

Equal opportunity policy and procedure manual

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1. Policy statement

Gold Corporation (Gold Corporation) operating as The Perth Mint are committed to providing a work environment which provides equality of opportunity in employment and employment conditions and ensures that the workplace is free from any form of discrimination or workplace harassment. Gold Corporation aims to:

- create a working environment based on trust which is free from harassment, discrimination and bullying;
- create a culture where employees, contractors and all persons who deal with Gold Corporation are treated with equality, fairness, dignity, courtesy and respect;
- raise awareness to ensure that all employees know their rights and responsibilities in regard to harassment, discrimination and bullying;
- provide an effective procedure for complaints and resolve all matters expediently; and
- provide protection, as far as practicable, from any form of victimisation.

It is the policy of Gold Corporation to ensure that the abilities of employees are utilised to the fullest practical extent. To fulfil this commitment Gold Corporation will:

- comply with its legal obligations under State and Federal human rights and equal opportunity laws;
- ensure that employees are adequately informed of their rights and responsibilities under State and Federal equal opportunity laws,
- seek to give all employees equal opportunity and encouragement to progress within the organisation, and remove any discriminatory employment practices that diminish job satisfaction;
- provide the opportunity for employees to present their views as far as is practicable;
- distribute and publicise this policy throughout the organisation and elsewhere as appropriate;
- actively encourage reporting of behavior that is in breach of this policy;
- review periodically its selection criteria and procedures to ensure that individuals are selected, promoted and treated solely on the basis of their merit and abilities which are appropriate to the job; and
- provide all employees with equal opportunity training appropriate to their role.

2. Application of policy

2.1 Who does this policy apply to?

This policy applies to everyone who works at Gold Corporation and who visits Gold Corporation including board members, managers, temporary and contract workers, consultants, voluntary workers, full-time, part-time, casual workers and visitors.

2.2 When does this policy apply?

This policy applies:

- whilst performing all activities during the course of work (including outside normal working hours); and
- in any work-related context including conferences, seminars, training, work functions, office Christmas parties and business or field trips.

This policy may also apply outside of working hours in relation to people you know through work such as co-workers or contractors.

3. Legislative framework

Australia has a number of laws in place that prohibit discrimination, harassment and bullying in the workplace. The anti-discrimination legislation includes:

- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- Workplace Gender Equality Act 2012 (Cth)
- Age Discrimination Act 2004 (Cth)
- Equal Opportunity Act 1984 (WA)
- The legislation for Bullying and Harassment includes:
 - Occupational Safety and Health Act 1984 (WA)
 - Fair Work Act 2009
 - Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021

4. Responsibilities

The overall responsibility for monitoring the effectiveness of this policy is vested in the Chief Executive Officer.

4.1 Employees

It is the responsibility of all employees to ensure they are familiar with and abide by this policy. This means that employees must ensure that their behaviour in the workplace and/or interaction with other employees, customers, contractors or suppliers, whether in the course of their duties or otherwise covered by this policy, is consistent with this policy.

All employees have a responsibility to:

- comply with this policy;
- if they are aware of anyone who is being harassed, discriminated against, bullied or victimised, let them know where they can get help and advice;
- speak to their Supervisor/Manager or People and Culture if they believe they or someone else are being subject to harassment, discrimination, bullying or victimisation; and
- maintain confidentiality in accordance with this policy.

Employees should also be aware spreading gossip or rumours may constitute harassment, bullying or victimisation and may expose them to disciplinary action.

4.2 Managers and Supervisors

- at all times act in accordance with this policy;
- promote this policy within their work area;
- monitor the workplace to ensure that acceptable standards of behaviour and conduct are observed at all times; and
- treat all complaints seriously and take immediate action to notify a Contact Officer or People and Culture of any complaints or inappropriate behaviour or conduct within their work area.

5. Discrimination and harassment

5.1 Definitions

Harassment is defined as any unwanted, unwelcome or uninvited behaviour of a nature which makes a person feel humiliated, intimidated or offended. Harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the display of offensive material or other behaviour which creates a hostile working environment.

