



# Working Respectfully Policy

Prepared by People and Culture

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- b) using the documents or data for any purpose not agreed to in writing by Agilitus.

# 1. Our Purpose

Our core values of **Adaptable, Accountable, Thriving, Empowering and Integrity** are the guide to everything we do relating to our people and our business. This policy provides the framework by which Agilitus (“the Company”) actively engages, manages and encourages all our people to work respectfully.

We acknowledge that harassment, bullying, sexual harassment, racism and other disrespectful behaviours can cause harm and our positive duty to take reasonable and proportionate measures to eliminate, as far as possible, sexual harassment, sex-based discrimination and harassment, hostile workplace environments and victimisation. The right to work in a healthy, safe, respectful and inclusive environment at all times is embedded in our values and culture.

It is each and every one of our responsibilities to contribute to a safe and respectful work environment, free from harassment, sexual harassment, sexual assault, bullying, racism and discrimination. This applies when you are at work, travelling for work, online or at work related events.

This policy applies to all team members and leaders and where appropriate we will encourage our joint venture partners, stakeholders and suppliers, including non-Agilitus staff working for, or representing, Agilitus on client sites, and community stakeholders to respect this Policy.

The governance of our Working Respectfully Policy is overseen by the Company’s Audit and Risk Management Committee.

# 2. The Framework for Working Respectfully

Being guided by best practice Agilitus will comply with all Australian legislative requirements and appropriate frameworks.

Discrimination, bullying and sexual harassment are unacceptable and are unlawful. The legislative framework that oversees discrimination, bullying and sexual harassment including but not limited to:

- Anti-Discrimination and Human Rights Legislation Amendment (Respect At Work) Act 2022 (Cth).
- Sex Discrimination Act 1984 (Cth).
- Racial Discrimination Act 1975 (Cth).
- Disability Discrimination Act 1992 (Cth).
- Age Discrimination Act 2004 (Cth).
- Australian Human Rights Commission Act 1986 (Cth).
- The Fair Work Act 2009 (Cth).
- State and territory anti-discrimination, equal opportunity and human rights laws.
- Commonwealth, state and territory Work Health and Safety laws.

## 2.1 Working Respectfully

At Agilitus we expect everyone working for and with our team members, contractors and clients to treat others with respect. In line with our values, Code of Conduct and this Policy we hold all of the team accountable for conduct that breaches this Policy. We ask that our people proactively create an environment where ideas can be challenged and robustly discussed, and interactions occur in such a way that all parties feel respected.

Working respectfully includes providing support to others through actions such as speaking up in the moment, following up with a person to check in and encourage escalation of concerns to leaders. Some individuals may find speaking up challenging and we ask all working with us to report anything that would be considered in breach of this policy through the appropriate reporting channels.

## 2.2 Discrimination

Discrimination can occur either directly or indirectly.

Direct discrimination is treating or proposing to treat a person or a group of people with an attribute unfavourably.

Indirect discrimination can occur where a rule or policy has an unfair effect on people who share a particular attribute.

Direct and indirect discrimination is unlawful if the discrimination is based on certain attributes protected by law such as race, ancestry, ethnicity, Indigenous culture, citizenship, creed, colour, age, physical features, sex, sexual orientation including LGBTIQ+ (lesbian, gay, bisexual, transgender, intersex, questioning), lawful sexual activity, gender identity and expression, physical or mental disability, marital status, family responsibilities, pregnancy, breast feeding, carer responsibilities, religion, political opinion, industrial activity or trade union membership, affiliation, or military status. Some limited exceptions and exemptions apply.

## 2.3 Equal Opportunity

Agilitus' recruitment approach reflects our purpose, strategy, and Code of Conduct. All employment related decisions from recruitment through to exit are merit based and all employees have equal access to all opportunities.

In addition, where possible, candidates and employees in underrepresented groups are encouraged to apply for job openings, learning and development opportunities and promotions.

## 2.4 Harassment

We are committed to maintaining a work environment that is free of harassment whether, verbal, physical or visual. Harassment that is based on a person's race, colour, religion, gender, sexual orientation, national origin, age, physical disability, mental disability or any other protected status under the applicable laws. Harassment that affects job terms, interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment will not be tolerated.

Such prohibited harassment may include derogatory remarks, epithets, offensive jokes, the display or circulation of offensive printed, visual or electronic materials or offensive physical actions.

## 2.5 Sexual Harassment

Sexual harassment occurs when:

- A person makes an unwelcome sexual advance or an unwelcome request for sexual favours, to the person harassed; or
- Engages in other unwelcome conduct of a sexual nature in relation to the person harassed.

