



# POLICY

## Equal Opportunity and Workplace Behaviour

### OBJECTIVE

JB Hi-Fi Limited and its subsidiaries, including those subsidiaries conducting the JB Hi-Fi and The Good Guys businesses (collectively referred to as the Group), are committed to providing and ensuring, as far as reasonably practicable, a workplace free from unlawful discrimination, harassment and workplace bullying.

The Group's Statement of Values states that:

- we will treat everyone fairly and without discrimination;
- we will ensure our business is safe, inclusive and welcoming for everyone; and
- we will act lawfully, ethically and responsibly.

This Group Equal Opportunity and Workplace Behaviour Policy sets out the standards of conduct and behaviour required of all team members in the workplace, and the steps to take when making a complaint under this Policy.

### APPLICATION

This Policy applies to everyone who works for the Group in any capacity (together referred to as **Employees**).

This Policy applies to the conduct of Employees in the course of their employment, including:

- in the workplace both inside and outside normal working hours;
- during work activities (for example, where work activities are undertaken offsite); and
- at work-related events (for example, work social functions and conferences).

This Policy also applies to people seeking employment with the Group and all parties that our Employees come into contact with in the course of their employment, such as customers, visitors and suppliers.

### POLICY

The Group is committed to providing equal opportunity to all Employees, candidates, customers and others it deals with, without regard to unlawful discriminatory factors.

The Group will take all reasonable steps to provide a workplace free from unlawful discrimination, harassment, vilification, victimisation and workplace bullying (together referred to as **Unacceptable Workplace Behaviour**), and ensure that Employees have the opportunity to raise any concerns under this Policy and will take appropriate steps to address those concerns.

Under this Policy, it is a requirement that all Employees interact with other team members, customers and external parties without unlawful discrimination, harassment, vilification, victimisation or bullying.

Managers have an additional responsibility to take all reasonable steps to ensure that the work environment is free from Unacceptable Workplace Behaviour.

### Unacceptable Workplace Behaviour

#### Unlawful Discrimination

The Group is committed to providing equal opportunity to all Employees, candidates, customers and others it deals with, without regard to unlawful discriminatory factors.

Discrimination on the following grounds is unlawful under State and Federal Legislation and is Unacceptable Workplace Behaviour under this Policy:

- Sex
- Sexual Orientation
- Marital Status
- Lawful sexual activity

- Pregnancy
- Breastfeeding
- Carer status
- Parental status
- Political activity or belief
- Industrial activity
- Employment activity
- Gender identity
- Physical features
- Disability
- Race
- Age
- Religious activity or belief
- Personal association with someone with any of these characteristics

Discrimination can be either direct or indirect. Direct discrimination occurs when a person, in the same or similar circumstances, is treated less favourably than another person based on any of the unlawful grounds.

Indirect discrimination occurs when a rule, requirement or practice appears neutral, but in practice excludes people on unlawful grounds. Managers should be aware of practices which could unintentionally exclude people on unlawful grounds and consider reasonable alternatives to those practices.

### **Sexual harassment**

Sexual harassment is unwelcome behaviour which could reasonably be expected to make a person feel offended, humiliated or intimidated. Sexual harassment occurs where a person makes an unwelcome sexual advance, makes an unwelcome request of a sexual nature, or engages in other unwelcome conduct of a sexual nature. Sexual harassment can be any physical, visual, verbal or non-verbal conduct of a sexual nature, and can occur as a series or as a one-off incident.

Examples of sexual harassment may include:

- displays of any material of a sexual nature;
- offensive telephone calls, email and messages, or posts on social media;
- requests for sexual favours;
- sexual gestures, leering, or deliberate and unnecessary touching;
- intrusive inquiries into a someone's relationship status or sexuality;
- repeatedly asking someone out, especially after prior refusal; and
- provocative, suggestive or derogatory comments of a sexual nature.

### **Vilification**

Vilification occurs when a person publicly threatens, incites hatred towards, voices serious contempt for, or severe ridicule of, a person or a group of people on the basis of any of the unlawful grounds.

