



Workplace Bullying, Harassment and Anti-Discrimination Policy

In this policy, "**Walker**" means Walker Corporation Pty Limited (ACN 001 176 263) as trustee for the L A Walker Family Trust (ABN 92 134 623 291), Walker Group Holdings Pty Limited (ACN 001 215 069) and all their respective Australian domiciled controlled and related entities.

This policy applies to all entities and persons including directors, employees, contractors or consultants who are employed by, act for, or represent Walker (**Walker Personnel**)

This policy records Walker's commitment to:

- taking precautions to prevent and address workplace bullying, unlawful harassment and unlawful discrimination;
- promote and improve equality of opportunity in employment and the workplace;
- remove barriers to the full and equal participation of all persons in its workforce; and
- promote the elimination of discrimination on the basis of any of the following attributes (attributes):
 - * race/ethnicity
 - * gender;
 - * national origin;
 - * marital status
 - * sexual preference/lawful sexual
 - * political conviction;
 - * breastfeeding;
 - * gender identity;
 - * industrial/employment activity;
 - * physical features;
 - * pregnancy;
 - * carer or family responsibilities;
 - * religious belief; activity;
 - * age;
 - * disability/impairment;
 - * infectious disease;

Walker is committed to ensuring that only factors relating to a person's ability to perform at work guide decisions of Walker in relation to an employee's work.

Unlawful discrimination or vilification of an employee on the basis of an attribute is inconsistent with that outcome, and Walker will not tolerate such behavior by Walker Personnel under any circumstances. Likewise, workplace bullying and unlawful harassment will not be tolerated

If you are the recipient of conduct that is inconsistent with this policy, you have the right to report that conduct to your Manager, the Chief Financial Officer or the Chief Operating Officer. Walker will investigate and take appropriate action to prevent the conduct from continuing or re-occurring.

If you are aware of conduct that is inconsistent with this policy which does not directly affect you, you have an obligation to report that conduct to your Manager, the Chief Financial Officer (CFO) or the Chief Operating Officer (COO).

What is unlawful discrimination?

Discrimination can take many forms, some of which are direct or open. Others may be indirect or hidden.

Direct discrimination occurs when a person is treated less favorably than other, simply because of an attribute.

Indirect discrimination occurs when a policy or requirement which although at first glance seems

fair, in fact operates to the detriment of a particular group of people because of an attribute or characteristic of that group, such as age, race, family circumstances, or gender (as listed above).

Discriminatory harassment and victimisation due to making a complaint are unlawful and amount to discrimination under Federal and State anti-discrimination law. Discriminatory harassment means behavior directed to another person (or group of persons) in the workplace that subjects them to a detriment because of their attribute.

Types of behavior which constitute discriminatory harassment include, but are not limited to:

- any violent or threatening physical or verbal outburst or abuse;
- sarcastic or derogatory comments or actions which undermine, demean, belittle or humiliate an individual or group or their ability or intelligence; and
- yelling, screaming, swearing or similar behavior aimed at intimidating, frightening, coercing or offending those at whom it is directed.

What is unlawful vilification?

Vilification means public conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, a person or class of persons on the grounds of that person or group's race or their religious belief or activity. Conduct may be constituted by a single occasion or by a number of occasions over a period of time. It includes use of the internet (including social media) or email to publish or transmit statements of other material.

This conduct amounts to discrimination under Federal and State anti-discrimination law.

Serious vilification means knowing, intentional or reckless vilification that involves threatening or inciting physical harm towards, or towards any property of, a person or group of persons. This can amount to criminal conduct under State law and lead to fines or imprisonment.

Walker is committed to providing a working environment that is free from vilification on the grounds of the race or religion of a person or group of people.

For the purpose of this policy, a person's race includes their:

- colour;
- descent or ancestry;
- nationality or ethnic origin;

A person's religious belief or activity includes that person:

- holding or not holding a lawful religious belief or view; and
- engaging or not engaging or refusing to engage in lawful religious activity.

What is victimisation?

Victimisation occurs when a person is treated unfairly or less favorably because of the person:

- making or intending to make a complaint of vilification or discrimination;
- having invoked this policy whether on behalf of oneself or another individual;
- having participated or cooperated in any investigation under this policy; or
- having been associated with a person who has invoked this policy or participated in these procedures.

This conduct is unlawful under Federal and State law anti-discrimination law.

Bullying

Workplace bullying is *'repeated' and 'unreasonable' behaviour* directed towards a worker or a group of workers that creates a risk to health and safety. Bullying will not be tolerated in the workplace.

