

Equal Employment Opportunity, Discrimination, Bullying and Harassment Policy

Introduction and scope

Everyone who works with Epcotec has the right to a workplace built on respect. This policy sets out how we uphold equal employment opportunity and eliminate unlawful discrimination, bullying and harassment; what those terms mean in practice; and how to raise a concern or complaint. Behaviour inconsistent with this policy is not tolerated, and the standards below apply as much in a video call or group chat as they do in a room.

This policy applies to all employees, independent contractors and labour-hire contractors engaged by Epcotec ("contractors"). Where specified, it also applies to subconsultants, suppliers, clients, service providers and any other person who has a contractual or other relationship with Epcotec ("stakeholders").

Employees and contractors must comply with this policy at all times: when representing or acting on behalf of Epcotec, at work-related events and social functions, and on social media and other digital channels, including messaging platforms and video calls. Stakeholders must comply when interacting with Epcotec or any of our people in the course of our business.

Equal employment opportunity

Epcotec requires that all employees and contractors be treated with respect, and on the basis of merit, skills and ability, in all employment matters, including:

- recruitment, selection, transfer and promotion;
- performance reviews, training and development;
- supervision, management, performance management and counselling;
- disciplinary procedures, resignation and termination; and
- remuneration, rewards and benefits.

A person's protected attributes must not form the basis of employment decisions. The attributes protected by law in the jurisdictions where we operate (Australia and Canada) include, but are not limited to:

- sex, gender identity and gender expression;
- sexual orientation;
- race, colour, nationality, national or ethnic origin, ancestry and Indigenous or First Nations identity;
- age;
- relationship or marital status, and family status;
- parental, family or carer responsibilities, including pregnancy and the potential to become pregnant;
- physical or mental disability;
- religion or spiritual belief, and political opinion or association;
- physical appearance or personal characteristics;
- trade union membership or activity;
- social condition or source of income (where protected); and
- a spent or irrelevant criminal record (where protected).

This list reflects the protections under Australian legislation (including the *Fair Work Act 2009* (Cth) and the federal anti-discrimination Acts) and under Canadian federal, provincial and territorial human rights legislation.

Where the two jurisdictions differ, we apply the higher standard of protection.

Discrimination and harassment

All employees, contractors and stakeholders have the right to work in a productive environment in which unlawful discrimination and harassment are not tolerated.

All forms of harassment and unlawful discrimination by an employee or contractor are unacceptable and may lead to disciplinary action, up to and including termination of engagement. If a stakeholder harasses or unlawfully discriminates against our people, Epcotec may end the relationship with that stakeholder or remove them from further interaction with our people. Where the conduct is also a breach of the law, Epcotec may report it to the relevant authorities.

What is unlawful discrimination?

Unlawful discrimination may occur when a person is treated less favourably than others because of a protected attribute, or because they belong to a particular group or community. Discrimination does not have to be calculated or intentional to be unlawful; the intention of the person discriminating is irrelevant.

Two types of unlawful discrimination can occur:

- **Direct discrimination** occurs when a person treats another person less favourably for an unlawful reason.
- **Indirect discrimination** occurs when a policy or practice appears neutral but results in an individual or group being treated less favourably.

Examples include pressuring a pregnant employee to resign before taking parental leave, deciding not to hire a person because of their ethnicity, or declining a contractual relationship because of a person's sexuality or gender identity.

What is harassment?

Harassment is any uninvited, unwelcome or inappropriate behaviour that offends, humiliates or intimidates another person, whether or not that effect is deliberate or intended. It may occur as a single act or a series of incidents, and may be subtle, overt, silent or openly hostile, in private or in public, including in writing, on calls or through digital channels.

Harassment may be directed at an individual or at a group of people with particular characteristics. Harassment of this nature may also amount to unlawful discrimination.

Sexual harassment

Sexual harassment includes any unwelcome conduct of a sexual nature, whether intentional or not, which a reasonable person would consider inappropriate. The conduct may be physical, verbal, visual or in writing, including through digital, social or electronic media, video calls and messaging platforms.

The behaviour does not have to be directed at a specific person. It includes behaviour that makes the working environment uncomfortable or threatening in a sexually hostile way, such as sexually offensive images or a culture of suggestive comments or jokes. Conduct that might be tolerated in some social settings may be sexual harassment when it occurs at work. Sexual harassment must not be confused with conduct to which all participants consent, where consent is given voluntarily, without coercion, and where no participant holds power or influence over another.

Examples of sexual harassment include:

- displaying or sharing pornographic or sexually suggestive images or content, including through electronic or digital media;
- jokes or anecdotes with sexual connotations, or sexually derogatory comments;
- intrusive comments or enquiries about a person's private life, relationship status, gender identity, sexuality or appearance;
- persistent requests to socialise outside work after a previous request was declined;
- staring or leering, or comments about appearance that are inconsistent with ordinary workplace interaction;
- unsolicited or unwelcome sexually offensive communications, including sharing images without consent;
- any request or expectation of a sexual act made under threat, coercion or pressure, or in exchange for favours or preferential treatment;
- deliberate, unnecessary, unwelcome or inappropriate physical contact; and
- displays of nudity or provocative behaviour, and at the most extreme, sexual assault.

