

Overview

Bunnings is committed to promoting equal employment opportunities for all team members and providing a workplace free from all forms of unlawful discrimination, harassment (including racial and sexual harassment), bullying, and victimisation. This policy is intended to ensure that there is a shared understanding amongst everyone in the workplace regarding acceptable and appropriate behaviour in the workplace and out of hours conduct. This policy applies to all team members, leaders, contractors and interactions with customers and visitors.

For the purpose of this policy workplace includes any place a person goes for the purpose of carrying out any function in relation to their employment and includes work events.

This policy covers Bunnings' approach to the prevention of all forms of inappropriate behaviour in the workplace, how to raise a grievance and the grievance process including an overview of the investigations procedure. Breaches of this policy will not be tolerated and may result in disciplinary action up to and including termination of employment. Additionally, Bunnings as a company or the individual team member/leader could be held personally liable for damages by a court or tribunal.

Bunnings' human resource (HR) team is entrusted to provide confidential guidance and assistance to all stakeholders that are covered by this policy – no query is too big or too small. For support or guidance in relation to any alleged breaches of this policy, HR support is available by emailing hrsupport@bunnings.com.au or calling 1800 909 805 (AU) / 0800 400 285 (NZ).



Diverse and inclusive thinking

Bunnings' unique culture is founded on values that go hand in hand with diversity, inclusion, and a respectful workplace: integrity, respect, teamwork, achievement, and innovation. Our leaders are encouraged to think outside the box when it comes to recruitment, promotion and restructuring decisions. By enabling roles to be structured on a part-time or job share basis for example or considering any training opportunities that might assist a graduate or mature age team member to perform a particular role, a more diverse range of applicants may be considered for a given position which can only lead to greater productivity and innovation. All team members are valued and supported regardless of what stage of their career they are at.

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Bunnings recognises that diversity means identifying, valuing, and embracing diversity in the workplace and broader community. Bunnings is an inclusive workplace where we value and welcome team members of different cultures, ages, gender, backgrounds, experiences, and education and recognise that this provides for diversity of thought. The best performing teams tend to have the most diverse thinking, whereas the worst performing teams pay lip service to diversity by only recruiting in their own image. Bunnings strives to ensure everyone is treated fairly, valued for their contributions and that decisions are made based on merit.

Inappropriate conduct

Inappropriate conduct may affect a team member's welfare, safety, and job satisfaction. It is the responsibility of each team member and leader to be courteous and respectful to everyone in the workplace.

Inappropriate conduct, in the form of discrimination, harassment, sexual harassment, bullying and/or victimisation will not be tolerated at Bunnings. Where a team member commits a breach of this policy, they may be required to apologise to affected individuals and may face disciplinary action to ensure the behaviour is not repeated. More serious or wilful breaches may result in serious disciplinary outcomes up to and including termination of employment.

Inappropriate conduct can include conduct or behaviour — including via electronic means, which is not discrimination, harassment, sexual harassment, bullying or victimisation. Examples of inappropriate behaviour can include:

- swearing at another person or making a person feel uncomfortable even if that person is of the same age, gender, and background as you; or
- using a name or term to address a person that the person does not consent to, or does not feel comfortable with, such as calling someone by a name or nickname that is not their preferred name, or by a term that they do not want to be referred to by (e.g. kiddo, honey etc).
- making assumptions about a person's gender identity, or asking others about that person's gender identity; or
- assuming a person's sexuality; or perpetuating stereotypes about lesbian, gay, bi-sexual, transgender, intersex, questioning or asexual (LGBTIQA+) people

Determinations about inappropriate conduct are generally made by reference to the 'reasonable person'. This requires an examination of whether a hypothetical 'reasonable person' would feel that the complainant's reaction to the behaviour was understandable under the circumstances.

Out of hours conduct

Inappropriate conduct that occurs away from the workplace or outside of business hours may constitute a breach of this policy if there is a connection to the workplace — i.e. if the behaviour occurs at a Bunnings event or where the person can be identified as being an employee of Bunnings. Examples that could constitute a breach of this policy include:

- A team member who sexually harasses a colleague at a Christmas party
- A team member who posts offensive comments about a colleague or Bunnings on social media
- A team member who drives recklessly in his or her reds/uniform
- A team member who drives recklessly in a company vehicle; and/or
- A team member who consumes alcohol in his or her reds/uniform

All team members and leaders should treat their colleagues with dignity and respect in the workplace, away from the workplace and at any time they are wearing the Bunnings uniform. When a team member is wearing the Bunnings uniform, they are seen to be representing Bunnings and their conduct could bring the brand into disrepute. This could lead to disciplinary action up to and including termination.

