



Bullying and Harassment Policy

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1. Purpose

Technology Metals Australia Limited (the **Company**) is committed to its duty of care to all personnel and stakeholders and their physical and psychological safety and wellbeing. Behaviours and modes of interaction with internal and external stakeholders that are considered harmful and offensive, including bullying, harassment, discrimination, vilification, victimisation, and violence and aggression are unacceptable and will not be tolerated at the Company's workplaces, internal and external Business-related events, and/or over digital and/or social media.

The purpose of this Policy is to identify unacceptable behaviours and modes of interaction and outline the Company's commitment to eliminating these behaviours.

This Policy should be read in conjunction with the Company's *Code of Conduct* and *Diversity and Equal Opportunity Policy*.

2. Scope

The Company expects that all directors, employees, and contractors working for the Company and its subsidiaries support and adhere to this Policy.

3. Frameworks

This policy takes into consideration the following legislation and codes of practice:

- *Equal Opportunity Act 1984* (WA)
- *Racial Discrimination Act 1975* (Cth)
- *Sex Discrimination Act 1984* (Cth)
- *Fair Work Act 2009* (Cth)
- Work Health and Safety Commission, *Workplace behaviour: Code of practice*, Department of Mines, Industry Regulation and Safety. Thereafter attributed as "Workplace behaviour: Code of practice".
- Work Health and Safety Commission, *Violence and aggression at work: Code of practice*, Department of Mines, Industry Regulation and Safety.

4. Definition

Terms	Definition
Bullying	<p>This policy follows the definition of Bullying as provided in Workplace behaviours: Code of practice, defined as repeated and unreasonable behaviour, whether intentional or unintentional, directed towards a worker or a group of workers that creates a risk to health and safety. This may include:</p> <ul style="list-style-type: none"> • abusive, insulting, or offensive language or comments • aggressive and intimidating conduct • belittling or humiliating comments • victimisation • practical jokes or initiation • unjustified criticism or complaints • deliberately excluding someone from work-related activities • withholding information that is vital for effective work performance • setting unreasonable timelines or constantly changing deadlines • setting tasks that are unreasonably below or beyond a person’s skill level • denying access to information, supervision, consultation, or resources to the detriment of the worker • spreading misinformation or malicious rumours • changing work arrangements such as rosters and leave to deliberately inconvenience a particular worker or workers.
Business-related events	<p>Events and/or engagements with internal or external stakeholders that take place outside the normal places of work at the Company. Examples include conferences, industry events, exhibitions, and gatherings such as sundowner/cocktail parties or end-of-year parties.</p>
Discrimination	<p>This policy follows the definition of Discrimination as provided in Workplace behaviours: Code of practice, defined as treating a person or group, whether intentionally or unintentionally, less favourably than another person or group because of a prohibited ground under the <i>Equal Opportunity Act 1984</i>, which may include a person’s age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, political conviction, religious conviction, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status, and spent conviction.</p>
Harassment	<p>This policy follows the definition of Harassment as provided in Workplace behaviours: Code of practice, defined as unwelcome behaviour of an offensive nature that may involve physical, verbal, and visual conduct, which can be written or drawn, in the form of posters or electronic means, that can be one-off incident or repeated or continuous occurrences. Examples include:</p> <ul style="list-style-type: none"> • material that is displayed in the workplace, e.g., on a noticeboard • material put on a computer, sent by email, SMS, or put on a website, blog or on social media • verbal abuse or derogatory comments • intrusive personal questions offensive jokes or comments • offensive gestures • initiation ceremonies that involve unwelcome and unsafe behaviour.

Personnel	Personnel includes all directors, officers, employees, contractors, service providers working for or on behalf of the Company.
Racial harassment	<p>This policy follows the definition of Racial Harassment as provided in Workplace behaviours: Code of practice, defined as threats, abuse, insults and taunts based on a person's race or a characteristic belonging to, or generally believed to belong to, a particular race.</p> <p>Race includes colour, descent, ethnic or national origin, or nationality and may comprise two or more distinct races.</p>
Sexual harassment	<p>Sexual harassment is any unwelcome conduct of a sexual nature, that a reasonable person would anticipate, in all circumstances, to cause offence, humiliation, or intimidation.</p> <p>Unacceptable behaviours may include:</p> <ul style="list-style-type: none"> • suggestive comments or jokes, insults or taunts based on a person's gender or sexual orientation • repeated or inappropriate advances in person and/or online • sending unwelcome pictures, content, and messages of a sexual nature • unwelcome physical contact, including unwanted touching, hugging, cornering, and kissing • actual or attempted rape or sexual assault.
Stakeholders	Internal and external stakeholders including but not limited to visitors to the Company's workplaces, customers, investors, representatives from financial institutions, advisors to the Company, community members, government representatives, and industry members.
Victimisation	Victimisation is when someone is treated badly or subjected to harm and/or detriment because they made a complaint about bullying, harassment, or discrimination or has helped someone who has been the victim of bullying, harassment, or discrimination.
Vilification	Vilification is behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of a person or group of people based on certain personal characteristics (e.g., race, religion, sexuality, or gender identity).

