

# **Workplace Behaviour Policy**

Infragreen Group Limited ACN 668 228 742

adopted on 5 May 2025.

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## **1. Scope and Application**

1.1 This policy applies to:

- (a) all officers and directors of InfraGreen Group Limited ACN 668 228 742 (**Company**);
- (b) employees of the Company (whether full-time, part-time or casual); and
- (c) all persons performing work at the direction of, in connection with, or on behalf of the Company (including temporary staff, contractors, agents, consultants, volunteers and work experience placements),

(collectively referred to as '**Workers**').

1.2 This policy does not form part of a Worker's contract of employment or engagement and to the extent that it imposes obligations on the Company, it is a guide only and those obligations are not contractual and do not give rise to any contractual rights. This policy may be amended, replaced, varied or revoked from time to time.

1.3 This policy should be read in conjunction with the other workplace policies of the Company as implemented or amended from time to time.

1.4 Activities that are covered by this policy extend to conduct outside of the workplace and can include conduct at work functions or other external work type activities and conduct on social media forums.

## **2. Purpose**

2.1 The Company is an equal opportunity employer and is committed to providing a safe, inclusive, and respectful workplace that is free from bullying, victimisation, vilification, sexual harassment or any form of discrimination (**Unacceptable Workplace Behaviour**). The Company considers these to be unacceptable forms of behaviour and it will not tolerate such conduct under any circumstances.

2.2 The Company has a zero-tolerance approach. The Company will be proactive in eradicating behaviours constituting Unacceptable Workplace Behaviour.

2.3 Zero tolerance does not mean that the Company will respond in the same way to every incident and does not mean automatic termination of employment or engagement. In responding to any alleged behaviours in breach of this policy, the Company will take into consideration all of the circumstances of the matter, including the seriousness of the substantiated conduct, the context, the impact on individuals, the role and responsibility of the respondent and the requirements of relevant industrial instruments (including modern awards, contracts and legislation).

2.4 The Company aims to prevent and control Unacceptable Workplace Behaviour by:

- (a) ensuring Workers are aware of this policy, and if required, providing additional training;
- (b) providing support to any Worker who experiences Unacceptable Workplace Behaviour;

- (c) promptly investigating complaints of Unacceptable Workplace Behaviour in accordance with the Complaints Handling procedure; and
- (d) taking appropriate disciplinary action against any Worker who engages in Unacceptable Workplace Behaviour against a person who has, or is witness to, a complaint of Unacceptable Workplace Behaviour.

### **3. Responsibilities**

- 3.1 All Workers contribute to creating a respectful and inclusive workplace culture that is free from discrimination.
- 3.2 All individuals have a responsibility to respect the rights of others by reporting conduct that is in breach of this policy, by not taking part in any action that may constitute harassment and by supporting and promoting the achievement of equal opportunity.
- 3.3 Managers must provide leadership for the implementation of initiatives and ensure appropriate resources are available to Workers for the promotion of a respectful and inclusive workplace culture.
- 3.4 Managers must monitor the workplace to ensure acceptable standards of conduct are observed and must take appropriate action to address allegations of Unacceptable Workplace Behaviour.

### **4. Legislation**

- 4.1 Discrimination, harassment, bullying, sexual harassment, victimisation and vilification are unlawful and prohibited by both State and Commonwealth legislation, including:
  - (a) *Fair Work Act 2009 (Cth)*;
  - (b) *Industrial Relations Act 2016 (Qld)*;
  - (c) *Anti-Discrimination Act 1991 (Qld)* and other applicable State anti-discrimination legislation;
  - (d) *Sex Discrimination Act 1984 (Cth)*;
  - (e) *Age Discrimination Act 2004 (Cth)*;
  - (f) *Australian Human Rights Commission Act 1986 (Cth)*;
  - (g) *Disability Discrimination Act 1992 (Cth)*;
  - (h) *Racial Discrimination Act 1975 (Cth)*; and
  - (i) *Workplace Gender Equality Act 2012 (Cth)*.
- 4.2 Legal action can be taken against Worker who engages in unlawful discrimination, victimisation, sexual harassment or vilification. In some case, this may include criminal conduct.