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Discrimination

Unlawful discrimination is when a person treats or proposes to treat a person or groups of people less favourably due to a protected attribute — listed below, when compared with a person without that attribute.

Protected attributes include:

- Age
- Colour
- Descent, nationality or ethnic origin
- National extraction
- Race
- Pregnancy/breastfeeding
- Medical record
- Industrial activity/inactivity (e.g. whether to join a union or not)
- Impairment
- Physical, mental, intellectual or psychiatric disability
- Lawful sexual activity
- Sexual orientation
- Social origin
- Status as a parent or carer
- Physical features
- Sex
- Gender identity
- Intersex status
- Religious belief or activity
- Political opinion or activity
- Irrelevant criminal conviction (one that does not relate to an inherent requirement of the role)
- Marital/relationship status, including de-facto or single
- Person associated with someone with any of the protected attributes listed.

Discrimination can occur in a variety of ways:

- During recruitment and selecting team members;
- Terms, conditions, and benefits offered as part of employment;
- Instructing a person to use a single-sex toilet or change room, where they do not identify as that gender;
- In determining who receives training and what sort of training is offered;
- In considering and selecting who receives a transfer, promotion, redundancy, or dismissal;
- Providing goods and/or services; or
- Refusing 'reasonable' flexible workplace arrangements without reasonable business grounds (for more information refer to the [BFLEX and flexible work arrangements policy 4312](#))

Discrimination can be direct or indirect:

- overlooking someone for a promotion based on their sexual orientation, sex or gender identity would be an example of direct discrimination; whereas
- implementing a recruitment rule that all night-fill team members must speak fluent English could be an example of indirect discrimination as it involves a rule or practice that appears neutral but has the unintended consequence of discriminating against a group of people.

Bunnings takes discrimination seriously. Where a person applies or condones discriminatory practices at Bunnings, the consequences can include disciplinary action up to and including termination of employment. It is irrelevant whether the discrimination was intended or not. Bunnings can be held liable for discrimination by team members and leaders.

Equal employment opportunity (EEO)

Bunnings promotes equal employment opportunities (EEO) which requires that workplace decisions should always be based on merit and the inherent requirements of the role. Merit means all persons eligible for a position, promotion, training etc, have a reasonable opportunity to apply. A decision to appoint a person is based on the relative suitability of the applicant regarding the nature of the duties to be performed.

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Harassment

Unlawful harassment is defined as any unwelcome behaviour towards another person that makes them feel offended, humiliated or intimidated because of one of the protected attributes listed above.

Harassment can occur in many forms and may include inappropriate actions, behaviour, physical contact, or comments made verbally or in writing — including by electronic means, that make a person feel uncomfortable. It is important to note that intention is irrelevant for harassment – if a person feels uncomfortable, the behaviour was harassment, even if it was not intended to make the person feel that way.

Harassment may include conduct that occurs outside of work or on social media, as well as a one-off incident. Examples of harassment may include:

- offensive jokes or demeaning comments relating to a person's beliefs, race, ethnicity, or physical appearance
- insults of any nature
- racial hatred, where someone or a group of people are subjected to conduct or behaviour on the grounds of their race, colour, national or ethnic origin which offends, insults, humiliates or intimidates them
- derogatory comments or taunts about a person's customs or traditions
- asking intrusive questions about someone's personal life
- excluding a person from activities or information because of a protected attribute or association with someone with a protected attribute
- swearing or shouting at someone
- threatening or implying physical harm — this can include body language or gestures
- displaying or sharing offensive material (by any means); or
- pushing, shoving, punching or any inappropriate touching.
- making homophobic (fear or dislike of homosexual people), bi-phobic (fear or dislike of bi-sexual people) transphobic (fear or dislike of transgender people) or other remarks, jokes, or slurs about LGBTIQA+ people.

Bunnings can be held liable for harassment by team members and leaders.

Sexual harassment

Bunnings takes allegations of sexual harassment very seriously and has set up a separate [Sexual Harassment addendum to the Respectful Workplace policy](#), which is found at the back of this Policy.

