

Equity Policy

NSS will not tolerate any form of inequality within the workplace. We strongly believe that our employees have the right to work in an environment free of discrimination, sexual harassment or workplace harassment in all their forms. Our policies are underpinned by the principle that all employees uphold our continuing commitment to an atmosphere of mutual respect.

In support of this statement NSS is committed to the continuous development and maintenance of a work environment free from both inappropriate discrimination and all forms of harassment.

Proper and professional conduct in accordance with our Equity Policy requires the following:

- Selection and recruitment based on merit;
- Appraisal, development and promotion based upon performance;
- No discrimination on grounds prohibited by state and federal laws; and
- Absence of any and all forms of harassment, victimisation and bullying by any employee.

In order to enact and enforce our policies, the company shall:

- Disseminate its policies to all employees;
- Implement an education program on discrimination, sexual harassment and workplace harassment;
- Enact processes and procedures that permit the reporting and investigation of claims to be processed in a just, equitable, timely and lawful manner and without fear of retribution;
- Enforce, through disciplinary measures, breaches of these policies; and
- Provide authority and responsibility for the just operation of this policy and its supporting procedures.

Anyone working for or on behalf of NSS is expected to contribute towards a harassment and discrimination free work environment and can be liable for the outcome of any action in breach of this policy.

The Company considers this policy to be an integral part of its overall management philosophy. It shall implement its principles through a culture of tolerance and consideration underpinned by enforceable prohibition.



Mark George
General Manager

1. Introduction

The NSS Equity Policy is divided into four equally important parts. These are:

1. Equal Employment Opportunity;
2. Discrimination;
3. Sexual Harassment; and
4. Workplace Harassment.

NSS management are fully committed to the provision of a safe and equitable workplace that permits employees to work to their full potential. The Company shall enact this commitment through this policy.

All parts shall have common reporting, investigative, disciplinary and educative procedures.

2. Attributes (Prohibited Grounds)

Under Federal and State Anti-Discrimination legislation, discrimination in employment on the basis of the following attributes is prohibited:

- Sex;
- Gender Identity;
- Relationship Status;
- Pregnancy;
- Parental Status;
- Breast Feeding;
- Race;
- Age;
- Impairment;
- Religious belief or religious activity;
- Political belief or activity;
- Trade Union Activity;
- Sexuality
- Lawful Sexual Activity;
- Family Responsibilities; or
- Association with, or in relation to, a person identified on the basis of any of the above attributes.

The above attributes are referred to as “*Attributes*” throughout this Policy. It is the responsibility of all employees to familiarise themselves with these “*Attributes*”.

3. Equal Employment Opportunity

NSS is an Equal Opportunity Employer. Our Equal Employment Opportunity policy articulates our commitment to our employees, or potential employees, as to how they shall be treated by NSS.

Equal Employment Opportunity means giving all employees equal prospect in all aspects of employment or potential employment. Equal Employment Opportunity is not about the setting and implementation of quotas. Selection shall be on the basis of personal merit, competency and potential to perform the job effectively.

The benefits of equal employment opportunity for both employees and the company are that the talents, skills, abilities and potential of all employees are realised.

Equal Employment Opportunity forms part of the high standards of professional behaviour expected of all employees that includes proper and professional working relationships between all levels within NSS.

Consistent with our philosophy to treat employees on the basis of merit and ability, it is our policy to appraise the suitability of each employee, or job applicant, fairly and to select the person most suited to the specific task.

The emphasis on merit applies at all stages of employment, including:

- Advertising;
- Recruitment and selection of employees;
- Promotion;
- Employee development;
- Access to training;
- Benefits and conditions of employment; and
- Retention of employees.

It follows that it is our policy not to discriminate against people on the basis of any of the Attributes of this policy.

All employees involved in the assessment of personnel for employment, promotion, development, and training, access to benefits and retention or termination are to ensure that the Attributes listed within of this policy, play no part in their decision. All Selection Criteria utilised for the selection of personnel accessing an opportunity offered by NSS must be free of both direct and indirect discrimination, must be objective and based on the requirements of the position.

Individuals who have been found to have breached this policy shall be subject to disciplinary action an offence under this policy will result in disciplinary action, which may include, a warning, redeployment, or dismissal. If an employee feels or is aware that he or she has been discriminated against, on the grounds of an Attribute, in any aspect of their employment, then they should utilise the reporting processes contained within this policy.

4. Discrimination

Discrimination occurs in employment where on the grounds of an Attribute a person is treated less favourably or harshly, than other people who do not possess that Attribute.

