

Sexual Harassment Policy

Tony's Tuna International Pty Ltd is committed to ensuring that all workers are not subjected to any form of sexual harassment in the workplace.

"Sexual harassment" refers to any unwanted, unwelcome and uninvited behaviour of a sexual nature that results in a person feeling humiliated, intimidated and offended, and under the circumstances, it would be reasonable for them to feel this way. The perception by a worker that they have been sexually harassed is sufficient for them to lodge a complaint.

Sexual harassment does not refer to behaviour based on mutual attraction, friendship and respect if the interaction is consensual, welcome and reciprocated. Sexual harassment is unlawful under both the Equal Opportunity Act 1984 and the Sex Discrimination Act 1984.

Sexual harassment may include:

- uninvited touching or fondling;
- uninvited kisses or embraces;
- making promises or threats in return for sexual favours;
- sexually explicit conversation;
- offensive phone calls or letters;
- stalking (criminal offence);
- offensive e-mail messages or computer screen savers;
- demands that revealing clothing be worn;
- sexual assault (criminal offence);
- obscene telephone calls (criminal offence);
- sexual jokes or innuendos;
- unwelcome comments about a person's sex life or physical appearance;
- sexual propositions or continual requests for dates;
- displays of sexually graphic material or pornography including posters, pin ups, cartoons, graffiti or messages left on notice boards, desks or any other public area;
- "flashing" or sexual gestures (criminal offence);
- sex-based insults, taunts, teasing or name-calling;
- staring or leering at a person or at parts of their body;
- unwelcome physical contact such as massaging a person without invitation or deliberately brushing up against them

Tony's Tuna International Pty Ltd recognises and acknowledges that sexual harassment may involve comments and behaviour that offend some persons but not others. Tony's Tuna International Pty Ltd accepts that individuals may react differently to certain comments and behaviour, and as a result, has determined that a high standard of behaviour is required of all staff.

Sexual harassment by or towards any worker, supplier or customer in any work related context will not be tolerated under any circumstances.

Tony's Tuna International Pty Ltd has a legal responsibility to take all reasonable steps to prevent sexual harassment from occurring in connection with the workplace.

Sexual Harassment

In this regard, Tony's Tuna International Pty Ltd will:

- provide training for managers/supervisors and other workers involved in the complaint resolution process and establish the complaint resolution procedures to be used when dealing with sexual harassment complaints;
- distribute and regularly promote this Policy statement to all existing and new workers;
- model appropriate behaviour themselves and monitor the working environment to ensure that the appropriate standards of conduct are observed at all times;
- treat all complaints seriously and take immediate action to investigate and resolve any complaint quickly and fairly and with complete confidentiality;
- ensure that workers who make or support a complaint of sexual harassment are not subsequently subjected to victimisation;
- ensure that any worker found guilty of making mischievous or vexatious complaints relating to sexual harassment is disciplined accordingly;
- take all reasonable steps to ensure there is no recurrence of the offence

In addition to this, all workers have a responsibility to assist Tony's Tuna International Pty Ltd by ensuring that:

- they comply with this Sexual Harassment Policy by ensuring that they do not perpetrate sexual harassment in the workplace;
- they offer assistance or support to any person being harassed; and
- they keep any complaint confidential to avoid idle gossip and to prevent potential defamatory proceedings being taken against them

To ensure that this Sexual Harassment Policy is adhered to properly, the nominated Compliance Officer has been appointed by Tony's Tuna International Pty Ltd as the Coordinator on behalf of management, who will be responsible for assisting management implement the Sexual Harassment Policy.

If any worker feels that they have been sexually harassed, they may make a complaint by following either the attached Sexual Harassment Procedure or other appropriate company procedure, according to their preference.

Management will ensure that all complaints of sexual harassment will be investigated quickly and fairly and treated with complete confidentiality. Any worker found guilty of perpetrating sexual harassment will be disciplined, or in serious cases, dismissed. Any manager/supervisor found guilty of condoning sexual harassment will be disciplined, or in serious cases, dismissed.

Sexual Harassment

Sexual Harassment Procedure

If any worker believes or perceives that they are or have been sexually harassed, they should approach the harasser and ask them to stop the offending behaviour.

If the worker with the complaint is either not satisfied with the outcome of their discussions with the harasser, or feels uncomfortable about approaching the harasser on their own, the worker may seek assistance from their manager, supervisor, or General Manager.

If the matter is not resolved informally, the worker may wish to make a complaint of harassment to management. A worker may elect to make such a complaint as an initial step without approaching the harasser, for example if the allegations are serious.

Following the initial report, if the matter is deemed to warrant further action being taken, the worker will be requested to put their complaint in writing, which will include the action they want taken against the worker(s) concerned. This action may include:

- arranging for someone to speak to the person(s) responsible for the alleged sexual harassment;
- arranging a mediation meeting where an independent party will assist to resolve the issue(s); and/or
- making a formal complaint that will involve the conduct of an investigation into the alleged incident(s)

All complaints will be investigated promptly, fairly and confidentially by nominated Compliance Officer. The investigation will involve the interviewing of any worker who has been complained about, who will be provided with an opportunity to respond to the allegations made against them. Any other person(s) who may have been involved or who may have witnessed the incident(s) will also be interviewed as part of the investigation.

During any meetings or discussions, every employee will have the right to be represented or accompanied by a person of their choosing, such as a union representative, family member or friend.

Following the investigation, the worker who has made the complaint will be informed of what action (if any) is proposed to be taken by Tony's Tuna International Pty Ltd and the reasons for such action or lack of action being taken.

If any worker is not comfortable in approaching the nominated Compliance Officer or other nominated representative of Tony's Tuna International Pty Ltd in the first instance, or if they are not satisfied with the way their complaint has been handled by the company, they have the right to refer the matter to the Equal Opportunity Commission.

Authorising Officer:


General Manager

Date: 27/02/2015