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EQUAL EMPLOYMENT OPPORTUNITY AND ANTI-DISCRIMINATION POLICY

Norths Collective recognises that discrimination in any form is not acceptable in our operations and that Equal Employment Opportunity is a matter of social justice, our employment obligation and our legal responsibility.

This policy covers all Norths Collective venues across the group.

OBJECTIVE & PURPOSE

Respect, Excellence and Integrity are Norths Collective's key values and drive how we approach everything that we do. Norths Collective is committed to:

- Proactively working to provide a hostile-free work environment that is free from unlawful discrimination, harassment and vilification, and where employees and others in the workplace are treated fairly and with respect. The measures Norths Collective takes to do this include:
  - Creation and reviews of policies and procedures;
  - Identifying and assessing risk factors;
  - Eliminating the risks, as far as reasonably practicable, or controlling, or minimising them as far as reasonably practicable;
  - Regular delivery of training and education pieces on the topic; and
  - Providing support services to all employees.
- Enforcing the prohibition of sexual harassment and/or sex discrimination through the disciplinary actions associated with a breach of this policy, which may include termination of employment;
- Ensuring that employment decisions are based on merit, and not on attributes or characteristics that an individual may possess;
- Creating a work environment which promotes good working relationships, where every individual can thrive and where diversity is encouraged;
- Providing equal opportunities in employment including in relation to training, promotion and recruitment; and
- Not discriminating against any person on any ground in accordance with the legislation set out in Commonwealth and relevant State legislation.

The purpose of this *Equal Employment Opportunity and Anti-discrimination Policy* is to articulate Norths Collective's commitment to creating an environment of equal employment opportunities and anti-discrimination, and one that embraces all that makes us different where everyone is treated with respect.

It has been designed to facilitate the creation of a workplace culture that maximises its performance through employment decisions. These decisions will be based on Norths Collective's needs and will ensure that all decisions relating to employment issues are based on merit.

The Club will not tolerate or accept any unlawful conduct contrary to the anti-discrimination and harassment laws and will not tolerate unlawful discrimination and harassment under any circumstances.

Specifically, Norths Collective will provide equal opportunity in employment and employment conditions, including:

- Recruitment and selection;
- Reward and recognition;
- Training;
- Career succession and promotions; and
- Support and guidance.

This Policy is also designed to ensure that Norths Collective complies with all of its obligations under the relevant legislation.

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OUR POLICY

Norths Collective is an equal opportunity employer and we will provide equality in employment for all people employed or seeking employment at all our venues. In this regard:

- Employment decisions relating to appointment, promotion, transfer, training and development opportunities will be determined according to performance, individual merit and competence; and
- We will give every person a fair and equitable chance to compete for these opportunities, and to pursue their career as effectively as others.

Consistent with this philosophy, Norths Collective does not condone any form of unlawful discrimination or vilification, including any which relates to the following categories:

- Gender;
- Pregnancy and/or potential pregnancy;
- Marital / domestic status;
- HIV/AIDS vilification;
- Religious belief or activity;
- Political belief or activity;
- Disability;
- Race, colour, national extraction, social origin, descent, and ethnic, ethno-religious or national origin;
- Age;
- Trade union activity;
- Breastfeeding;
- Medical conditions;
- Intersex status;
- Gender identity;
- Family responsibilities, family status, status as a parent or carer;
- Racial classification;
- Sexuality;
- Transsexuality;
- Transgender.

SCOPE

This Policy applies to:

- Board members;
- All 'staff', which includes managers and supervisors; full-time, part-time or casual, temporary or permanent staff; job candidates; student placements, apprentices, contractors, sub-contractors and volunteers.

This Policy covers the following situations:

- All work-related activities both in and out of the workplace including official work functions, and conferences, whether onsite or offsite; and
- All aspects of recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; leave arrangements and workload.

LEGISLATION GOVERNING EEO AND DISCRIMINATION

Under Equal Employment Opportunity (EEO) laws, discrimination, vilification, sexual harassment, bullying and victimisation are unlawful and strictly prohibited. Under the NSW Anti-Discrimination Act 1977 it is unlawful to discriminate against a person in employment, either directly or indirectly, on the basis listed in this Policy.