### **Victimisation**

Victimisation occurs when a person treats or threatens to treat another person detrimentally because that person has made a genuine complaint in the course of their employment, or helped someone else to do so.

Examples of detrimental treatment could be demotion, dismissal, transfer, suspension, loss of a benefit, being excluded, and being the subject of gossip or innuendo.

### **Workplace bullying**

Workplace bullying is repeated, unreasonable behaviour directed towards an Employee or group of Employees which creates a risk to health and safety.

Workplace bullying can include:

- direct violence including physical assault and harassment;
- threats of physical violence or threatening body language;
- verbal or written abuse, insults, or yelling;
- malicious gossip, innuendo and spreading of rumours;
- unjustified threats of dismissal or unreasonable and continual criticism; and
- deliberately undermining or sabotaging work performance.

There is a clear distinction between workplace bullying and genuine and reasonable performance management. Employers have the right to give constructive feedback and counsel Employees on their work performance and conduct, engage in reasonable performance management and take disciplinary action.

### **Workplace relationships**

The nature of workplace dynamics and the role of responsibility that managers hold may give managers certain authority over team members. This creates the potential for undue influence of a team member, which could arise due to age or other factors such as the capacity to influence outcomes. In particular, the development of a personal or sexual relationship between a manager and a team member creates the potential for abuse of position, power imbalance, harm to others, and for a conflict of interest to arise. Managers hold a trusted position, and as such managers must:

1. avoid conflicts of interest in relation to relationships with a team member; or
2. where that is not possible, immediately declare this conflict of interest to their manager or HR; and
3. not abuse or misuse their position of authority.

### **Consequence of breach**

Unacceptable Workplace Behaviour will not be tolerated by the Group and will be considered a serious breach of this Policy. Certain other conduct will also be a serious breach of this Policy, including:

- Causing or encouraging another person to engage in Unacceptable Workplace Behaviour;
- Raising a malicious or vexatious claim against another person; and
- Breaching confidentiality, or engaging in gossip about a complaint.

Any breach, where it is found to have occurred, will be subject to appropriate disciplinary action up to and including summary dismissal.

Some forms of Unacceptable Workplace Behaviour may also be an offence under criminal law. In addition to the action that may be taken by the Group under this Policy, individual managers and all other Employees may be personally liable for Unacceptable Workplace Behaviour which occurs in the workplace or in connection with an Employee's work.

## **PROCEDURES**

### **Raising a complaint**

If you have a genuine concern that you are subject to Unacceptable Workplace Behaviour, or if you witness any Unacceptable Workplace Behaviour in the workplace, you are encouraged to raise your concerns. The appropriate way to resolve your concerns will depend on the nature of the Unacceptable Workplace Behaviour.

In the first instance, you are encouraged to raise your concerns directly with the person involved to ensure they are fully aware that the conduct is unwelcome and inappropriate. It is important to raise your concerns in a timely manner as in many cases this will resolve the issue quickly and effectively.

If this approach does not resolve your concerns, or if you are not comfortable with raising your concerns directly with the other person, you should raise your concerns with your manager or with any of the following Reporting Officers:

<b>JB Hi-Fi</b>	David Ensor HR Business Partner	NSW & ACT	<a href="mailto:david.ensor@jbhifi.com.au">david.ensor@jbhifi.com.au</a>
	Lauren Jolly HR Business Partner	NSW & Airports	<a href="mailto:lauren.jolly@jbhifi.com.au">lauren.jolly@jbhifi.com.au</a>
	Megan Sheilds HR Business Partner	QLD	<a href="mailto:megan.sheilds@jbhifi.com.au">megan.sheilds@jbhifi.com.au</a>
	Maria Nicolaou HR Business Partner	VIC	<a href="mailto:maria.nicolaou@jbhifi.com.au">maria.nicolaou@jbhifi.com.au</a>
	Julie Outhenthapanya HR Business Partner	VIC	<a href="mailto:julie.outhenthapanya@jbhifi.com.au">julie.outhenthapanya@jbhifi.com.au</a>
	Rebecca Madden HR Business Partner	WA, SA, TAS & NT	<a href="mailto:rebecca.madden@jbhifi.com.au">rebecca.madden@jbhifi.com.au</a>

