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## ANTI – DISCRIMINATION AND HARASSMENT POLICY

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### **1. Introduction**

Sydney Dragway aims to be an equal opportunity employer and venue and is committed to providing a safe, healthy, and productive work environment free from harassment (including sexual harassment) and discrimination.

In accordance with this commitment, the Sydney Dragway Board and Management endorses a working environment which is free from discrimination and harassment and where all members of the staff, volunteers, media, competitors, crew, contractors, hirers, licensee, agents of are treated with dignity, courtesy, and respect.

Sydney Dragway prides itself on having a diverse workforce and believes that this diversity enhances the success of the organisation. Therefore, under no circumstances will Sydney Dragway tolerate employees, volunteers, competitors, crew, media, contractors, hirers, licensee, agents of and/or visitors engaging in, discriminatory or harassing behaviour.

This Policy replaces the Sydney Dragway Anti-Discrimination and Harassment Procedure.

### **2. Purpose**

The purpose of this policy is to:

- Describe what constitutes harassment (including sexual harassment) and discrimination.
- Set out expected standards of behaviours; and
- Set out the responsibilities of individuals covered by this Policy and managers.

### **3. Scope**

This Policy applies to all individuals working for or on behalf Sydney Dragway or competing, race team crew, media, hirers, licensee, agents of in any capacity at the venue. For the purposes of this Policy, an ‘individual’ refers to Sydney Dragway employees, volunteers, competitor, crew, media, contractors, hirers, licensee, agents of and visitors.

This Policy applies to all Sydney Dragway work locations including work related events and trips organised by Sydney Dragway or partly organised by Sydney Dragway including events. This Policy also applies to private interactions between individuals where the conduct engaged in within or outside the “workplace” which has an adverse impact on one or more of the following:

- The individual’s performance of work; and/or
- The interests or reputation of Sydney Dragway

For the purposes of this policy, references to “workplace” or “work premises” also includes Sydney Dragway owned property including Sydney Dragway vehicles and out of work vicinities, such as accommodation providers, event facility providers, private events organised by individuals, or where an individual works from home.

## **4. Policy**

### **4.1 What is Discrimination?**

In simple terms, under federal and state legislation discrimination can occur when a person, or a group of people are treated less favourably than another person or a group because of a protected attribute. Discrimination does not have to be repeated or continuous to be against the law. Even a one-off incident can constitute discrimination and may result in an employee, volunteer, competitor, crew, media, contractors, hirers, licensee, agents of being subject to disciplinary action, or a contractor's services being discontinued.

Anti-discrimination legislation prohibits discrimination on a number of protected attributes including, but not limited to an individual's:

- Sex
- Sexual preference and gender identity
- Race (including colour, national, or ethnic origin)
- Marital, domestic or relationship status
- Disability
- Age
- Religion
- Pregnancy or potential pregnancy
- Breastfeeding
- Family/carer's responsibilities

Protections exist for any individual who is experiencing or has experienced family and domestic violence.

#### **It is not discrimination in circumstances where:**

- A requirement is imposed, or action is taken by Sydney Dragway that relates to a worker or prospective worker's or volunteers' ability to perform the inherent requirements of their role; and/or
- Accommodating a worker / volunteer's disability or impairment imposes or would impose an unjustifiable hardship on Sydney Dragway.
- The above also applies to Competitors, crew, media, contractors, hirers, licensee, agents of and visitors.

### **4.2 What is Harassment?**

Harassment is any unwelcome behaviour that offends, humiliates and/or intimidates other individual/s. Harassment does not have to be repeated or continuous to be against the law. Even a one-off incident can constitute harassment and may result in an employee, volunteer, competitor, crew, media, contractors, hirers, licensee, agents of being subject to disciplinary action or a contractor's services being discontinued.

Harassment can include behaviour such as (non-exhaustive list):

- Making insulting jokes about racial groups
- Displaying offensive posters or screensavers
- Making derogatory comments or taunts about someone's race or disability.

Individuals must not engage in any unwelcome behaviour that is likely to offend, humiliate or intimidate other persons in the workplace.

In addition, persons at the Sydney Dragway workplace should be mindful about conversations that they engage in and should not engage in conversations that are likely to cause offence to any person or group of persons.

#### **4.3 What is Sexual Harassment?**

Sexual harassment is any unwanted, unwelcome and/or uninvited behaviour of a sexual nature in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated, or intimidated. Sexual harassment can take many different forms and does not have to be repeated or continuous to be against the law. Even a one-off incident can constitute sexual harassment and may result in an employee, volunteer, competitor, crew, , hirers, licensee, agents of being subject to disciplinary action or a contractor or labour hire employee's services being discontinued.

