the workplace, unlawful discrimination, sexual harassment, vilification and victimisation (**Harassment**) and Bullying at work. This approach is to be achieved by:

- Supporting and encouraging a diverse workforce and continuously working to develop equitable policies and practices that ensure an environment which is inclusive and supportive of equal opportunity.
- Complying with all Australian State and Territory anti-discrimination laws.
- Seeking to create an environment free from unlawful discrimination, Harassment and Bullying.
- Raising employee awareness of their rights and responsibilities through training and awareness sessions.
- Dealing with informal grievances and formal complaints in a fair, sensitive and professional manner.
- Encouraging reporting of conduct that breaches this Policy.
- Treating all allegations and complaints seriously, confidentially, impartially and ensuring there is no detriment to a person's employment because the person lodged a complaint under this policy.
- Adhering to the principle that employment related decisions will be free from any type of improper conduct as described in this Policy.

All forms of Harassment, and Bullying, as identified in this Policy, are prohibited. Where GrainCorp is satisfied that allegations of Harassment or Bullying against an employee are substantiated, the employee will be subject to disciplinary action from counselling up to, and including, termination of employment. Employees making frivolous or vexatious complaints involving Harassment or Bullying will also be subject to disciplinary action.

The Preventing Workplace Harassment and Bullying Policy outlines how GrainCorp will seek to prevent and deal with all forms of Harassment and Bullying and ensure employees and managers are aware of their obligations, responsibilities and rights under law.

Scope

This Policy applies to all directors, employees (full-time, part-time, casual, fixed-term/temporary) and contractors of GrainCorp and its related entities in Australia and extends to all areas of the business and people practices and applies to any work-related site or location, or at any work-related activity where the employee is required to be and conduct that occurs outside any work-related site or location, or outside working hours, but which is reasonably connected with the workplace.

This Policy does not apply to matters concerning sex discrimination, sexual harassment, Sex-based harassment and conduct that creates a hostile work environment on the grounds of sex (collectively Sex-based Unlawful Conduct). GrainCorp has a separate policy named "Sexual Harassment & Sex-based Unlawful Conduct Policy " that applies to matters concerning Sex-based Unlawful Conduct.

This policy does not form part of any contract between GrainCorp and any person or entity and is not contractually binding on GrainCorp. GrainCorp may vary, replace or terminate this Policy from time to time at GrainCorp's discretion. It also does not override and should be read in conjunction with applicable legislation.

This Policy identifies and summarises some of the rights and obligations created by legislation. It is not intended to go beyond those rights, any industrial instruments or a person's individual employment contract.

GrainCorp may vary this Policy from time to time, and the Policy forms part of employees' obligations to comply with all lawful instructions given by GrainCorp. This policy does not form part of any contract between GrainCorp and any person or entity and is not contractually binding on GrainCorp. GrainCorp may vary, replace or terminate this Policy from time to time at GrainCorp's discretion. It also does not override and should be read in conjunction with applicable legislation.

References

The following should be read and applied in conjunction with this Policy:

- The applicable Anti-discrimination laws in Australia. Note that this Policy cannot limit or qualify the operation of law.
- Any applicable industrial instrument.
- GrainCorp Charter and Code of Conduct.
- GrainCorp's Inclusion and Diversity Strategy.
- Dispute and Grievance Settlement Policy and Procedure.
- Social media Policy;
- Whistleblower Policy and Procedure.
- Prevention of Sexual Harassment & Discrimination in the Workplace Policy

Responsibilities

The following responsibilities apply in line with GrainCorp's Values of Commitment to Safety and Leading the Way:

Managers and Supervisors

- Promoting awareness of the Preventing Workplace Harassment and Bullying Policy.
- Make decisions on recruitment, training or promotion opportunities, work allocation, remuneration and leave arrangements that are compliant with discrimination laws.
- Ensure that the team's working environment is free of sexist, racist, or any other form of stereotyping material, posters, screen savers etc.
- Lead by example by avoiding any discriminatory assumptions and not engaging in any behaviour that might constitute Harassment or Bullying or give rise to a claim of vicarious liability against GrainCorp.
- Make it clear to all employees that any Harassment or Bullying will not be tolerated.
- Act immediately when advised of or if witness to, any Harassment or Bullying.