Discrimination by the company is where distinctions are made between individuals and groups to the advantage of some but not others. Not all discrimination is unlawful. Discrimination is unlawful where it occurs on the basis of a prohibited ground in a prohibited area. Discrimination in the area of employment is unlawful.

Discrimination by an individual is where an individual or group treats a certain class of person (persons with an Attribute) differently or offensively on the grounds of that Attribute. Examples of discrimination by an individual or group include:

- Offensive 'jokes' or comments about another workers racial or ethnic background, sex, sexual preference, age, disability, physical appearance or any other Attribute listed within this policy;
- Distribution of offensive pictures, comments and jokes via Internet, email, mail or telephone;
- Display of pictures or posters that are offensive or derogatory;
- Expressing negative stereotypes of particular groups, e.g. "married women shouldn't be working";
- Judging someone on their political or religious beliefs rather than their work performance;

- Isolation or exclusion of an individual or group, on the basis of an Attribute, from workplace based activities; and
- Undermining a person's authority or work performance because you dislike one of their personal attributes.

In general, discrimination on the basis of an attribute includes an attribute that a person has, used to have, or may have in the future. It also includes an attribute that a person is presumed to have or to have had.

NSS shall not tolerate discrimination, in any form, by any of its employees or agents. Employees found to have breached this policy shall be subject to disciplinary action that may result in a warning, redeployment, demotion or dismissal. Further to this, such offending employees may be held liable for their actions under both State and Federal legislation and at common law.

Agents, or their employees, found to have breached this policy shall be deemed to have breached a term of their Contract for Service. Such a breach may result in the suspension or termination of such Contract for Service. All contractors are to ensure that employees engaged in service for NSS are familiar with this policy.

Discrimination and harassment however should not be confused with fair performance counselling as long as the counselling is based on legitimate job performance issues.

If an employee feels or is aware that he or she has been discriminated against, on the grounds of an Attribute, in any aspect of their employment, then they should utilise the reporting processes contained within this policy.

5. Sexual Harassment

NSS considers Sexual Harassment to be unacceptable. Harassment is unlawful and is contrary to the Company's policy that all employees have the right to work in an environment free of discrimination or harassment in any form.

Sexual Harassment happens if a person or persons:

- Subjects another person to an unsolicited (unwanted) act of physical intimacy;
- Makes an unsolicited demand or request (whether directly or by implication) for sexual favours from the other person;
- Makes a remark with sexual connotations relating to the other person; or
- Engages in any unwelcome conduct of a sexual nature in relation to the other person.

And the person engaging in the conduct described above does so:

- With the intention of offending, humiliating or intimidating the other person; or,
- In circumstances where a reasonable person would have anticipated that the other person would be offended, humiliated or intimidated by the conduct.

Examples of Sexual Harassment include but are not limited to:

- Sexual propositions;
- Physical contact such as patting, pinching or touching in a sexual way;
- Unnecessary familiarity such as deliberately brushing against a person;
- Unwelcome and uncalled for remarks or insinuations about a person's sex or private life;
- Suggestive comments about a person's appearance or body;
- Offensive phone calls, emails or mail;

- Inappropriate and unsolicited attempts to establish a social relationship; and
- Indecent exposure.

"Sexual Harassment" includes making a statement or performing an act of a sexual nature to a person or in the presence of a person. It includes both oral and written statements.

Sexual harassment has nothing to do with mutual attraction or genuine affection between people. Such friendships, whether sexual or not, are a private concern. However, care should be exercised to ensure that any overtures made are welcome. It is an expectation of NSS that all employees shall conduct themselves in a professional manner at all times.

Both men and women may be subject to harassment.

In addition to the unnecessary hurt caused to a person who has been harassed, harassment can cause:

- low productivity and poor quality of work;
- low staff morale;
- absenteeism;
- resignations; and,
- mental and financial anguish.

NSS will not tolerate the sexual harassment of its employees. All complaints will be thoroughly investigated by Contact Officers and will be treated with sensitivity and confidentiality. NSS will ensure that no victim of harassment will be disadvantaged in any way. Offenders will face disciplinary action. If an employee feels or is aware that he or she is being or has been sexually harassed, then they should utilise the reporting processes contained within this policy.

6. Workplace Harassment

Harassment in the workplace is unacceptable behaviour and will not be tolerated by NSS. In some instances it may be in breach of the Workplace Health and Safety Act or the Anti-Discrimination Act and dependent on the nature of the harassment it may become a police matter.

