

ANTI-DISCRIMINATION & EQUAL EMPLOYMENT OPPORTUNITY POLICY

1. Purpose

OGT Energy Pty Ltd ('OGT Energy') is committed to:

- providing a safe environment where employees and others in the workplace are treated with respect, and are free from unlawful discrimination, harassment and vilification.
- creating a workplace culture which is focused on equality and respect, which supports people to take bystander action;
- a safe and supportive complaints procedure;
- ensuring any workplace participants who make a complaint or takes bystander action in response to inappropriate behaviour is protected from victimisation.

OGT Energy aims to ensure that when employment decisions are made, they are based on merit. OGT Energy also tries to create a work environment which promotes harmonious, respectful and professional working relationships.

2. Application of Policy

This Policy applies to all workplace participants (including work experience students, volunteers and interns) and employees (whether full-time, part-time or casual) and all persons performing work at the direction of, or in connection with or on behalf of OGT Energy [e.g. agents, contractors (including temporary contractors), subcontractors, consultants and temporary staff of OGT Energy, (collectively referred to in this Policy as 'workplace participants' or 'you'].

This Policy is not limited to the workplace or work hours. This Policy extends to all functions and places that are in connection with work for example, work lunches, conferences, Christmas parties and client functions. Equal Employment Opportunity (EEO) laws apply to all areas of employment, as well as the provision of goods and services.

While you are required to comply with this Policy (as amended from time to time), this Policy does not form part of your contract of employment or contract for service and does not create any rights enforceable by you against OGT Energy.

To the extent that there is an inconsistency between the law and this Policy, the law will prevail.

3. Principles

Gender equality in the workplace

OGT Energy aims to fulfil its obligations under the *Workplace Gender Equality Act 2012* (Cth) ('the Act'), by developing and implementing a workplace program which attempts to eliminate discrimination and contributes to gender equality in employment and in the workplace.

The aim of OGT Energy's actions is to:

- promote and improve gender equality (including equal remuneration between women and men) in employment and in the workplace;
- support employers to remove barriers to the full and equal participation of women in the workforce, in recognition of the disadvantaged position of women in relation to employment matters;
- promote, amongst employers, the elimination of discrimination on the basis of gender in relation to employment matters (including in relation to family and caring responsibilities);
- foster workplace consultation between employers and employees on issues concerning gender equality in employment and in the workplace; and
- improve the productivity and competitiveness of Australian business through the advancement of gender equality in employment and in the workplace.

These actions are about attempting to achieve the potential of all workplace participants. It has direct benefits throughout the organisation. These benefits include increased productivity, increased morale, reduced absenteeism, and higher retention rates of employees. For these reasons, actions in this area have been incorporated into OGT Energy's strategic plan.

EEO laws

Under EEO laws, discrimination, vilification, sexual harassment, sex-based harassment, bullying and victimisation in the workplace are unlawful and strictly prohibited.

Direct discrimination

Direct discrimination in employment occurs when a person is treated less favourably than another in their employment because of a reason or ground which is prohibited by law. The prohibited grounds of discrimination are set out in the Federal, State and Territory anti-discrimination laws and include sex, race, age etc. Grounds of discrimination which operate federally and in the State and/or Territories in which workplace participants undertake their work for OGT Energy include those listed below.

<ul style="list-style-type: none"> • Race (including colour, nationality, descent, ethnic, ethno-religious or national origin) 	<ul style="list-style-type: none"> • Religious belief, affiliation, conviction or activity
<ul style="list-style-type: none"> • Sex 	<ul style="list-style-type: none"> • Marital status, domestic status, relationship status
<ul style="list-style-type: none"> • Pregnancy (including potential pregnancy) • Breastfeeding 	<ul style="list-style-type: none"> • Homosexuality, transsexuality and transgender status, sexuality, sexual preference/orientation, lawful sexual activity, gender identity, intersex status
<ul style="list-style-type: none"> • Carers' responsibilities, family responsibilities, carer or parental status, being childless 	<ul style="list-style-type: none"> • Disability/impairment, including physical, mental and intellectual disability
<ul style="list-style-type: none"> • Immigration status 	<ul style="list-style-type: none"> • Age (including compulsory retirement)
<ul style="list-style-type: none"> • Industrial/trade union membership, non-membership or activity 	<ul style="list-style-type: none"> • Employment status
<ul style="list-style-type: none"> • Employer association membership, non-membership or activity 	<ul style="list-style-type: none"> • Political belief, opinion, affiliation, conviction or activity • Physical features appearance
<ul style="list-style-type: none"> • Defence service 	<ul style="list-style-type: none"> • Irrelevant criminal record • Irrelevant medical record
<ul style="list-style-type: none"> • Religious appearance or dress (in work or study) 	<ul style="list-style-type: none"> • Spent convictions

