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EEO/DISCRIMINATION & HARASSMENT PROCEDURES

1 - EEO & Anti-Discrimination Policy

It is Precision Group policy to provide equality in employment for all people employed or seeking employment.

For employees, every person must be given a fair and equitable chance to compete for appointment or advancement and to pursue their career as effectively as others irrespective of their background or attributes must also be given a fair and equitable chance to volunteer, participate and take lead roles within the Association.

Discrimination on the basis of the attributes of race, sex, age, marital status, religious belief or activity, industrial activity, political opinion or activity, national extraction, social origin, disability, parental status or status as a carer, pregnancy, lawful sexual activities, physical features or breastfeeding is unlawful.

Discrimination by an employee of Precision Group against another employee on the basis of any of the attributes set out in paragraph 2 above will be considered misconduct on the part of the employee and will not be tolerated by Precision Group.

Any employee who engages in discrimination will be subject to discipline up to and including termination.

Precision Group has set up procedures to deal with such misconduct and if an employee feels that they have been discriminated against, they should bring it to the attention of a senior staff member or Director. The complaint will then be dealt with promptly and confidentially in accordance with the procedures.



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2 – Sexual Harassment

Sexual harassment is the making of an unwelcome sexual advance or unwelcome request for sexual favours or engaging in some other conduct of a sexual nature by one employee to another or to a client or to any other person where a reasonable person, having regard to all the circumstances, would have anticipated that the other would be offended, humiliated or intimidated.

Sexual harassment is unlawful in employment, it is unlawful in the workplace and in any premises entered into by an employee and will be discharge of their duties.

Sexual harassment may include a wide range of different types of behaviour such as attempts at kissing, touching, staring, conversations of a sexual nature, insinuations about an individual's private life, gender related insults, workplace pranks, and displaying sexually explicit posters and other material in the workplace.

Sexual harassment of an employee will be considered misconduct on the part of the perpetrator and will not be tolerated by Precision Group. Any employee who engages in sexual harassment will be subject to discipline up to and including termination for employees.

Precision Group has set up procedures to deal with such misconduct and if an employee feels that they have been sexually harassed they should bring it to the attention of a senior staff member or Director. The complaint will then be dealt with promptly and confidentially in accordance with the procedures.



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3 - Bullying & other forms of harassment

Harassment can be overt in the form of teasing, badgering or directly insulting and belittling. It can also take the form of exclusion and rejection in the workplace or the association's activities through non provision of reasonable support, direction or access.

Behaviour of this nature by one employee to another or to any other person where a reasonable person, having regard to all the circumstances, would have anticipated that the other would be offended, humiliated or intimidated will be considered harassment. Harassment and bullying are unlawful in employment.

It is unlawful in the workplace and in any premises entered into by an employee and the discharge of their duties. Precision Group has set up procedures to deal with such misconduct and if an employee feels that they have been sexually harassed they should bring it to the attention of a senior staff member or Director.

The complaint will then be dealt with promptly and confidentially in accordance with the procedures.

4 – Procedures for dealing with breaches to Precision Group Anti-Harassment and EEO Policies

Employees - All employees should be given a copy of the policies as part of the induction process e.g. in the employee induction handbook.

To minimize vicarious liability Precision Group must be able to demonstrate that employees understand their duties and obligations under the anti-discrimination legislation.

Accordingly Precision Group has adopted the following workplace practices:

- to be vigilant about acting on the "warning signals" of discrimination or sexual harassment i.e. sudden absences on stress leave;
- to ensure that the workplace is free of objectionable posters or other material;
- to have an email and internet policy that makes it clear that employees are not permitted to view, download or transmit pornography or other objectionable material; and
- generally, to make it clear that discriminatory behaviour will be treated as serious misconduct.



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How Precision Group will handle a complaint of discrimination or harassment

In order to ensure this policy is backed up by a fair, quick and confidential process, Precision Group will appoint two people (nominally the MD and one of the other gender) to whom complaints should be made and provide training to the designated officers in dealing with the complaints.

The Complainant Ensure that the person making the complaint gives a full statement of the allegations and that he or she is aware that:

- they can have a support person such as family member or friend present at any interview; and
- that the complaint will be kept confidential as far as is practicable.

Inform the complainant of the process that is to be followed and interview him or her as soon as possible after receiving the complaint. Supporting witnesses, if any:

- should be interviewed;
- given a lawful direction to keep the matter confidential; and
- told that a breach of that direction may constitute serious misconduct.

If the designated officers are at all uncertain about being able to manage the process external assistance from a solicitor or similar will be sought. Notify the person who has allegedly breached the policy (the alleged perpetrator) of the complaint before interviewing him or her so that they can arrange for representation at the interview. At this stage the complaint is an allegation only and a person accused of such an allegation has the right to be:

- treated fairly;
- given sufficient details about the complaint so that they can defend themselves.



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It is not necessary to give the alleged perpetrator a copy of the complainant's statement, but he or she should be told the identity of the person making the complaint and what it is they have allegedly done and on what dates and times;

- represented at an interview
- afforded confidentially; and
- advised of the process which will be followed i.e. that they will be interviewed, the witnesses will be interviewed and there will be a specified period for consideration after which a decision will follow.

Any complaint will be dealt with quickly as possible. A realistic time frame shall be fixed and advised to the complainant and the alleged perpetrator. The alleged perpetrator will be interviewed together with his or her representatives and given a real and full opportunity to put their defence. The interviewers shall avoid giving any impression that a decision has been made in advance.

The Evidence Once all of the evidence has been gathered it shall be carefully considered and if necessary external assistance may be sought.

The Decision - A decision will be taken on whether:

- the complaint is made out; and
- if so, what sanctions are to be imposed on the person breaching the policy up to and including termination/expulsion.

In many cases, the complainant simply wants the offensive behaviour to stop, and an apology and undertaking not to repeat the offensive behaviour may be sufficient, and if any employee is involved, all employees will undergo training in the anti-discrimination policies to ensure future compliance. In these circumstances, the appropriate sanction may be a written warning given to the employee stating that if the offending behaviour occurs again, then he or she will be dismissed. If considering dismissal the employee must be notified of the proposed termination and given an opportunity to respond to the proposed dismissal so as to avoid breaching the current Workplace Relations Act.



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Notwithstanding the procedure for dealing with complaints, any employee who claims to have experienced discrimination:

- May request Precision Group to arrange a facilitated discussion of the problem with the employee who has alleged to have discriminated, which it will do, in an attempt to resolve the matter in a constructive manner; and
- Is entitled to pursue a complaint under the provisions of the State and/or Federal legislation.

Avoiding Victimisation - The Decision Precision Group also undertakes to ensure that the complainant or anyone assisting the complainant and the witnesses are not victimised or subjected to any detriment because of the complaint.

Request Not to Divulge the Identity by the Complainant It is common for a complainant to complain about offensive behaviour but to ask the employer to do nothing or not to disclose his or her identity to the alleged perpetrator.

This is a difficult issue: Precision Group has an obligation to take all reasonable precautions to prevent a breach of the anti-discrimination legislation taking place or continuing once we have become aware of the breach otherwise we may become vicariously liable.

Equally, the person against whom any allegation is made has the right to fully defend him or herself and as a part of that process generally needs to know the identity of the person who is making the allegations.

Generally a person cannot be lawfully sacked on the basis of an allegation by an unnamed complainant.

It may not be possible to do nothing, or keep the complainant's identity confidential. Much will depend on the particular circumstances of the case.

If in doubt Precision Group will seek legal advice.