Epcotec maintains workplaces and working environments that are safe and free from sexual harassment, including our remote and digital environments. We treat sexual harassment seriously, and respond to and investigate complaints in a sensitive, impartial, fair and confidential manner.

Victimisation

Victimisation occurs when a person subjects another person to detriment because that person has made a complaint, or taken related action, about discrimination, harassment or bullying.

Victimisation is unlawful. No one who reports conduct in good faith, or asserts or reserves their legal rights, may be further disadvantaged, harassed or discriminated against. Disciplinary action will be taken against any employee or contractor who retaliates against a person for raising a complaint or concern.

What is bullying?

Workplace bullying is repeated, unreasonable behaviour directed towards a person or group that victimises, humiliates, undermines or threatens them, and that creates a risk to their health, safety or wellbeing.

Bullying includes:

- verbal or written abuse, threats, sarcasm or other demeaning or intimidating language, in person or through digital channels;
- persistent negative criticism, assumptions of incapability, or unreasonable fault-finding over minor errors;
- threatening unwarranted action unless the person complies with an unreasonable request;
- imposing unreasonable performance demands, or deliberately providing insufficient instruction with the intention of causing the person to fail;
- deliberately isolating a person by refusing to interact or communicate with them;
- ridiculing a person, or assigning tasks designed to humiliate or embarrass them; and
- physical contact that is intimidating or threatening, which may also be a criminal offence.

Cyberbullying in a remote workplace

Because Epcotec is remote-first, much of our interaction happens through chat, email, video calls and shared documents. Bullying in these channels is still bullying. Cyberbullying includes repeated hostile, demeaning or

intimidating messages; exclusion from necessary channels or meetings; public shaming or ridicule in group channels; persistent harassment across multiple platforms; and the misuse of recordings, screenshots or shared materials to humiliate someone. The same standards of conduct apply online as in person.

What is not bullying?

Differences of opinion, developmental feedback, performance management, interpersonal conflict, misunderstandings and personality clashes can occur in any workplace without constituting bullying.

Reasonable management action, carried out in accordance with our policies and procedures, is not bullying. Managers are required to manage people, and that includes:

- setting reasonable performance goals, standards and deadlines in consultation with the person, having regard to their capability, skills and experience;
- allocating tasks in a reasonable and transparent manner;
- transferring or reassigning a person for legitimate operational reasons;
- declining a promotion on reasonable grounds, following a fair and documented process;
- providing constructive feedback on unsatisfactory performance;
- investigating an allegation of a breach of policy;
- disciplining a person reasonably and confidentially for inappropriate behaviour or a policy breach;
- implementing organisational change or restructuring; and
- performance management processes.

Vilification, hate speech and extremism

Epcotec does not tolerate vilification, hate speech or extremist conduct. We are committed to a workplace free from conduct that promotes, incites or supports hatred, violence or discrimination against individuals or groups on the basis of a protected attribute, including religious prejudice and antisemitism.

Our people must not use or display offensive or prohibited symbols, language or material, or engage in or endorse hate-based or extremist conduct (including on social media or in any other public or digital forum), or associate Epcotec with extremist ideologies, organisations or activities. We meet the anti-vilification and hate-speech obligations that apply in the Australian and Canadian jurisdictions in which we operate.

Any conduct that may breach this section must be reported to a manager or the People & Compliance lead.

Responsibilities

All employees and contractors must:

- comply with this policy and our other policies, including the [Code of Conduct](#), [Social Media Policy](#) and [Diversity and Inclusion Policy](#);
- monitor the work environment, physical and digital, so that acceptable standards of conduct are observed at all times;
- model appropriate behaviour and, where confident to do so, call out behaviour that breaches this policy;
- seek advice and assistance when dealing with complaints or allegations;
- treat reports, allegations and concerns with sensitivity and confidentiality; and
- afford everyone due process, and not reach premature conclusions about an allegation or observed behaviour.

How to raise a complaint

Employees or contractors who become aware of a breach or suspected breach of this policy are encouraged to discuss the matter confidentially with their manager, a more senior manager, or the People & Compliance lead.

A person who believes they have been subjected to harassment, discrimination, victimisation or bullying may:

- raise the matter directly and informally with the other person, if they feel safe to do so; and/or
- make a formal report to their manager, the People & Compliance lead or the Founder, under our complaints and grievance procedure.

All allegations or reports of a breach of this policy will be investigated promptly, fairly and confidentially. Where a report concerns serious wrongdoing, it may be made under the [Whistleblower Policy](#).

Consequences

Breaches of this policy may result in disciplinary action, up to and including termination of employment or engagement. Where conduct is also unlawful, Epcotec may report it to the relevant authorities. False, malicious or misleading reports may themselves constitute harassment, discrimination, victimisation or bullying, and may attract disciplinary action.

Approved: Eugene Pivnev, Founder & Managing Director, Epcotec

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