

## **WORKPLACE OF RESPECT POLICY**

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### **1. Objective**

Aeris Resources (Aeris) is committed to ensuring an inclusive workplace that values and promotes people with diverse backgrounds and attributes. We seek to create a work environment where people are free to achieve their best in a safe, productive, and inclusive work environment free from harassment, discrimination, bullying, workplace violence and victimisation. By delivering on this commitment and upholding fundamental Equal Employment Opportunity (EEO) principles, Aeris creates a positive workplace of respect culture which leads to an engaged, supportive workforce with high levels of productivity.

This policy provides a clear overview of what is and is not acceptable workplace behaviour, and outlines employer and employee responsibilities in relation to maintaining a positive workplace of respect.

### **2. Scope and Application**

This policy includes all Aeris employees, contractors, sub-contractors and visitors, and extends across all company work sites and other sites where Aeris conducts business.

This policy applies to all behaviours that are connected directly to employment with Aeris and/or impacts on the Company's obligations to other employees, contractors, or members of the public. This includes, (but is not limited to) behaviours that occur:

- in the workplace (including outside normal working hours), and/or
- at work-related social events (such as social work functions, conferences or activities).

### **3. Equal Employment Opportunity**

Aeris applies fundamental EEO principles across the workplace ensuring all team members are treated fairly and with respect. All employment decisions are based on merit, having regard for the individual's skills, knowledge, qualifications, experience, and achievements.

Equal opportunity will apply to all aspects of employment, including, but not limited to, recruitment and selection, promotion, transfer, remuneration and benefits, training and development, performance management and reviews, and all other terms and conditions of employment including termination.

The following inappropriate behaviours will not be tolerated in the workplace; while representing Aeris; or at a Company sponsored event. Inappropriate behaviours include but are not limited to:

- Unlawful Discrimination;
- Harassment;
- Sexual Harassment;
- Bullying;
- Victimisation;
- Workplace Violence;
- Vilification;
- Making a vexatious complaint; and
- Other inappropriate behaviours which victimise, humiliate, exclude, intimidate, or threaten others.

All reported instances of inappropriate behaviour are taken seriously and addressed in accordance with this policy and the Aeris Resources Issues Resolution Procedure.

### **4. Responsibilities**

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Everyone at the workplace, including contractors and visitors have a legal responsibility not to discriminate against or harass others in the workplace. Ignorance is not an acceptable defense.

**All Employees** are responsible for familiarising themselves with this policy, personally demonstrating appropriate behaviours, actively contributing to the prevention of unacceptable behaviours, and treating others with dignity, courtesy and respect.

**All Aeris Leaders**, including Executives, General Manager, Managers, Superintendents and Supervisors are responsible for familiarising themselves and proactively promoting this policy, creating a safe working environment, role modelling expected behaviours, as well as establishing acceptable behaviour expectations, and intervening where appropriate in a timely manner.

### **5. Key Definitions and Concepts**

The following definitions and concepts are inappropriate workplace behaviours and will not be tolerated.

<p><b>Unlawful Discrimination</b></p>	<p>Unlawful discrimination occurs when a person, or a group of people, are treated less favourably than another person or group because of their background or certain personal characteristics, known as 'protected attributes.'</p> <p>Various federal, State and/or Territory laws protect people from discrimination of 'protected attributes' including their:</p> <ul style="list-style-type: none"> <li>• Ethnicity, including race, colour, national or ethnic origin or immigrant status</li> <li>• Pregnancy and/or Breastfeeding,</li> <li>• Relationship status,</li> <li>• Family and/or carer's responsibilities,</li> <li>• Parental Status,</li> <li>• Age</li> <li>• Disability or impairment and/or medical record,</li> <li>• Sexual orientation,</li> <li>• Gender or gender identity and intersex status,</li> <li>• Religious belief or activity,</li> <li>• Political opinion or activity, and/or</li> <li>• Trade Union activity</li> </ul> <p>Discrimination can either be direct or indirect discrimination.</p> <ul style="list-style-type: none"> <li>- <i>Direct discrimination</i> occurs when an individual or group are dealt with less favourably than others on the basis of a particular attribute (as listed above).</li> <li>- <i>Indirect discrimination</i> occurs when an unreasonable rule, policy or condition is imposed that disadvantages team members with a particular attribute (as listed above), or if individuals or groups are not able to comply with the rule, policy, or condition due to a particular attribute (as listed above).</li> </ul>
<p><b>Harassment</b></p>	<p>Harassment is when a person experiences uninvited, unwelcome, offensive, abusive, belittling, threatening or unreasonable behaviour that either by its nature or through repetition, has or may have a detrimental effect on a person. It may involve an abuse of power to unlawfully discriminate, disadvantage, dominate, offend, intimidate, humiliate or insult in circumstances where a reasonable person</p>

