



Equal Employment Opportunity, Bullying and Harassment Policy

Policy Statement	<p>At ANZ we are committed to treating all people with dignity and respect. ANZ firmly believes in the right of all people to work in an environment that is harmonious and free from unlawful discrimination or harassment, workplace bullying and victimisation, collectively known as "Unacceptable Conduct".</p> <p>The purpose of this Policy is to provide guidance to staff on how to identify, report, and help prevent Unacceptable Conduct occurring at ANZ.</p>
How does this policy apply at ANZ?	<p>This policy applies to the conduct of everyone working at ANZ, whether or not they are ANZ staff. This policy applies equally to the treatment of our employees, agents, contractors, customers, clients and visitors.</p> <p>This policy applies when people are:</p> <ul style="list-style-type: none">- working at an ANZ workplace, during or outside normal working hours- performing work activities off site, for example, at a customers premises attending work related functions. A work related function is any function that is connected to work, for example, lunches, conferences, Christmas parties and client functions
What are your obligations when working at ANZ?	<p>You must:</p> <ul style="list-style-type: none">- treat your colleagues, customers, ANZ visitors or anyone else associated with the workplace, with dignity and respect- not unlawfully discriminate against anyone in the workplace i.e. treat anybody less favourably because of their sex, sexual orientation, age, race, ethnic origin, religion or disability, or other grounds of discrimination protected by anti-discrimination or any other applicable laws- not bully, harass or victimise anyone in the workplace- if you see or experience any Unacceptable Conduct, report it as soon as possible to your line manager or Human Resources representative- in instances of alleged Unacceptable Conduct, keep confidential all discussions and documents to the extent possible- only make complaints of Unacceptable Conduct based on truth and fact, and not intentionally make false allegations of Unacceptable Conduct
What are your obligations if you are a Line Manager?	<p>Line managers and supervisors must take all reasonable steps to ensure that our workplace is free from all forms of Unacceptable Conduct. For example, if you are a line manager or supervisor, then you must, as a minimum:</p>

- lead by example, and ensure that you do not engage in Unacceptable Conduct
- ensure that your staff are familiar with, and understand their obligations under this policy
- treat all complaints seriously and take prompt steps to resolve any complaints made under this policy. This may include referring the matter to a Human Resources representative where appropriate

Unlawful discrimination

ANZ is committed to maintaining a workplace that promotes equal opportunity for all job applicants, employees, contractors, visitors and customers. ANZ aims to ensure that when employment decisions are made, they are made based on merit, not on attributes such as sex, sexual orientation, age, race, ethnic origin, religion or disability, or other grounds of discrimination protected by anti-discrimination legislation.

Unlawful discrimination in employment occurs when one person is treated less favourably than someone else is treated, or would be treated, in the same or similar circumstances, because that person has a particular attribute, such as race, sex or religion that is specifically listed in equal employment opportunity laws.

It is unlawful to discriminate against a person based on any of the following grounds of discrimination (contained in the Human Rights Act 1993);

Sex	Disability
Marital Status	Age
Ethical/religious belief	Political opinion
Colour	Employment Status
Race	Family Status
Ethnic or national origins	Sexual Orientation

Discrimination is unlawful even if there is no intention to discriminate. Discrimination is unlawful in all areas of employment, including:

- recruitment
- terms and conditions of employment
- refusing or limiting access to opportunities for promotion, discretionary bonuses, leave or training
- termination of employment

It is also unlawful to discriminate or harass a person when providing them with goods or services. For example, it may be discriminatory to require a blind customer to do their banking during non-peak times, because you feel that it takes too much time to serve them during busy periods.

Direct and indirect discrimination Discrimination can happen either directly or indirectly:

- **Direct discrimination** occurs when a person is treated less favourably than another person, in the same or similar circumstances, because of a prohibited ground such as their sex, race, marital status, disability etc.
- **Indirect discrimination** occurs when there is a requirement, rule, policy, practice or procedure that is the same for everyone, but has an unequal effect on particular groups. This type of 'requirement' is likely to be indirect discrimination unless the requirement is reasonable in all the circumstances.

An example of indirect discrimination would be if ANZ advertised for a vacant role and required the successful candidate to start immediately. Two candidates, Margaret and Jon, are on parental leave and can not start work immediately. This requirement could indirectly discriminate against Margaret or Jon on the ground of carer's/family responsibilities, unless the requirement is reasonable in all the circumstances.

Unlawful Harassment

Unlawful harassment is unwelcome conduct that is offensive, humiliating or intimidating to any other person and is either repeated, or of such a significant nature, that it has a detrimental effect on the person, their work performance or their work environment.

Even if there is no intention to offend or humiliate, seemingly harmless acts such as gossip, jokes, teasing or the use of inappropriate nicknames, could all possibly constitute unlawful harassment.

Sexual harassment

Sexual harassment is unwelcome conduct of a sexual nature that is offensive, humiliating or intimidating to any other person and is either repeated, or of such a significant nature, that it has a detrimental effect on the person, their work performance or their work environment.

It is unlawful to sexually harass another person even if you did not intend to harass the person.