Relationships in the workplace

Sexual harassment is not about mutual attraction or consensual relationships. However, there are some circumstances where relationships in the workplace can create a potential conflict of interest, power imbalance — e.g. position, age difference, personal or work connections/influence etc; or perceived bias. This would include a personal relationship where there is a reporting line — e.g. a team member and a leader in the same store or department, this can also include where there is a relationship between leaders in the same leadership team, or where there is potential to influence commercial decision making — e.g. supplier terms.

Any person covered by this policy who is in or commences a personal relationship in these circumstances is required to notify their leader or HR accordingly. Any such disclosure must be treated on a confidential basis.

Bunnings reserves the right to vary a team member's duties or transfer them to a different team, store, department, or comparable role to ensure that any conflict or perceived bias can be appropriately managed.

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Workplace bullying

Workplace bullying is defined as repeated, unreasonable behaviour directed towards an employee, or group of employees that creates a risk to health and safety.

'Repeated' refers to the persistent nature of the behaviour and can refer to a range of behaviours over time.

'Unreasonable' means behaviour that a reasonable person would consider inappropriate, including behaviour that would be perceived as victimising, humiliating, intimidating, undermining, or threatening the other person.

'Behaviour' includes actions or omissions of individuals or a group and may involve using a system of work — e.g. procedures, processes, or requirements, as a means of victimising, humiliating, undermining, punishing, isolating or threatening a person or group.

'Risk to health and safety' includes risk to mental or physical health of a person.

Bullying can be direct or indirect and can occur in a variety of ways, including physical, verbal, or written communication via email, text message or other social media channels.

The following examples of behaviour, where repeated or occurring as a part of a pattern of behaviour could be considered workplace bullying — this is not an exhaustive list:

- physical or verbal abusive including insulting or offensive language or comments
- intimidation
- unjustified criticism or complaints
- offensive body language or gestures
- setting impossible or unreasonable tasks or deadlines
- denying access to information or resources that are essential for the person to perform their role
- teasing or making jokes/pranks at someone else's expense
- gossiping or spreading misinformation or malicious rumours
- deliberately excluding, ignoring, or isolating someone in the workplace, including refusing to work with someone because of their sexual orientation or intersex status
- psychological harassment or emotional abuse
- excessive scrutiny at work; or
- acting maliciously to inconvenience a team member or setting them up to fail.

Bullying is not acceptable in the workplace and has significant impact as it can cause harm to a person's health and wellbeing, both physical and psychological.

It does not matter whether a person intended to bully another person or group of people.

What is not Workplace Bullying?

Leaders may take reasonable management action to direct and control the way work is carried out and provided that the management action is carried out in a reasonable way this is not bullying. Forms of reasonable management action may include implementing rostering requirements, a decision to restructure a department or decisions relating to the operational requirements of a role or function.

Workplace bullying should not be confused with legitimate work-related feedback and advice from leaders and supervisors on the work performance or work-related behaviour of an individual or group. This includes performance appraisals as well as counselling team members regarding their work performance. Performance management carried out in a reasonable way is not bullying.

What is a grievance?

A grievance (or complaint) can be about an alleged breach of this policy — i.e. discrimination, bullying, harassment, sexual harassment or victimisation, or any other employment related decisions or behaviours which you think is unfair, unjust, or upsetting.

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How will your grievance be handled?

If a team member comes forward with a grievance it will be treated with confidentiality — on a need to know basis. It is important that the person raising the grievance (also known as the 'complainant') also maintains confidentiality to avoid rumours and gossiping, the possibility of defaming a person — which could result in legal proceedings or undermining an investigation process.

Where a team member decides to make a formal complaint, it will be taken seriously and investigated as appropriate — unless otherwise agreed with the complainant. Investigations will be conducted in an impartial manner and will include interviewing the complainant, the person complained about — also known as the 'Respondent', and any witnesses who agree to be interviewed. Anyone being interviewed during an investigation is welcome to bring a support person — e.g. anyone the team member would like to bring with them including someone external to Bunnings, provided that the person they bring is not a potential witness in the investigation.

If a complaint is made against you, be assured that you will not be prejudged, and you will have an opportunity to tell your side of the story. No decisions will be made until the investigation is completed.

The complainant and anyone who participates in an investigation as a witness or support person will not be treated unfairly or victimised as a result of making a complaint or participating in an investigation process. If you do feel you are being victimised please notify the investigator, HR support or a member of your leadership team as soon as possible so appropriate action can be taken.