Human Resources

- Assist managers/supervisors by providing training and instruction for all employees on their obligations, responsibilities and rights as set out in anti-discrimination legislation and GrainCorp's policies.
- Undertake the required training to maintain the professional skills to handle EEO matters and investigate complaints under this Policy.
- Ensure the complainant is offered access to a support person.

Investigation Officers

- Undertake their responsibilities as Investigation Officer in a confidential and impartial manner.
- Abide by GrainCorp's procedures for handling complaints.

Employees

- Abide by the Preventing Workplace Harassment and Bullying Policy and the Charter and Code of Conduct.
- Not engage in any form of Harassment, Bullying or Victimisation of any employee who makes a Harassment or Bullying complaint or takes part in investigations surrounding such a complaint pursuant to this Policy.
- Co-operate fully with GrainCorp and external investigations commissioned by GrainCorp.
- Actively participate in anti-discrimination and EEO training, including completing induction E-learning at the first available opportunity and no later than 3 months from the date when an employee commences employment.

Mandatory or Specific Requirements

Equal Employment and Anti-Discrimination Legislation

Federal and Anti-discrimination legislation in each Australian State and Territory sets out specific grounds upon which a complaint can be made by an employee. Depending on the applicable legislation, the grounds for discrimination and/or harassment may include:

- Age.
- Compulsory retirement from employment.
- Impairment or disability (physical, intellectual, psychiatric, sensory, neurological or learning disability; physical disfigurement; the presence in the body of an organism capable of causing disease; and current, past, future or imputed disability).
- Marital status.
- Political or religious belief or activity.
- Race (including colour; descent; ethnic, ethno-religious or national origin, or nationality; and immigration).
- Family responsibilities, parent or carer status.
- Medical record.
- Industrial activity, including union membership or non-membership.
- Physical features.

The following legislation applies in Australia:

Federal:

- Age Discrimination Act 2004.
- Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Fair Work Act 2009
- Racial Discrimination Act 1975
- Workplace Gender Equality Act 2012.

State:

- NSW Anti-Discrimination Act 1977
- Queensland Anti-Discrimination Act 1991
- Victorian Equal Opportunity Act 2010
- Victorian Racial and Religious Tolerance Act 2001
- Western Australian Equal Opportunity Act 1984.

Forms & Examples of Harassment & Bullying at work.

Discrimination: This may take the form of unlawful direct discrimination or indirect discrimination [see Definitions in the Annexure].

Direct discrimination may exist, for example, if a qualified job applicant was not employed because she was a woman or was of a particular race.

Indirect discrimination may exist, for example if a job advertisement or position description sets out irrelevant language or writing requirements that may disadvantage people from a non-English speaking background.

What is NOT Discrimination or Harassment?

There are examples of situations where an employee may, quite lawfully, be treated differently to other employees. Such situations, which are not discriminatory or Harassment, include the following:

- paying employees differently if they perform at different levels.
- reasonable management actions about employment related issues, including behavioural counselling, reasonable and appropriate feedback, focused on work expectations or required improvements, or disciplining an employee for poor performance or misconduct.
- questioning prospective employees about physical capabilities if these are necessary to perform the inherent requirements of the position.

Racial harassment or discrimination

Examples of Racial harassment include but are not limited to offensive jokes or derogatory comments about another employee's racial or ethnic background, degrading or stereotyping people because of their race, including jokes or persistent comments about a person's skin colour, accent etc.

Vilification

Vilification can take many forms, including hate-speech, graffiti, websites, and distribution of propaganda or other forms of offensive literature including via social media.

Victimisation

Examples of Victimisation may include demotion, dismissal, transfer, suspension, loss of a benefit, being threatened, harassed or ostracised from work- or work-related social functions or being the subject of gossip or innuendo, because of the complaint.

Bullying

Bullying refers to repeated or persistent unreasonable behaviour such as:

- publicly belittling someone's opinions, or dismissing that person's contribution without good reason, including in front of clients and work colleagues.
- deliberate and unreasonable isolation or exclusion from work discussions, communication or other work-related activities.
- threatening, excluding, isolating, ignoring or alienating a person.
- excessive and unreasonable work scrutiny or setting impossible deadlines.
- inappropriate or unreasonable criticism of, or punishment about, someone's work or behaviour.
- inappropriate or unreasonable blocking of promotion, training, development or other work opportunities.