Legislation governing Equal Employment Opportunity and Discrimination includes the:

- Racial Discrimination Act 1975;
- Sex Discrimination Act 1984;

- Workplace Gender Equality Act 2012;
- Australian Human Rights Commission Act 1986;
- Disability Discrimination Act 1992;
- Fair Work Act 2009; and the
- NSW Anti-Discrimination Act 1977.

Unlawful acts of discrimination will not be tolerated and may lead to dismissal. We will also treat a grievance raised by an employee in relation to discrimination or harassment very seriously, and complainants will not be victimised.

DIRECT DISCRIMINATION

Direct discrimination occurs when a person is treated "less favourably" than another simply because the person belongs to a particular category. For example, refusing to interview someone just because they are of a particular ethnic background or refusing to promote someone to a senior position because of their gender.

The prohibited grounds of discrimination are set out in the Federal, State and Territory anti-discrimination laws and a full list of the grounds of discrimination are listed under "Our Policy" above.

Discrimination can occur:
Directly, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (listed under "Our Policy" above).
For example, an employee is not given a promotion because of their race.

INDIRECT DISCRIMINATION

Indirect discrimination may occur when an employer imposes a policy, requirement or condition which applies to everyone equally but has an unequal or disproportionate effect or result on a particular group because of a characteristic of that group, such as their sex, age, race, etc.

This may happen for example, scheduling meetings regularly outside normal work hours (in the evenings or on weekends) discriminates against people with family responsibilities, particularly women.

Discrimination also includes situations where employees harass others based on a ground of discrimination. Harassment is an unwelcome conduct that a reasonable person would find offensive, humiliating or intimidating.

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VILIFICATION

Vilification is a public act which incites hatred, severe contempt or severe ridicule of a person or group and is unlawful under the NSW Anti-Discrimination Act and a serious breach of EEO laws.

SEXUAL HARASSMENT

Sexual harassment is an unwelcome conduct of a sexual nature, which makes a person feel offended, humiliated or intimidated. A conduct:

- Can amount to sexual harassment even if the person did not intend to offend, humiliate or intimidate the other person;
- Will not be sexual harassment if a reasonable person, having regard to all the circumstances, would not have anticipated that the conduct would offend, humiliate or intimidate the other person;
- Does not have to be directed at a particular individual to be deemed sexual harassment and unlawful; or
- Which creates a hostile working environment for other employees can also be unlawful.

Examples of sexual harassment that will not be tolerated include:

- Physical contact such as touching, grabbing, pinching, kissing or hugging;
- Sexual jokes or comments;
- Requests for sexual favours;
- Persistent requests to go out, where they are refused;
- Staring or leering at a person or at parts of their body;
- Sexually explicit conversations;
- Displays of offensive material such as posters, screen savers, internet material, etc.;
- Accessing or downloading sexually explicit material from the internet;
- Suggestive comments about a person's body or appearance;
- Sending rude or offensive emails, attachments or text messages;
- Unwelcome wolf-whistling;
- Intrusive questions about sexual activity; or
- Sexual Assault (also a crime under the Crimes Act).

Please refer to North Collective's Employee Policy Handbook more information in relation to harassment.

Definition of sex-based harassment
Sex-based harassment occurs if a person:

- Engages in unwelcome conduct of a seriously demeaning nature in relation to another person by reason of the person's sex (or characteristic that appertains generally or is generally imputed to that person's sex); and
- The person does so in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated, or intimidated.

Definition of Hostile Work Environment
A hostile work environment includes conduct that is not directed to any particular person or worker but can result in a worker or workers feeling unwelcome or offended by the general working environment. Examples of factors that contribute to a hostile work environment include but are not limited to:

- Displaying offensive screen savers, photos, calendars or objects;
- Sexually explicit posts on social networking sites;
- Accessing sexually explicit internet sites in the workplace; and
- Workplaces where sexual jokes or innuendo occur.

Hostile workplace environments are unlawful, and the Club will take the appropriate action against any worker found to have contributed to one.

