

UNLAWFUL DISCRIMINATION AND HARASSMENT POLICY

MCS Civil (NSW) Pty Ltd is committed to providing an environment which is free from unlawful discrimination, harassment and bullying.

The purpose of this policy is to:

- Make you aware of what constitutes unlawful discrimination, harassment and bullying in the workplace; and
- Set out how MCS Civil (NSW) Pty Ltd address any unlawful discrimination, harassment and bullying in the workplace

This policy applies to all workers of MCS Civil (NSW) Pty Ltd.

What is unlawful discrimination?

Discrimination is treating one person or group less favourably than another or causing them disadvantage. Unlawful discrimination is discrimination which law has defined as unacceptable.

There are a number of Federal and State laws which presently make discrimination unlawful on a variety of grounds (unlawful reasons) including:

- Sex, marital or relationship status, pregnancy, breastfeeding or family responsibilities; homosexuality; race, colour, descent, nationality, national origin, ethnicity or ethno-religious origin; religious belief or activity; political belief or activity; trade union activity; disability or impairment; physical features; transgender status or gender identity; age; responsibilities as a carer; or service in the voluntary defence forces.

What is harassment?

Harassment is a type of unlawful discrimination. Harassment can be any form of conduct or behaviour that:

- Is not wanted and not asked for; and
- A reasonable person would have anticipated might humiliate, offend or intimidate someone; and
- Is based on one of the unlawful reasons (set out above).

Examples of harassment include:

Sexual harassment (see below); verbal abuse or comments that put down or stereotype people because of their race, sexuality, pregnancy, disability, etc; jokes based on race, sexuality, pregnancy, disability, etc; mimicking someone's accent, or the habits of someone with a disability; offensive gestures based on race, sex, sexuality, pregnancy, disability, etc; ignoring or isolating a person or group because of their race, sexuality, pregnancy, disability, etc; or display or circulation of racist or other offensive material.



What is sexual harassment?

Examples of sexual harassment include:

Pressure or demands for dates or sexual favours; unnecessary familiarity-for example, deliberately brushing against a person or constantly staring at a person; unwanted physical contact- for example, touching or fondling; sexual jokes or innuendo; offensive telephone calls; offensive sexual gestures; unwelcome comments or questions about a person’s sex life; display or circulation of sexual material, including magazines, posters, pictures and email messages; or sexual assault.

It is important to understand that some of these forms of sexual harassment are also criminal behaviour and may be treated as a criminal offence.

Mutual attraction between two people is not sexual harassment. Conduct which is welcome or consensual is not harassment, and friendships (sexual or otherwise) which develop between two people who meet at work are a private concern.

Always remember that some people may not feel comfortable telling you that behaviour is offending them and is not welcome. It is your responsibility to ensure that you do not engage in conduct which is not welcome.

What is bullying?

Bullying is repeated and unreasonable behaviour directed towards a staff member or group of staff members that may cause harm, including risks to health and safety.

Examples of bullying include:

Demeaning language; threats; verbal abuse; outbursts of anger or aggression; physical or verbal intimidation; excluding or isolating staff members; ganging up; initiation practices; any form of violence whatsoever.

It is important to understand that some of these forms of bullying are also criminal behaviour and may be treated as a criminal offence.

Unlawful discrimination, harassment and bullying are unacceptable

Any form of unlawful discrimination, harassment or bullying in the workplace is unacceptable.

Anyone who experiences or witnesses unlawful discrimination, harassment or bullying must report it as soon as possible to their supervisor. Any allegations will be investigated quickly, and if needed a formal investigation will be undertaken.

MCS Civil (NSW) Pty Ltd will take appropriate action if unlawful discrimination, harassment or bullying occurs in the workplace. This may include disciplinary action or summary dismissal.

Signed By:

Christopher Murphy

Managing Director

Signature

24st September 2024

Date