

Sexual Harassment Policy – Australia (Contingent Workforce)

Purpose and Scope

Robert Walters is committed to providing workplaces that are free from all forms of harassment, discrimination, victimisation and other unacceptable and/or hostile behaviour (which extends to the workplaces of our clients). To that end, Robert Walters requires your strict compliance with this Policy.

- To ensure safe and respectful workplaces for all contingent workers, free from sexual harassment
- To provide acceptable standards of conduct and behaviour
- To provide guidance on how to report sexual harassment
- To advise of the consequences for breaching this Policy

Application

This Policy applies:

- To all contingent workers of Robert Walters Pty Ltd in Australia, including casual employees and independent contractors.¹
- At all times, including when you are working outside your usual workplace, travelling for work, at work related functions, during social events (including end of year celebrations), during and on work trips/travel, when you are with clients, customers, partners, and suppliers, when you are communicating with any colleagues and/or third parties, and when you are engaging in social media activities.

Sexual harassment is against the law² and, in some forms, may constitute a reportable criminal offence. Robert Walters will not tolerate any form of workplace sexual harassment and will cooperate with police where obligated to do so.

Individuals who breach this policy may be held personally liable for their own unlawful conduct and Robert Walters can be held vicariously liable for your unlawful conduct.

Sexual harassment is any unwelcome, or uninvited advance, request for favour, behaviour or conduct of a sexual nature that a reasonable person would find offensive, humiliating or intimidating in the circumstances, and which the person did find offensive, humiliating or intimidating.

Sexual harassment can happen in the workplace, while working from home or during work-related events or activities, such as off-site meetings, conferences, functions, and business trips. It can be repeated behaviour or a one-off incident.

¹ Separate policies apply in respect of our internal Robert Walters employees who do not fall within the scope of this Policy.

² In New South Wales, the *Anti-Discrimination Act 1977*; in Victoria, the *Equal Opportunity Act 2010*; in Queensland the *Anti-Discrimination Act 1991*; in South Australia, the *Equal Opportunity Act 1984*; in Western Australia, the *Equal Opportunity Act 1984*; in the Australian Capital Territory, the *Discrimination Act 1991*; and at a Federal level the *Sex Discrimination Act 1984* and the *Fair Work Act 2009*.

Sexual harassment can take many forms, including the following behaviours:

- Actual or attempted sexual assault.
- Unwelcome physical contact.
- Staring or leering.
- Suggestive comments or jokes.
- Sharing sexually explicit pictures, posters, conversations, emails, or SMS text messages.
- Persistent unwanted invitations for dates.
- Requests for sex or sexual favours.
- Intrusive questions about a person's private life or body; and/or
- Insults or taunts based on sex.

The *Sex Discrimination Act 1984* (Cth) (**Sex Discrimination Act**) also prohibits conduct that **subjects another person to a workplace environment that is hostile** on the ground of sex. This form of sexual harassment arises where a reasonable person, having regard to all the circumstances, would have anticipated the possibility of the conduct resulting in the workplace environment being offensive, intimidating or humiliating. This includes conduct/behaviour that is sexually charged or hostile, even if the conduct is not directed at a particular person. Examples include:

- Displaying offensive, obscene, or pornographic materials, such as screen savers, photos, calendars, or objects; and/or
- General sexual banter, or innuendo and offensive jokes.

Individuals can engage in sexual harassment without intending to do so. A joke or comment can be unlawful, even if it was intended to be harmless. Further, conduct which does not amount to sexual harassment or hostile workplace conduct may still be inappropriate in the workplace and warrant disciplinary steps, which could include the termination of your employment or termination of the assignment.

Your obligations under this Policy

Robert Walters has a positive obligation to prevent workplace sexual harassment, sex discrimination and victimisation under the Sex Discrimination Act. All contingent workers are expected to conduct themselves in a manner which promotes a healthy and harmonious working environment. In this context, contingent workers must:

- Not engage in any unwelcome behaviour or conduct of a sexual nature with another work colleague, client, candidate, temporary worker, contractor, or visitor
- Consider their words and actions and how they might impact others
- Adhere to the behavioural expectations set out in the Robert Walters Code of Conduct, including treating others with dignity, courtesy, and respect
- Complete sexual harassment training upon induction and any refreshers as organised by the Robert Walters Human Resources/ WHS & Wellbeing Team, or client-led training sessions
- Speak up and report any concerns they witness or become aware of regarding sexual harassment in the workplace to the appropriate channels

Raising a sexual harassment concern

Robert Walters is committed to following best practice guidelines when responding to complaints, concerns, or incidents.