Indirect discrimination

Indirect discrimination may occur when an employer imposes a policy, requirement or condition which applies to everyone equally, but it in fact operates to disadvantage a particular group because of a characteristic of that group, such as their sex, age, race (i.e. a prohibited ground of discrimination).

Example: An employer imposes a height restriction on all applicants for the position of 'Security Officer', that is, an applicant must be over 185cm (6 feet) tall to be considered for the position. This requirement at first glance appears fair because it applies to all applicants irrespective of gender. However, in practice this requirement will

disadvantage women as a group because statistically, women are naturally shorter than men. So, the effect is to disadvantage women because of their sex.

Discrimination and harassment

Discrimination also includes the situation where a workplace participant harasses another person based on a ground of discrimination. Harassment is unwelcome conduct that a reasonable person would expect to offend, humiliate or intimidate.

Vilification

Vilification is a public act which is reasonably likely, in the circumstances to incite, encourage or urge others to physically harm, hate, have serious contempt for or severe ridicule of a person or group, because of race, homosexuality, transgender, transsexuality or HIV/AIDS. Vilification is a particularly serious breach of EEO laws and will be dealt with accordingly.

Sexual harassment

Workplace sexual harassment is unwelcome sexual advances, unwelcome requests for sexual favours and/or unwelcome conduct of a sexual nature that occurs in connection with work, which makes a person feel offended, humiliated or intimidated where a reasonable person would anticipate that reaction in the circumstances. Conduct can amount to sexual harassment even if the person did not intend to offend, humiliate or intimidate the other person. Sexual harassment does not have to be directed at a particular individual to be unlawful.

Sexual harassment, sex-based harassment and creating hostile workplace environment on the ground of sex are unlawful and will not be tolerated by OGT Energy.

Bullying

Bullying is repeated, unreasonable and inappropriate behaviour by an individual or group of individuals directed towards an individual or group, which creates a risk to health and safety. It includes both physical and psychological risks and abuse.

Workplace bullying is unlawful and will not be tolerated by OGT Energy.

Victimisation

Victimisation is where a person is retaliated against or subjected to a detriment because they have lodged a complaint, they intend to lodge a complaint or they are involved in a complaint of unlawful conduct. Workplace participants must not retaliate against a person who raises a complaint or subject them to any detriment.

Victimisation is unlawful and will not be tolerated by OGT Energy. Any person found to victimise, harass or take reprisal action against individuals participating in procedures associated with this Policy may be subject to separate disciplinary action.

Bystander intervention

Bystanders who witness or are aware of inappropriate behaviour occurring in the workplace that may be in breach of this Policy, can play an important role in preventing such behaviour.

As a bystander if you are aware of inappropriate behaviour in breach of this Policy occurring you are encouraged to:

1. Provide support to the individual who is being subjected to the behaviour;
2. Formally or informally challenge concerning behaviour; and
3. Report the behaviour

OGT Energy will not tolerate any victimisation, bullying, harassment or intimidation against those who take bystander action.

Responsibilities

All workplace participants must:

4. understand and comply with this Policy;
5. ensure they do not engage in any unlawful conduct towards other workplace participants, customers/clients or others with whom they come into contact through work;
6. ensure they do not cause, instruct, induce, aid, abet or encourage other persons to engage in unlawful conduct;
7. follow the complaint procedure in this Policy if they experience any unlawful conduct;
8. report any unlawful conduct they see occurring to others in the workplace in accordance with the complaint procedure in this Policy; and
9. maintain confidentiality if they are involved in the complaint procedure.

You should be aware that legal and/ or criminal action can be taken against you individually in which you can be held legally responsible for your unlawful conduct.

You can also be held legally liable if you cause, instruct, induce, aid, abet, permit or encourage other persons to engage in unlawful conduct.

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