

Toll Group

Respect @ Work Policy

Overview

At Toll we are committed to providing a work environment that is free from all forms of discrimination and harassment and where all members of our team are encouraged to grow by being treated fairly, with dignity, courtesy and respect.

Scope

Toll's Respect@Work policy outlines the obligations of all Toll employees, contractors and visitors in relation to expected levels or behaviour regarding:

1. Discrimination
2. Sexual harassment
3. Sex-based harassment
4. Conduct that creates a hostile work environment on the grounds of sex
5. Victimisation

This policy covers every person who works for Toll as well as contractors, suppliers, customers, consumers, and any other visitors to Toll.

Importantly, this policy must be read alongside any legislation that applies in the countries in which Toll operates.

Principles

Discrimination

Discrimination occurs where a person is treated differently to others because of a particular trait.

Whilst the laws of individual countries vary in relation to specific grounds, generally it is unlawful to discriminate against another person on grounds such as gender, inter sex status, marital status, pregnancy, potential pregnancy, breastfeeding, family responsibilities, race (including colour, nationality, descent, ethnic or ethno-religious background), disability (actual or perceived, past, present or future), homosexuality (actual or perceived), transgender (transexuality) - actual or perceived, or age.

At Toll, we don't accept any form of discrimination. All Toll employees should be treated equally and fairly.

Discrimination based on sex is where someone is treated unfairly or disadvantaged because of their gender or intersex status, because of a characteristic that is associated with their gender or intersex status, or when a person is treated less favourably than someone of a different sex would be treated in the same or similar circumstances.

For example, making assumptions about the abilities of a person, the roles they are suited to, or treating someone differently because of their gender.

Sex discrimination can be either direct or indirect. Direct sex discrimination occurs when a person is treated less favourably than someone of a different sex would be treated in the same or similar circumstances. Indirect sex discrimination may be less obvious. It occurs when an existing or proposed condition, requirement or practice (such as a rule or policy) may appear to treat everyone

equally, but disadvantages, or is likely to disadvantage, people of a particular sex. It will not be unlawful discrimination, however, if the condition, requirement or practice is reasonable in the circumstances.

Harassment

Harassment is any unsolicited behaviour that humiliates (puts another person down), offends or intimidates another person. It is typically unlawful for an employee to be harassed for any of the reasons set out under 'What is Discrimination?' above. Toll does not tolerate any form of harassment within the workplace.

Importantly, whether behaviour equates to harassment depends on how a reasonable person would interpret the behaviour in the same circumstances. Behaviour can equate to harassment even if the harasser did not intend to offend, humiliate or intimidate.

Sexual Harassment is unsolicited or unwelcome conduct of a sexual nature, which occurs in circumstances where a reasonable person would anticipate that a person being harassed might feel offended, humiliated or intimidated. Sexual harassment can occur in person, online or over social media.

Harassment is not behaviour that is based on mutual attraction or friendship and if the conduct is invited, consensual and reciprocated it is not unlawful. Relationships occurring outside our workplace are not covered by this policy, however if an outside relationship brings bad feeling or behaviours into the workplace, this may provide valid grounds for a complaint.

For example, sexual harassment may include unwelcome physical conduct, distribution of inappropriate images or videos, or repeated and inappropriate invitations out. Sexual harassment is not an attraction or friendship that is mutual, consensual or reciprocated.

Sex Based Harassment

Sex-based harassment is unwelcome behaviour that is sexist or demeaning in nature but is not necessarily sexual.

As with sexual harassment, sex-based harassment is unlawful when it occurs in circumstances in which a reasonable person, aware of those circumstances, would anticipate that the person being harassed might feel offended, humiliated or intimidated.

It can happen when a person is degraded, put down or disrespected because of their sex, or a characteristic generally associated with people of that sex. Workplace cultures that foster sex-based harassment and everyday sexism provide environments where sexual harassment can thrive.

For example, asking intrusive personal questions, making inappropriate comments or telling jokes that are based on a person's gender or displaying images that are sexist or strongly prejudiced against a particular sex.

Conduct that creates a hostile work environment on the grounds of sex

Conduct that creates a hostile work environment on the grounds of sex is where specific behaviour, or general actions contribute to a workplace culture that makes people feel degraded, humiliated or offended in ways that are associated with their sex, to the point where the workplace is unsafe.

This conduct is unlawful where, in all the circumstances, a reasonable person would consider that there was a possibility that the conduct could be offensive, intimidating or humiliating to a person of a particular sex, because of their sex or a characteristic associated with their sex.

