

## SCOPE

This policy applies to all our people (“employees”), temporary workers, contractors or visitors involved with Fliway Group (Fliway Transport Ltd, Fliway International Ltd, Fliway Logistics Ltd), “Fliway”.

## PURPOSE

The aim of this policy is to provide guidance to create and maintain a respectful workplace culture.

The policy is also intended to provide employees, temporary workers, contractors and visitors with an understanding of the types of behaviour and activity that Fliway may consider unacceptable. In the event that any employee breaches this policy, disciplinary action up to and including summary dismissal may result. In the event that a contractor or temporary worker breaches this policy, they may be requested to leave the site immediately and/or their contract with Fliway may be terminated.

The policy may be amended at any time by Fliway, without advance warning. You will be notified of any changes by communication via email or noticeboards.

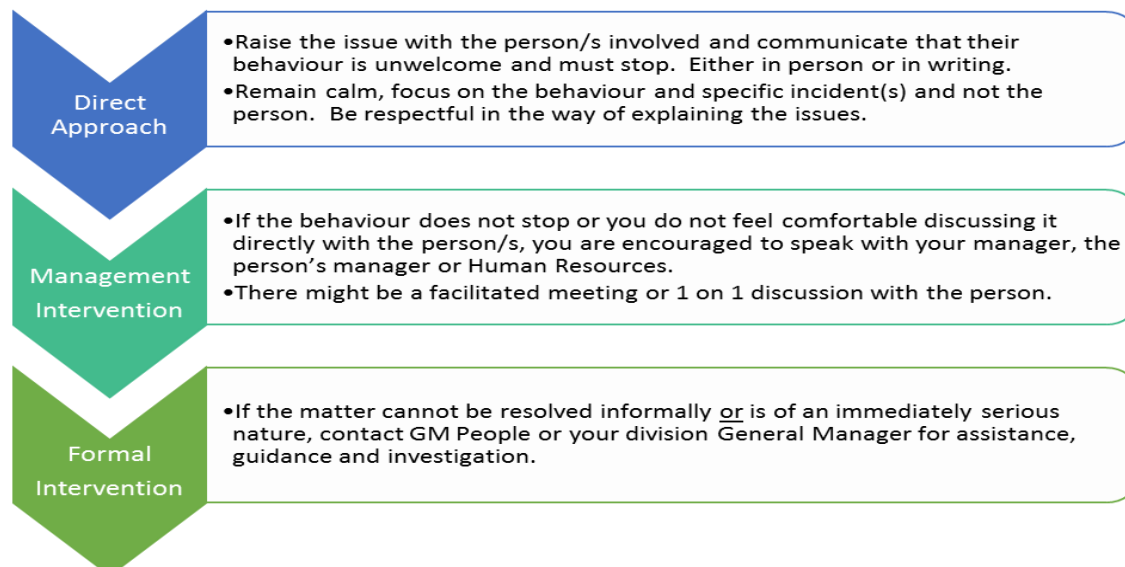
## SIMPLE RULES

We expect you to make any race, sex, age, or other defining category, welcome and comfortable here. **Respect each other.**

**Look after yourself and those around you** – so no-one gets hurt. Know your responsibilities and how to do your job and interact with others respectfully.

**If you have an issue or a problem, talk to someone** to try and sort it out sensibly (e.g. Manager, Human Resources, Supervisor, Union delegates, General Manager, Managing Director.)

## KEY COURSES OF ACTION



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## 1.0 POLICY PRINCIPLES

Fliway Group is committed to:

- Providing a safe work environment of our people;
- Encouraging people to treat each other with respect;
- Educating and advising our people that there is no place for bullying, harassment or victimisation within our Fliway workplace;
- Meeting our legal and compliance responsibilities.

For these reasons, Fliway has adopted the following Respectful Workplace Policy which prohibits unacceptable behaviour, at all levels, in our workplaces or work functions.

## 2.0 DEFINITIONS - What is Unacceptable Behaviour?

2.1 **“Bullying”** means repeated and unreasonable behaviour directed towards a person or a group of people that creates a risk to health and safety:

- Repeated behaviour is persistent and can involve a range of actions over time;
- Unreasonable behaviour means actions that a reasonable person in the same circumstances would see as unreasonable. It includes victimising, humiliating, intimidating or threatening a person;

A single incident of unreasonable behaviour is not considered workplace bullying, but it could escalate and should not be ignored.

Bullying is not a manager asking you to follow a reasonable instruction that you don't want to do, or managing your performance.