## **5. Harassment**

- 5.1 Harassment is unlawful and prohibited by both State and Commonwealth legislation.
- 5.2 Harassment is unwelcome behaviour which:
  - (a) offends, humiliates or intimidates another person; or
  - (b) is likely to offend, humiliate or intimidate another person.
- 5.3 The fact that no offence is intended by the behaviour does not mean that harassment has not occurred. If the behaviour has the effect of being offensive, humiliating or intimidating it may also constitute workplace bullying.
- 5.4 Harassment may occur as a single act, a series of incidents, or persistent innuendos or threats. It can take many forms, be silent or loud, subtle or openly hostile, and it may be private or public.

## **6. Workplace bullying**

- 6.1 Bullying is unlawful and prohibited by both State and Commonwealth legislation.
- 6.2 Workplace bullying is a form of harassment. It includes repeated, unreasonable behaviour of a Worker, connected with the workplace, that demeans, intimidates, victimises, threatens or humiliates a person, either as individuals or as a group.
- 6.3 Examples of workplace bullying include, but are not limited to:
  - (a) abusive, insulting or offensive language or comments;
  - (b) aggressive behaviour, for example: shouting, swearing, thumping the table, particularly with the intent to intimidate, using foul, obscene or offensive language or jokes of a sexist, racist, ageist or similar nature;
  - (c) unjustified criticism of a Worker's performance;
  - (d) deliberate exclusion, isolation or ignoring someone;
  - (e) intentionally withholding information, authority, support or resources that others receive that is necessary for effective work performance;
  - (f) sabotaging, interfering or impeding a Worker's performance, particularly for the purpose of later criticism;
  - (g) demeaning, belittling, ridiculing, patronising, degrading or humiliating a Worker, especially in front of others;
  - (h) intentionally setting unachievable timelines, deadlines or deliberately making requirements unclear;
  - (i) ignoring, marginalising or dismissing as unimportant a Worker's ideas, opinions or contributions;

- (j) spreading misinformation or malicious rumours, the use of nasty, spiteful, vindictive or vengeful behaviours, or any form of victimisation;
- (k) deliberate attempts to impede a Worker's ability to access workplace entitlements such as leave or training; and
- (l) texting or posting derogatory comments on social media sites such as Facebook, Instagram or Twitter.

6.4 Workplace bullying can occur between Workers in a workplace:

- (a) laterally (a Worker harassing another Worker);
- (b) upwards (a Worker harassing a manager or supervisor); and
- (c) downwards (a manager or supervisor harassing a Worker).

6.5 Workplace bullying does not include reasonable management action carried out in a reasonable way in connection with a Worker's employment or engagement. Reasonable management actions include (but are not limited to):

- (a) setting performance goals, standards and deadlines;
- (b) conducting a performance management process;
- (c) taking disciplinary action against a Worker;
- (d) making a legitimate decision to not promote a Worker;
- (e) allocating work and rosters;
- (f) managing a Worker's injury or illness; and
- (g) implementing organisational change such as transferring a Worker provided that the action is taken in a reasonable way.

## **7. Victimisation**

7.1 Victimisation is unlawful and prohibited by both State and Commonwealth legislation.

7.2 Victimisation occurs when a person subjects another person to detriment (or threatens to do so) because they, or a person they are associated with, has:

- (a) made or intends to make a complaint of unlawful behaviour in the workplace or because they have agreed to be a witness to a complaint;
- (b) helped someone else make a complaint;
- (c) exercised a workplace right; or
- (d) refused to do something that would be discrimination, sexual harassment, harassment on the grounds of sex or conduct that creates a hostile workplace environment on the grounds of sex.