Conduct which may constitute harassment may include (but is not limited to) the following:

- Verbal abuse;
- Offensive jokes, suggestions or derogatory comments about another employee's racial or ethnic background, sex, sexual orientation, disability or physical appearance;
- Distribution or display of pictures and posters which are offensive or obscene;

- Persistent questioning or remarks about someone's private life;
- Stereotyping – expressing assumptions about an individual's or a group's behaviour, values, culture or abilities on the basis of racial or ethnic background; and
- Racist language – the use of terms which are regarded as offensive or derogatory to describe racial or ethnic groups.

Sex-based harassment is defined as unwelcome conduct of a seriously demeaning nature by reason of the person's sex in circumstances in which reasonable person would have anticipated that the person harassed would be offended, humiliated or intimidated. Sex-based harassment includes sexual or non-sexual behaviour that:

- offends;
- humiliates;
- intimidates;
- is unwanted; and/or
- is not returned

Examples of sex-based harassment can include:

- displaying or circulating sexist material, or putting it in someone's workspace, belongings, or on a computer or fax machine;
- commenting about or verbally abusing a person or group because of their gender;
- referring to a transgender person by their previous name or gender;
- constant innuendo or suggestive language pertaining to orientation or gender identity;
- asking intrusive questions about sexual activity;
- making sexually offensive gestures;
- repeating sexual invitations to a person who has refused before;
- staring, whistling or leering in a sexual manner;
- slapping, kissing, touching or making other sexual or physical contact; and
- sexual assault

It is important to note that this is not an exhaustive list and any allegations of sex-based harassment will be assessed on a case by case basis.

Mutually acceptable behaviour of a consensual sexual nature does not constitute harassment. However, overt sexual behaviour is not acceptable in the work environment.

It is important to remember that sexual harassment is unwelcome or uninvited behaviour which is offensive from the viewpoint of the person being harassed. This means it does not matter if a person did not mean or intend to sexually harass another person. Sexual harassment can be a one-off incident, or it can happen more than once, involving conduct by one or more people.

Racial harassment is any act or action either verbal or written that threatens, abuses, insults or taunts a person because of their race; a characteristic that appertains generally to that person's race; or a characteristic imputed to that person, and the person harassed believes that they will be disadvantaged if they object to the harassment or are actually disadvantaged.

Examples of racial harassment include:

- racist graffiti, pictures, posters or written material or threats that are offensive or obscene;
- negative stereotyping of particular ethnic groups;
- derogatory remarks about a person's skin colour or appearance;
- unwelcome remarks about a person's cultural observances;
- racist jokes;
- abusive messages and material on electronic mail or computer networks;
- insulting, intimidating or threatening gestures because of a person's race or ethnicity;
- deliberate exclusion.

Discrimination is the unfair or less favourable treatment of a person, or the making of choices based on irrelevant factors in relation to a person, because of any of the grounds listed in **Section 5.2** below. This may occur as a result of prejudices held about a particular group of people. Discrimination can be either direct or indirect.

Direct discrimination occurs when a person is treated less favourably than another person, in the same or similar circumstances, on one or more of the grounds listed in section 4.2 below. It may involve:

- expressing negative stereotypes of particular groups;
- judging a person on irrelevant characteristics rather than work performance; and
- relying on stereotypes or assumptions when making decisions about a person's career.

Indirect discrimination occurs when there is an unreasonable rule, requirement, or practice, which may appear to be neutral, but in practice results in a person or group of persons with an attribute or ground listed in **Section 4.2** below, being adversely affected or unable to comply.

Examples of indirect discrimination include:

- introducing a policy of not allowing any employees to work on a part-time basis (employees with family responsibilities could be disadvantaged);
- introducing a minimum height requirement for roles where there is no competency based height requirement may discriminate against people from races who are generally shorter in stature; and
- introducing a requirement that all applicants for a particular role have at least ten years' experience in the field (a young person could be well qualified but is ineligible for the job).

5.2 Grounds of discrimination and harassment

State and Federal legislation makes it unlawful to discriminate against, treat less favourably or harass others on the following grounds:

- sex;
- gender identity;
- intersex status;
- marital status;
- pregnancy or potential pregnancy;
- breastfeeding;
- race;
- religious belief or activity;
- political belief or activity;
- disability/impairment (physical or intellectual);
- parental or carer status or family responsibilities;
- gender history, gender identity or transgender status
- age;
- irrelevant criminal or medical record;
- physical features;
- sexual orientation and lawful sexual activity;
- industrial activity and trade union membership; and
- association with persons with one of the above characteristics.