2.2 **“Sexual Harassment”** means unwelcome and/or offensive sexual behaviour or language or use of visual material that is repeated or significant enough to have a harmful effect on a person. Examples include, but are not limited to:

- Unwelcome sexual advances, including persistent unwelcome flirting, whether in person or by electronic means such as texts or emails;
- Requests for sexual favours;
- Any visual and/or other verbal conduct that is unwelcome and/or offensive. For example, comments on appearance/clothing, explicit jokes or derogatory/sexual or graphic emails, pictures or posters of a sexual or derogatory nature, sexual looks or gestures, stalking, asking about personal sex lives, etc; or

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- Unwelcome physical conduct. For example, touching, rubbing neck or shoulders, etc.

### 2.3 *“Victimisation”*

Victimisation will not be tolerated. Employees must not be penalised or disadvantaged in any way as a result of reporting or providing evidence as to any breach of this policy. Examples of victimisation may include but are not limited to:

- Harassing an employee or treating them unfavourably because he or she has made a complaint;
- Limited or abrupt communication;
- Demotion or transfer;
- Exclusion from company training and/or events.

Fliway encourages employees to address policy breaches promptly and openly and as a result disciplinary action may be taken against any employee who victimises or retaliates against a person who has made a complaint.

Complaints will be discreetly, formally and impartially investigated with respect to the privacy of all parties. It is totally inappropriate for employees to retaliate against any individual who has filed a complaint.

It is a breach of this policy for an individual to submit an allegation or complaint that is fictitious or hostile, and it should be noted that disciplinary action may result.

### 2.4 *“Discrimination”*

It is unlawful to discriminate based on any of the following grounds (known collectively as “Prohibitive Grounds”):

- Sex;
- Marital status;
- Religious belief;
- Ethical belief;
- Colour;
- Race;
- Ethnic or national origins;
- Disability;
- Age;
- Political opinion;
- Employment status;
- Family status; and
- Sexual orientation.

Unlawful discrimination may occur directly or indirectly.

#### 2.4.1 Direct Discrimination

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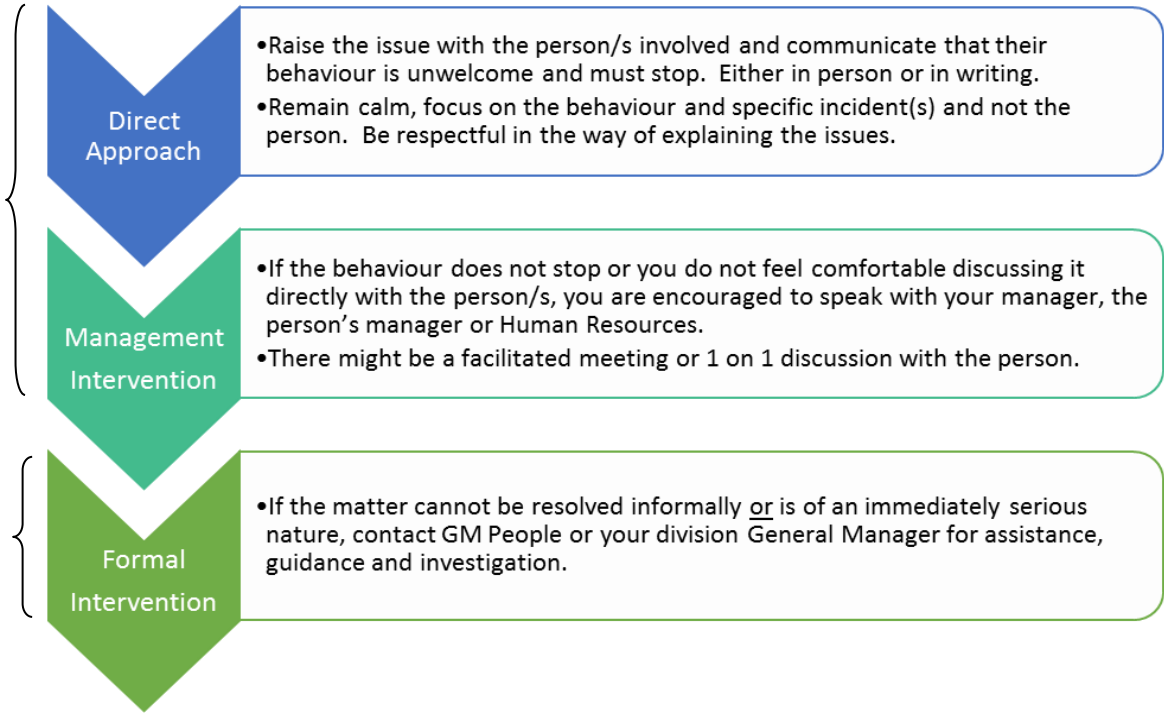
Direct discrimination occurs when someone treats or proposes to treat a person unfavourably based on any of the Prohibited Grounds. *(This could occur during the recruitment and selection process or during employment.)*

**2.4.2. Indirect Discrimination**

Indirect discrimination occurs when an unreasonable requirement, condition or practice intended to treat everyone the same results in disadvantaging, or potentially, disadvantaging someone on the basis of any of the Prohibited Grounds. *(This could occur during the recruitment and selection process or during employment.)*

**3.0 PROCEDURE for ADDRESSING ALLEGATION OF UNACCEPTABLE BEHAVIOUR**

The procedure for addressing allegations of unacceptable behaviour under the Respectful Workplace Policy is as follows (and summarised in the ‘summary of key courses of action’ flow chart). Complaints may be dealt with informally, formally or both.