## **8. Vilification**

- 8.1 Vilification is unlawful and prohibited by both State and Commonwealth legislation.
- 8.2 Vilification occurs when a person incites hatred towards, serious contempt for, or severe ridicule of, a person or group because of certain attributes, and which may be reasonably likely to offend, insult, humiliate or intimidate another person because of their race, sex, religion, sexuality or sexual identity.
- 8.3 Conduct that may constitute vilification can include verbal or written statements, or even be the reproduction or distribution of already published information. Specific examples of vilification at work include:
- (a) placing a poster or sticker on the customer service counter which incites hate towards people because of their race, religion, sexuality or gender identity;
  - (b) hate graffiti written on work toilet walls that incites hatred because of race, religion, sexuality or gender identity;
  - (c) wearing symbols, badges or clothing in the workplace with slogans that incite hatred;
  - (d) an individual abusing a person because of their race, religion, sexuality or gender identity;
  - (e) an individual making a speech in the workplace that incites hatred of people because of their race, religion, sexuality or gender identity;
  - (f) offensive material on the internet, including e-forums, blogs, social networking sites and video sharing sites;
  - (g) offensive comments or images published in a publication such as a leaflet, flyer, internal message board or workplace intranet;
  - (h) offensive comments or speeches at public events, work functions or in the workplace;
  - (i) abusive comments in any public place, such as the workplace or any other place attended in connection with employment; or
  - (j) reproducing, sharing or distributing already published offensive information around the workplace.

## **9. Unlawful discrimination**

- 9.1 It is unlawful to discriminate on the basis of a number of protected attributes including but not limited to: age, pregnancy and breastfeeding, family responsibilities, gender identity, parental status, political belief or activity, race or ethnic background, relationship status, religious belief or activity, sex and sexual orientation, sex characteristics and gender identity, sex work activity, trade union activity, physical or mental disability, and association with someone with these attributes.
- 9.2 Unlawful discrimination can take the form of direct discrimination or indirect discrimination.

### *Direct discrimination*

9.3 Direct discrimination occurs when a person (or group of people) are treated, or are suggested to be treated, less favourably than another person or group in a similar situation because of one or more of the attributes above.

9.4 Specific examples of direct discrimination include:

- (a) not paying a performance bonus to an employee because they are about to commence parental leave or not promoting an employee to team leader because of their sexual preference;
- (b) a Worker being refused a promotion because they are 'too old'; or
- (c) not employing a prospective female employee because of concerns that the female would not fit into a predominately male department or team.

#### *Indirect discrimination*

9.5 Indirect discrimination occurs where an unreasonable requirement, condition or practice is imposed that makes it difficult or impossible for a person with one or more of the protected personal characteristics at law to comply with, in circumstances where other persons without the attribute can comply with. Whilst the requirement, condition or practice might be applied generally, it may have the effect of disadvantaging a person with a particular attribute. If the condition or requirement is reasonable, there is no indirect discrimination under the anti-discrimination legislation.

9.6 It is also against the law to treat someone unfavourably because you assume they have a personal characteristic or may have it at some time in the future.

9.7 Specific examples of indirect discrimination include:

- (a) if a manager requires all Workers to attend regular meetings outside of core business hours. This may disadvantage Workers with caring or family responsibilities and may not be reasonable in the circumstances; and
- (b) only considering employees that work on a full-time basis for promotion to executive management positions. This may disadvantage female employees who proportionately perform more part-time roles due to caring or family responsibilities and may not be reasonable in the circumstances.

## **10. Sexual harassment**

10.1 The Company will not tolerate sexual harassment in the workplace or in any work-related context including at conferences, work functions and business trips.

10.2 The *Fair Work Act 2009* (Cth), relevant State and Federal discrimination legislation and Safe Work Australia Guides address sexual harassment at work.

10.3 Sexual harassment occurs if a person:

- (a) makes an unwelcome sexual advance;
- (b) makes an unwelcome request for sexual favours;



