

Sexual and Racial Harassment, Violence and Bullying Policy



GSS Group
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Date: 03/02/2026
Review: 01/02/2027

Statement

GSS Group is committed to ensuring that the working environment is free from sexual harassment, and it will not be tolerated under any circumstances and that disciplinary action will be taken against any employee (or agent) who breaches the policy. To give the policy credibility and maximum impact, the opening statement should appear above the signature of the chief executive officer.

Policy

This policy identifies behaviour, which is unacceptable and contrary to GSS Group, Staff Code of Conduct. The policy identifies consequences to infractions of the policy and means by which inappropriate behaviours can be addressed by management.

Scope

This policy applies to all staff employed or contracted by GSS Group.

It is GSS Group policy that all employees should work in a safe and supportive environment, where differences are respected. Everyone must be able to work in an environment free from harassment and bullying. All employees have the right to work in an environment free of bullying. They also have a responsibility to ensure they do not bully others.

GSS Group aims to:

- create a working environment which is free from sexual or racial harassment and workplace bullying and where all members of staff are treated with dignity, courtesy and respect
- provide an effective procedure for complaints based on the principles of natural justice
- treat all complaints in a sensitive, fair, timely and confidential manner
- guarantee protection from any victimisation or reprisals
- encourage the reporting of behaviour which breaches the sexual, racial harassment, violence or bullying policy
- promote appropriate standards of conduct at all times

Definitions

What is Sexual Harassment?

Sexual harassment is any unwanted, unwelcome behaviour of a sexual nature that makes a person feel humiliated, intimidated or offended.

Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, and the display of offensive material or other behaviour, which creates a sexually hostile working environment.

Sexual harassment: can be constituted by a single act and is not limited to a course of conduct is not limited to conduct within normal working hours and includes conduct after hours if it occurs on a business related occasion, for example, at a seminar, client function or office party can occur even where there is no intention to cause harm is not limited to how a person treats fellow employees, it is also how a person treats customers and other persons with whom they have contact in the course of their employment

Some examples of sexual harassment are:

- physical contact (e.g. patting, pinching, embracing, kissing or brushing up against another's body)
- 'flashing' or sexual gestures sexual propositions or continued request for dates
- sexually oriented teasing or abuse
- statements (verbal or written) with sexual connotations, either directly to a person, or in his or her presence
- intrusive questions or insinuations about a person's private life
- unwelcome remarks about a person's appearance or body
- sexual jokes, abusive language, innuendos, offensive telephone calls, pornographic photographs, reading material or objects
- offensive e-mail messages or computer screen savers

There is no onus on the person being harassed to say he/she finds the conduct objectionable. Many people find it difficult to speak up. If employees are responsible for their own behaviour. If you think the behaviour may offend, then don't do it!

What is not Sexual Harassment?

It is **not** sexual harassment to develop friendships with other workers. Sexual harassment is not behaviour, which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

What is Racial Harassment?

Racial harassment involves threatening, abusing, insulting or taunting another person based on that person's race, and/or in circumstances where the other person is disadvantaged or reasonably believes that they would be disadvantaged by objecting to the threat, abuse, insults or taunts.

Racial harassment can take many forms, such as:

- can be constituted by a single act and is not limited to a course of conduct
- is not limited to conduct within normal working hours and includes conduct after hours if it occurs on a business related occasion, for example, at a seminar, client function or office party

- can occur even where there is no intention to cause harm

Some examples of racial harassment might be:

- insulting jokes, suggestions or derogatory comments about another employee's racial or ethnic background
- insulting, threatening, abusive or taunting telephone calls, faxes or e-mails
- using language that is regarded as insulting to describe racial or ethnic groups
- possessing and displaying threatening or abusive posters or written material about a racial group

What is Workplace Bullying

Workplace bullying is any behaviour that involves threatening, abusing, insulting or taunting another person.

Examples of such behaviour include:

- shouting or swearing at a person
- undermining them through any means
- using a position of authority unfairly
- Harassment is Unlawful
- Any harassment is prohibited under anti-discrimination legislation. An employee who subjects another person to sexual or racial harassment:
 - may be prosecuted personally (including possible criminal proceedings)
 - may be personally liable to pay compensation to the person concerned
 - may incur liability for the Company to compensate the person concerned will be subjected to disciplinary action which may result in summary dismissal

What is workplace violence?

Any incident where an employee is physically attacked or threatened in the workplace. Some examples of workplace violence and some of these are also crimes

Someone threatening to hurt you
 Objects being thrown at you
 Pushing, shoving, punching, kicking
 Being touched up and any other type of indecent physical contact
 Racial abuse
 Unwelcome sexual comments

What is vilification?

