



EQUAL OPPORTUNITY, DISCRIMINATION, HARASSMENT AND BULLYING POLICY

BPM Health is dedicated to its workplace being free from workplace-related bullying, harassment, and discrimination. We maintain a strict zero-tolerance policy against any bullying, discrimination, or harassment.

Every individual associated with BPM Health, including employees, contractors, consultants, and other service providers have the right to operate in an environment devoid of workplace bullying, harassment, and discrimination. Any reported incidents will be handled seriously and respectfully by management.

Both legal and ethical obligations require employers and employees to ensure a safe work environment. Workplace bullying, harassment, and discrimination not only pose serious harm but can also severely disrupt the workplace.

At BPM Health, every member bears the responsibility for their actions and conduct in the workplace and at related events.

Our commitment at BPM Health extends to integrating the principles of equal opportunity into our core values as we manage our activities.

1. Scope

This policy applies to all employees and contractors who work for BPM Health.

2. Definitions

Workplace bullying: Repeated, unreasonable behaviour directed toward another person or group of people that creates a risk to health and safety.

Direct discrimination: is treating or proposing to treat a person with a protected attribute unfavourably because of that attribute.

Indirect discrimination: where there is a requirement or condition or practice that is the same for everyone but disadvantages a person or is likely to disadvantage a person because they have one or more of the following protected attributes and which is not reasonable.

Harassment: where a person harasses another person if he or she makes that other person (another employee or member of the public) feel offended, humiliated, or intimidated because of



one of the protected attributes listed above. It may involve inappropriate actions, behaviour, comments, or physical contact that is objectionable or causes offence.

3. Equal Opportunity

BPM Health is committed to the equitable treatment of all individuals and upholds the principle of assessing employment policies and practices based on an individual's merit.

Our recruitment and management practices are designed with the concept of equal employment opportunity in mind. This means that applications for various roles, including promotions, and opportunities for career development such as training programs, are evaluated without any prejudice, solely based on their availability and individual merit.

In accordance with equal opportunity principles and relevant legislation, BPM Health ensures that its policies, procedures, official documents, and publications align with these principles.

4. Discrimination

Discrimination in the form of direct and indirect discrimination is unlawful under State and Federal legislation. Unlawful workplace discrimination occurs when an employer takes adverse action against an employee or prospective employee because of one or more of the protected attributes. Protected attributes include but are not limited to:

- Age.
- Breastfeeding.
- Colour.
- Family or carer's responsibilities.
- Gender identity.
- Intersex status.
- Marital status.
- National extraction.
- Physical or mental disability.
- Political opinion.

- Pregnancy.
- Race.
- Religion.
- Sex.
- Sexual orientation.
- Social origin.

Other behaviour that is against the law includes:

- victimisation because a person has made a complaint, agreed to be a witness, or has had a complaint made against them.
- seeking unnecessary information on which discrimination might be based.
- vilification based on a person's race, religion, gender identity or sexuality.
- Federal anti-discrimination legislation also prohibits discrimination based on medical record or social origin.

5. Harassment

Harassment violates both State and Federal laws. An individual engages in unlawful harassment when they cause another person (whether an employee or a member of the public) to feel offended, humiliated, or intimidated due to one of the protected attributes listed above. This behaviour can encompass inappropriate actions, conduct, remarks, or physical contact that is objectionable or causes offence.

It's crucial to emphasise from a legal perspective, the intent behind the harassing behaviour is irrelevant.

Unlawful harassment is likely to have transpired if the behaviour leads the victim to feel:

- Offended and humiliated Intimidated or frightened
- Uncomfortable in their workplace Unlawful harassment
- may manifest in actions such as:

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- Sharing derogatory jokes about specific racial groups.
- Sending explicit or sexually suggestive emails.
- Displaying offensive or pornographic posters or screen savers.
- Making disparaging comments or taunts about someone's race or religion.
- Asking intrusive questions about an individual's personal life, including their sexual history.

6. Sexual Harassment

Sexual harassment is prohibited by State and Federal laws. This occurs when an individual initiates an unwelcome sexual advance, requests sexual favours, or engages in any other unwelcome conduct of a sexual nature towards another person. This behaviour takes place in circumstances where a reasonable person, considering all the surrounding factors, would expect the other person to feel offended, humiliated, or intimidated. It's essential to understand that sexual harassment is unrelated to mutual attraction or consensual friendships, whether they involve sexual aspects or not. Sexual harassment can manifest in various ways – it can be evident or subtle, physical or verbal, recurring or isolated, and can involve individuals of any gender directed toward people of the same or different genders.