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BULLYING

Bullying is repeated, unreasonable and inappropriate behaviour directed towards an individual or group, which creates a risk to health and safety. It generally involves excessive use of power over others, creating fear in order to control them, intimidation, degrades or humiliates a person or persons, and/or has the potential to create a risk to health, safety and wellbeing, including psychological, emotional and physical health.

Bullying is repeated, unreasonable behaviour directed towards an employee or a group of employees that:

1. creates a risk to health and safety. It includes both physical and psychological risks and abuse;
2. is unwelcome and uninvited;
3. victimises, humiliates, intimidates, threatens or demeans a person; and
4. a reasonable person would consider the behaviour as victimising, humiliating, intimidating, threatening or demeaning.

Bullying does not need to be based on a ground of unlawful discrimination e.g. sex, race or age. A person may be bullied for any reason.

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social media, social isolation or ignoring people, or unfair work practices. Behaviours that may constitute bullying include:

- sarcasm and other forms of demeaning language
- threats, abuse or shouting
- coercion
- isolation
- inappropriate blaming
- ganging up
- constant unconstructive criticism
- deliberately withholding information or equipment that a person needs to do their job or access their entitlements
- unreasonable refusal of requests for leave, training or other workplace benefits.

Note: If someone is being bullied because of a personal characteristic protected by anti-discrimination and harassment law, it is a form of discrimination. This behaviour does not have to be repeated to be discrimination – it may be a one-off event.

Bullying is not:

- reasonable management action taken by managers or supervisors to direct and control the way work is carried if the action is taken in a reasonable and lawful way;
- explaining differences of opinion in an appropriate manner;
- legitimate disciplinary action; or
- reasonable management in the right forum in an appropriate manner.

The following are some examples of reasonable management action:

- realistic and achievable performance goals, standards and deadlines;
- fair and appropriate rostering and allocation of working hours;
- transferring an employee to another area or role for operational reasons;
- deciding not to select an employee for a promotion where a fair and transparent process is followed;
- informing an employee about unsatisfactory work performance in an honest, fair and constructive way;
- informing an employee about unreasonable behaviour in an objective and confidential way;
- implementing organisational changes or restructuring; and
- taking disciplinary action, including suspension or terminating employment where appropriate or justified in the circumstances.

Bullying will not be tolerated and please refer to North Collective's *Workplace Bullying and Harassment Policy* for more information in relation to workplace bullying.

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VICTIMISATION

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under anti-discrimination and harassment law, made a complaint, helped someone else make a complaint, or refused to do something because it would be unlawful discrimination, harassment or victimisation. Victimisation is against the law.

If a member of staff feels they have been subjected to victimisation they are encouraged to raise the issue with the Club using the Complaint Handling Policy. The Club will not treat any staff member less favourably because they have made a complaint.

All staff must not retaliate against a person who raised a complaint or subject them to any detriment. However, where a person lodges a false complaint in bad faith, that person may be disciplined. The same applies for frivolous and vexatious complaints.

It is also victimisation to threaten, retaliate against a person who raised a complaint or subject them to any detriment. However, where a person lodges a false complaint in bad faith, that person may be disciplined. The same applies for frivolous and vexatious complaints.

It is also victimisation to threaten, retaliate against or subject to a detriment someone, (such as a witness) who may be involved in investigating a discrimination, harassment or bullying concern of complaint.

RECRUITMENT

North Collective is committed to ensure that it will recruit all employees based on genuine merit and suitability for the job regardless of personal characteristics. The following practices will apply:

- Those responsible for recruitment will be trained in equal employment opportunity principles and guidance will be available to all employees;
- When interviewing, only information that is needed for the position will be requested and guidelines will be provided to those involved in interviewing;
- Employees will be promoted on merit, based on skills, experience and abilities, and the requirements of the position;
- Where redundancy is necessary, decisions will be based on the future skills and needs of North Collective, and in a manner, which is sensitive to the individual/s concerned; and
- People & Culture procedures will be reviewed regularly to ensure that its practices are consistent with this Policy.

Complaints will be investigated quickly and with utmost confidentiality according to the Norths Collective Complaint Handling Policy as well as the relevant legislations.

OUR ROLES AND RESPONSIBILITIES

All employees in Norths Collective should be aware that they can be held legally responsible for their unlawful conduct.