Vilification is behaviour that:

- happens in a public place; and

- incites others to hate, to have serious contempt for or to severely ridicule individuals or groups because of their race, religion, sexuality or gender identity.

Workplaces can be considered public places. This means that any conduct which can possibly be observed by the public or any sort of communication either verbal or in writing to the public can be considered to have happened in a public place.

Some examples of vilification are:

- Placing a poster or sticker on the customer service counter which incites others to hate people because of their race, religion, sexuality or gender identity.
- Hate graffiti written on work toilet walls which incites hatred because of race, religion, sexuality or gender identity.
- Wearing of symbols, badges or clothing in the workplace with slogans that incite hatred.
- An employee abusing a person because of their race, religion, sexuality or gender identity in the workplace which encourages others to hate people of that race, religion, sexuality or gender identity.
- A work colleague making a speech in the work cafeteria that incites hatred of people because of their race, religion, sexuality or gender identity.

Responsibilities of Management & Staff

All staff are responsible for ensuring that equal opportunity principles are respected. Managers and supervisors are responsible for understanding the legislation and ensuring that the workplace environment is safe and free from sexual harassment and the ongoing development and maintenance of this policy.

Harassment Complaints Procedure

What to do if Harassment occurs

If another person does anything that you believe amounts to harassment, you should act immediately and not let the matter rest. If you do nothing the person may believe that the conduct is acceptable to you. **Don't Sweep It Under the Carpet**

You may respond to the conduct in any one of the following ways:

- arrange a meeting with, or write a letter to, the person concerned. Explain that you found the conduct unacceptable and ask that he or she does not repeat it in future:

OR

- approach your manager/supervisor or one of the GSS Group other managers/supervisors, who will discuss the matter with you so that you can decide whether to proceed on an informal or formal basis.

Informal Procedure

Where you elect to follow the informal procedure, the manager/supervisor you have approached (or another manager/supervisor at the appropriate level) will deal with the matter. In these

circumstances there will be no investigation and instead the manager/supervisor will discuss the problem you have experienced and discuss possible solutions. The manager/supervisor will either:

- assist you to deal directly with the individual concerned to resolve the problem, or
- approach the individual concerned on your behalf

Where a problem is not resolved under the informal procedure, you should approach the manager/supervisor or Management so that the formal procedure can be followed.

Formal Procedure

Where you elect to follow the formal procedure, the matter will be referred to Management who will undertake a full investigation and undertake all appropriate action.

The formal procedure is as follows:

- a full statement will be taken from you
- the individual concerned will be informed of the allegations made by you and given an opportunity to respond
- Management will consider what steps should be taken to investigate the matter and will discuss these steps with you and, in a separate meeting, with the individual concerned
- Management will decide on the appropriate steps to investigate the matter further and may talk to you, the individual concerned and any other relevant person
- Management will form an opinion on whether and, if so, what action should be taken and will discuss this with you and, in a separate meeting, with the individual concerned. Both of you will be given an opportunity to respond to how Management intends to deal with the matter
- Management will then decide what, if any, action is appropriate and set this in motion. Management will inform you and the individual, again separately, of the action that has been taken

Confidentiality

GSS Group will ensure that all complaints made under the policy are treated as confidential information and not disclosed to anybody other than those directly affected.

All employees are required to treat any allegation of sexual, racial harassment, violence and bullying, whether made by or against them, as confidential. These allegations should not be discussed with any person other than persons nominated under this policy.

This does not mean, however, that the individual employee cannot report this matter to the appropriate authorities under any law.

Helping Colleagues

How can you help colleagues?

If you believe a colleague is being harassed, you should offer your support and encourage your colleague to follow the steps set out in this policy and talk to someone who can help.

DO NOT try to resolve the matter yourself.

Victimisation

Under anti-discrimination legislation, it is unlawful to threaten or otherwise victimise an employee, for example:

- for making or proposing to make a complaint
- for bringing or proposing to bring proceedings
- for asserting your rights or another person's rights under anti-discrimination legislation.

GSS Group will not tolerate victimization in the workplace. Employees should speak with Management if they are being victimized or are aware of instances of victimization.

Consequences for Breaching Policy

If a complaint of discrimination is substantiated, disciplinary action shall be taken against the offender.

If a complaint of sexual or racial harassment against an employee is substantiated and no effort is made by the offending individual to stop the harassment when counselled, then disciplinary action shall be taken against the offender. The Company regards such conduct as conduct justifying summary dismissal.

Reference

Equal Opportunity Act 1995 (Section 85, 86 & 87) WorkSafe Victoria, June 2005

Endorsed by:

Imran Mukhtar

Managing Director February 2026