Sexual harassment is unlawful in the workplace, encompassing any location where an individual goes to perform work-related functions. This can also include social gatherings associated with work.

Some instances of sexual harassment include:

- Persistent, unwanted demands or subtle pressure for sexual favours or social outings.
- Staring or leering at a person or specific parts of their body.
- Unwanted touching, patting, pinching, or unnecessary familiarity, such as brushing against a person without cause.
- Offensive comments or inquiries about an individual's appearance, attire, or personal life.
- Sexually explicit images, posters, or screen savers (both words and visuals).
- Sexually explicit forms of communication, such as phone calls, letters, faxes, emails, or voicemail messages.
- Humour that consists of suggestive or smutty jokes or remarks.



- Innuendos, including sexually suggestive comments, derogatory comments about an individual's physical appearance, insinuations about sexual morality, or anecdotes about sexual performance.
- Requests for sexual activities.
- Insults or taunts based on gender.
- Sexually explicit physical contact.

7. Bullying

Bullying represents a significant concern for occupational health and safety, given its potential to inflict harm on an individual's physical and psychological well-being. State and Federal laws place the primary legal obligation on employers to establish and maintain a safe and healthy workplace. Simultaneously, employees are obligated to comply with safety standards and collaborate with their employers in upholding a safe and healthy work environment.

Moreover, under federal and state anti-discrimination legislation, bullying can be deemed unlawful if it is connected to or rooted in any of the attributes protected by the relevant laws, such as age, sex, race, disability, and more.

Workplace bullying is characterized by recurrent, unjustifiable conduct aimed at an individual employee or a group of employees, which poses a threat to health and safety.

Workplace bullying is repeated, unreasonable behaviour directed toward an employee, or group of employees, that creates a risk to health and safety.

- “Unreasonable behaviour” means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine, or threaten the other person.
- “Behaviour” includes actions of individuals or a group and may involve using a system of work as a means of victimising, humiliating, undermining, punishing, or threatening.
- “Risk to health and safety” includes risk to the mental or physical health of the employee.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour could be considered to be workplace bullying:

- physical or verbal abuse.

- Intimidation.
- yelling, screaming or using offensive language.
- excluding or isolating employees.
- psychological harassment.
- deliberately changed work rosters to inconvenience particular employees.
- undermining work performance by deliberately withholding information vital for effective work performance.

Other types of behaviour may also constitute bullying.

Workplace bullying can occur between a worker and a manager or supervisor, or between co-workers. Bullying does not cover situations where an employee has a grievance about legitimate and reasonable:

- performance management processes
- disciplinary action
- allocation of work in compliance with systems.

Where bullying also amounts to a criminal offence, it should be the choice of the individual to report the incident to the police. Irrespective of whether a matter is reported to the police, BPM Health will manage all issues of workplace bullying by this policy and the law.

8. What is not Bullying or Harassment:

The following does not constitute bullying or harassment.

- Constructive and fair criticisms of a worker's conduct or work performance.
- Legitimate management response to pressurised situations that require immediate action which arise from staff shortages and result in increased workload.

9. Victimisation

It is unlawful for a person to subject or to threaten to subject another person to any detriment because the other person, or someone associated with the other person, has made an allegation or complaint of discrimination, harassment or bullying based on a protected attribute.



10. Reporting

Any form of workplace bullying must be immediately reported to their manager. Anyone who becomes aware of an incident or series of incidents must report the situation to a management representative with whom they feel comfortable.

It is expected that everyone at BPM Health, irrespective of job type or level, will contribute positively and productively to prevent workplace bullying and associated victimisation. Any complaints or reports of discrimination, harassment or bullying will be treated promptly, seriously, and sympathetically. They will be investigated thoroughly, impartially, and where possible, confidentially (when investigating some complaints confidentiality is not always possible). Managers must act promptly on any reports of harassment. Employees will not be disadvantaged in their employment conditions or opportunities as a result of lodging a complaint.

Policies Control

Current from	March 16th 2024
Replaces versions dated	N/A
Approved by	Director