 PO Box 3407 Toowoomba QLD 4350	HR POLICY	Newlands Civil Construction Pty Ltd ABN 41 133 339 778
	<b>SEXUAL HARASSMENT</b>	Newlands Commercial Construction Pty Ltd ABN 64 166 350 563

Authorised By: B O'Sullivan

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## 1. Purpose

NCC is committed to creating a work environment which is free from sexual harassment and where all members of staff are treated with dignity, courtesy and respect. The purpose of this Policy is to explain the standard of behaviour expected of employees and to outline NCC's Policy on sexual harassment.

## 2. Scope

This Policy applies to all NCC staff and contractors.

## 3. Policy

3.1 Sexual harassment can have detrimental effects on people and NCC's business. It can create an unsafe working environment, result in loss of trained and talented workers, the breakdown of teams and individual relationships and reduced efficiency. People who are sexually harassed can become distressed, anxious, withdrawn, depressed and can lose self-esteem and confidence;

3.1. NCC is committed to providing a working environment in which all employees, contractors and visitors to NCC are free from sexual harassment. To achieve this NCC Has set out the following objectives:

3.1.1 To create an environment where all employees, contractors, and visitors are treated with dignity, courtesy and respect;

3.1.2 To provide an effective procedure for complaints based on the principles of natural justice;

3.1.3 To encourage the reporting of behaviour which breaches this Policy;

3.1.4 To deal effectively with conflict arising from sexual harassment;

3.1.5 To provide all workers with sexual harassment awareness training;

3.1.6 To provide protection from any victimisation or reprisals;

3.1.7 To regularly review this Policy, the complaint handling procedure and training needs.

3.2 Sexual harassment is against the law and will not be tolerated by NCC under any circumstances. This includes whether it occurs in the workplace or in any work related context such as conferences, work functions and business trips.

3.3 Prompt action will be taken by NCC to ensure any sexual harassment in the workplace ceases. Any complaint will be dealt with quickly, seriously and sympathetically and investigated thoroughly, impartially and confidentially.


3.4 No employee will be penalised or disadvantaged as a result of raising legitimate concerns or complaints or for supporting someone who does.

## 4. Definitions

4.1 **Sexual Harassment** – is defined as any unwelcome, unwanted or uninvited request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. Sexual harassment doesn't have to be repeated or ongoing to be against the law.

4.1.1 Sexual harassment can take various different forms and may include:

- (a) Staring, leering or unwelcome physical touching;
- (b) Sexual or suggestive comments, jokes or taunts;
- (c) The display of clearly sexual material including photos including photos, pinups;
- (d) Making remarks with sexual connotations;
- (e) Unwanted invitations to go on dates;
- (f) Requests for sex;
- (g) Unsolicited demands or request for sexual favours;
- (h) Intrusive questions about a person's private life or body;
- (i) Unnecessary familiarity such as deliberately brushing up against a person;
- (j) Unsolicited acts of physical intimacy;
- (k) Sexually explicit physical contact;
- (l) Sexually explicit letter, faxes, emails or SMS text messages.

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4.1.2 Sexual harassment can be any unwelcome, sexual conduct where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated. It is not sexual interaction, flirtation, attraction or friendship which is invited, mutual, consensual or reciprocated. In this situation, managers would not become involved in the issue, however the behaviour may be inappropriate behaviour and may be offensive to others in the work environment.

4.1.3 Some sexual harassment, such as sexual assault, indecent exposure and stalking are also criminal offences and will be reported to the police.

4.2 **Victimisation** – occurs when a person subjects another person to detriment (or threatens to do so) because they have been made, intend to make or have helped someone else make a complaint, or refused to do an act in contravention of this Policy or because they've provided information about a complaint. It also includes acting to a person's detriment because they have agreed to be a witness.

## 5. Responsibilities

5.1 All employees as part of their induction and at other times during their employment will undertake an overview and training on this Policy, to ensure understanding of and compliance.

5.2 Managers have a responsibility to:

5.2.1 Monitor the working environment to ensure that acceptable standards of conduct are observed at all times. If managers observe sexual harassment in the workplace, they should take appropriate steps in response to ensure the behaviour stops and is appropriately dealt with;

5.2.2 Model appropriate behaviour themselves, including ensuring they do not engage in sexual harassment or otherwise breach this Policy;

5.2.3 Ensure employees and other relevant persons understand this Policy;

5.2.4 Treat all complaints seriously and take appropriate action.

5.3 All employees of NCC have a responsibility to:

5.3.1 Ensure that they do not engage in sexual harassment or otherwise breach this Policy;

5.3.2 Report any incidences of sexual harassment in the workplace;

5.3.3 Offer support to anyone who is being harassed and let them know where they can get help and advice (they should not however approach the harasser themselves);

5.3.4 Maintain complete confidentiality of information and cooperate during the investigation of a complaint.

5.4 Persons who believe they have been subjected to sexual harassment should contact their direct supervisor or Human Resources team to discuss the range of options available to deal with the matter.

5.5 Failure of any employee to comply with this Policy may result in disciplinary action which may be summary dismissal.

NCC Top Management assume the ultimate responsibility for Quality, Safety and Environmental requirements and core business practices in the workplace. NCC Senior Management plan, manage, monitor, review, and direct actions and allocate resources to support workers at every level to identify hazards, assess, control and evaluate risk in all areas of NCC operations.



Barry C O'Sullivan  
 Director  
 Newlands Civil Construction Pty Ltd AND  
 Newlands Commercial Construction Pty Ltd

18 December 2017