Complaints or concerns from any contingent worker may be raised verbally or in writing to an on-site client Manager and the relevant Robert Walters Recruitment Consultant or the Robert Walters Human Resources or WHS & Wellbeing team.

When managing a complaint of sexual harassment, the Robert Walters Human Resources/ WHS & Wellbeing Team, together with the relevant Robert Walters Consultant and our Client, may consider changes to work arrangements to protect the safety of those involved. These measures may include the paid stand down of any contingent worker against whom a complaint or complaints are made.

On receipt of a complaint, Robert Walters will work with our Client to take any action or steps considered necessary having regard to the circumstances, which may include conducting a formal investigation into the incident where appropriate.

Victimisation

Victimisation occurs when a person is treated less favourably or is subject to some other detriment because:

- They make, or propose to make, a genuine complaint of unacceptable or unlawful behaviour; or
- They are involved in a complaint process or investigation (for example, as a witness).

Victimisation is unlawful and will not be tolerated under any circumstances at Robert Walters. This means that you must not retaliate against a person or subject them to any detriment because they have lodged a complaint, may lodge a complaint, or are otherwise involved in a complaint or investigation process.

Breach of this Policy

Failure to comply with this Policy, or acting inconsistently with this Policy, will be viewed seriously and could result in disciplinary steps being taken against you, which could include the termination of your employment with Robert Walters or for independent contractors, the termination of the assignment. In addition, organisational leaders and people managers who become aware of sexual harassment in the workplace and fail to meet their obligations to address it appropriately may also be investigated or be subject to disciplinary action for a failure to take steps to maintain a safe workplace.

Commitments by Robert Walters

Robert Walters will:

- Ensure policies and practises related to addressing and preventing sexual harassment and sex discrimination in the workplace meet legal obligations under the Sex Discrimination Act and any other applicable WH&S laws
- Identify and execute initiatives that drive awareness of workplace sexual harassment and sex discrimination
- Ensure training on sexual harassment is conducted with all contingent workers during induction to employment or an assignment and thereafter as appropriate (generally annually)
- Respond to and address any sexual harassment complaint promptly and sensitively by:
 - Working with our Clients to ensure the concerns are reviewed and investigated with appropriate expertise, and communication is maintained throughout the process
 - Applying a trauma-informed, person-centred approach to complaints, including:
 - Considering preferences raised by the complainant relating to addressing the concerns and an outcome
 - To the extent possible, keep concerns confidential and take steps to preserve anonymity, if that is the preference raised by a contingent worker
 - Prioritising the safety, rights, and wellbeing of all contingent workers involved; and
 - Providing ongoing support and assistance to any contingent workers, as appropriate in the circumstances (including post investigation)

Robert Walters support options

- Your Robert Walters Recruitment Consultant
- The Robert Walters Human Resources / WHS & Wellbeing Team (contactable through the australiahumanresources@robertwalters.com.au email)

External support providers

The following external support options are also available within Australia:

- The [Respect@Work](#) website has a comprehensive set of resources for workers including information, videos, and advice
- [1800 RESPECT](#) (1800 737 732) – Australian confidential sexual assault and family and domestic violence counselling services
- [Lifeline](#) (13 11 14) – 24-hour confidential crisis and suicide prevention support
- [Beyond Blue](#) (1300 224 636) – confidential mental health support within Australia
- [MensLine Australia](#) (1300 789 978) – 24-hour telephone and online counselling services for men
- [Suicide Call Back Service](#) (1300 659 467) – 24/7 telephone and online counselling to people affected by suicide
- Contacting the Police on (000)
- State Mental Health Crisis Support Providers (listed on the ANZ Work, Health, Safety & Wellbeing Workplace page)

Communication of the Policy

All Robert Walters' contingent workers will receive training and information about the Sexual Harassment Policy at induction and after any revisions and can access the Policy through the Contractor Hub.

Review of the Policy

This Policy is owned by the Robert Walters Human Resources team and may be amended, supplemented, or removed at any time.