The Sex Discrimination Act 1984 (Cth) prohibits sexual harassment of a workplace participant by any other person. Workplace participants included in this definition include employees, volunteers, contractors, and visitors.

In order to amount to sexual harassment, the behaviour does not need to occur within working hours or be on Sydney Dragway facilities. Conduct outside working hours or event hours and outside the Sydney Dragway facilities such as working from home, at external Sydney Dragway sponsored, coordinated, or funded events (such as conferences or work functions) and/or work trips can amount to sexual harassment.

The following are some examples of sexual harassment (non-exhaustive list):

- Unnecessary familiarity, such as deliberately brushing up against another person or unwelcome touching.
- Suggestive comments or unsolicited jokes
- Insults or taunts of a sexual nature
- Displaying posters, magazines, or screen savers of a sexual nature
- Sending sexually explicit emails or text messages
- Accessing sexually explicit internet sites
- Requests for sex or repeated unwanted requests to go out on dates.
- Behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.
- Creating a hostile workplace environment on the basis of sex

Sexual harassment will not be established where there is a sexual interaction, attraction or friendship which is invited, mutual, consensual and/or reciprocated. Sydney Dragway will not allow consensual intimate behaviour or activities to occur at the Sydney Dragway venue including any Sydney Dragway offices, buildings or Sydney Dragway owned vehicles. Consensual intimate behaviour or activities that occur at any of the listed Sydney Dragway property, buildings or vehicles will result in termination of employment, cessation of contracting services and volunteering, competitors, crew, media, hirers, licensee, agents of will be subject to the Sydney Dragway disciplinary committee.

As mentioned above, an employee / volunteer, media, competitors, crew, contractors, , hirers, licensee, agents of is likely be subject to disciplinary action, up to and including termination of employment, cessation of contracting services and volunteering, competitors, crew, media, hirers, licensee, agents of will be subject to the Sydney Dragway disciplinary committee if they are found to have engaged in sexual harassment and such activity is deemed to be in connection with the employee's employment either fulltime or on a volunteer / casual status or competing, crew, media, hirers, licensee, agents of. If substantiated, this may result in a contractor service being discontinued. Therefore, alleged sexual harassment does not have to occur at the Sydney Dragway facility for the incident to be connected to one's employment either by fulltime, volunteer, or

casual, or as a competitor, crew, media, , hirers, licensee, agents of.

Disciplinary action may be taken where alleged sexual harassment has an adverse impact on one or more of the following:

- The individual's performance of work;
- The interests or reputation of Sydney Dragway; and/or
- The wellbeing of Sydney Dragway employees, volunteers, customers, contractors, competitors, crew, media, , hirers, licensee, agents of or other persons covered under this Policy.

For clarity, if two or more Sydney Dragway individuals attend a social event that is totally not work-related or endorsed by Sydney Dragway and harassment occurs, Sydney Dragway may deem that the conduct engaged in is in connection with employment if one or more of the above factors are met.

## **5. Responsibilities**

The responsibilities of individuals to:

- Familiarise themselves with this Policy and comply with it;
- Not engage in any conduct that amounts to discrimination and/or harassment (including sexual harassment);
- Report any incidents of discrimination and/or harassment in the workplace to the appropriate manager as soon as practicable.
- Cooperate with any workplace investigations.
- Maintain complete confidentiality in relation to any complaints or investigations into a complaint.
- Offer support to anyone who is being discriminated against and/or harassed and let them know where they can get help and advice; and
- Not engage in conduct that amounts to the victimisation of individuals who have made a complaint about discrimination and/or harassment.

The responsibilities of individual's and managers include:

- Taking all reasonable steps to comply with state and federal Anti-Discrimination legislation;
- Taking all reasonable steps to prevent discrimination and/or harassment (including sexual harassment) in the workplace.
- Intervening in a timely manner where they become aware of behaviour that is contrary to the requirements of this Policy.
- Applying this Policy consistently and fairly.
- Modelling appropriate behaviour i.e. leading by example.
- Handling all complaints in accordance with the Sydney Dragway Grievance Handling Policy.
- Providing training to staff in relation to discrimination and harassment; and
- Monitor and report on incidents of harassment, sexual harassment, and discrimination.

## **6. Complaints**

An individual who suspects that they have been subjected to discrimination and/or harassment and where they feel comfortable doing so, are encouraged to directly approach the alleged perpetrator and inform them in a polite but firm manner that the behaviour/actions are unwelcome and request that that they stop the behaviour immediately.

