



ANTI-DISCRIMINATION POLICY

Policy Statement:

It is the policy of Burdekin Productivity Services Ltd (BPS) to treat all forms of discrimination by its employees (including management & directors) against other employees, directors, members of the company, stakeholders or any other person, as unacceptable and contrary to the standards of conduct demanded by the board of directors of the company. All forms of discrimination are of concern and serious breaches may constitute grounds for dismissal.

The grounds under which discrimination is deemed unlawful and upon which this policy is based are stated in the Anti-Discrimination Act 1991. (the Act)

Responsibility:

It is the goal of BPS to create an environment free from discrimination and it is the responsibility of the board, management and employees to support this goal.

Definition:

- **Discrimination** occurs when someone is treated less favourable than another on the basis of an attribute so listed in the Act. This is known as direct discrimination. Such attributes include, but are not limited to;
- Sex
- Relationship status
- Breastfeeding
- Parental status
- Age
- Race
- Impairment
- Religion or religious activity
- Trade Union activity
- Lawful sexual activity
- Gender identity
- Sexuality
- Family responsibility
- Association with, or relation to, a person identified on the basis of any of the above attributes.

Actions that may be considered as being discriminatory include, but are not limited to;

- Making offensive jokes or comments about another employee's racial or ethnic background, sex, sexual preference, age, disability or religious belief
- Displaying pictures or posters that are offensive or derogatory
- Expressing negative stereotypes of particular groups
- Judging a person on their political or religious beliefs rather than their work performance

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- Using stereotypes or false assumptions based on an attribute to guide decision-making about a person's career
- Undermining a person's authority or work performance because of an attribute.

Indirect Discrimination can occur when a task is set or a requirement is given, that has an unfair effect on another person due to certain attribute/s such as age, race, pregnancy, gender, disability or a range of other factors so listed above. An example of indirect discrimination would be if non-english speaking workers were constantly allocated the dirtiest and most intolerable jobs whereas English speaking workers were given less offensive tasks.

General Principles:

Reports and complaints of discrimination are treated seriously by BPS and will be investigated promptly in a thorough and confidential manner, ensuring that all complainants and witnesses are not victimised. The principles of natural justice shall apply to any procedural investigation.

The complaint resolution process shall be carried out in good faith and complaints that are frivolous, vexatious, misconceived or lacking in substance shall be rejected if any of these defects are identified in the preliminary investigation of the facts.

BPS management and the board shall ensure that employees and members remain informed about the contents of this policy. BPS management shall be responsible to ensure that employees uphold the principles of this policy and act appropriately to prevent any incidents of discrimination in the workplace.

Management Responsibilities:

Representatives:

- At least 2 representatives from the management staff and/or the board of directors shall be nominated to;
 1. Investigate incidents involving discrimination and take appropriate preventative action.
 2. Debrief persons who are involved in a discrimination incident and ensure that follow up action is taken.
 3. Apply appropriate disciplinary procedures if applicable.
 4. Keep a written & electronic record of all interviews & discussions.

Procedure:

- Initially the nominated representatives shall;
 1. Identify the nature of the complaint;
 2. Discuss a possible course of action with the complainant to resolve the matter (if that is possible);
 3. Determine (in consultation with the complainant) whether the matter ought to be dealt with through formal or informal procedures; then

Resolution by Informal Means:

- If the matter can be resolved through informal means;
 1. The nominated representatives, after identifying the nature of the complaint, shall put the allegations to the accused person/s in an informal interview;
 2. The accused person/s shall have the opportunity to respond (the alleged harasser may be given a period of time to respond);

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3. Depending on the accused person/s response, the nominated representatives may choose to conduct further interviews with the complainant and/or prospective witnesses;
4. Once investigations are completed, the nominated representatives shall decide whether the complaint has been validated or remains unproven. If the complaint is considered unproven, the complainant & accused person/s shall be immediately informed of the outcome and no disciplinary action shall be taken. However, management shall ensure that all staff members receive further training regarding appropriate workplace behaviour.
5. If the nominated representatives decide that the allegations have been validated, they shall first determine the severity of the misconduct before deciding upon appropriate disciplinary action. There may be reason to consult with the full board of directors depending on the severity of the complaint.

Resolution by Formal Means:

- If the matter cannot be resolved through informal means, the nominated representatives shall;
 1. determine a set of written statements of alleged acts that accurately reflect the extent of the complaint; the complainant shall counter sign such written statements; the written statements of alleged acts shall be presented to the accused person/s;
 2. the accused person/s shall be informed of their right regarding legal representation and of possible outcomes if the allegations are proven; the accused person/s shall have the right to nominate witnesses to provide information to the nominated representatives (the nominated representatives shall only be obliged to interview those witnesses whom they believe can comment directly on the alleged acts of discrimination);
 3. the nominated representatives shall conduct interview/s with nominated witnesses and complete a written record of such interview/s;
 4. any investigation shall aim at maintaining the confidentiality of both the accused person/s and the complainant whilst minimising disruption to the workplace;
 5. Once investigations are completed, the nominated representatives shall decide whether the complaint has been validated or remains unproven. If the complaint is considered unproven, the complainant & accused person/s shall be immediately informed of the outcome and no disciplinary action shall be taken. However, management shall ensure that all staff members receive further training regarding appropriate workplace behaviour.
 6. If the nominated representatives decide that the allegations have been validated, they shall first determine the severity of the misconduct before deciding upon appropriate disciplinary action. There may be reason to consult with the full board of directors depending on the severity of the complaint.

Disciplinary Action:

- Appropriate disciplinary action resulting from a proven complaint may include:
 1. provision of professional counselling; and/or
 2. provision of training in acceptable workplace practices; and/or
 3. issuing a written warning or oral reprimand; and/or
 4. downgrading of work responsibilities; and/or
 5. reduction in rate of pay; and/or
 6. prohibiting certain actions or practices in the workplace; and/or
 7. temporary suspension from the workplace without pay or in severe cases, termination of employment; and/or

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8. reporting the matter to appropriate authorities.

Employee's Responsibilities:

- Discourage other employees/persons from participating in acts of discrimination.
- Report all incidents involving discrimination to management or a member of the board of directors.

Signed: Date:

(Chairman- Burdekin Productivity Services Limited.)

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