Sexual harassment in the workplace can take various forms. It may involve, for example:

- requests for sexual favours, or sexual advances
- leering, wolf whistles, obscene gestures, jokes or innuendo
- comments or a conversation about a person's sex life or relationships
- displays of sexually offensive material, such as emails, posters, pictures, graffiti, screen savers or text messages
- suggestive or sexual jokes, suggestive behaviour, telephone calls
- uninvited touching, hugging or kissing or other forms of physical contact
- invading a person's personal space

Bullying

Workplace bullying is any repeated unreasonable behaviour directed towards a person, or group of people, that creates a risk to their mental or physical health and safety.

"Unreasonable behaviour" means behaviour that a reasonable person, having regard to all

the circumstances, would expect to victimise, humiliate, undermine or threaten.

"Behaviour" includes actions of individuals or a group, and may involve using a system of work as a means of victimising, humiliating, undermining or threatening. Some examples of behaviour that may constitute bullying are:

- continually making jokes or remarks about a person, or making more remarks about one member of a team compared to other team members
- verbal abuse, swearing or name calling
- excluding or isolating employees
- intimidation
- assigning meaningless tasks unrelated to a person's job
- deliberately changing work rosters to inconvenience particular employees
- deliberately withholding information that is vital for effective work performance

On the other hand, bullying is not:

- occasional differences of opinion, non aggressive conflicts, and problems in working relations
- allocation of work in accordance with ANZ systems
- workplace counselling, constructive feedback, managing under-performance and other disciplinary action in accordance with ANZ policies and processes

Victimisation

Victimisation occurs if someone suffers unfavourable treatment because they have made, or propose to make, a genuine complaint of Unacceptable Conduct, or appear as a witness or provide information about such a complaint.

Some examples of victimisation include:

- suggesting to a would be complainant that it would be better for them (or the team) if they did not make a formal complaint
- threatening behaviour
- disciplinary action that is not otherwise warranted and would not have been taken if a complaint had not been made
- unreasonable change in duties or relocation
- exclusion or isolation
- failure to promote a person or downgrading a performance rating because they are regarded as a 'trouble maker' due to the complaint
- allocating work/tasks which are not usually part of a person's normal duties because they have made a complaint

Complaints Process

ANZ provides a number of different options for dealing with complaints of Unacceptable Conduct.

Step 1 - Self resolution

In many cases, simply telling the person concerned that their behaviour is causing

distress, explaining why it is unwelcome and asking for it to stop will be sufficient. Often, the person is not aware that their behaviour is causing distress, and they will stop immediately once told. You should consider approaching the person or people involved to resolve your concern, by means of direct discussion, unless you feel uncomfortable with this approach.

Step 2- Speak with a manager or a Human Resources representative

If a complaint cannot be resolved by direct discussion, or you do not feel comfortable addressing the issue face to face, you should discuss the matter with, and seek guidance from, your line manager, skip level manager, or a Human Resources representative.

Your manager or Human Resources representative can provide information on this policy and are able to discuss options available to you to deal with your particular concerns. Initiating a discussion with a line manager or Human Resources representative may help you to determine whether the behaviour you have experienced constitutes Unacceptable Conduct and will help you to understand the process, and develop options for resolving your concerns in the future. For example, they can help you to:

- formulate a strategy to facilitate a dialogue between yourself and the other person about your concerns
- develop skills to address the alleged behaviour
- clearly understand the further options available to you if the matter cannot be resolved by direct discussion

Step 3 - Investigation (if required)

The first stage in requesting an investigation of a complaint of Unacceptable Conduct, is to speak with a Human Resources representative.

After speaking to you, the Human Resources representative will determine whether the behaviour you are concerned about constitutes Unacceptable Conduct (i.e. whether the behaviour would amount to unlawful harassment, discrimination, bullying or victimisation if it is found to have occurred) and whether the matter requires investigation. Not all complaints will be appropriate for investigation.

False accusations, vexatious complaints and defamation

Allegations of Unacceptable Conduct such as discrimination, harassment and bullying are serious matters and can potentially damage an individual's reputation.

If you intentionally make false allegations that a person has been unlawfully discriminating against, harassing, bullying or victimising another person, then you may be defaming the person. It is therefore very important that all complaints of Unacceptable Conduct are based on truth and fact. Intentionally false accusations, or allegations that are found to be unsubstantiated because they are of a frivolous or vexatious nature will be viewed seriously and, where found to be intentional or malicious, may result in ANZ taking disciplinary action.

If you are unsure whether this part of the policy applies to you, you should speak to your line manager or a Human Resources representative.

Confidentiality	<p>In instances of any alleged breach of this policy, discretion is important to protect all people concerned. All information must be treated confidentially, to the extent possible, by all parties involved.</p> <p>Where a complaint is serious and/or a line manager or Human Resources representative believes that action needs to be taken, absolute confidentiality may not be able to be maintained even if a complainant does not wish the matter to be taken further. In these circumstances, information will be disclosed only to those people who need to know about the complaint. The obligation of confidentiality does not prevent ANZ from using or disclosing any material necessary to instigate or defend any legal proceedings, or make submissions in relation to any enquiry or complaint or to refer a matter to the police.</p>
Breach of this Policy	<p>ANZ will take disciplinary action against anyone who engages in Unacceptable Conduct or breaches any other aspect of this policy, which may include a written warning and in serious cases, or cases of repeated behaviour, termination of employment or engagement.</p>
Where can I go for help about this policy?	<p>If you need to ask any questions or seek guidance about this policy, you can contact:</p> <ul style="list-style-type: none">- your line manager or skip line manager- a Human Resources representative

If you are making a complaint, you should do so as soon as possible after the conduct you are concerned about occurs.