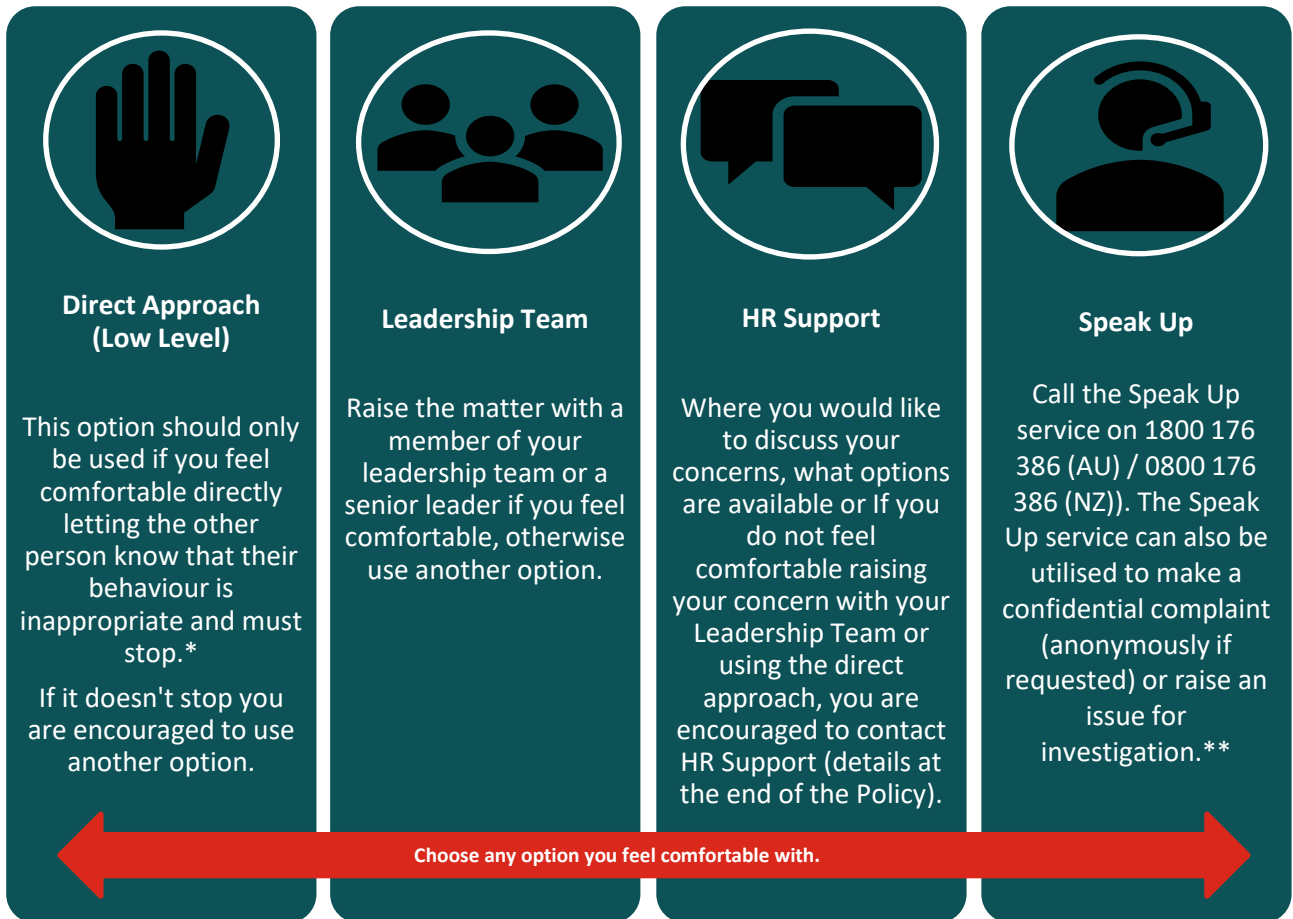
Each complaint will be dealt with as soon as reasonably practicable in the circumstances.

This policy is available to all team members and leaders on the intranet and complainants and respondents should refer to this policy when there is an alleged breach of this policy.

What are your options if you do have a grievance?