Violence and Aggression	<p>This policy follows the definition of Violence and Aggression as provided in Workplace behaviours: Code of practice, defined as actions or behaviours that may physically or psychologically harm another person. Examples include:</p> <ul style="list-style-type: none"> • abusive behaviour, including insults and name-calling, and intimidating behaviour that creates a fear of violence, such as shouting, yelling, stalking, or threatening to cause physical harm • any form of assault, such as biting, spitting, scratching, hitting, kicking, punching, pushing, shoving, tripping, grabbing, or throwing objects. <p>Violence and aggression can be:</p> <ul style="list-style-type: none"> • physical, psychological, verbal or written • one-off or repeated incidents • minor behaviours through to more serious acts, including criminal offences, which require the intervention of public authorities • in person or can include threats by correspondence, electronic means or by social media.
Workplace	<p>A Workplace is any location where work is carried out for the Company, including the Company's office, a home office, work vehicles, project site, accommodation camps, and any location in which Business-related events takes place.</p>

5. Responsibility

Role	Responsibilities
Managing Director	<ul style="list-style-type: none"> • Provides and maintains a work environment that limits risks to health and safety to personnel due to harmful behaviours, as much as is reasonably practicable • Communicates zero tolerance for harmful and offensive behaviours and modes of interaction to all Company personnel • Ensures all personnel working for the Company understand and adhere to the requirements of this Policy
Chief Operating Officer/Site Senior Leadership	<ul style="list-style-type: none"> • Ensures sufficient resources and processes are available for this Policy to be adequately implemented • Provides appropriate information, instruction, training, and supervision to personnel at the Company's workplaces to ensure risks to health and safety due to unacceptable behaviours are minimised • Ensures there are sufficient resources and processes to provide support to personnel impacted by inappropriate behaviour, and enforce investigative, corrective, and/or disciplinary actions where required • Monitors and reviews the effectiveness of training and instruction on appropriate workplace behaviours and the currency and accuracy of this Policy and make amendments as required

All personnel	<ul style="list-style-type: none"> • Adheres to the Policy as outlined • Undertakes training and inductions on appropriate and inappropriate workplace behaviours, if required • Ensure their behaviours at work do not adversely affect the health and safety of other personnel, through perpetrating unacceptable behaviours, encouraging others of unacceptable behaviours, or tolerating unacceptable behaviours
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6. Commitment

- a. The Company is committed to building and maintaining a workplace that is safe and professional, where all personnel and stakeholders are treated with dignity and respect.
- b. The Company does not tolerate inappropriate and unacceptable behaviours that may be intentional or unintentional, one-off or repeated, that make personnel and stakeholders feel intimidated, humiliated, embarrassed, scared, offended, abused, and/or threatened. These behaviours include bullying, harassment, discrimination, victimisation, vilification, and violent and/or aggressive behaviours.
- c. The Company is committed to undertaking the appropriate level of corrective and/or disciplinary actions for those personnel who are considered responsible, with sufficient evidence, for perpetrating inappropriate workplace behaviours as listed in b.
- d. The Company is committed to supporting those personnel who have experienced and/or observed inappropriate behaviours and may have experienced detriment, in a manner suited to the needs of the personnel.
- e. The Company is committed to upholding personnell's rights to privacy and confidentiality in the support and/or corrective/disciplinary process and maintain these rights as far as practicable.
- f. The Company is committed to the principles of procedural fairness, objectivity, and natural justice in its handling of the complaint, and the investigative, corrective and/or disciplinary process.
- g. The Company is committed to providing information and training on inappropriate and unacceptable workplace behaviours, and communicating the commitments contained herein to maintain awareness.

7. Policy

7.1. Rights and obligations of all personnel

- a. All Company personnel have a right to work in a workplace environment free from harmful and offensive behaviours and modes of interaction, including bullying, harassment (any type of harassment, including sexual and racial), discrimination, victimisation, vilification, and violence and aggressive behaviours.
- b. All Company personnel have a right to make a complaint of bullying, harassment, victimisation, vilification, and violence and aggressive behaviours. This includes reporting any unacceptable behaviours they observe or witness in the workplace that is in breach of this Policy.
- c. All Company personnel must adhere to this Policy and ensure their behaviour does not constitute, or encourage, bullying, harassment, discrimination, victimisation, vilification, and violence and/or aggressive behaviours.
- d. All Company personnel shall participate fully and in good faith in any investigative and/or resolution process where they have been identified as potentially a person involved or as having potentially relevant information regarding an incident of unacceptable behaviour.