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	<p>would consider the behaviour to be offensive, intimidating, humiliating or threatening to the other person.</p> <p>In harassment cases, the intention of the alleged harasser is irrelevant. The fact that no offence was intended or that the conduct was done in jest does not mean that the harassment is lawful.</p> <p>Harassment can be verbal, non-verbal and physical, and does not need to be repetitive in nature. Harassment may include:</p> <ul style="list-style-type: none"> <li>• Practical jokes;</li> <li>• Swearing;</li> <li>• Bullying;</li> <li>• Crude jokes, derogatory comments, offensive messages or phone calls;</li> <li>• Name calling, physical threats and offensive gestures;</li> <li>• Campaigns of hate and/or silence;</li> <li>• Leering, patting, pinching and touching; or</li> <li>• Displays of offensive material which may include posters, pictures or graffiti.</li> </ul>
<p><b>Sexual Harassment</b></p>	<p>Sexual harassment is behaviour of a sexual nature that is unwanted or unwelcomed and that a reasonable person would have anticipated that the other person would feel offended, humiliated or intimidated by the conduct. Sexual harassment can be experienced by anyone in the workplace and has nothing to do with mutual attraction, or private, consenting friendships, whether sexual or not. Sexual harassment can also occur if another person (sometimes outside of the actual conversation or situation) overhears a conversation or witnesses behaviour that they find offensive, even if it was not directed towards them.</p> <p>Examples of sexual harassment include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Unwelcome physical contact such as deliberately brushing up against someone;</li> <li>• Suggestive comments about a person's body or appearance;</li> <li>• Leering or staring at a person or parts of their body;</li> <li>• Direct or indirect requests for sexual favours;</li> <li>• Tales of sexual performance;</li> <li>• Sexually explicit conversation, smutty jokes or comments;</li> <li>• Sexually explicit email messages, SMS messages, pornographic or inappropriate material, or screensavers in the workplace; or</li> <li>• Conversations with a sexual connotation.</li> </ul> <p>In sexual harassment cases the intention of the alleged harasser is irrelevant. Whether a person's actions are considered to be of a sexual nature depends on the subjective viewpoint of the complainant and how they feel as a result of the action or comment, not the intentions of the accused.</p>
<p><b>Bullying</b></p>	<p>Workplace bullying occurs when an individual or group of individuals repeatedly behaves unreasonably towards a worker or group of workers at work, <b>and</b>, the behaviour creates a risk to the individual or groups health and safety. Depending on the nature and context of the conduct, bullying behaviours can include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Aggressive or intimidating conduct;</li> </ul>

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	<ul style="list-style-type: none"> <li>• Belittling or humiliating comments or persistent, unjustified criticism;</li> <li>• Victimisation;</li> <li>• Spreading malicious rumours;</li> <li>• Teasing, practical jokes or initiation ceremonies;</li> <li>• Exclusion from work related events or activities;</li> <li>• Inciting others to undertake such behaviours toward other individuals or groups;</li> <li>• Unreasonable work expectations, including too much or too little work, or work below or beyond a worker’s skill level; or</li> <li>• Sabotaging another’s work, for example, by deliberately withholding or supplying incorrect information, hiding or tampering with documents or equipment, or not passing on messages.</li> </ul> <p>Bullying can be verbal, physical, social or psychological and can occur in person, via electronic or virtual means including social media e.g. via email, SMS or Facebook.</p> <p>Bullying should not be confused with reasonable management action carried out in a reasonable manner such as:</p> <ul style="list-style-type: none"> <li>• Setting reasonable performance goals, standards and deadlines;</li> <li>• Rostering and allocating working hours where the requirements are reasonable;</li> <li>• Transferring a team member for an operational reason;</li> <li>• Deciding not to select a team member for promotion where a reasonable process is followed and documented;</li> <li>• Informing a team member about unsatisfactory work performance in a constructive way and in accordance with workplace policies and/or agreements;</li> <li>• Informing a team member about inappropriate behaviour in an objective and confidential way;</li> <li>• Implementing organisational changes or restructuring; and/or</li> <li>• Termination of employment.</li> </ul>
<p><b>Workplace Violence</b></p>	<p>Workplace violence is where a worker is physically threatened, attacked or assaulted in the workplace.</p> <p>Some examples include:</p> <ul style="list-style-type: none"> <li>• Physical attacks;</li> <li>• Throwing objects;</li> <li>• Using weapons;</li> <li>• Indecent contact; or</li> <li>• Threatening behaviour.</li> </ul>
<p><b>Victimisation</b></p>	<p>Victimisation includes any unfavourable treatment of a person as a consequence of their involvement in identifying unacceptable behaviour in the workplace or their involvement or perceived involvement in a resolution process. Unfavourable treatment could include but is not limited to exclusion; adverse changes to the work environment; bullying; harassment; and, the denial of access to resources, work opportunities or training.</p>