Bunnings encourages open communication and interaction so that issues can be resolved as quickly and pragmatically as reasonably possible. If you believe that you have been subjected to inappropriate behaviour, unlawful discrimination, harassment — including sexual harassment, bullying or victimisation, you are encouraged to raise your concerns using any of the options below that you feel most comfortable with:

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*If you are the person being asked to stop a particular behaviour, you must immediately stop any behaviour that could breach this policy. This approach should be taken for low level behaviour. More serious behaviours should be escalated. If in doubt, escalate to a leader or HR.

**Refer to the Speak Up page on the intranet for additional information. Team members are within their rights to make an anonymous complaint however, these can be very difficult to investigate. Team members are therefore encouraged to put their name to a complaint without fear of reprisal or victimisation.

The complainant or respondent may also request assistance from an external body such as the Human Rights Commission (in AU or NZ), the state Equal Employment Opportunity Commission (AU), the Fair Work Commission (AU) or the NZ Ministry of Business, Innovation & Employment (MBIE). Where the complaint is in relation to a behaviour which is criminal in nature a team member has the right at any stage to make a complaint to the police.

Bystanders

If you see inappropriate behaviour in the workplace you are also encouraged to use the above options to raise your concern, so the behaviour can be addressed in a timely manner.

Should the complaint be informal or formal?

Informal complaint

An informal complaint will usually be the quickest and most effective way to resolve a grievance. Examples of an informal complaint includes, letting the person complained about know that their behaviour is inappropriate and asking them to stop or getting a member of the leadership team to address the concern informally with the person complained about. The informal approach generally does not require a detailed investigation. This approach generally relies on the complainant giving open feedback in a timely manner and the respondent acknowledging if they did something wrong. This conversation can be facilitated by a leader. There may be situations where it is not appropriate to address a complaint informally and a formal complaint is required.

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Formal complaint

A formal complaint is generally a complaint made in writing and requires a formal investigation by an impartial investigator. Please refer to the grievance process and investigation process section of this policy for more information.

Grievance process

Please see [Attachment A](#) at the end of this policy for a diagram of the grievance process.

Investigation process

Where a formal complaint is made, or a formal investigation is required, an impartial investigator will be assigned to the complaint. Where appropriate the investigator is usually someone from your leadership team or the HR team. Where the complainant or respondent has concerns about the impartiality of the investigator, they need to raise this as soon as possible by contacting HR support, preferably before the investigation meetings have commenced. Investigators must ensure that they do not have a conflict of interest prior to commencing an investigation. All parties involved in the investigation process need to keep the matter confidential and not discuss the details with each other or with current or former Bunnings team members or share the information by any means — including via text messages, online or social media. Disciplinary action may be taken for breaches of confidentiality.

The complainant will be required to provide as much detail as possible as well as specific examples that relate to the nature of the complaint. It is best to provide this information in writing and the investigator may still need to meet with the complainant to clarify the allegations. The investigator will also discuss what outcomes or resolution the complainant is seeking. The investigator will then meet with the respondent to give them an opportunity to respond to the allegations in the complaint. The respondent may request an opportunity to provide additional information in writing — provided it is within a reasonable timeframe, for consideration by the investigator.

The law requires both the complainant and the respondent to be treated fairly at all times. The complainant and respondent should inform the investigator of any potential witnesses to the allegations. The investigator will then meet with the witnesses. Anyone being interviewed or participating in the investigation process is welcome to bring a support person — e.g. anyone the team member would like to bring with them including someone external to Bunnings, provided that the person they bring is not a potential witness in the investigation.

It may be appropriate, depending on the circumstances, for the respondent to be stood down with pay and the complainant may also to be offered time off with pay until the investigation is finalised. In other instances, it may be appropriate where practical to limit interaction between the respondent and complainant in the workplace.

Before a finding is made the investigator must consider all relevant evidence, including witness accounts and CCTV footage.

As this is a workplace investigation the findings will be based on the 'balance of probability' — rather than 'beyond reasonable doubt' which is a high standard used for criminal matters and can only be determined by a court. The balance of probabilities means that something was more likely to have occurred than not based on the evidence available at the time.

At the conclusion of an investigation, Bunnings will communicate findings as appropriate with the complainant and respondent, including whether the allegations have been proven on the balance of probabilities (or not) and whether the behaviour is a breach of this policy. Where there is breach of the policy appropriate outcomes will be put in place.