All employees are responsible for:

- Understanding and complying with this Policy;
- Ensuring they do not engage in any unlawful conduct towards other workplace participants, members and guests;
- Ensuring they do not encourage other persons to engage in unlawful conduct;

- Following the complaint procedure in this Policy if they experience or observe any unlawful conduct and informing their manager and / or People & Culture; and
- Maintaining confidentiality if they are involved in the complaint procedure.

The CEO is responsible to ensure that:

- All managers understand and are committed to the principles and legislation relating to equal opportunity and applying it in all our venues;
- Norths Collective proactively works to eliminate sexual discrimination, including sexual harassment, sex-based harassment, hostile work environments and victimisation;
- Employment decisions relating to appointment, promotion and career development are determined according to individual merit and the individual's inherent ability to perform the role; and
- Norths Collective has a workplace culture that encourages equal employment opportunity.

People & Culture is responsible to ensure that:

- All employees are aware of and understand their obligations, responsibilities and rights in relation to equal employment opportunity by providing ongoing support and guidance;
- All employees are committed to comply with the equal opportunity laws in the workplace;
- Matters which do not comply with the principles of equal employment opportunity are identified and addressed promptly and sensitively;
- Immediate and appropriate action is taken to minimise or eliminate unlawful harassment, discrimination and bullying within Norths Collective; and
- Norths Collective proactively works to eliminate sexual discrimination, including sexual harassment, sex-based harassment, hostile work environments and victimisation.

PREVENTION OF SEXUAL HARASSMENT

To minimise sexual harassment in the workplace in the workplace, the Club will aim to ensure that all of its workers attend regular training relating to sexual harassment in the workplace. This training will assist workers to understand their rights and responsibilities in the workplace, encourage them to report any behaviour that breaches this Policy and understand the complaints procedure.

The Club seeks to monitor and assess this Policy and measures to prevent sex-based misconduct in the workplace. This may include:

- Reporting on the nature and outcomes of complaints;
- Anonymous surveys of workers to assess awareness of the policy and comfortability with reporting incidences;
- Regular consultation with worker representatives.

The Club will build a culture of safety and address risk regularly. The Club will do this by regularly identify and assess risk factors for sexual discrimination, sexual harassment and sex-based misconduct and taken reasonable and proportionate measures to eliminate or control as far as possible sex-based misconduct.

GENDER EQUALITY IN OUR WORKPLACE

Norths Collective aims to fulfil its obligations under the Gender Equality Act 2012 (Cth) by developing and implementing a workplace program which will mitigate discrimination and contribute to gender equality in employment at its venues. This program is about attempting to achieve the potential of all employees and its benefits include increased productivity, increased morale, reduced absenteeism, and higher retention rates of employees.

Our aim is to:

- Eliminate discrimination on the basis of gender in relation to employment matters;

- Promote and improve gender equality in employment and in the workplace;
- Support employees in removing barriers to the full and equal participation of women in the workforce; and
- Foster workplace consultation with employees on issues concerning gender equality in employment and in the workplace.

BREACH OF THIS POLICY

Norths Collective will monitor this Policy on a regular basis to determine its effectiveness and is committed to supporting employees and managers in achieving a diverse workplace.

Managers are responsible for developing and encouraging a positive environment, where all employees are treated with respect and dignity, and must take responsibility for reporting breaches of this Policy.

All employees are required to comply with this Policy at all times and any breach of this Policy may be subject to disciplinary action. In serious cases this may include termination of employment.

False Complaints in Bad Faith
If a person makes a false complaint in bad faith (for example, making up a complaint just to get someone else in trouble) that person may be disciplined which could lead to termination of employment. Further, if a person lodges an excessive number of complaints that the Club determines to be unfounded, they may also be disciplined, including up to termination of employment.

HOW WE WILL HANDLE COMPLAINTS

Norths Collective has a complaint procedure for dealing with situations where an employee feels that they have been subjected to any form of conduct contrary to EEO laws or this Policy. There are numerous options available to suit the particular circumstances of each individual situation.

Employees who believe they are being treated unfairly as a result of discrimination should promptly notify their manager or People & Culture.