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.

Sexual harassment can take many forms, the most common behaviours are:

- Sexually suggestive comments or jokes that offend or intimidate
- Intrusive questions about a person's private life or physical appearance
- Inappropriate staring or leering
- Inappropriate physical contact
- Unwelcome touching, hugging, or kissing.

Sexual harassment is not always obvious, repeated, or continuous. It can include one off incident or it can include a pattern of behaviour. Sexual harassment does not have to be directed at a specific person, it can also affect people who are exposed to or witness it.

The most extreme form of sexual harassment can result in criminal behaviour, including sex offences or general assault.

This is a serious crime and Agilitus will be supportive of team members who wish to make a complaint to the relevant law enforcement authorities.

## 2.6 Unwelcome Conduct

Unwelcome conduct is behaviour which has not been invited or solicited by a person and which the recipient regards as undesirable, offensive or disagreeable.

Whether the behaviour is unwelcome is a subjective question, from the perspective of the person alleging the unwelcome conduct. The behaviour may still be unwelcome even where it:

- May not have been unwelcome to others;
- Has been accepted behaviour in the work environment in the past;
- Was not intended to be sexual or to offend, humiliate or intimidate.

## 2.7 Bullying

Bullying occurs when an individual or group of individuals in the workplace repeatedly behave unreasonably towards an individual or a group of individuals and the behaviour creates a risk to health and safety. The individual or group of individuals do not have to intend their actions to be bullying for the actions to be bullying.

Reasonable management action conducted in a reasonable manner does not constitute workplace bullying. Similarly, reasonable challenge and respectful robust discussion during exchange of ideas amongst colleagues does not constitute workplace bullying.

Bullying in any form or seriousness will not be tolerated.

The most extreme form of bullying can result in criminal behaviour, including sex offences or general assault.

This is a serious crime and Agilitus will be supportive of team members who wish to make a complaint to the relevant law enforcement authorities.

## 2.8 Victimization

Victimization is defined as treating someone unfairly because they have made (or plan to make) a workplace complaint. For instance, a complaint about sexual harassment, bullying or discrimination. Being treated unfairly, differently or unlawfully because of making a complaint is a fear many employees have and will not be tolerated at Agilitus.

# 3. Our Commitment

In conjunction with our Inclusion, Diversity and Equity Policy, Health and Safety Policy, Whistle-blower Policy and our Code of Conduct, including our values we will achieve our objectives of this Policy through:

- Act professional at all times and treat everyone with respect
- Setting clear expectations that sexual harassment, bullying and discrimination in any form are unacceptable;
- Understanding the risk profile for sexual harassment, bullying and discrimination and taking reasonable preventative steps;
- Make any employment related decisions, including recruitment promotion, training, development and remuneration, based on merit according to skills, qualifications and capabilities;
- Educating our team and leaders in prevention and intervention;
- Speaking up if you see, hear or experience disrespectful behaviours directed towards you or anyone else
- Creating safe pathways for our people to speak up and be heard about their experiences as a victim or a bystander;

- Promptly and thoroughly responding to allegations received with sensitivity and procedural fairness for all involved parties and taking any necessary remedial measure with respect to the workplace.

## **4. Resolution of Issues**

We foster a culture of speaking up and encourage reporting of any breach issue of this policy or any suspected issues.

You can raise concerns or seek further guidance from:

- Your direct leader if appropriate
- General Manager People & Culture or one of the People and Culture Team members; or
- An Executive Leadership Team member.

All matters will be sensitively reviewed, and appropriately investigated and addressed on a case-by-case basis.

Where appropriate, steps will be taken to ensure a positive and cohesive work environment is maintained and that the environment is free from bullying, harassment and discrimination as intended.

Any employees found to be engaging in sexual harassment, bullying, discrimination or victimisation as outlined in this Policy will face disciplinary action appropriate to the nature of the behaviour up to and including termination of employment. Any behaviour deemed to constitute gross misconduct will be cause for summary dismissal.

We also encourage our clients and suppliers to report and express their concerns relating to our employee' behaviours and suspected violations of this Policy.

For further details about the Company's Working Respectfully Policy, please contact:

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Agilitus is a multidisciplinary engineering, EPCM and ESG consultancy, delivering technical solutions for clients in the Resources, Energy and Industrial sectors. We are majority owned by our employees, who are united by our purpose – together, we embrace innovation to solve complex problems, for today and future generations.

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