What is NOT Bullying:

This includes:

- setting reasonable workplace goals and standards including work deadlines - without jeopardising the health or safety of any employee or other work colleague.
- managing or altering a worker's workload, reporting structure or duties.
- reasonable supervisory practices.
- reasonable work performance assessment.
- counselling and disciplinary practices delivered in a fair and appropriate manner; and
- fair and legitimate actions by management to encourage or urge staff members to give their best.

provided they are undertaken in a reasonable manner. Reasonable management actions undertaken in an unreasonable manner can constitute Bullying.

Dealing with Grievances & making a Complaint

If an employee believes they have been subject to Harassment or Bullying, they are encouraged to report it, or deal with it, as soon as possible, by using any of the options listed below:

1. Informal grievance under this Policy; or
2. Formal Complaint

In all instances, the employee affected may access:

- the services of the Employee Assistance Program (EAP). The EAP is a confidential short- term counselling service available to GrainCorp employees.
- The FairCall hotline to make confidential complaints of Harassment or Bullying, whether anonymously or otherwise, under the GrainCorp Whistleblower Policy and Procedure.

If an employee becomes aware or witnesses any form of attempted or actual Harassment that may constitute criminal conduct, they must advise their manager or Human Resources immediately.

We encourage employees to immediately report any instances of assault (including sexual assault) to the Police.

Informal grievances

An employee may elect to resolve a grievance concerning Harassment or Bullying informally and with the assistance of their manager and/or Human Resources. If an employee has decided to resolve the issue in this manner, he/she may seek advice from their manager, a Senior Manager, or Human Resources on strategies to raise the issue with the other party politely but directly, in person if possible, and make it clear to them that their behaviour is unacceptable and unwelcome. The employee may take a support person if they wish. The employee should ask that the other party immediately stop the unwelcome behaviour. Human Resources may also facilitate this process if desired by the aggrieved person.

Informal grievances are treated differently to the formal complaint process outlined below. However, a manager or Human Resources may need to escalate the matter to a formal complaint. This may occur, for example, where the behaviour is serious, creates a risk to the psychological and physical safety of others or where it involves a senior member of the organisation.

Formal Complaint

An employee may lodge a formal complaint concerning Harassment or Bullying with their manager/supervisor, or with a Senior Manager, Executive or Human Resources with the assistance of a support person if desired by the complainant.

When a formal complaint is made, GrainCorp will take a trauma-informed and person-centred approach to ensure the individual impacted by the alleged conduct is supported and their wishes are considered when deciding how to manage the issue. GrainCorp will respect the individual's wishes and best interests as far as possible, however, it may not solely determine the organisation's response or the outcome.

Where possible, a formal complaint should include detailed information about the allegations of conduct involving Harassment or Bullying, including:

- when the incident happened
- how often the behaviour occurred.
- the names of any witnesses to the incident
- what exactly was said or done?
- any relevant background
- the impact of the behaviour
- the complainant's preferred resolution or outcome.

Where a complaint is received by a manager/supervisor, a Senior Manager or Executive it must be immediately referred to Human Resources.

Once a complaint is made, GrainCorp may suspend the person against whom the Harassment or Bullying allegation is made on full pay, including requiring the person not to report to work, or assigning the person to alternative duties, during the investigation.

Complaint management guidelines

The following guidelines should be applied where possible to the management of complaints of Harassment or Bullying. However, it is noted that in some circumstances, it may be appropriate to depart from aspects of these guidelines:

Confidentiality

Only the people involved in the investigation of, or attempted resolution of a complaint will have appropriate access to information about the complaint. This means that only those with a genuine role to play in helping to resolve the complaint should know its details or discuss the complaint. In some circumstances information may not be able to be kept confidential, such as where physical threats are involved, or the law otherwise requires it. All workers who know about, or are involved in complaints of Harassment or Bullying, are expected to maintain confidentiality. Anyone found to have engaged in gossip or innuendo about a complaint is at risk of disciplinary action.

Fair, impartial and professional investigations.

Informal grievances and formal complaints will be approached in a fair, impartial, sensitive and professional manner. Where an investigation is conducted, both parties will have a chance to tell their side of the story. No assumptions will be made and, to the extent possible, no action will be taken until all relevant information has been collected and considered. GrainCorp may conduct the investigations in-house, through or with the assistance of external investigators at the discretion of the General Manager, Human Resources.