Where an individual is not comfortable approaching the alleged perpetrator or if the behaviour is continuing after a request has been made to the individual for them to stop, the individual is encouraged to report the matter in accordance with the Sydney Dragway Grievance Handling Policy to the employee's manager if fulltime or the Sydney Dragway Meeting Director for volunteers, competitors, crew, media, hirers, licensee, agents of. Contractors are required to report this matter to their employer whose responsibility it is to work

with Sydney Dragway in investigating the matter where it involves a Sydney Dragway employee, volunteer, competitors, crew, media, hirers, licensee, agents of.

Sydney Dragway takes all complaints concerning discrimination and harassment seriously and will take all reasonable steps to address the matter. The handling of complaints should be dealt with professionally, sensitively, and confidentially. The wellbeing of all individuals involved should be at the forefront of complaints handling. The following is general information for managers which should be read in conjunction with the SYDNEY DRAGWAY Grievance Handling Procedure when a formal complaint is received.

#### **General communication when initially receiving a formal complaint**

It is good practice to outline Sydney Dragway's Policy and the Sydney Dragway employee / volunteer's / media options when initially speaking with the Sydney Dragway employee / volunteer / media at the time of employment, volunteer induction and media application, the policy will be presented upon the successful applicant being onboarded. Clearly explain your role as an impartial listener and indicate that if required, you will organise a fair and impartial investigation into the communicated issues. For Competitors, crew, by signing the relevant sanctioning body indemnity document, you also accept the policy as part of the Sydney Dragway track regulations.

Make it clear that no one will be victimised for expressing their legitimate concerns and all legitimate concerns will be taken seriously and that confidentiality will be observed during the process. Further, it is important to ask the Sydney Dragway employee / volunteer, competitor, crew, media, hirers, licensee, agents of what they are seeking through the process as it is always important to consider the wishes of the complainant. There is a general requirement that a formal complaint is required to be in writing, and this will be the case unless there are exceptional circumstances.

#### **Collecting information**

When the Sydney Dragway General Manager or Operations Manager and/or the Sydney Dragway meeting director receive the complaint need to where possible, obtain a broad outline of the problem in writing. Further, it is important to document accurately all interviews conducted during any process and advise Sydney Dragway employees / volunteers, competitors, crew, media, hirers, licensee, agents of during the process that where necessary, follow up interviews may be required. The respondent will be given the opportunity to give their version of the events, and these will be properly considered before any determination is made.

#### **Investigations and making determinations**

When conducting any investigation, The General Manager or Operations Manager will be contacted, and the relevant manager will work with the General Manager or Operations Manager to conduct the investigation including the making of any determination. Sydney Dragway will make all attempts to conduct any investigation quickly as possible without jeopardising the process and in consideration of the concerns raised. If appropriate, attempts will be made to resolve the complaint by non-confrontational methods including discussion and mediation. If a Sydney Dragway employee / volunteer, competitor, crew, media, hirers, licensee, agents of informs Sydney Dragway of their preference not to be involved in direct discussions with the other party, these wishes will be strongly considered.

#### **7. Victimisation**

Victimisation occurs where a person is treated less favourably or harassed because they either made a complaint, supported someone who made a complaint, acted as a witness, or assisted in any way in resolving of a complaint. Victimisation includes a person who is the subject of a complaint speaking to the complainant about withdrawing their complaint. Sydney Dragway does not tolerate victimisation, and disciplinary action may be taken.

## **8. Policy Confirmation**

Sydney Dragway prides itself on providing workplaces free from any form of discrimination and harassment (including sexual harassment). As such any Sydney Dragway employee / volunteer, competitor, crew, media, hirers, licensee, agents of found to be breaching or failing to comply with any aspect of this policy may be subject to disciplinary action. Serious or repeated breaches of the policy by a Sydney Dragway employee / volunteer may result in the termination of his or her employment, competitors, crew, media, hirers, licensee, agents of will be required to face the Sydney Dragway Disciplinary committee as could face a ban from the Sydney Dragway facility. Where a visitor or contractor has breached this policy, the matter will be reported to their employer and their services may cease immediately.

Annexure A:

I, (Print full name) \_\_\_\_\_

In my position of (circle) Fulltime employer, Casual employee, Volunteer, media have read and understand the Sydney Dragway Anti-Discrimination and Harassment policy and understand that if I violate this policy, I could be subject to termination of my employment / volunteering services and in the case of media face the Sydney Dragway Disciplinary Committee in which removal of my Media accreditation and possible ban from venue.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Name: \_\_\_\_\_

Witness Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **Office Use Only**

Date Received	
Entered into HR System	
Date Entered	
Approved By	