



MineworksGroup

SEXUAL HARASSMENT POLICY

BACKGROUND

Sexual harassment is any form of unwelcome or uninvited sexual behaviour that will or may offend, degrade or humiliate another person. Sexual harassment may be considered to have occurred in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct. Sexual harassment can be obvious or indirect, physical or verbal. Sexual harassment does not have to be repeated or continuous to be against the law. Some actions or remarks are so offensive that they constitute sexual harassment in themselves, even if they are not repeated. Examples of sexual harassment include:

- unwelcome physical touching;
- sexual or suggestive comments, jokes or innuendo or sex based insults or taunts;
- unwelcome requests for sexual favours;
- intrusive questions about a person's private life;
- the display of sexually explicit material such as posters or pictures;
- staring or leering;
- offensive communications, including telephone calls, letters, faxes and email;
- sexual interaction such as flirtation and meetings is not sexual harassment when it is invited, consensual or reciprocated.

Both women and men can be the victims of sexual harassment, which can occur between co-workers, between managers/supervisors and subordinate employees or between employees and members of the public. It can cause substantial emotional distress and diminished work performance. Sexual harassment lessens the integrity of the service we provide and the image of Mineworks Group as a respected organisation within the community.

RESPONSIBILITIES OF EMPLOYEES, MANAGERS AND SUPERVISORS

All employees are responsible for ensuring they understand the meaning of sexual harassment and the requirements of this policy. Managers and supervisors are responsible for ensuring that professional standards of conduct are maintained at all times and that sexual harassment in any form is **not** tolerated. They should take reasonable steps to educate their workforce about appropriate and acceptable workplace behaviours and are to ensure that allegations of sexual harassment are treated sensitively and investigated and resolved promptly and satisfactorily. Failure to take appropriate preventative steps in the workplace or to treat allegations seriously may result in the manager/supervisor and Mineworks Group being held legally liable for the harassing behaviour. Some allegations of sexual harassment, such as assault, physical molestation, stalking, sexual assault and indecent exposure should be reported to the Western Australian Police, in consultation with Mineworks Group.

MANAGING AND RESOLVING SEXUAL HARASSMENT COMPLAINTS

Complaints can be made through grievance processes and directly to the employee's manager (or the next level of management if the manager is alleged to have committed or condoned the sexual harassment).

Potential complainants and witnesses are entitled to protection from any action taken against them as a result of their complaint. Victimisation or reprisal by any staff involved in a case of sexual harassment can result in disciplinary action.

POLICY DEVELOPMENT, DISSEMINATION AND REVIEW

This policy has been developed in consultation with nominated staff representatives and will be reviewed annually and amended as deemed necessary. It is provided to all staff upon induction and other parties on request. It will be prominently displayed in the workplace.

Authority: John Gallop, Managing Director

Signed:

Managed by: Staff Training and Development
Review by: Group HR Manager

Review date: before 30 Dec 2011