Complaints may be addressed as follows:

Confront the issue

- If an employee feels comfortable doing so, they should address the issue with the person concerned. The employee should identify the offensive behaviour, explain that the behaviour is unwelcome and offensive and request that the behaviour be stopped. It may be that the person was not aware that their behaviour was unwelcome or caused offence;
- If an employee does not feel comfortable confronting the person, or if the behaviour continues after the employee confronts the person, this should be reported to their manager or People & Culture; or
- If an employee is unsure about how to handle a situation and is also unsure if they want to make a complaint, they should contact their manager or People & Culture for support and guidance.

Report the issue

- The issue should be reported by the employee to their manager or People & Culture; and
- The manager or People & Culture will aim to deal with the complaint in accordance with the Norths Collective Complaint Handling Policy.

If Norths Collective considers it appropriate for the safe and efficient conduct of an investigation, employees may be required not to report for work during the period of an investigation. Norths Collective may also provide alternative duties

or work during the investigation period. Generally, employees will be paid their normal pay during any such period.

CONFIDENTIALITY

The employee's manager or People & Culture will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other employees to determine the facts and to ensure fairness to those against whom the complaint has been made and to resolve the complaint. If a complaint is raised and it appears that unlawful conduct has occurred, appropriate action will be taken in relation to the complaint.

All employees involved in the complaint must also maintain confidentiality, including the employee who lodges the complaint. Any breach of confidentiality, including spreading rumours or gossip, may expose you to allegations of defamation by individuals about comments that are made and may result in disciplinary or other action against you.

POSSIBLE OUTCOMES OF A COMPLAINT

The possible outcomes will depend on the nature of the complaint and the procedure that is followed to address the complaint. These may include, where an investigation results in a finding that:

- A person has engaged in unlawful conduct or breach of this Policy, that person may be disciplined. The type and severity of disciplinary action will depend on the nature of the complaint and other relevant factors; or
- The person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected employee and Norths Collective.

Contractors and consultants who are found to have engaged in unlawful conduct and/or breached this Policy may have their contracts with Norths Collective terminated or not renewed.

Norths Collective may take a range of other non-disciplinary measures to resolve a complaint, depending on the particular circumstances. Examples include, but are not limited to:

- Appropriate training to assist in addressing the problems related to the complaint;
- Monitoring to ensure that there are no further problems;
- Implementing a new policy where required;
- Undertaking that certain behaviour is stopped, or requiring an apology; or
- Changing work arrangements.

WHAT TO DO IF YOU ARE NOT SATISFIED WITH THE OUTCOME

If either party is not satisfied with the manner in which the complaint was handled or the outcome of the complaint process, they can contact People & Culture and the matter will be dealt with and/or escalated as required in line with our Complaints Handling Policy.

Our goal is to resolve issues in-house wherever possible. Employees can seek the assistance of an outside agency if they feel that their complaint has not been adequately addressed. Contact details for outside agencies are provided within this Policy.

CONTACTS FOR OUTSIDE AGENCIES

EQUAL EMPLOYMENT OPPORTUNITY AND ANTI-DISCRIMINATION POLICY

- Australian Human Rights Commission - Toll Free: 1300 656 419
- Anti-Discrimination Board (NSW) - Toll Free: 1800 670 812
- Fair Work Ombudsman – Toll Free: 13 13 94

DEFINITIONS

Terms	Definitions
Discrimination	*Discrimination occurs if a person treats, or proposes to treat, a person with an attribute unfavourably because of that attribute. It can also occur if a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with an attribute; and that is not reasonable.*
Equal Employment Opportunity	*Equal Employment Opportunity consists of ensuring that all employees are given equal access to opportunities such as training, promotion, appointment or any other employment related issue without regard to any factor that is not related to their competency and ability to perform their duties*
Victimisation	*Victimisation means subjecting, or threatening to subject, a person to any detriment because they have:* • *Asserted their rights under equal opportunity law* • *Made a complaint* • *Helped someone else make a complaint* • *Refused to do something because it would be discrimination, sexual harassment or victimisation.*

DOCUMENT CONTROL

Policy name	Equal Employment Opportunity and Anti-discrimination Policy
Approved by	Norths Collective CEO
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