Outcomes may include —but are not limited to, an apology, mediation —where both parties agree this may assist with their working relationship going forward, changing roles or locations, training, file note, disciplinary action such as a warning, demotion or termination of employment. At the request of the complainant Bunnings may, at its discretion, disclose the outcomes to the complainant, on condition that the complainant keep such information confidential. In exercising that discretion, Bunnings will balance confidentiality considerations with the practical need to provide the complainant and respondents with sufficient information to allow them to move on from the grievance.

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Where possible, Bunnings will endeavour to resolve grievances to the complainant's satisfaction where it is reasonable in all the circumstances. Where this is not possible Bunnings will explain the reasons for the decision. If a team member remains unsatisfied with the outcome, they can ask for the matter to be reviewed internally by a more senior leader or a member of the HR team that was not involved in the investigation.

The complainant or respondent may also request assistance from an external body such as the Human Rights Commission (in AU or NZ), the state Equal Employment Opportunity Commission (AU), the Fair Work Commission (AU) or the NZ Ministry of Business, Innovation and Employment (MBIE).

Victimisation

Victimisation is unlawful and occurs where a person treats another person or threatens to treat another person adversely because that person or someone associated with that person has made an allegation or complaint or participated in a complaints process or investigation.

Victimisation will not be tolerated, and allegations of victimisation will be treated seriously.

Frivolous or vexatious complaints

Where a person provides makes a complaint that was found to be deliberately false or misleading, this is called a frivolous or vexatious complaint. Frivolous, vexatious, or malicious complaints can be characterised by:

- giving intentionally false or misleading information;
- withholding relevant information to distort the facts; or
- demonstrating no real commitment to resolving the complaint — for examples deliberately misusing the grievance process to create a problem.

Frivolous, vexatious, or malicious complaints will not be investigated. If an investigation has already commenced, and it is then found that the complaint was frivolous, vexatious or malicious, the complainant may receive disciplinary action up to and including termination.

A genuine but misguided complaint will not be considered a frivolous or vexatious complaint.

Leadership responsibilities

Leadership teams have a responsibility to ensure that team members, contractors and visitors are not subjected to discriminatory treatment, harassment — including sexual harassment, bullying or victimisation of any kind. Managers have a responsibility to lead by example — e.g. demonstrating appropriate behaviour and take action to prevent inappropriate behaviour.

This includes:

- ensuring that all team members are aware of and have access to this policy and have completed the Bunnings respectful workplace training
- investigating and resolving complaints promptly
- ensuring any disciplinary outcomes 'fit the crime'
- taking appropriate steps to ensure that victimisation does not occur
- ensuring the principles of natural justice and procedural fairness are followed and that all parties to the grievance are treated fairly
- maintaining documentation in a confidential and secure manner
- setting the expectations of what is appropriate and not appropriate behaviour or conduct in the workplace
- monitoring team member interactions post an investigation or resolution process to ensure that there is no further inappropriate behaviour or victimisation.

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Record keeping and confidentiality

All parties involved in the complaints process or investigation process or resolution of the complaint must keep the information confidential. This includes keeping confidential all documentation regarding any complaint(s), the investigation, any interviews, evidence, and other steps taken to resolve the matter.

All parties to a complaint have a right to expect that allegations will be kept confidential on a need to know basis. It is particularly important that information is controlled to prevent the victimisation of the parties involved.

Questions?

Please speak with a member of your leadership team or the HR team should you have any questions or concerns about this policy.

HR support is available by emailing hrsupport@bunnings.com.au or calling 1800 909 805 (AU) / 0800 400 285 (NZ).