5.3 What are the exceptions to discrimination?

There are exceptions where it is not unlawful for an employer to discriminate against a person. The main exceptions include:

- where a person's disability prevents them from performing the inherent requirements of the job;
- where a person with a disability requires special services or facilities to perform the work and the provision of those special services or facilities would cause unjustifiable hardship to the employer;
- where it is a genuine occupational requirement for a job that a person be of a certain gender or race;
- where discriminatory acts are done in direct compliance with legislation; and
- where otherwise discriminatory acts are reasonably necessary to promote health and safety.

5.4 Bystanders

Bystanders are individuals who see or hear about sexual harassment or bullying. Bystander intervention is a prevention strategy which encourages people to act in response when they see or hear about sexual harassment or bullying, to contribute to improving workplace practices and cultures that reduce the occurrence of sexual harassment. To act as a bystander, it means to recognise, intervene, support and/ or report. Bystanders can respond to workplace sexual harassment by recognising the behaviour and not ignoring it, talking to the person who is enacting the behaviour and telling them to stop, and with permission of the person experiencing the harassment, speak to the bystander's employer/ colleagues or People and Culture team. Lastly, they can support the person experiencing the harassment by helping them act for themselves.

Similar to people who experience sexual harassment, bystanders can also be subject to victimisation. Due to this, bystanders will be protected from victimisation under the provisions in the Sex Discrimination Act. Disciplinary measures will be undertaken if victimisation does occur. They are also protected if they wish to stay anonymous in the bystander intervention process and multiple communication channels are available to report the sexual harassment. This is including an anonymous feedback link on the Mintranet where employees can raise concerns or questions and Your Call, a third-party whistle-blower service that employees can use to report any concerns they have regarding Gold Corporation.

6. Vilification

Vilification is a public act which incites hatred towards, serious contempt for, or severe ridicule of, a person or a group of persons on the basis of any prohibited ground listed in clause 5.2.

Vilification can take many forms including hate speech, graffiti, postings on websites and other types of written material.

It is serious vilification to threaten physical harm towards, or towards any property of, the person or groups of persons, or to incite others to do so.

7. Victimisation

Victimisation occurs when a person subjects or threatens to subject another to a detriment in employment because that other person has, or it is believed they have:

- made a complaint of discrimination or harassment; or
 - provided any information or evidence in connection with a complaint of discrimination or harassment.
- victimisation can also occur when a person subjects or threatens to subject another to a detriment because that other person proposes to do any of the above.

- conduct which could constitute a detriment in employment may include:
- refusing to give someone a promotion because they have lodged a complaint of discrimination or harassment;
- excluding a co-worker from team activities because they assisted in an investigation into a complaint of inappropriate workplace behavior; or
- engaging in workplace gossip about a person who lodged a complaint of sexual harassment.

8. Bullying

Workplace bullying is unreasonable behaviour that creates a risk to the employee's health or safety at work. "Unreasonable behaviour" is that which victimises, intimidates, humiliates, threatens and/or undermines a person or group, or would reasonably be expected to do so. Bullying may involve a one-off situation, where physical assault is involved, although it generally involves behaviour that is repeated over time.

Some examples of bullying include:

- verbal or written abuse (e.g. being sworn at, threats, insults, continual criticism, name calling, practical jokes, unjustified threats of dismissal);
- direct violence including physical assault;
- threatening body language;
- unreasonably undermining work performance, deliberately withholding work-related information or resources, or supplying incorrect information;
- constant, intrusive surveillance or monitoring;
- targeting or harassing someone in relation to their diverse sexual orientation
- repeatedly or purposefully calling someone by their deadname;
- harassment of someone regarding their diverse gender;
- deliberately exclusionary behaviour; and
- inappropriate interference with personal belongings or work equipment.