A single incident of unreasonable behaviour is not considered to be workplace bullying; however, it may have the potential to escalate and should not be ignored.

'Repeated' behaviour: refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

'Unreasonable' behaviour: means behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Workplace conflict

Low level workplace conflict is generally not considered to be workplace bullying. This is because not all conflicts or disagreements have negative health effects. When conflict is at a low level and is task based, it can be beneficial, for example, where debate leads to new ideas and innovative solutions. Conflict does not always pose a risk to health and safety. However, in some cases, conflict that is not managed safely may escalate to the point where it meets the definition of workplace bullying

Reasonable management action taken in a reasonable way

There are times when a Manager may take reasonable management action to effectively direct and control the way work is carried out. It is reasonable for Managers to allocate work and to give fair and reasonable feedback on a worker's performance. These actions are usually not considered to be bullying if they are carried out in a reasonable manner, taking the particular circumstances into account.

Examples of reasonable management action include:

- setting reasonable performance goals, standards and deadlines
- rostering and allocating working hours where the requirements are reasonable
- deciding not to select an employee for promotion where a reasonable process is followed and documented
- informing an employee about unsatisfactory work performance when undertaken in accordance with any workplace policies or agreements that have been communicated to the employee
- implementing organisational changes, such as restructuring the office,
- termination of employment

Sexual harassment

Walker has a positive duty to eliminate as far as possible sexual harassment and related unlawful conduct in the workplace.

Walker is committed to creating a safe, diverse and inclusive place to work and do business. We do not tolerate sexual harassment, sex-based harassment, or conduct which creates a hostile work environment. Providing a healthy and safe workplace supports our people to achieve our business objectives.

All Walker Personnel are responsible for their own conduct and required to take reasonable care that their acts or omissions do not adversely affect the health, safety, and wellbeing of others in the

workplace which includes when working from home and at work-related events (including business trips/travel, conferences and functions).

Preventing sexual harassment, sex-based harassment and a hostile work environment in the workplace is all our responsibility, and compliance with the terms of this policy is mandatory for all Walker Personnel.

Walker Personnel must:

- not engage in unwelcome behaviour or conduct of a sexual nature towards anyone in the workplace, regardless of gender identity or sexual orientation, and always doing the right thing
- not harass anyone on the basis of sex
- not engage in conduct that creates a hostile work environment
- behave professionally and treating others with dignity, courtesy, and respect in the workplace
- take accountability for identifying, managing and reporting risks;
- where possible, speak up and report concerns about sexual harassment, sex-based harassment or conduct which creates a hostile work environment (including where you have witnessed or are aware of it) ('no bystander rule')
- protect and support, and not disadvantage or unfairly treat a person for making or being involved in a complaint about conduct covered by this policy
- complete Walker Personnel training conducted by Walker from time to time.

Sexual harassment is any unwelcome advance, request for favour, behaviour or conduct of a sexual nature, where a reasonable person would have anticipated the possibility that the person harassed would feel humiliated, intimidated or offended including:

- a. actual or attempted sexual assault or rape
- b. unwelcome physical contact such as touching, hugging, cornering or kissing
- c. pressuring someone for sexual favours
- d. staring at a person or at parts of their body
- e. using suggestive or sexualised nicknames for colleagues
- f. suggestive or intrusive comments/questions of a sexual nature about someone's personal life, sexual orientation, gender identity or physical appearance
- g. sexually oriented jokes, innuendos, or sexually explicit conversations
- h. persistent, unwanted invitations to go out on a date or stalking
- i. sending/forwarding offensive sexually explicit or indecent messages or images.

Sexual harassment is not:

- a. behaviour based on mutual attraction, friendship, and respect
- b. interactions that are consensual, welcome, and reciprocated.

Importantly, sexual conduct that has been welcomed in the past can become unwelcome.

Sex-based harassment

Sex-based harassment is any unwelcome conduct of a seriously demeaning nature by reason of the person's sex in circumstances in which a reasonable person would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. Sex-based harassment does not need to be conduct of a sexual nature in the way that sexual harassment does.

