

Equal Employment Opportunity Policy

Rubicor Group Limited

1. INTRODUCTION

The following policies are outlined in this document:

- Raising Grievances
- Unlawful Discrimination
- Unlawful Harassment
- Unlawful Victimisation
- Bullying

The policies set out in this document relate to the behaviour of all Rubicor Group Limited and all its related bodies corporate (**Rubicor**) employees, and other persons providing services whilst at work.

For the purposes of these policies, the phrase "at work" covers any time at which an employee or other person providing services to Rubicor is:

- carrying out, or acting in the course of his or her duties;
- at work functions (even if out of hours) such as team dinners, Christmas parties or client functions or any other function for which Rubicor has paid or will pay;
- representing Rubicor, for example, at a conference (including after hours behaviour at such conference), or entertaining clients on an informal basis; or
- otherwise acting within the course of his or her employment (employees) or within the scope of his or her engagement (non-employees).

For the avoidance of doubt, the above incorporates events outside of working hours.

These policies apply to the way employees and other persons providing services to Rubicor interact with:

- job applicants;
- other employees (and persons providing services to Rubicor);
- visitors; and
- clients and other members of the public.

2. RAISING GRIEVANCES

Rubicor encourages our employees to discuss problems, ideas or questions with their Office Manager or wherever necessary, their respective Business Principal. We have found that in most cases employees find that a frank talk with their Office Manager is the most effective way to deal with a problem or suggestion. However, we recognise that there may be some occasions when you do not feel comfortable raising an issue with your Office Manager. For example, you may feel threatened, because you wish to raise a concern about the conduct of the Office Manager him or herself. Likewise, the matters that you wish to raise may be very serious, such as threats to your personal safety, and it would be more appropriate to go straight to your respective Business Principal. If the results of a discussion with your Office Manager are not satisfactory, or if, for any reason, you do not feel comfortable raising an issue with your Office Manager, you are encouraged to speak to your respective Business Principal. While not all problems can be solved as an employee might wish, our Grievance Policy is designed to ensure that management (including the respective Business Principals and wherever necessary, the Rubicor Chief Operating Officer) are aware of problems and respond appropriately.

Your grievance may be investigated as a result of your having raised a complaint.

A supervisor who observes an incident that may constitute harassment or who otherwise becomes aware of such an incident should immediately notify their respective Business Principal, who will arrange for an appropriate investigation.

How is a complaint investigated?

When we receive a complaint we may investigate the allegation. Any investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Different types of complaints may call for different types of investigative action. However, the following is only a guide as to what might occur.

Our investigation may include a private interview with the complainant and, where appropriate, with witnesses. We may also interview the person or persons alleged to have engaged in the discriminatory conduct. When we have completed our investigation, we may, to the extent appropriate, inform the person issuing the complaint of the results of that investigation. If it is determined that inappropriate conduct has occurred, we will act accordingly.

To the extent an employee wishes to make what he/she considers to be an “informal” complaint of sexual harassment, please be advised that Rubicor may nonetheless investigate the facts alleged in such “informal” complaint.

Employees who make complaints which are found to be malicious or vexatious will also be subject to disciplinary action.

What happens if employees are found to have engaged in unlawful behaviour?

Employees who are found to have engaged in unlawful behaviour will be subject to disciplinary action, up to and including termination of employment.

3. Unlawful Discrimination

Rubicor maintains a commitment to equal employment opportunity in all our employment practices. Rubicor does not condone or authorise practices that are unlawfully discriminatory in the processes of hiring, assignment, performance assessment and promotion.

What is discrimination?

Discrimination in the area of work is unlawful or prohibited under Federal, State and Territory legislation. Discrimination can take the form of either direct or indirect discrimination.

Direct discrimination is generally described as less favourable treatment in the same or similar circumstances on the basis of one or more of the unlawful grounds described in the anti-discrimination legislation (for instance, on the basis of sex, age, race or disability).

Indirect discrimination is in general terms a condition, requirement or practice that:

- is more difficult for one person or a group of persons to comply with because of one of the characteristics or attributes set out in the anti-discrimination legislation in circumstances in which others are able to comply with that condition, requirement or practice; and
- is unreasonable in the circumstances.

Grounds of discrimination

The following grounds of discrimination are generally unlawful or prohibited under various Federal, State or Territory legislation and are prohibited under this policy (**Prohibited Grounds**):

• sex	• physical features (Victoria only)
• marital status	• carers' responsibilities
• family responsibilities (including parental status)	• pregnancy (including potential pregnancy)
• breastfeeding	• age

• HIV/AIDS	• compulsory retirement
• mental, intellectual or physical disability/ impairment (including imputed disability/ impairment)	• criminal record
• sexuality e.g. heterosexuality/ homosexuality	• political beliefs/activities
• transgender status	• trade union or employer association activity
• national or ethnic origin	• medical record
• race	• religion
• colour	• immigration

Each of the above Prohibited Grounds is to be interpreted in accordance with applicable legislation.