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<b>Vilification</b>	Vilification is behaviour that happens in a public place and incites others to have a serious contempt for or to ridicule individuals or groups because of a protected attribute e.g. race, religion, sexuality or gender identity.
<b>Vexatious Complaint</b>	Any complaint of inappropriate workplace behaviour must be made honestly and in good faith. A vexatious complaint is when a false complaint is knowingly made. The making of a vexatious complaint is made with the intent to cause distress and harm to the subject of the complaint and may be considered a form of harassment. If a complaint is found to be vexatious it will be considered a breach of this policy and addressed appropriately.
<b>Other Inappropriate Workplace Behaviours</b>	Other behaviours that may be deemed inappropriate in the workplace are behaviours that could cause offence or harm to other people or other unacceptable actions which include but are not limited to: <ul style="list-style-type: none"> <li>• Making false or malicious statements about team members (in person, to others or on social media);</li> <li>• Gambling at work during paid work time;</li> <li>• Covertly recording of conversations in the workplace or at work related events/meetings without the consent of all parties present;</li> <li>• Acting inappropriately when representing Aeris Resources at external functions or conferences, while attending Aeris Resources events, or, while wearing the Aeris Resources uniform in public.</li> </ul>

### **6. Reporting of Incidents**

#### **6.1 Report**

If any employee believes they have been subject to inappropriate workplace practices or behaviours, they should report the behaviour or incident to their Leader. Where the Leader is not available, or is the alleged offender, the employee should report the matter to the next level Leader or a Human Resources representative. The Aeris Issues Resolution Procedure provides more details regarding the options for raising an issue.

#### **6.2 Investigation**

Where a complaint has been made or any unacceptable behaviours have been observed in the workplace, the relevant Leader and Human Resources representative will determine the most appropriate way to approach the issue in accordance with the Aeris Resources Issues Resolution Procedure.

An informal or formal resolution may be undertaken dependent on the nature of the complaint or the seriousness or potential seriousness of the observed behaviours. Any resolution process will be conducted in accordance with the Aeris Resources Issue Resolution Procedure.

### **7. Confidentiality**

All Aeris employees have the right to expect their complaint will be treated confidentially. No employee involved in an allegation or investigation of a breach under this policy will disclose the details of the issue, the investigation or the outcome to anyone who does not have a 'need to know' for the purposes of resolving the complaint. If any employee is found to have breached confidentiality, appropriate disciplinary action may be taken against them.

### **8. Breach of this policy**

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Any Aeris employee or contactor who breaches this Policy will be subject to corrective and/or disciplinary action, which may include termination of employment. Allegations found to be vexatious will also result in disciplinary action.

Some inappropriate behaviours, including some forms of bullying and harassment, such as indecently assaulting and/or sexually assaulting another person are criminal conduct and should be reported to the police.

It is also important to note that employees who sexually or otherwise harass, discriminate against, bully or victimise others could have personal legal action taken against them under Commonwealth, State or Territorial laws by their alleged victims. Bystanders who witness inappropriate behaviour as set out in this document may also be held personally liable if the bystander fails to report the incident appropriately. The Company could also be held vicariously liable for an employee's inappropriate behaviour.

### **9. Amendment of Policy**

This policy may be amended or withdrawn at any time at the Company's discretion. This policy and any obligations on the Company, or relevant subsidiaries set out in this policy do not form part of an employee's employment contract and are not binding on the Company.

### **10. Reference Material**

- Fair Work Act 2009
- Equal Employment Opportunity (Commonwealth Authorities) Act 1987
- Affirmative Action (Equal Employment Opportunity for Women) Act 1986
- Anti-discrimination Act 1991 (Qld)
- Workplace Gender Equality Act 2012
- Human Rights and Equal Opportunity Commission Act 1986

### **11. Related Documents**

- Aeris Issues Resolution Procedure
- Aeris Whistleblower Policy
- Aeris Code of Conduct

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