



EQUAL OPPORTUNITY POLICY

1 Purpose

- 1.1 Tox free Solutions Limited (“Tox Free”) and its controlled entities (“the Company”) is committed to providing a work environment in which everyone is treated fairly and with respect, irrespective of sex, sexual orientation, race, age, disability, religion or ethnic origin and which is free of discrimination, bullying, victimisation, vilification and sexual and other unlawful harassment.
- 1.2 The Equal Opportunity Policy is based on the following objectives:
 - (a) to hire the best-qualified person for the available job without regard to their race, colour, national origin, marital status, pregnancy, religion, political conviction, impairment or sexual preference
 - (b) to appraise and promote employees on the basis of objective assessment of performance and potential. This decision will be made without discrimination
 - (c) to conduct all Company activities without discrimination
 - (d) to maintain a workplace free of harassment.
- 1.3 The Company will comply with relevant and applicable Equal Opportunity, Anti-Discrimination and Affirmative Action legislation, regulations and supporting laws.

2 Commitment

- 2.1 The Company is an equal opportunity employer.
- 2.2 The Company will not tolerate discrimination, vilification, victimisation and sexual harassment of its employees.
- 2.3 This policy does not override any relevant laws or regulations.
- 2.4 It is a condition of employment that employees of the Company comply with this policy and other applicable laws and regulations.

3 Equal Opportunity Obligations

- 3.1 It is against the law to discriminate on certain grounds, bully, harass, sexually or otherwise, victimise or vilify another person.

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- 3.2 Discrimination in relation to sex, age, sexual orientation, relationship status, race, family responsibilities, pregnancy, impairment, political beliefs, parental status, breast feeding and religious belief is against the law.
- 3.3 Discrimination occurs when a person or group is treated less favourably than another person or group in the same or similar circumstances.
- 3.4 There are two main forms of discrimination:
 - (a) **Direct** – where one person is treated less favourably than another person in the same or similar circumstances on grounds of sex, marital status, age, pregnancy, race, religion, impairment.
 - (b) **Indirect** – when an unreasonable policy or condition initially appears neutral and fair, but actually can act to the detriment of a particular group of people due to a characteristic of that group (such as age or gender).
- 3.5 Discrimination may arise in the context of recruitment, conditions of employment, denying employees access to benefits and dismissal. The consequences of not complying with equal opportunity obligations can be costly in terms of the Company's commercial reputation, the legal implications, and liability as an employer, and therefore non-compliance by an employee will not be tolerated. If an employee is being harassed, the first step is to indicate to the alleged offender that such behaviour is not welcomed. The employee should explain that it is offensive and should be stopped. Alternatively, the employee may wish to confidentially seek advice or discuss the matter with any employee whom the employee feels comfortable and who may be able to assist in the matter. Together an evaluation can be made as to the best approach to resolve the matter. If necessary the employee can make a formal complaint to the appropriate manager who will conduct confidential inquiries to resolve the matter.
- 3.6 It is against the law to victimise a person who has made a complaint, agrees to be a witness or has had a complaint made against them.
- 3.7 The Company will not permit any conduct which may be construed as harassment and will support any employee who is subjected to such behaviour. Harassment is unwelcome, uninvited behaviour which can make a person feel offended, humiliated or intimidated. This includes such things as:
 - (a) repeated unwanted comments about a person's religion or political beliefs
 - (b) repeated, unwanted name calling
 - (c) jokes, suggestive comments or offensive gestures related to a person's disability, religious conviction, ethnic or sexual characteristics
 - (d) distribution or display of material regarded as offensive
 - (e) demands for sexual favours
 - (f) repeated, unwanted and deliberate physical contact.
- 3.8 Harassment constitutes discriminatory behaviour under federal and state anti-discrimination law and will not be tolerated under any circumstances. Managers and supervisors are required to ensure that all employees are treated fairly and equitably, including not being subjected to harassment. They are also required to ensure that complainants and witnesses are not victimised in any way.

- 3.9 Vilification is behaviour that happens in public and may make others ridicule or hate a person on the basis of a person's race, religion, gender or sexuality. Vilification is against the law.
- 3.10 Each person has the right to react differently. What is acceptable, funny or harmless to one person may hurt or offend another.

4 Equal Opportunity Responsibilities

- 4.1 Each employee is responsible for ensuring that their personal conduct in the workplace is consistent with this policy and the law that the rights of fellow employees are respected. Equal opportunity legislation provides obligations for all persons within a workplace to take responsibility for their own actions. The Company fully supports personal accountability and will make decisions and, where necessary, take appropriate actions to ensure the equal opportunity is complied with.
- 4.2 Management is required to ensure that this policy is adhered to in their area of responsibility and for instituting appropriate actions to achieve the policy objectives.

5 Occurrence of Discrimination, Harassment, Victimisation or Vilification

- 5.1 A person believing that they may be experiencing discrimination, harassment, victimisation or vilification should not ignore it. Where possible the person experiencing the offending behaviour should tell the alleged offender that they object to the behaviour and do not wish it to be continued or repeated. They may wish to confidentially seek or discuss the matter with any employee who the employee feels comfortable and who may be able to assist in the matter. Together an evaluation can be made as to the best approach to resolve the matter.
- 5.2 The Company will treat all complaints seriously, impartially, sympathetically and confidentially where possible. The Company will attempt to resolve the complaint or concern at the workplace.
- 5.3 Employees will not be disadvantaged in their employment conditions or opportunities as a result of lodging a concern or complaint.

6 Breaches of Policy

Strict compliance with the policy is a condition of employment. Breaches of this policy or the law will be subject to disciplinary action which may include termination of employment.

7 Review of Policy

This policy shall be reviewed by Tox Free on a regular basis and if required be amended or reviewed to suit the requirements of the Company and adherence to the law.

EFFECTIVE DATE: 7 September 2009