It is also unlawful to discriminate against another person because they are associated with a person who has attributes relating to one of the Prohibited Grounds.

Exceptions to the rule

Discrimination in the area of employment is not unlawful where:

- the ground of discrimination constitutes a "genuine occupational qualification"; or
- the employee cannot perform the inherent requirements of the position, or requires services or facilities to do so, which cannot be accommodated through reasonable adjustments by Rubicor.

Who is the contact if I think I am experiencing discrimination?

If you believe you have been discriminated against bring the matter immediately to the attention of to any of those persons named in the "Raising Grievances" section of this policy.

4. Unlawful Harassment

It is unlawful to harass another employee, or a person that you come into contact with as a result of your work, on the basis of a Prohibited Ground (see the definition of Prohibited Ground under *Unlawful Discrimination*).

Unlawful harassment will occur if you engage in conduct that is:

- unsolicited or unwelcome;
- which relates to a Prohibited Ground (e.g. race, gender or religion); and
- which is likely to offend, intimidate or humiliate the person or group of persons at whom it is directed.

It only takes a single act to constitute unlawful harassment, and it doesn't matter if you don't intend to hurt, humiliate or offend someone. Remember, just because you think something is funny, it doesn't mean that other people will, and will not be offended.

Harassment can occur by way of physical conduct or contact, gestures, jokes, name-calling, impersonations using racial stereotypes, in writing, and on emails. Harassment may occur through other conduct – these examples are not intended to be exhaustive.

What types of conduct may constitute sexual harassment?

Sexual harassment is a discrete form of unlawful harassment. Unlawful sexual harassment will occur if you engage in conduct:

- which is of a sexual nature;
- which is unsolicited or unwelcome; and
- which is likely to intimidate, humiliate, or intimidate the person or persons at whom it is directed.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which, if unwelcome, may constitute unlawful sexual harassment:

- repeated unsolicited requests for dates or declarations of love;
- threats to treat persons unfavourably unless they engage in sexual conduct;
- promises to provide persons with benefits or employment if they engage in sexual conduct;
- unwelcome sexual advances - whether they involve physical touching or not;
- sexual epithets, jokes, written or verbal references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- displaying sexually suggestive objects, pictures, cartoons;
- leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- inquiries into one's sexual experiences; and
- discussion of one's sexual activities.

How do I report a complaint about Sexual Harassment?

Report the matter in accordance with "Raising Grievances".

How do I report a complaint of Sexual Harassment if I am uncomfortable telling my supervisor?

If for any reason you feel uncomfortable discussing the matter with your Office Manager (for example, if the complaint concerns the Office Manager's conduct) or you are not satisfied with the response of the Office Manager, you should raise the complaint directly any of those persons named in the "Raising Grievances" section of this policy. Such complaint may be investigated as set out in that policy.

What should I do if I hear that harassment has taken place?

If you believe that harassment has taken place you should report this immediately to any of those persons named in the "Raising Grievances" section of this policy.

5. VICTIMISATION

Rubicor will not tolerate any behaviour whereby an employee or other person providing services to Rubicor victimises another person because they are involved in a complaint about alleged unlawful discrimination or harassment.

It is unlawful to victimise another person because:

- s/he has made a complaint about what they believe to be unlawful discrimination or harassment;
- s/he is about to make such a complaint; or
- s/he is otherwise involved in a complaint, for example, as a witness.

Victimisation may include, but is not limited to, the following types of behaviour:

- treating somebody detrimentally;
- creating a hostile working place for the person concerned; and
- verbal abuse and derogatory comments.

If you feel that you are being victimised, you should report the incident to any of those persons named in the "Raising Grievances" section of this policy.

If an employee is found to have engaged in victimisation, he or she will be subject to disciplinary action up to, and including, termination of employment.

6. BULLYING

Bullying is another type of behaviour that Rubicor does not condone. Bullying may include, but is not limited to, behaviour which is otherwise unlawfully discriminatory or harassing.

Bullying will occur if you engage in conduct which is:

- unwelcome or unsolicited; and
- which is likely to humiliate, intimidate or offend the person or persons at whom it is directed.

Bullying may include, but is not limited to the following types of behaviour:

- name calling or derogatory comments;
- abusive behaviour;
- using a position of dominance to unreasonably pressure an individual;
- creating a hostile working environment;
- physical contact or assault; and
- practical jokes.

If you feel that you are being bullied, you should report the incident in accordance to any of those persons named in the "Raising Grievances" section of this policy.

If an employee is found to have engaged in bullying, he or she will be subject to disciplinary action, up to, and including, termination of employment.