Conduct that does not constitute bullying includes:

- genuine and reasonable performance management or disciplinary action (e.g. comments which are objective and indicate observable performance deficiencies);
- constructively delivered feedback or counselling which is intended to assist employees to improve their work performance or the standard of their behaviour; and
- directing and controlling how work is done and what work is done (a fundamental right of employers).

9. Complaints procedure

If you feel you have been subjected to bullying, harassment, discrimination and/or victimisation and wish to contact someone who can offer advice and assistance, telephone any of the Contact Officers whose names appear in the annexure to this policy.

Gold Corporation is committed to openness and transparency, so if you believe you are experiencing unacceptable behaviour in the workplace, we encourage you to raise it directly with the person involved.

This should help to ensure that the other person is fully aware that their behaviour is unwelcome, or that you believe it is unacceptable. This recommended approach will often resolve the issue quickly and effectively.

However, if this approach does not resolve your concerns, or if you are not comfortable with raising it directly, you should speak to a Contact Officer, your supervisor, manager or People and Culture. Employees are also encouraged to access the Employee Assistance Program (EAP). Details are on the Intranet or can be provided by People and Culture.

If you wish to make a formal complaint of bullying, harassment, discrimination and/or victimisation, you should speak to a Contact Officer or People and Culture.

Complaints will be considered seriously and empathetically, and they will be attended to promptly and confidentially. In all cases, the utmost care will be taken to investigate complaints impartially by recognising the rights of all parties.

On becoming aware of any alleged inappropriate behaviour or conduct, Gold Corporation will take appropriate steps to investigate the allegations;

- if a breach of this policy is found, to ensure that the contravening behaviour does not continue and if appropriate disciplinary action is imposed; and
- to ensure that the complainant/s and witnesses are not victimised.

Complaints will be considered seriously and empathetically, and they will be attended to promptly and confidentially. In all cases, the utmost care will be taken to investigate complaints impartially by recognising the rights of all parties.

On becoming aware of any alleged inappropriate behaviour or conduct, Gold Corporation will take appropriate steps to investigate the allegations;

9.1 Confidentiality

Gold Corporation will ensure that only the people directly involved in the investigation or attempted resolution of an issue or complaint will have access to information about it.

Confidentiality is one of the most important aspects of dealing with issues and complaints about unacceptable behaviour. There may be circumstances, however, when information cannot be kept confidential, for example when physical threats are involved or the law otherwise requires disclosure of it. The necessity for those people involved in an investigation to keep the matter confidential is reiterated.

Anyone found to have engaged in gossip or innuendo about an issue or complaint may be subject to disciplinary action.

9.2 Fairness and impartiality

Each party will have an opportunity to tell version of events and will be treated in a fair and impartial manner. No assumptions will be made and, to the extent possible, no action will be taken until all relevant information has been collected and considered.

9.3 Right to be accompanied

You may choose to be accompanied by another Gold Corporation employee or other support person at any meeting held in accordance with this complaint procedure. You should advise People and Culture of your support person's name within a reasonable time frame prior to the meeting. If your support person is not available to attend the meeting, Gold Corporation will make reasonable efforts to accommodate your support person. People and Culture may also have someone in attendance to take notes.

9.4 Respectfulness

Everyone involved in an issue or complaint raised under this policy will be treated with dignity and respect throughout the complaint process. Similarly, everyone involved in an issue or complaint is required to treat each other with dignity and respect even if they feel aggrieved by a situation.

9.5 No repercussions

No action will be taken against anyone for making or helping someone to make a genuine complaint. All reasonable steps will be taken by Gold Corporation to ensure that anyone making a complaint or raising an issue is not victimised. Anyone who victimises you for raising a formal complaint or being involved in an investigation may be subject to appropriate disciplinary action up to and including termination or ending your engagement with Gold Corporation.

9.6 Promptness

All complaints will be dealt with as quickly as possible.

9.7 External

External advice may also be sought from:

- The Western Australian Equal Opportunities Commission (www.eoc.wa.gov.au)
- The Australian Human Rights Commission (www.humanrights.gov.au)
- Fair Work Commission (www.fwc.gov.au)

9.8 Consequences for breaching policy

If a complaint of discrimination is substantiated, Gold Corporation will take appropriate action. If you are found to have breached this policy you may be subject to disciplinary action up to and including termination of employment or ending your engagement or relationship with Gold Corporation.