**3.1 Informal complaint process (“Direct Approach” and “Management Intervention”)**

The informal complaint resolution process focuses on reaching an outcome acceptable to the parties involved that will enable them to work productively together in the future. This process does not involve a formal investigation into the issue/s. Rather, Fliway will seek to work with both parties in facilitating a mutually acceptable outcome.

Informal procedures emphasise resolution rather than formal investigation of a complaint. Some examples are listed below:

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- An employee has been harassed, bullied or victimised and wants to deal with the situation themselves but may seek advice on possible strategies from their Manager.
- An employee who has been harassed, bullied or victimised asks their Manager to speak to the respondent on their behalf. The Manager discreetly conveys the employee’s concern and reiterates the company's policy to the respondent without making any judgement as to the merits of the case.
- A complaint is made, the offender admits to the behaviour, an investigation is not required and the complaint can be resolved through mediation and/or counselling or the use of a [counselling note](#).
- A Manager observes unacceptable behaviour and takes independent action without a complaint being made.

**3.2 Formal complaint process (“Formal Intervention”)**

An employee does not need to exhaust informal attempts at resolution before formal action commences. Employees can make a formal complaint at any stage to Human Resources, GM People or their divisional General Manager.

Formal procedures are usually adopted where:

- Informal attempts at resolution have failed.
- The complaint involves serious allegations of misconduct and informal resolution could compromise the rights of the parties.
- The complaint is against a more senior employee and formal procedures may help to ensure that the complainant is not victimised or disadvantaged.
- The allegations are denied, the person who claims to have been harassed/bullied/victimised wishes to proceed with their complaint and an investigation is required to substantiate the complaint.
- The person alleging harassment/bullying/victimisation wishes to make a formal complaint from the outset.

The complaint must be formalised in writing. It should be submitted to Fliway listing as much detail as possible, including times, dates and specific examples of the conduct being complained about. (All information required can be provided using the [Unacceptable Behaviour Formal Complaint form](#).) Where incomplete, a member of the Human Resources team or a manager may assist in documenting the complaint. A Fliway representative (member of the Human Resources team or nominated manager) may discuss the complaint with the complainant to better understand their account of the incident.

A Fliway representative should arrange interviews with the respondent and any witnesses to the incident/s as soon as practicable. (Witnesses or those providing evidence in the

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investigation will be asked to complete the [Unacceptable Behaviour Confidentiality Agreement](#) at the commencement of the interview process, to minimise discussion and sharing of stories about an event or alleged events.)

Employees invited to respond to an allegation should be provided with at least 24 hours' notice of the meeting and topic, and be given the opportunity to have a support person or representative present at the meeting. The [counselling and disciplinary](#) process will be followed.

During these interviews and throughout the investigation, the respondent should be given all relevant information and a reasonable opportunity to respond to the allegations.

All parties have the opportunity to provide any information they deem important. The Fliway representative may elect to have a witness present at the interviews.

Where a complaint is substantiated, consideration will be given to the following:

- Severity of the incident;
- Impact of the incident upon employees and/or the organisation;
- The respondent's attitude to the incident/s in question, including whether they are remorseful and/or committed to repairing the relevant working relationship/s;
- Previous offences and action taken;
- Criminal and/or civil breaches;
- Any other relevant factors.

Potential outcome/s of a formal investigation into any complaint of unacceptable behaviour could include but are not limited to the following:

- The receipt of a verbal or written apology;
- One or both parties receiving counselling;
- A party having disciplinary action taken against them (e.g. by way of a written warning, transfer or termination of their employment);
- The respondent receiving training to assist them to comply with this policy in future;
- Disciplinary action being taken against the person who complained if there is evidence that the complaint was fictitious or hostile;
- Alterations to existing policies and procedures;
- Mediation conducted by an impartial third party at which the parties agree to a mutually acceptable outcome.

Parties should be notified of the outcome.

Where a formal complaint process has been undertaken and the complaint substantiated, recorded information should be filed on the respondent's personal file.

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## Respectful Workplace Policy



Any training needs identified should be scheduled as a matter of urgency by the manager or Human Resources, as is appropriate.

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