- e. All Company personnel shall respect the rights of others pertaining to privacy and confidentiality in relation to their experiences of inappropriate or unacceptable behaviour.

7.2. Behaviours that do not constitute inappropriate behaviour

- a. Reasonable interactions between personnel where Company work is discussed, duties allocated, and constructive feedback provided on a personnel's performance are acceptable modes of communication.
- b. Reasonable management actions that effectively direct and control the way Company work is carried out may include (but are not limited to):
 - (i) Setting realistic and achievable performance goals, standards, and deadlines
 - (ii) Fair and appropriate rostering and allocation of working hours
 - (iii) Transferring a personnel to another area or role for operational reasons
 - (iv) Deciding not to select a personnel for a promotion based on their performance, skill, or capability
 - (v) Discussing with a personnel about unsatisfactory work performance in an honest, fair, and constructive way
 - (vi) Discussing with a personnel about their inappropriate or unacceptable behaviour in an objective, constructive, and confidential way
 - (vii) Implementing Company organisational changes or restructuring
 - (viii) Taking disciplinary action, including suspension or termination of employment where appropriate or justified in the circumstances.
- c. Conflicts of opinion, disagreements, misunderstandings, and/or miscommunication over work processes, ideas, resource and/or task allocation, or management decisions may occur from time to time in the workplace. These are considered a natural part of working together, unless behaviours and modes of interaction escalate to become inappropriate, unreasonable, and/or unacceptable as defined in this Policy. Work-related conflicts should be resolved as promptly as possible to avoid escalation.

7.3. Sexual Harassment

- a. Sexual harassment in the Company's workplaces is strictly prohibited and will not be tolerated.
- b. In addition to the definition of Sexual Harassment in the Definition section, the following scenarios are also considered sexual harassment:
 - (i) Using power and hierarchical differences in the workplace to coerce or manipulate a personnel in the Company to concede to sexual activities. Personnel who engage in these types of harassing behaviour will be disciplined appropriately.
 - (ii) Continual expression of personal and/or sexual interest in a personnel after such interest has been refused. Personnel who engage in this type of harassing behaviour will be disciplined appropriately.
 - (iii) Acts such as indecent exposure, physical and sexual assault, stalking, and obscene or threatening communications (e.g., phone calls, letters, emails, text messages and posts on social media and electronic platforms) may be considered offences under criminal law and may be referred to the police by the Company, with the victim's consent where possible. Sexual harassment may be reported to WorkSafe WA if it meets the defined notification threshold.

7.4. Enforcement

- a. Any proven instances of bullying, harassment, victimisation, vilification, and/or violent or aggressive behaviours will be considered a workplace offence and the responsible personnel may be disciplined in accordance with Company procedures.
- b. Serious instances of inappropriate behaviours may attract instant termination by the Company and may be reported to the police and notified under appropriate WHS laws.

7.5. Support

Support for personnel affected by inappropriate or unacceptable behaviours will be provided by the Company in a suitable manner. These may include, but are not limited to, allowing greater workplace flexibility or time off as requested or required as practicable, offer of professional counselling support, or transferring the affected personnel to another work area as practicable.

7.6. Malicious Complaints

All complaints brought to the attention of the Company will be treated with objectivity and confidentiality. However, if during the investigative process it is found that the complaint is unsubstantiated, blatantly untrue, and/or raised through unacceptable or malicious motive, the complainant will be subject to the Company's disciplinary process.

8. Monitoring and Review

- a. The Company will regularly monitor, identify, and assess hazards and risk factors that may increase the likelihood of inappropriate or unacceptable behaviour occurring in the workplace.
- b. Monitoring mechanisms may include observation of Company culture in the workplace and interactions between personnel, tracking the number of instances of complaints made, personnel support required, and/or staff turnover rates.
- c. This Policy and its attending procedures shall be reviewed annually by the Company's senior management team to ensure it remains current, compliant with legislation and industry best practice, and continues to meet the Policy commitments and requirements of the Company.

9. Related Documents

- a. TMT-COR-POL-001 Code of Conduct
- b. TMT-COR-POL-005 Diversity and Equal Opportunity Policy
- c. TMT-COR-POL-014 Work Health and Safety Policy