Meaning of Workplace Harassment

1. A person is subjected to 'workplace harassment' if the person is subjected to repeated behaviour, other than behaviour amounting to sexual harassment, by a person, including the person's employer or a co-worker or group of co-workers of the person that:
 - a. is unwelcome and unsolicited;
 - b. the person considers to be offensive, intimidating, humiliating or threatening; and
 - c. a reasonable person would consider to be offensive, humiliating, intimidating or threatening.
2. 'Workplace harassment' does not include reasonable management action taken in a reasonable way by the person's employer in connection with the person's employment.

This definition is intended to cover a wide range of behaviours that can have an adverse impact on the workplace health and safety of workers and other persons. Harassing behaviours can range from subtle intimidation to more obvious aggressive tactics.

Detailed below are examples of behaviours that may be regarded as workplace harassment, if the behaviour is repeated or occurs as part of a pattern of behaviour. This is not an exhaustive list however, it does outline some of the more common types of harassing behaviours.

Examples of workplace harassment include:

- Abusing a person loudly, usually when others are present;
- Repeated threats of dismissal or other severe punishment for no reason;
- Constant ridicule and being put down;
- Leaving offensive messages on email or the telephone;
- Sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways;
- Maliciously excluding and isolating a person from workplace activities;
- Persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters;
- Humiliating a person through gestures, sarcasm, criticism and insults, often in front of customers, management or other workers; and
- Spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.

There are bound to be occasional differences of opinion, conflicts and problems in working relationships – these are part of working life. However, if the workplace behaviour is repeated, unwelcomed and unsolicited, and offends, intimidates, humiliates or threatens a person, then workplace harassment exists and action must be taken to stop the behaviour.

Workplace Harassment should not be confused with fair and justifiable performance counselling, by an authorised officer of NSS as long as the counselling is based on legitimate job performance issues.

If you feel you are the subject of workplace harassment, action can be taken in accordance with the reporting processes contained within this policy.

7. Reporting Procedure

People who are subjected to discrimination, sexual harassment or workplace harassment often feel unable or hesitant to act. This is a natural reaction. However, remaining silent, quitting or changing jobs will not solve the problem. The problem rarely goes away and often intensifies. You can object to harassment and are encouraged to do so. There are several positive options you may take in address of harassment or discrimination. Choose the course of action you feel most comfortable with.

You may:

- Tell the individual that you find the behaviour offensive that it breaches NSS Equity Policy and you do not want to experience it again. This should if possible, be your first course of action.
- However, if you feel unable to be assertive, or, if this is unsuccessful, you may seek support or help from any of the following:
 1. NSS appointed Contact Officers (see below);
 2. Your Supervisor or Manager;
 3. Just simply inform a fellow employee who you are comfortable with;
- If you feel uncomfortable with all of these options, you may contact an office of the Anti-discrimination Commission.

The following people have been appointed as Equity Contact Officers:

Name	Mark George	Name	
Position	General Manager	Position	
Location	Townsville	Location	
Telephone	07 4722 4801	Telephone	

Contact details for the Anti-discrimination Commission are:

Level 2, St. James Place, 155-157 Denham Street, Townsville QLD 4810
Telephone: (07) 4721 3190 or (free call) 1800 337351

It is in your best interests to keep a note of all relevant incidents, including dates, times, the person/people involved and conversations.

8. Investigation of Complaints

NSS will attempt to resolve any discrimination, sexual harassment or workplace harassment issue informally where possible. If informal processes are unsuccessful or inappropriate, a careful, confidential and fair investigation, under formal company guidelines, will occur. Prior to the commencement of any formal investigation, the process shall be explained to you.

If you are uncomfortable with this process, you may indicate your desire not to proceed with any formal action. Such a request shall be documented and signed by you. No formal investigation shall be enacted where the complainant is unwilling to submit a signed complaint. However, NSS does reserve the right to take informal “without prejudice” action.

All harassment issues will be sensitively, confidentially and promptly handled. Any person found to be in breach of NSS’s policy will face disciplinary action.

9. Timeliness of Complaints

It is important that any complaints be made where possible as soon after the alleged event occurs as it is very difficult for an investigator to obtain facts weeks or months after an alleged event as people often simply cannot remember what occurred. The longer you wait to lodge a complaint the more problematic it is to investigate.

10. Protection of Complaints

Where an allegation is made and found to be justified, appropriate action will be taken by the company. In serious breaches this may result in the termination of the employment of the offending employee.

11. False Accusations

You should be aware that any allegation of harassment will be viewed very seriously and be subject to thorough, fair scrutiny under NSS’s investigation process. False accusations may be rejected as malicious or vexatious, and may expose those making them to risk of defamation proceedings.