

Equal Opportunity

Tony's Tuna International Pty Ltd is committed to ensuring that all persons seeking employment are treated fairly and equitably and are not subjected to any form of unlawful discrimination or harassment.

Tony's Tuna International Pty Ltd is also responsible for ensuring that employees are aware of their rights and obligations as outlined in this Policy and that employees must comply with the Policy.

All levels of management and all employees are responsible and accountable for ensuring that the provisions of this Policy are adhered to and that the principles of equal opportunity are upheld in the decision making process, in the performance of their respective duties and whilst acting as a representative of Tony's Tuna International Pty Ltd.

All persons will be afforded opportunities for employment, promotion, training, transfer or benefit based on merit, meaning that assessment is made with regard to the abilities, knowledge, aptitude, experience and relevant qualifications of each individual applicant, in relation to the requirements of the particular position. The ultimate aim is to employ the 'best person' for the job.

"Discrimination" in employment means treating a person less favourably than others because of a particular attribute or status, for example their sex, which is unrelated to the performance of the position. It is unlawful to discriminate in employment under the following Federal and State legislation:

- > Racial Discrimination Act 1975;
- > Sex Discrimination Act 1984;
- > Disability Discrimination Act 1992;
- > Human Rights and Equal Opportunity Commission Act 1986;
- > Equal Opportunity Act 1984 (SA);
- > Equal Opportunity for Women in the Workplace Act 1999;
- > Racial Vilification Act 1996 (SA).

Both the Sex Discrimination Act 1984 and the Equal Opportunity Act 1984 (SA) contain provisions preventing sexual harassment.

"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 an employee that they have been sexually harassed is sufficient for them to lodge a complaint.

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These matters are covered more comprehensively in Tony's Tuna International Pty Ltd Sexual Harassment Policy.

Tony's Tuna International Pty Ltd will not tolerate any form of harassment, as detailed in the other policies, nor any discrimination based on any of the following grounds:

- > sex;
- > sexuality;
- > race, colour, nationality, descent and ethnic, ethno-religious or national origin;
- > physical or intellectual disability;
- > family responsibilities;
- > age;
- > religion;
- > political opinion;
- > criminal record;
- > medical record;
- > pregnancy or potential pregnancy; or
- > marital status

Whilst workplace harassment based on other factors is not specifically rendered unlawful by equal employment opportunity laws in South Australia, work health and safety laws require Tony's Tuna International Pty Ltd to do all that is reasonably practicable to ensure that employees are safe from injury and risks to health at work. Accordingly, Tony's Tuna International Pty Ltd acknowledges its responsibility to provide a harassment-free workplace. *[Refer to Workplace Harassment Policy]*

If any employee feels that they have been discriminated against or harassed, they may make a complaint by following either the attached Equal Opportunity Procedure or other appropriate company procedure, according to their preference.

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

Equal Opportunity Procedure

If any employee believes or perceives that they are being discriminated against, they should report the behaviour or incident to their manager/supervisor.

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

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

All complaints will be investigated promptly, fairly and confidentially by the nominated Compliance Officer. The investigation will involve the interviewing of any employee 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, the 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 employee 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 employee 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 Tony's Tuna International Pty Ltd they have the right to refer the matter to the Equal Opportunity Commission.

Authorising Officer:  Date: 27/02/2015
General Manager