Examples of sex-based harassment include:

- asking intrusive personal questions based on a person's sex
- making inappropriate comments and jokes to a person based on their sex

- displaying images or materials that are sexist, misogynistic or misandrist
- making sexist, misogynistic or misandrist remarks about a specific person
- requesting a person to engage in degrading conduct based on their sex

Hostile Work Environment

A workplace environment is hostile on the ground of sex if a reasonable person, having regard to all the circumstances, would have anticipated the possibility of the conduct resulting in a workplace environment that is offensive, intimidating or humiliating to a person of a particular sex because of:

- a. the sex of that person;
- b. a characteristic that generally relates to a person of that sex; or
- c. a characteristic a person is generally thought to have because of their sex.

A person (the perpetrator) will have subjected another person (the person exposed) to a workplace environment that is hostile on the ground of sex if the:

- perpetrator engages in hostile conduct in a workplace where they, the person exposed, or both persons work; or
- person exposed is subjected to hostile conduct in the workplace at the same time as, or after, the hostile conduct occurs.

Examples of hostile conduct on the ground of sex may include displaying obscene or pornographic materials and using offensive language, jokes, or sexual innuendo which feel hostile to the members of one sex.

Reporting procedure

Walker has procedures in place to be alert to signs of workplace bullying, discrimination, harassment or vilification, which might include patterns of absenteeism, complaints, sick leave and staff turnover, direct feedback from employees from exit interviews, or workers' compensation claims.

However, Walker encourages you to report incidents of bullying discrimination, harassment or vilification so that prompt assistance and support can be provided to employees affected and employees are able to return to productive work as quickly as possible. Walker Personnel who raise concerns should feel confident to do so without fear of victimisation. We do not tolerate victimisation.

Walker will take all authentic reports of unacceptable behavior seriously and ensure they are dealt with confidently, fairly and in a timely manner. Managers and the Executive have the power to respond effectively to incidents of bullying, discrimination, harassment and vilification.

If you are a victim of workplace bullying, discrimination, harassment and vilification (including from a Walker stakeholder outside the organisation) you are encouraged to report this to your manager, the CFO or the COO.

Recipients of any complaint or report of bullying, discrimination, harassment and vilification will be treated seriously. If you are a victim, we will work with you to resolve the matter effectively.

When we receive a concern, complaint or report we will:

- act promptly
- seek your preferences in addressing your concern, including the outcome you are seeking
- consider ways we can support you and consult with you on appropriate wellbeing measures we can put in place, e.g. dedicated counselling or making changes to your work arrangements / environment
- to the extent possible, keep your concern confidential and take steps to preserve your anonymity if that is your preference, however this may not always be possible
- to the extent possible, we will investigate and address concerns raised by former employees and/or that relate to historical incidents.

You can also raise the matter with the relevant agency in your State (see below). If the matter is a criminal matter you should also raise it with police.

If you are a victim of workplace bullying, discrimination, harassment and vilification you might wish to let the person engaging in the conduct know that you consider their behavior to be unacceptable and that if it continues you will report the conduct under this policy. This may be enough to stop the conduct, if you choose to speak directly to the person engaging in such behavior, you should keep a record of that conversation.

If you make a report of bullying, discrimination, harassment or vilification without a genuine belief in the truth of the matters you a reporting, you may be subject to disciplinary action.

You can report a concern externally, get external advice and support via:

- Walker’s Employee Assistance Program on 1800 862 042
- reporting sexual harassment to the police
- the Australian Human Rights Commission or an equivalent State tribunal
- a legal practitioner
- 1800RESPECT for 24/7 confidential sexual assault and family and domestic violence counselling via phone and online chat (W: www.1800respect.org.au; T: 1800 737 732)
- Lifeline for 24/7 crisis support and suicide prevention (W: www.lifeline.org.au; T: 13 11 14)
- Beyond Blue for mental health support (W: www.beyondblue.org.au; T: 1300 224 636).

Further information

Victorian Equal Opportunity and Human Rights Commission	1300 292 153
NSW Anti-Discrimination Board	1800 670 812
Anti-Discrimination Commission Queensland.....	1300 130 670
Office of the Anti-Discrimination Commission of Tasmania	1300 305 062
Equal Opportunity Commission (SA).....	08 7322 7070
Equal Opportunity Commission (WA).....	08 9216 3900
NT Anti-Discrimination Commission	1800 813 846
ACT Human Rights Commission.....	02 6205 2222
Australian Human Rights and Equal Opportunity Commission	1300 656 419
Fair Work Ombudsman	13 13 94

Responsibilities of Employees

All employees have a legal obligation not to discriminate against or harass other employees. All employees must comply with the terms and conditions of this policy. There may be disciplinary action for breaching the terms and conditions of this policy. This may include written warnings, counselling sessions, or summary termination of employment.