



MIKE CARNEY GROUP

1. PURPOSE

The Mike Carney Group is committed to a healthy, harassment-free work environment for all our employees. Mike Carney Group has developed a company-wide policy intended to prevent harassment of any type, including sexual harassment, of its employees, customers, and clients and to deal quickly and effectively with any incident that might occur.

2. SCOPE

This policy applies to all Mike Carney Group employees.

Mike Carney Group will not tolerate sexual harassment from outside the company either. Customers, investors, contractors, and everyone interacting with our company are covered by this policy.

3. DEFINITION OF SEXUAL HARASSMENT

The law under the Fair Work Act 2009 (FW Act) prohibits discrimination based on the grounds of gender. Protection from sexual harassment is included under the grounds of gender.

- a) Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment when:
- b) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- c) submission to, or rejection of, such conduct by an individual affects that individual's employment.

Sexual harassment can include such things as pinching, patting, rubbing, or leering, "dirty" jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature.

All harassment is offensive, and in many cases, it intimidates others. It will not be tolerated within our company.

4. POLICY STATEMENT

Anybody can be a victim of sexual harassment, regardless of their sex or gender identity and that of the offending party.

Sexual harassment can involve one or more incidents that may be physical, verbal, or non-verbal, and includes:

- Commenting on somebody's appearance, sexual orientation, or gender in a derogatory or objectifying way, or in a way that makes them uncomfortable.
- Creating or posting sexually offensive materials in the workplace.
- Flirting at an inappropriate time, for instance in a team meeting, even if these advances would have been welcome in a different setting. These actions can damage a person's professional reputation and expose them to further sexual harassment.
- Flirting with somebody or pursuing them persistently against their will.
- Using obscene comments, gestures, pranks, and jokes that degrade or offend somebody.
- Sending or displaying sexually explicit objects or messages.
- Invading somebody's personal space, for example by touching them inappropriately.
- Threatening, coercing, stalking, or intimidating somebody to pressure them to engage in sexual acts.
- Proposing, demanding, or insinuating sexual favors.
- Sexual assault.

5. REPORTING PROCESS

If you believe that you are the target of sexual harassment, inform the offending party (except in cases of sexual assault) verbally or in writing that their conduct is offensive and needs to stop.

If you don't want to communicate with the offending party, or if your communication is ineffective, you need to report them.

Complaints can be made to either your Manager / Team leader or member of the HR team. Your complaint will be documented, and you will be interviewed to give a statement. Complaints will be treated as confidential.

Both Mike Carney and federal law prohibit any form of retaliation against somebody claiming sexual harassment.

6. INVESTIGATION PROCESS

Once a formal complaint is made, the investigation will be conducted in a confidential and discreet manner as far as is possible without hampering the investigation. Complaints will be investigated by the investigator as appointed. A complainant will be kept informed at all stages of the investigation and resolution. At all times throughout the investigation, the alleged offender and/or complainant may have legal counsel as their representative, or a support person as defined under The Fairwork Act.

Necessary steps in investigating include:

- providing the alleged offender with a copy of the written complaint.
- providing disclosure of the nature of the complaint to the alleged offender and inviting the alleged offender to provide a response.
- interviewing all witnesses and obtaining such evidence that is relevant to the complaint.
- reviewing the investigation findings with the complainant and the alleged offender and receiving any further information.
- finding out what outcome the complainant would like to see occur.

Upon completion of the investigation, the investigator should immediately communicate his/her findings to the Dealer Principal and General Manager.

7. RESOLUTION

Both the complainant and the alleged harasser will be informed of the findings and intended sanctions as soon as the investigation is concluded.

Upon receiving the findings of the investigation, the company and the investigator will communicate the findings and intended actions to the complainant and the alleged harasser.

If the investigator and company determine no sexual harassment as occurred, this finding will be communicated to the complainant.

If the investigator and company find harassment has occurred, the harasser will be subject to discipline.

a) Sanctions

Where a charge of sexual harassment is substantiated, the Mike Carney Group will act fairly in imposing an appropriate sanction as recommended by the investigator. The sanctions available range from a written apology, referral or counselling, a reprimand, and written report to that person's file, reassignment, suspension, or dismissal from the company. Seniority or status at the company will not affect the decision as to the appropriate sanction in the circumstances.

b) False Accusations

If the investigation reveals evidence that the complainant falsely accused another of sexual harassment, the complainant will be appropriately disciplined, and the documentation will be retained on the complainant's personnel file.

8. MANAGEMENT RESPONSIBILITY

It is the responsibility of a HR or Managers or any other person within this company who supervises one or more employees to take immediate and appropriate action to report or deal with incidents of sexual harassment of any type, whether brought to their attention or personally observed.

Under no circumstances should a complaint be dismissed or downplayed, nor should the complainant be told to deal with it personally.

9. RETALIATION

Any act of retaliation against a person using this policy in good faith to report an incident of sexual harassment, or a person who is assisting in an investigation of an incident of sexual harassment under this policy is inappropriate and appropriate disciplinary action will be taken against persons found to have committed such an act.

Mike Carney seeks to provide a safe, healthy, and rewarding work environment for its employees, clients, and customers. Sexual harassment will not be tolerated within our company. If you feel that you are being harassed, contact us.