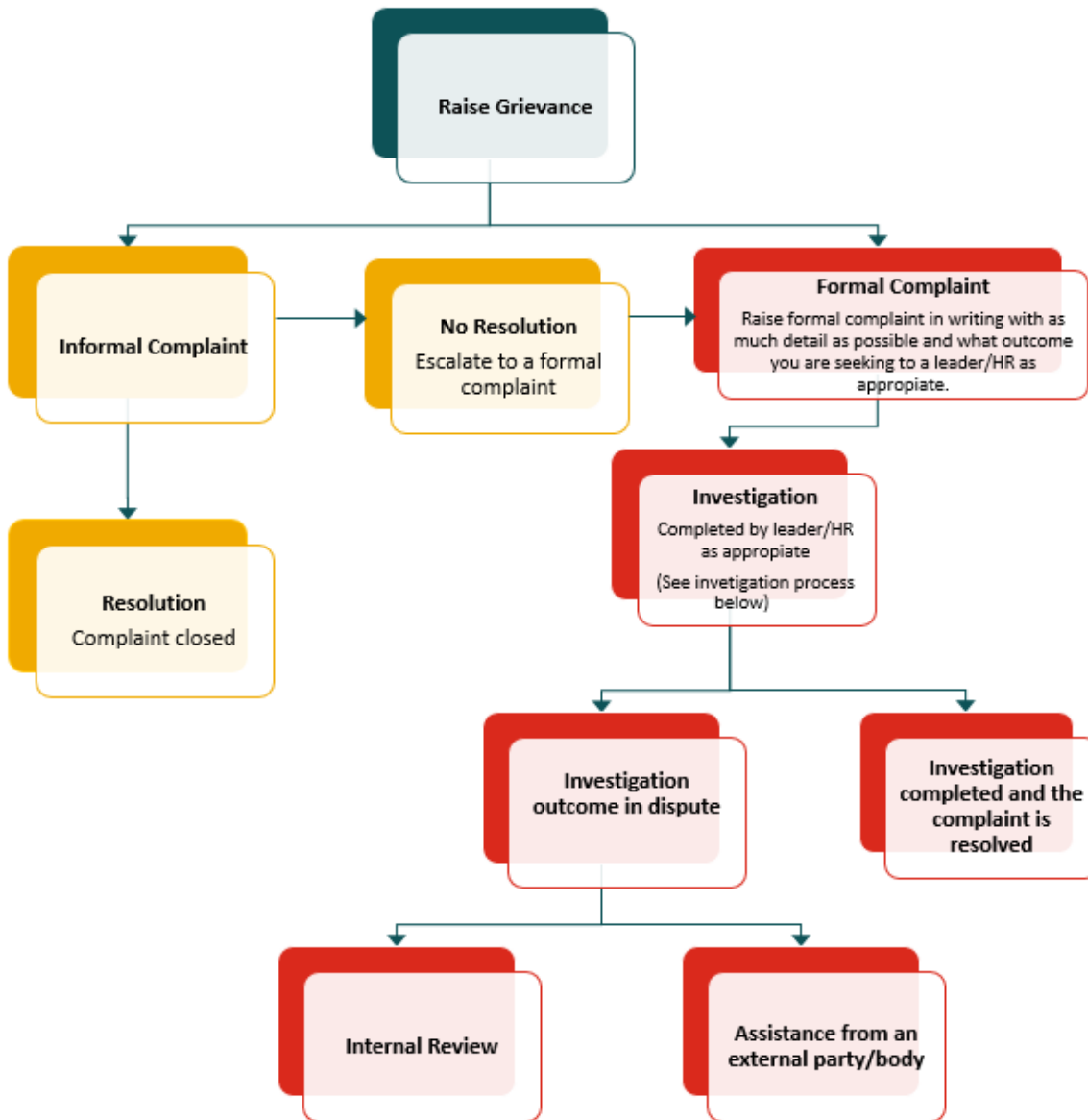
Alternatively, you can contact your local HR representative, using the contact details below:

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| NSW | 02 9846 7164 |
| QLD | 07 3452 5630 |
| VIC | 03 8567 7369 |
| SA/NT/TAS | 08 8152 6522 |
| WA | 08 9365 1473 |
| AU NATIONAL SUPPORT OFFICE | 03 8632 6366 |
| NZ SUPPORT OFFICE | +64 9 573 9318 |

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| Where to find this topic under About Bunnings > Policies and resources: Bunnings group policies > Human Resources | |
| This topic applies to: All Bunnings employees | Forms or other documents you may need: Addendum – Sexual Harassment 3023 HR road map (available in stores) Speak Up Wesfarmers Anti Bribery policy 1.3 |
| And is actioned At all times | These topics are relevant to this process: Acceptable use policy 3349 BFLEX and flexible work arrangements policy 4312 Ethical behaviour and conflicts of interest 2849 Respectful workplace policy – summary 1360 Social media policy 2510 Whistleblower policy 4214 |

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Attachment A – Grievance Process (diagram)



Note: If you would like to make a formal complaint and need assistance putting your complaint in writing please contact HR support (see details in 'Questions' section of the policy above).