

BULLYING IN THE WORKPLACE POLICY

1. INTRODUCTION

Latin Resources Limited (“Latin”) is committed to the provision of a fair, healthy and safe workplace in which everyone is treated with dignity and respect and in which no individual or group feels bullied, threatened or intimidated.

Bullying or harassment in any form is unacceptable behaviour and will not be permitted or condoned.

Latin recognises that bullying and harassment can exist in the workplace and this can seriously affect the working lives of employees by detracting from a productive working environment. Bullying and harassment can also impact on the physical and mental health, confidence, morale and performance of those affected including anyone who witnesses or has knowledge of the unwanted or unacceptable behaviour, in particular, other employees, consultants, sub-contractors and visitors.

Workplace bullying may also cause the loss of trained and talented employees.

Bullying is repeated, offensive, abusive, intimidating, insulting or unreasonable behaviour directed towards an individual or a group, which makes the recipient(s) feel threatened, humiliated or vulnerable.

2. EXAMPLES OF BULLYING

Bullying can take the form of physical, verbal and non-verbal conduct. There are many examples of bullying, which can include:

- abusive, insulting or offensive language or comments;
- unjustified criticism or complaints;
- physical or emotional threats;
- deliberate exclusion from workplace activities;
- the spreading of misinformation or malicious rumours; and
- actual physical contact such as repeated pushing or bumping.

The examples above are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of bullying.

3. REASONABLE MANAGEMENT ACTION TAKEN IN A REASONABLE WAY

It is reasonable for managers, executives and supervisors to allocate work and to give fair and reasonable feedback on an employee' performance. These actions are not considered to be workplace bullying or harassment if they are carried out lawfully and in a reasonable manner, taking the particular circumstances into account.

Examples of reasonable management action that cannot be considered to be bullying or harassment can include but are not limited to:

- setting reasonable performance goals, standards and deadlines;
- rostering and allocating working hours where the requirements are reasonable;
- transferring an employee for operational reasons;
- deciding not to select an employee for promotion where a reasonable process is followed;
- informing an employee of their unsatisfactory work performance;
- meeting with an employee to discuss performance and/or conduct;
- informing an employee of their unreasonable or inappropriate behaviour in an objective and confidential way;
- implementing organisational changes or restructuring; and
- taking disciplinary action including suspension or termination of employment.

4. COMPLAINT PROCEDURES

Latin has grievance and investigation procedures to deal with workplace bullying.

Any reports of workplace bullying will be treated seriously and investigated promptly, confidentially and impartially.

Latin encourages all employees to report workplace bullying by way of a formal written complaint which written complaint should if possible include:

- the name of the alleged bully;
- the nature of the alleged incident of bullying;
- the dates and times when the alleged incident of bullying occurred;
- the names of any witnesses; and
- any action already taken by you informally to stop the alleged bullying.

Latin will ensure that employees who make bullying complaints or witnesses, are not victimised or prejudiced.

5. DISCIPLINARY ACTION

If Latin concludes that the allegation of bullying is well founded, appropriate action will be taken against the perpetrators of the bullying. Appropriate action in relation to an employee will include disciplinary action in accordance with Latin's disciplinary and termination procedures and appropriate action on the part of Latin may include termination of the engagement of the bully with Latin.