As with harassment, conduct can create a hostile work environment even where there is no intent to do so, or where the conduct does not occur at the same time as a person experiences it.

For example, where a workplace culture encourages gender-based stereotypes, where comments or materials that are demeaning based on gender are circulated or displayed, or where a workplace culture encourages sexist derogatory or suggestive comments and banter

Victimisation

All employees and contractors of Toll should be able to raise issues of concerning behaviour without any fear of victimisation. Victimisation occurs where a person is subject to some form of retaliation where they have made a complaint regarding any form of inappropriate behaviour.

Victimisation can take many forms – such as when a person is treated badly or subjected to any detriment because of making a complaint or reporting inappropriate conduct.

For example, where a person who has raised concerns or filed a complaint is demoted, is denied a promotion, is excluded from the workplace, has their shift changed, is denied overtime opportunities or subject to some other form of detriment.

When does this policy apply?

This policy always applies when you are at work, or where you are interacting with and/or representing Toll, including at your workplace or work site, at work-related functions, and when travelling for work purposes.

This means this policy not only applies during working hours but also applies at work-related social functions and whilst on business related travel.

The policy also applies to all our Toll processes including:

- recruitment, selection and hiring;
- promotion and movement between functions;
- training and development opportunities;
- achievement and competency reviews;
- work allocation;
- recognition and reward;
- performance management;
- leave arrangements; and
- termination.

Responsibilities of All Employees

We all have responsibilities under this policy which include to:

- comply with Toll's Respect@Work policy at all times;
- report any incident of discrimination or harassment that you become aware of;
- offer support to anyone who is being harassed or discriminated against and let them know where they can get help and advice;
- assist with any investigation of a complaint where requested;
- maintain complete confidentiality if you provide information during the investigation of a complaint; and

- not spread gossip or rumour about a person or a situation (doing so is not only against Toll values but may expose you to a defamation complaint if found to be untrue).

Responsibilities of leaders

As a leader at Toll, you are responsible for creating an environment where discrimination and harassment do not occur. You do this by:

- monitoring the workplace and ensuring that acceptable standards of conduct are observed at all times;
- modelling appropriate behaviours;
- promoting Toll's Respect@Work within your team/workplace/function;
- informing the HR team of any suspected breach of this policy;
- treating any complaint of discrimination/harassment seriously and with appropriate confidentiality;
- taking immediate action to investigate and resolve any complaint;
- referring complaints to an appropriate person if you do not feel you are the best person to deal with the complaint;
- working with the HR team to take appropriate action if discrimination is found to have occurred;
- ensuring that victimisation does not occur because of someone making a complaint.

Consequences of Potential Breach

If discrimination or harassment is found to have occurred, it may result in one or more of the following actions:

- an apology (verbal or written, private or more public);
- counselling;
- mediation;
- training;
- appropriate disciplinary action which may include a warning (verbal or written and may be a first and final warning);
- transfer;
- demotion;
- an undertaking that the inappropriate behaviour will cease; and
- dismissal.

One or more of the above may also apply to:

- anyone who is found to have victimised or retaliated against a person who has complained of discrimination or harassment; and
- anyone who is found to have fabricated a complaint of discrimination or harassment.

What should I do if I feel I have been harassed or discriminated against?

If you feel you have been harassed or discriminated against you should tell the person that their behaviour is offensive and request that it stop. If you do not feel comfortable doing this, or if they do not stop, you should raise your concerns immediately by informing either:

- your direct manager, or their manager;
- any member of the Toll Group Leadership Team;
- a member of the HR team; or
- anonymously via the Disclosure Hotline available at the following page [Disclosure Hotline details](#)

If you feel you have been victimised for having made a complaint, please inform an appropriate person immediately so that the victimisation can be made to stop.

Toll also offers confidential support from external counsellors via our Employee Assistance Program (EAP). Please click on the following link for further information on our EAP. [EAP details](#)

What will happen if I make a Complaint?

Your complaint will be taken seriously and treated confidentially, and an appropriate investigation will be conducted immediately.

Any complaint will be addressed in a timely manner, and everyone concerned will be treated sensitively and fairly throughout the process.

We will do everything we can to protect you from any victimisation or reprisals for having made a complaint.

Further Information

For further information contact your manager or your Human Resources representative.

This document can be found on the Group Policy SharePoint page.



Alan Beacham
Managing Director
Toll Group
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