

BULLYING AND HARRASSMENT PREVENTION POLICY

April 2019

Contents

| | | |
|----------|------------------------------|----------|
| 1 | PURPOSE | 2 |
| 1.1 | Purpose | 2 |
| 1.2 | Commencement of Policy | 2 |
| 1.3 | Application of Policy | 2 |
| 2 | POLICY | 2 |
| 2.1 | Bullying | 2 |
| 2.2 | Unlawful Harassment | 2 |
| 2.3 | Reasonable Action Management | 3 |

1 PURPOSE

1.1 Purpose

Mirvac is committed to protecting the health, safety and wellbeing of its employees, service providers and other workers by creating a work environment that is free of bullying or unlawful harassment behaviour. Each of Mirvac's employees, service providers and other workers has a legal obligation not to (and must not) bully or unlawfully harass any employee, service provider, other worker, customer, supplier or visitor. Mirvac does not tolerate such behaviour and expects all employees, service providers and other workers to treat each other with dignity, courtesy and respect.

1.2 Commencement of Policy

This Policy will commence from 1 April 2019. It replaces all other similar policies whether written or not.

Mirvac reserves the right to vary, replace or terminate this Policy from time to time.

1.3 Application of Policy

This Policy applies to all workplace participants of Mirvac.

This Policy does not form part of any employee's contract of employment.

2 POLICY

2.1 Bullying

Bullying is repeated, unreasonable behaviour directed towards a person or group of persons that creates a risk to their health, safety or wellbeing. *Repeated behaviour* is defined as persistent in nature and can refer to a range of behaviours over time. *Unreasonable behaviour* means behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Examples can include,

- abusive, insulting or offensive language
- spreading rumours, unjustified criticism
- cyber-bullying through emails, texts and social media
- setting deadlines that are unrealistic or exceptionally difficult to achieve.

2.2 Unlawful Harassment

Unlawful harassment is a type of unlawful discrimination. In general, unlawful harassment is any form of conduct or behaviour which affects a person that,

(a) is unwelcome (not wanted) or uninvited (not asked for), and

(b) is based on one of the unlawful reasons (such as age, race, religion, sex), and

(c) is behaviour that a reasonable person would have anticipated might humiliate, offend or intimidate the person being harassed.

Bullying and Harassment Prevention Policy

Policy Authorised by: Executive Leadership Team on 19 February 2019

Policy Maintained by: Human Resources

Version Number: 3.0

Last Revised Date: 20 December 2013

Unlawful harassment may make another person feel embarrassed, offended or degraded and does not have to be repeated.

2.3 Reasonable Management Action

Many things that happen at work are generally not considered to be bullying or harassment, even where some experiences can be uncomfortable for those involved. For instance, performance and conduct management, or related management assessment which is reasonable, does not constitute bullying or harassment. Managers have a right to use reasonable management action that is to reasonably direct the way work is carried out and to monitor and give feedback on performance and conduct.

2.4 Possible Actions

Where an employee, service provider or other worker is confronted by an issue which they perceive to be bullying or harassment, they should in the first instance try to address the issue directly with the person involved, if appropriate.

If this action proves too difficult they should then raise the issue with their immediate manager. Alternatively the issue can be raised with a Human Resources Manager, a Bullying and Harassment Contact Officer, an elected Health and Safety Representative, a Health Safety Environment Manager or by telephoning the Mirvac Open Line on 1300 790 228.

As part of our commitment in preventing bullying or harassment behaviour Mirvac treats all reported complaints of such behaviour as a serious matter and applies the Mirvac Group Grievance Resolution Procedure in resolving reported complaints as well as allegations that come to its attention.