- (c) engages in unwelcomed conduct based on the sex of the person but not necessarily sexual in nature; or
  - (d) engages in other unwelcome conduct of a sexual nature,  
towards another person and a reasonable person, having regard to all of the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.
- 10.4 Conduct of a sexual nature includes making a statement of a sexual nature to a Worker, or in their presence, and can be both oral and written statements.
- 10.5 Sexual harassment can take many forms and can be physical, verbal or written. Examples of sexual harassment include but are not limited to:
- (a) uninvited touching or physical contact;
  - (b) leering at a person or at parts of their body;
  - (c) talking about your sex life or asking about another person's sex life;
  - (d) sexual jokes, comments or propositions; and
  - (e) sexually offensive communications (phone, email, SMS or other social media.)
- 10.6 Sexual harassment is not a behaviour that is mutually reciprocated, consented to, or participated in or close personal relationships based on mutual attraction, friendship and respect.
- 10.7 It is important to remember that:
- (a) a single incident is enough to constitute sexual harassment – it does not have to be repeated;
  - (b) just because someone does not object to inappropriate behaviour in the workplace at the time or say 'no', it does not mean that they are consenting to the behaviour;
  - (c) conduct can amount to sexual harassment even if the person did not intend to offend, humiliate or intimidate the other person – innocent or ill-humoured intent or poor judgment of the offender is irrelevant;
  - (d) consumption of alcohol is not an excuse or mitigating circumstance; and
  - (e) there are some behaviours that are criminal offences and the context is irrelevant.
- 10.8 A Worker could also be sexually harassed by being exposed to or witnessing this kind of behaviour; for example, overhearing a conversation or seeing a sexually explicit communication in the workplace.
- 10.9 Additionally, what may not cause offense to one Worker may cause offense to another, therefore all Workers must have an understanding of the behavioural standards outlined in this policy and other policies as well as respect for other Workers' boundaries and limits.

## **11. Complaints procedure**

- 11.1 The Company aims to treat all complaints of Unacceptable Workplace Behaviour seriously, efficiently, and as confidentially as is reasonably possible.

### *Reporting*

- 11.2 Workers can choose how they wish to report concerns about another Worker's behaviour towards them, or connected to, the workplace. The Company offers multiple options so Workers can speak to whomever they are most comfortable.
- 11.3 Reports can be made by people directly impacted by someone's behaviour towards them as well as others who know of or observe behaviours or incidents that may amount to workplace bullying, unlawful discrimination, sexual harassment or other inappropriate conduct or Unacceptable Workplace Behaviour in breach of the Company's policies.
- 11.4 The Company treats any reports or complaints of Unacceptable Workplace Behaviour or any other inappropriate behaviours seriously and will ensure that complaints are actioned appropriately and impartially depending on the Workers' wishes, the context and the circumstances.
- 11.5 Workers will not be disadvantaged or treated unfavourably for reporting genuine issues or making complaints regarding behaviours or incidents involving potential breaches of the Company's policies. However, a complaint that is made maliciously, vexatiously, or without any substantive merit may result in disciplinary action.

### *Informal complaint handling*

- 11.6 Workers are encouraged to raise any issues they are having in the workplace informally with their immediate supervisor or directors. The Company will support its Workers' wishes where possible in providing support, advice and assistance in the informal resolution of complaints.
- 11.7 Where the Company tries to resolve the complaint informally, this may involve, but is not limited to:
- (a) a manager speaking to a Worker about their behaviour;
  - (b) facilitating or mediating an open respectful conversation between parties;
  - (c) an anonymous report;
  - (d) engaging an external mediator or consultant to conduct a mediation between the parties (with their consent);
  - (e) putting system changes in place to prevent further issues, such as moving offices or work locations or requiring a party to work from home; or
  - (f) the Company initiating reviews to understand any underlying cultural or workplace issues and taking preventative action such as education and training.
- 11.8 If an issue arises that cannot be dealt with informally, a Worker should raise a formal complaint in accordance with this section.

- 11.9 There are also times when the circumstances of an issue mean that the Company must take formal steps and follow the formal complaints process to resolve the issues, such as formal investigations or referring the issue to relevant authorities.
- 11.10 Any decision by the Company to take formal steps will be made in consideration of the impact on the complainant, the seriousness of the behaviour, context and circumstances, the role and responsibility of the respondent, the risk to the psychological and physical safety of Workers and whether the behaviour may be a criminal offence.