No victimisation

Workers must raise informal grievances and formal complaints in good faith. GrainCorp will take reasonable steps to ensure that any workers who raise a genuine informal grievance or a formal complaint are not victimised. Anyone who is found to

be victimising a person as a result of a person making a Harassment or Bullying complaint, may be subject to disciplinary action up to and including dismissal.

False or misleading allegations

If a worker intentionally makes false or malicious allegations they may be disciplined. It is therefore very important that all informal grievances and formal complaints of Harassment and Bullying are based on truth and fact. Employees making frivolous or vexatious informal grievances or formal complaints involving Harassment or Bullying will also be subject to disciplinary action.

Promptness

All informal grievances and formal complaints will be dealt with as quickly as reasonably possible.

Outcomes

Outcomes of informal grievances and formal complaints may include the following (or any combination of the following):

- No further action.
- Counselling.
- Training.
- Transfer or demotion.
- Conciliation or mediation conducted by an impartial third party where the parties to the complaint agree to a mutually acceptable resolution.
- Disciplinary action up to and including dismissal under the Charter and Code of Conduct against the alleged perpetrator (see Disciplinary Measures under the Performance Management Policy).
- Disciplinary action up to and including dismissal under the Charter and Code of Conduct against the complainant if there is strong evidence that the complaint was vexatious or malicious.
- Formal apologies.
- Re-crediting any leave taken as a result of the Harassment or Bullying.

Further Actions

- Where either party is not satisfied with the outcome of this process, they may apply in writing to the Managing Director for internal or external review.
- Employees have the right to have a formal complaint dealt with by an external agency.

Record Keeping

All documentation related to an informal grievance, or a formal complaint and investigation will be kept on file by Human Resources.

A record of any disciplinary action taken will be placed on the employee's file.

Definitions of Harassment & Bullying Conduct used in this Policy.

Term	Means*
Bullying	<p>Means a worker repeatedly behaving unreasonably towards another worker (or a group of workers of which the worker is a member), and that behaviour creates a risk to health and safety. To avoid doubt, reasonable management action carried out in a reasonable manner does not constitute bullying.</p> <p>In Australia, bullying at work is defined and actionable under the <i>Fair Work Act 2009</i>. It may also be actionable under Work, Health and Safety legislation depending on the circumstances.</p>
Discrimination	<p>Means unlawful direct or indirect discrimination on any of the grounds specified in applicable Anti-discrimination laws in Australia, as identified elsewhere in this Policy [Refer section below headed Mandatory or Specific Requirements.]</p> <p><i>Direct Discrimination:</i></p> <p>Direct discrimination occurs when a person is treated less favourably than another person would be treated in comparable circumstances because of certain attributes.</p> <p><i>Indirect Discrimination:</i></p> <p>Indirect discrimination occurs when a requirement, condition or practice appears to be fair and neutral but, when applied, unreasonably disadvantages a particular group of people with certain attributes or personal circumstances. By its nature, indirect discrimination may occur without any intention on the part of the person who discriminates.</p>
Harassment	<p>Means unlawful conduct at work, namely:</p> <ul style="list-style-type: none"> • Violence at work, • Unlawful discrimination, • Racial harassment, • Vilification and • Victimisation. <p>Harassment can be from a supervisor or manager, co-worker, contractor, service provider, client or customer.</p> <p>Harassment (to avoid doubt) includes forms of harassment that are unlawful in Australia.</p>

Racial vilification	Racial vilification occurs when a person is exposed to hatred, serious contempt or severe ridicule based on their race. This may include written and spoken communication, observable actions and gestures, distribution of vilifying material, wearing or display of racially derogatory material, threatening physical harm towards an employee or their property or inciting other people to threaten physical harm towards an employee or their property.
Victimisation	Victimisation is subjecting a person to a detriment or unfavourable treatment (including 'pay-backs' or retribution) because that person, or someone they associate with: <ul style="list-style-type: none"> • makes, or intends to make, a complaint of Harassment or Bullying in good faith. • provides information or evidence in relation to a complaint of Harassment or Bullying.
Vilification	Vilification means any public statement or act which causes or is likely to cause hatred, contempt or ridicule. It is unlawful to vilify a person because of their race, colour, descent, nationality, ethnic origin, ethno-religious origin, national origin, homosexuality or transgender identity, or because the person is HIV positive or has AIDS.

*subject to the terms of the governing laws that apply in the applicable State or Territory.