If you are found to have engaged in unlawful conduct in breach of equal opportunity legislation, legal proceedings may arise against Gold Corporation and/or you personally.

10. Complaints handling process

If you have a grievance of any kind in the workplace it is strongly recommended that you deal with the issue immediately.

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

- Talk to the individual/s involved directly and attempt to resolve the problem or concern informally. Employees should only confront the individual/s if they feel confident enough to do so.
- Approach your manager/supervisor (or another manager/supervisor at the appropriate level) or a Contact Officer, who can assist throughout the resolution process.
- Approach a member of the People and Culture team. This person will become the Complaints Officer and will discuss the matter with you and help you decide whether to proceed on an informal or formal basis.

10.1 Informal procedure

The Equal opportunity policy and procedure manual includes an informal complaint procedure that will enable Gold Corporation to deal with a complaint in a range of informal ways.

The informal procedure is only suited to less serious matters where disciplinary action is not likely to be an outcome, and the complainant agrees to such a course of action. Where an employee elects to follow the informal procedure, the manager/supervisor they have approached (or another manager/supervisor at the appropriate level) will provide their assistance to help resolve the matter. In these circumstances there will be no investigation and instead the manager/supervisor will discuss the problem the employee has experienced and discuss possible solutions. The manager/supervisor will either:

- assist you to deal directly with the individual concerned to resolve the problem;
- approach the individual concerned on your behalf; or
- accompanying the individual to seek guidance and/or assistance from appropriate person/s within Gold Corporation.

Where a problem is not resolved under the informal procedure, the employee should approach a manager/supervisor, Contact Officer or member of the People and Culture team so that the formal procedure can be followed.

10.2 Formal procedure

In circumstances where the complaint involves allegations that may result in disciplinary action, provision is made for a formal complaint procedure, including an investigation. Formal investigations may be conducted by a Complaints Officer or an independent person from outside the company who has been appointed to undertake the investigation. An investigation should also be conducted where the complainant specifically requests this, or where the informal procedure was not effective. Where you elect to follow the formal procedure, the matter will be referred to the Complaints Officer who will undertake a full investigation and undertake all appropriate action.

The formal procedure is as follows:

- a full statement will be taken from the complainant;
- the individual/s concerned will be informed of the allegations made by you and given an opportunity to respond;

- the Complaints Officer will consider what steps should be taken to investigate the matter and will discuss these steps with the complainant and, in a separate meeting, with the individual/s concerned;
- the Complaints Officer will decide on the appropriate steps to investigate the matter further and may talk to the complainant, the individual/s concerned and any other relevant person/s;
- the Complaints Officer will then decide what, if any, action is appropriate and set this in motion. The Complaints Officer will inform the complainant and the individual/s, again separately, of the action that has been taken.

10.3 Possible outcomes

Informal outcomes may include an apology, a change in working arrangements or an undertaking that certain behaviour stop. Where allegations are found to be substantiated, there is a range of disciplinary steps that may be taken. The appropriate disciplinary action will depend on the circumstances of the case.

10.3.1 False complaints

If you are found to have made a malicious or false claim against another to frame, or “get at” another person or persons, you may be subject to disciplinary action, up to and including termination of employment or ending your engagement or relationship with Gold Corporation.

10.3.2 Unsubstantiated complaints

Where the complaint is not able to be substantiated, the Equal opportunity policy and procedure manual provides for Gold Corporation to take such actions as monitoring the parties, conducting training or implementing a specific strategy to assist in addressing the problems raised.

11. Peer Support Officer

The role of the Peer Support Officers are as follows:

- Provide information to employees about complaint resolution options within and outside the organisation;
- Ensure employees receive appropriate support to make informed decisions about how to resolve complaints; and
- Provide general information on processes to supervisors, managers and colleagues.

The Peer Support Officers are comprehensively trained and are available to discuss matters privately and confidentially.

The Peer Support Officers are under no obligation to record or document any of the information disclosed during your discussions, however any documentation that is recorded will be kept strictly confidential and held in a secure location.