#### *Formal complaint handling*

- 11.11 All formal complaints should be reported to the Contact Persons (set out below). The Complaint does not have to be in writing although that is preferable. In reporting a complaint, the Worker will be asked to provide relevant information, including:
- (a) the grounds on which the Worker believes they have a complaint (for example, the policy that has been breached);
  - (b) the conduct that has allegedly occurred that gives rise to the complaint;
  - (c) the action that the Worker believes would resolve the complaint; and
  - (d) any steps the Worker has taken to resolve the complaint informally.

Contact Persons to report formal complaints					
Name:	Martin McIver	Name:	Declan Sherman	Name:	Jane Prior
Position:	CFO	Position:	CEO	Position:	Company Secretary
Location:	Brisbane	Location:	Brisbane	Location:	Brisbane
Contact Details:	martin@infragreen.au	Contact Details:	declan@infragreen.au	Contact Details:	jane@infragreen.au

- 11.12 All complaints will be treated seriously and investigated promptly, confidentially and impartially by the Company.
- 11.13 Once a formal complaint has been made, the Company will determine the most effective, impartial and timely way to investigate the complaint.
- 11.14 Complaints will be handled confidentially. Persons handling the complaint may be required to disclose information about the complaint for the purpose of resolving it effectively or where reports to relevant authorities are required. All Workers involved in the complaint process must maintain confidentiality, including the complainant, witnesses, the respondents and any nominated support persons or delegates.
- 11.15 All complaints will be dealt with in accordance with the principles of natural justice. This means that complaints are investigated, by either internal or external investigators, confidentially, impartially and promptly. This process will be determined at the investigator's discretion but may involve:
- (a) informing the respondent of the investigation;
  - (b) interviewing the complainant;
  - (c) allegations being provided to the respondent(s) and any relevant witnesses;

- (d) interviewing relevant witnesses;
  - (e) interviewing the respondent to obtain their responses and version of events; and
  - (f) gathering any other relevant material.
- 11.16 Information provided by any participant in the investigation may also be put to the complainant(s), respondent(s) or another relevant witness, and will be reported to the Company.
- 11.17 The respondent(s) will be informed of the allegations and given an opportunity to respond to the allegations and provide their version of events. A respondent is presumed to not have engaged in any wrongdoing unless, or until, any allegations are substantiated on the balance of probabilities and based on the information available.
- 11.18 A complainant or witnesses will not be victimised or otherwise treated adversely because they are participating in or assisting with an investigation.
- 11.19 Following the investigation of a complaint, the complainant and the respondent will be notified in writing of the outcome to the investigation. Complainants and respondents are not entitled to any details of any findings made. Complainants are not entitled to any details of proposed action to be taken against a respondent.

#### *Investigation Outcomes*

- 11.20 Following the outcome of an investigation, the Company will then consider what appropriate and proportionate further action is required. The decision about any outcomes or required actions will take into consideration all of the circumstances of the matter including the seriousness of the substantiated conduct, the context, the impact on individuals, the role and responsibility of the respondent and the requirements of relevant industrial instruments (enterprise agreements, modern awards and employment contracts) and applicable legislation.
- 11.21 There are a range of actions which may be contemplated or taken by the Company following the completion of an investigation, including but not limited to:
- (a) requiring Workers to participate in training or behavioural change coaching;
  - (b) where possible, mediation or any other restorative actions that may assist rebuild relationships;
  - (c) re-assignment of duties, demotion, transfer to another location, impacts on remuneration, removal of benefits (bonuses, incentives, allowances, vehicles, Company property), removal of leadership responsibilities of the respondent;
  - (d) requiring an apology to be issued to the complainant;
  - (e) remediation steps to be determined by the Company on a case by case basis; and/or
  - (f) disciplinary action, up to and including termination of employment or engagement with or without notice or payment in lieu of notice.
- 11.22 At any time, a Worker has the right to make their formal complaint to a relevant external organisation.

## **12. Breach of this Policy**

- 12.1 All Workers must adhere to this policy.
- 12.2 The Company may take disciplinary action against any Worker who breaches this policy, up to and including termination of employment or engagement, with or without notice.
- 12.3 If any breach involves a contravention of any law, then the relevant authorities may be notified.

## **13. Version Control**

Date approved	5 May 2025
Authorised by	Declan Sherman