	Jenny Poland HR Business Partner	New Zealand	<a href="mailto:jenny.poland@jbhifi.co.nz">jenny.poland@jbhifi.co.nz</a>
	Stephanie Grundy HR Business Partner	Support Office & Group functions	<a href="mailto:steph.grundy@jbhifi.com.au">steph.grundy@jbhifi.com.au</a>
	Rachael Brown HR Business Partner	Support Office & Group functions	<a href="mailto:rachael.brown@jbhifi.com.au">rachael.brown@jbhifi.com.au</a>
	Joshua Furolo HR Manager	Support Office & Group functions	<a href="mailto:joshua.furolo@jbhifi.com.au">joshua.furolo@jbhifi.com.au</a>
	Pei Chen HR Manager	AUS Retail Stores	<a href="mailto:pei.chen@jbhifi.com.au">pei.chen@jbhifi.com.au</a>
	Dana Forte General Manager HR	All States and business functions	<a href="mailto:dana.forte@jbhifi.com.au">dana.forte@jbhifi.com.au</a>
<b>The Good Guys</b>	Matthew Meaney HR Business Partner	NT, QLD & Support Office	<a href="mailto:matthewmeaney@thegoodguys.com.au">matthewmeaney@thegoodguys.com.au</a>
	Mikaela Tarraran HR Advisor	WA & SA	<a href="mailto:mikaelatarraran@thegoodguys.com.au">mikaelatarraran@thegoodguys.com.au</a>
	Bonnie Norton HR Business Partner	NSW & ACT & QLD	<a href="mailto:bonnienorton@thegoodguys.com.au">bonnienorton@thegoodguys.com.au</a>
	Louise Ferriggi HR Business Partner	VIC & TAS	<a href="mailto:louiseferriggi@thegoodguys.com.au">louiseferriggi@thegoodguys.com.au</a>
	Susana Thomas HR Manager	All States and business functions	<a href="mailto:susanathomas@thegoodguys.com.au">susanathomas@thegoodguys.com.au</a>
	Vacant General Manager HR	All States and business functions	Vacant

All complaints will be taken seriously. A full and formal investigation will be conducted as deemed appropriate by the Reporting Officer and appropriate action will be taken to address any issue.

The Group may still investigate and find conduct to be in breach of this Policy in the absence of a formal complaint.

If the conduct amounts to "Reportable Misconduct" as defined in the Group's Reportable Misconduct and Whistleblower Policy, complaints can also be reported under that Policy.

### Receiving a complaint

When a manager receives a complaint or becomes aware of conduct that may constitute Unacceptable Workplace Behaviour they must:

- Listen to the complaint seriously
- Treat the complaint confidentially
- Contact HR

Even if an investigation is not requested, or if there is any doubt about whether conduct constitutes Unacceptable Workplace Behaviour, managers are encouraged to contact HR for advice.

### Features of process

#### 1. Confidentiality

The Group considers confidentiality one of the most important aspects of dealing with Unacceptable Workplace Behaviour complaints.

Only the people involved in the investigation or resolution of a complaint will have access to information about the complaint. In certain circumstances, information relating to a complaint may not be kept confidential, such as if physical threats are involved or the law otherwise requires it.

## **2. Impartiality**

No assumptions will be made and, to the extent possible, no action will be taken until all relevant information has been collected and considered.

## **3. No repercussions**

The Group will take all reasonable steps to ensure that anyone making a complaint is not victimised, and no action is taken against them for making or helping someone to make a genuine complaint.

## **4. Promptness**

All complaints will be dealt with as quickly as possible.

## **5. Communication**

To the extent possible, the outcome of the investigation and steps taken will be communicated with the relevant parties.

## **COMPLIANCE**

Please contact HR to clarify any aspect of this Policy, as amended from time to time.

Owner	Group HR Director
Date	December 2021