

DISCRIMINATION, HARASSMENT AND WORKPLACE VIOLENCE POLICY

1.0 POLICY STATEMENT and COVERAGE

This policy covers all employees and persons under control of Tubestar.

Tubestar employs and provides services to a cross section of people from diverse social, political and cultural backgrounds in providing products and services to our clients. We aspire to recognise and benefit from the differences in experience and perspectives that our employees bring to the business.

Just as Tubestar values diversity in managing investment risk, diversity in the workplace adds value to our business decisions through different perspectives and experiences. The term diversity in the workplace recognises that individuals within the workforce differ from each other. As a result, they have a wide range of different needs, skills and experiences. Differences between employees are both observable (such as race, gender and age) and not immediately apparent (such as marital status, family/parental status, sexual orientation, political affiliation, religious affiliation, education level, socio-economic status and physical or intellectual impairments).

Tubestar encourages diversity in the workplace, because diversity creates:

- * effective adjustment to demographic and cultural changes;
- * effective team membership and increased productivity;
- * new approaches and ideas;
- * wider pool for recruitment selection;
- * multi-dimensional corporate image;
- * utilisation of employees' overseas experience and qualifications;
- * increased access to a diverse market; and
- * increased business opportunities

We aim to give every job applicant and employee a fair go. We recruit and promote on the basis of merit; that is, the person who is best for the job will get the job.

As an employer, Tubestar recognises the rights of individuals and groups to be free from discrimination and harassment on applicable grounds such as:

Race	Colour
Sex	Age
Physical / mental ability	Marital status

2.0 WHAT IS EQUAL EMPLOYMENT OPPORTUNITY (EEO)?

EEO means that employees are treated fairly and equitably. It means that employees are judged on their ability to do the job based on merit – skills, qualifications and experience, rather than assumptions about them because of different characteristics such as their sex, race marital status, disability, etc. It also means promoting a working environment that is free from sexism, racism, sexual harassment and other forms of discrimination. This applies to customers, fellow employees and independent contractors.

EEO legislation deals with three main areas of practical concern:

- discrimination
- harassment
- affirmative action

3.0 DISCRIMINATION

Discrimination, which includes both direct and indirect discrimination, is essentially any practice that makes distinctions between individuals or groups so as to disadvantage some or advantage others. Direct discrimination refers to individual actions or behaviour usually resulting from prejudice or stereotypical thinking. Indirect discrimination involves instances where certain groups are unreasonably excluded or otherwise disadvantaged by apparently neutral policies, practices, procedures or decisions that are unfair or unequal in their effect.

Tubestar will ensure that direct or indirect discrimination on the grounds listed in section 1 of this policy does not occur in its work environment or dealings with the public.

Tubestar will ensure that current and prospective employees receive fair and equitable treatment.

Employees found engaging in discriminatory conduct will be subject to disciplinary action, including termination.

4.0 HARASSMENT

Tubestar is committed to providing all employees with a harassment-free work environment.

Harassment is a form of discrimination. It consists of unwelcome, embarrassing, unsolicited, offensive, abusive, belittling or threatening behaviour directed at an individual or group because of some real or perceived attribute such as a person's ethnicity, sexuality, or disability in circumstances which a reasonable person, would have anticipated that the person harassed would be offended, humiliated or intimidated.

Harassment can be any one or more of the following:

- practical jokes
- swearing
- bullying
- a demand or inappropriate request for sexual/romantic favours
- crude jokes, derogatory comments, offensive messages or phone calls
- graffiti with racial overtones
- name calling, physical threats and offensive gestures
- campaigns of hate and silence
- leering, patting, pinching, touching
- displays of offensive posters, pictures or graffiti

If such behaviour makes an employee feel offended, humiliated or intimidated, then harassment and/or discrimination is occurring in the workplace and immediate action is required.

Harassment can occur on the basis of any of the grounds of discrimination.

Any form of harassment in the workplace will not be tolerated. There will be disciplinary consequences for employees who engage in harassment in the workplace. This may include termination.

5.0 BULLYING

Work bullying is aggressive behaviour that intimidates, humiliates and/or undermines a person or group. Bullying can be defined as the repeated less-favourable treatment of a person by another or others in the workplace, which is considered unreasonable and inappropriate workplace practice. Examples of bullying at work may include; sabotaging someone's work or their ability to do their job by not providing them with vital information, appropriate training and/or resources. Bullying often results from one person or a group needing to dominate or show superiority over another person.

Any form of bullying in the workplace will not be tolerated. There will be disciplinary consequences for employees who engage in harassment in the workplace. This may include termination.

