



Anti-Discrimination, Harassment and Bullying Policy

1. Scope

This policy applies to anyone performing work (**you/workers**) for Sports Aid Pty Ltd (**Company**).

The terms of this policy apply to all behaviour that occurs:

- during work or work-related activities;
- at work related-related events and functions, including client events;
- on all forms of communication, including social media, where workers interact; and
- in connection with work, including outside of normal working or business hours.

2. Purpose of this policy

The Company is committed to providing a workplace that is free from all forms of discrimination, bullying and harassment, and that is ultimately a safe and respectful environment for its workers.

The Company, takes its obligations to its workers seriously, and all workers are required to treat each other professionally, and with respect and dignity at all times.

This policy outlines the types of behaviour that are prohibited in the Company's workplace, and provides the meaning for what constitutes these behaviours.

3. Equal employment opportunity

Equal employment opportunity is the right for individuals to be considered for a position, advancement or opportunity in a fair and equitable manner, that is free from discrimination.

The Company is committed to providing equal opportunities to all its workers and prospective workers and does not discriminate based on any unlawful characteristic, including race, sex, sexual orientation, disability, religion or any other basis protected by law.

All workers are required to comply with this policy when considering the hiring of new workers, or providing opportunities or benefits to current workers.

4. Discrimination, bullying and harassment

Discrimination, bullying and harassment can have adverse consequences for the Company, its workplace and its staff. The Company and all its workers are responsible for maintaining a workplace free of discrimination, bullying and harassment, to ensure the safety of all workers in the Company's workplace.

This behaviour is prohibited under a variety of legislation at both the federal and state level, including but not limited to the:

- *Sex Discrimination Act 1984* (Cth);
- *Racial Discrimination Act 1975* (Cth);
- *Disability Discrimination Act 1992* (Cth);
- *Age Discrimination Act 2004* (Cth);
- *Australian Human Rights Commission Act 1986* (Cth); and
- *Fair Work Act 2009* (Cth).

Where a worker engages in discrimination, bullying or harassment (including sexual harassment), the Company may be held legally liable for their conduct, as well as the worker personally. Similarly, a worker must not victimise anyone for making a complaint, or proposing to make a complaint, in relation to these behaviours.

If you believe that you, or other workers, have been or are the subject of discrimination, bullying or harassment, including sexual harassment, then you must promptly report the behaviour to the Company. If appropriate, the behaviour should first be reported to your immediate manager. If this is not appropriate because the situation involves your immediate manager, then you should report the incident to another senior worker of the Company.

The following behaviours are unacceptable in the Company's workplace and will not be tolerated. Where a worker engages in them, they may face disciplinary action up to and including the termination of their employment.

Discrimination

Discrimination is the treatment of another person or group in a less favourable way because of a characteristic of that person or group. This is unlawful where the characteristic is protected by law.

Discrimination can occur either directly (ie. where a person is treated less favourably another person in the same or similar situation), or indirectly (ie. where a requirement or condition is imposed in relation to a class of individuals, that has the effect of disadvantaging people with a certain characteristic).

Characteristics that are unlawful to discriminate on the basis of include, but are not limited to:

- age;
- sex;
- race, colour, origin or ethnicity;
- religion;
- sexual orientation, intersex status or gender identity;
- disability, disease or injury;
- parental status or carer's responsibilities;
- marital status;
- industrial activity, such as being a union member; and
- association with someone who has a protected characteristic.

Bullying

A worker is bullied at work if an individual or group repeatedly behaves unreasonably towards the worker, or a group of workers of which the worker is a member.

Where conduct that would usually amount to bullying occurs in a single instance:

- where this occurs because a person or group has a protected characteristic, it will amount to discrimination; and

- where it otherwise poses a risk to another person's health and safety, or is otherwise unprofessional, humiliating, intimidating or offensive in nature, will still amount to a breach of this policy.

As with discrimination, bullying can also be direct or indirect.

The following are examples of bullying:

- sarcasm and demeaning language;
- threats and abuse;
- offensive language;
- public humiliation;
- deliberately excluding or isolating a person;
- spreading malicious rumours about a person; and
- placing unreasonable expectations on another person.

The Company and its workers who are managers are required to monitor and assess other workers' performance in their role, and it is not bullying for a worker to engage in reasonable management action, in a reasonable manner. For example, providing feedback in relation to performance, setting goals and deadlines and performance managing an employee is not bullying.

Sexual harassment

Sexual harassment is an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated, where a reasonable person would anticipate that reaction in the circumstances. This means that sexual harassment can occur even when the person engaging in the relevant behaviour does not intend to offend, humiliate or intimidate another person.

Sexual harassment:

- can be committed by any person in the workplace (including managers, employees, contractors or service providers);
- may occur within the workplace or outside the workplace;
- may be a single incident or repeated behaviour;
- involves not only the person who engages in the relevant behaviour, but may also involve any person who encourages or allows such behaviour to occur; and
- may result in legal liability for the perpetrator and the Company, and compensation being payable.

Sexual harassment covers a broad range of prohibited behaviour. The following are some examples of conduct that may amount to sexual harassment:

- physical contact;
- requests for sexual favours;
- staring or making gestures;
- unwelcome telephone calls, social invitations or other advances;
- conversations, comments, jokes, questions or teasing of a sexual nature; and
- sexual material contained in communications or displayed at the workplace.

Behaviour will not be sexual harassment if it is consensual and reciprocated.

5. Victimization

In addition to prohibiting discrimination, bullying and harassment in the workplace, the Company prohibits victimisation of any individual who has, or proposes to, make a complaint to the Company or any other person or body, in relation to conduct that breaches this policy. Victimization of any witness to such a complaint is also prohibited.

6. Contravening this policy

Any breach of this policy may lead to disciplinary action up to and including termination of employment or engagement as relevant.