6.0 WORKPLACE VIOLENCE

Violence and aggression include: verbal and emotional abuse or threats; and physical attack to an individual or to property by another individual or group. The impact of violence on a victim depends on the severity of the violence, his or her own experiences, skills or personality.

Violent acts include:

- Verbal abuse, in person or over the telephone
- Written abuse
- Harassment
- Threats
- Ganging up, bullying and intimidation
- Physical or sexual assault
- Armed robbery
- Malicious damage to the property of staff, customers or the business

Workplace violence may not always be a critical or extreme situation from the outset. It sometimes follows a pattern of escalating behaviour – from agitation, expressed anger or frustration and intimidating body language, to verbal/written abuse and threats, physical threats, or assault. Violence can be internal to the organisation or from external sources.

Workplace violence will not be condoned by Tubestar and serious disciplinary consequences, including summary dismissal will apply for offences.

The complaints procedure should be followed in the event of a complaint of workplace violence, however in a severe instance of violence you are required to immediately remove yourself from the situation and report the instance to a company manager. The same potential outcomes described in the procedure will apply.

7.0 POLICY STATEMENT

Tubestar is committed to ensuring that the working environment is free from harassment, discrimination, bullying and workplace violence.

Tubestar considers all types of harassment, discrimination, bullying and workplace violence to be unacceptable form of behaviours that will not be tolerated under any circumstances. We believe all employees should be treated with respect, fairly and in a reasonable way.

Tubestar is therefore committed to ensuring that:

- Harassment, discrimination, bullying and workplace violence complaints are treated seriously;
- Complaints are attended to promptly and confidentially;
- Complaints are investigated impartially;
- Action is taken to ensure that misconduct does not continue; and
- Complainants and witnesses are not victimised in any way.

8.0 EQUAL OPPORTUNITY FOR WOMEN IN THE WORKPLACE

Affirmative action means the removal of obstacles in employment so that all employees receive the same opportunities. It is based on the principle of merit, that is, the best person must be employed for the job. Affirmative action aims to take a positive approach, by attempting to prevent discrimination from occurring in the first place as well as removing previous causes of discrimination.

In relation to the Equal Opportunity for Women in the Workplace, it is Tubestar's responsibility to ensure that its employment policies and practices do not discriminate against women and that employment decisions are based on the principle of merit.

Tubestar is committed to ensuring that the organisation's employment practices, recruitment, selection and promotion procedures are based on the individual merit of applicants and the inherent requirements of the job.

9.0 RESPONSIBILITIES OF MANAGEMENT AND EMPLOYEES

The management has a responsibility to:

- ensure that acceptable standards of conduct are observed at all times;
- promote and model appropriate behaviour;
- promote the EEO, Bullying and Workplace Violence Policy;
- treat complaints seriously and ensure that immediate action is taken to investigate and resolve them; and
- Maintain confidentiality principles related to all complaints.

All employees have a responsibility to:

- comply with the Tubestar Discrimination, Harassment and Workplace Violence Policy;
- to refrain from engaging in harassing or discriminating conduct; and
- maintain complete confidentiality if they provide information to, or are involved in an investigation of a complaint.

10.0 COMPLAINTS PROCEDURE

Tubestar's policy outlines the types of behaviour that are and are not acceptable within the workplace. Our complaints procedure is:

- **Impartial.** Both sides have a chance to tell their side of the story. No assumptions will be made and no action will be taken until all relevant information has been collected and considered.
- **Free of repercussions.** No action will be taken against anyone for making a valid, truthful complaint or helping someone in making a valid, truthful complaint. Disciplinary action, including possible termination, may ensue against employees who make deliberately false and/or malicious complaints.
- **No victimisation.** The employer will take all necessary steps to ensure that no victimisation occurs against anyone who makes a complaint. Should an employee (the first employee) victimise another employee for making a complaint, the first employee shall be disciplined including as to potential termination of employment.
- **Timely.** All complaints will be dealt with as quickly as possible.
- **Completely confidential.** You can feel secure that if you do make a complaint under this policy, it will remain as confidential as possible. The only people who will have access to information about the complaint will be the person making the complaint, the investigators, and where necessary, the person about whom you have complained. In some situations, some details of a complaint will also have to be told to potential witnesses. Only the people directly involved in making or investigating a complaint will have access to information about the complaint. Employees involved in any way with an investigatory process, including complainants, alleged offenders or witnesses who breach confidentiality requirements explained to them at any time prior to, during or after the investigation process will face disciplinary consequences for their actions; including potential termination of employment.

Hardik Mehta
Director

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Tubestar Complaints Procedure for Discrimination, Harassment, and Workplace Violence

