

XMR HOLDINGS PTY LTD- Workplace Bullying Policy

1. Policy Validity Statement

1.1 This document is dated 21st February 2016 and remains effective while XMR Holdings is appointed the Caretaker at Xanadu Resort, Main Beach, Queensland. It may be revised from time to time which requires sign off by each of the Company Directors and Shareholders.

1.2 It will be available for inspection at the manager's office.

2. Purpose

2.1 XMR Holdings Pty Ltd is a PCBU for work health and safety purposes. The Xanadu Resort at Main Beach is declared to be the Workplace. This document contains XMR Holdings Pty Ltd Policy on Workplace bullying

3. Scope

3.1 This document must be acknowledged by all Directors, Shareholders and Staff of XMR Holdings Pty Ltd by way of signature as evidence of having read this document.

4. References

4.1 XMR Holdings Pty Ltd Grievance Policy. The Grievance Policy will also be available for inspection at the manager's office.

5. Definitions

5.1 Bullying

A person is subjected to workplace bullying if the person is subjected to repeated behaviour, by a person, including the person's employer or co-worker or group of co-workers of the person whether the person is paid or voluntary that –

- Is unwelcome and unsolicited and
- In circumstances where a reasonable person would consider it to be offensive, intimidating, humiliating or threatening.

5.2 Psychological Abuse

Psychological abuse in the workplace causes untold suffering and long-term damage to the targets. Psychological abuse is a pattern of negative behaviour performed by a person or group of people who are in a position of power, though not necessarily legitimate power, that covertly attempts to single out and negatively affect an individual.

5.3 Repeated Behaviour

Repeated behaviour refers to the constant nature of the behaviour, not the specific type of bullying behaviour. Behaviour is considered 'repeated' if an established pattern can be identified and it may involve a series of diverse incidents. Single incidents of bullying type behaviour should not be ignored or allowed in order to prevent the situation escalating.

5.4 Bullying Types

Bullying is the repeated and regular infliction of behaviours either overt or subtle such as:

- Deliberately withholding information, authority, support or resources necessary to fulfil the

requirements of the job which others receive

- Changing a person's job description without consultation and imposing it without right of reply
- Ignoring, marginalising, dismissing as unimportant people, ideas, opinions, contributions etc
- Criticism which cannot be justified or reconciled with reality or disagrees with the assessment of others
- Isolating, cold-shouldering, snubbing, ignoring
- Demeaning, belittling, ridiculing, patronising, degrading, humiliating especially in front of others
- Refusal to acknowledge performance, achievement, results, worth, value, success etc
- Refusal to clarify job description and function or put it in writing
- Setting unrealistic conditions, objectives, or deadlines or changing these at short, or without notice
- Encouraging members of staff to snoop, eavesdrop or snitch on others
- Any behaviour whose intent is to make the target feel useless
- Behaviour which is inappropriately aggressive and indicative of lack of self-control eg. thumping the table, shouting, swearing etc, especially with the intent to intimidate or frighten
- Snide remarks, teasing, taunting, mocking, ridiculing etc
- Plagiarism, taking undeserved credit, but never accepting responsibility when things go wrong
- The misuse of power or abuse of the disciplinary procedure to ensure another's removal, dismissal etc
- The appointment or promotion of 'chosen' individuals or use of these individuals to target, manipulate, threaten, or control others
- Spreading malicious rumours, telling falsehoods to discredit, the use of nasty, spiteful, vindictive or vengeful behaviours, dirty tricks campaigns or any form of persecution, victimisation, oppression etc
- Using foul, obscene or offensive language, sarcasm, jokes of a sexist, racist, ageist or similar nature eg. related to the target's background, religion, age, etc
- Any behaviour whose intent is to make the target feel useless
- Sabotaging, interfering or impeding performance, particularly if for the purpose of later criticism
- Deliberate and persistent undermining of professional competence
- Making mountains out of molehills; twisting or distorting everything that is said
- Persistent unwillingness to make clear what is required
- Refusal to communicate, periods of silence
- Removal of status and authority, real or implied, especially in an underhand or devious manner.

5.5 Workplace Bullying is Not

Workplace Bullying does not include reasonable management action taken in a reasonable way by the person's employer in connection with the person's employment. Reasonable Actions include:

- Performance Management processes
- Action taken to transfer or retrench someone
- Decision not to promote
- Legitimate disciplinary action
- Workplace change or restructuring
- Injury or illness processes

As long as the managerial actions are not used to primarily offend, humiliate, threaten workers or to create an environment where workplace bullying is more likely to occur.

6. Risk

It is incumbent on XMR Holdings Pty Ltd Directors, Shareholders, and Management at all levels to ensure that all persons operating within the PCBU structure understand the XMR Holdings Pty Ltd Workplace Bullying policy and what constitutes workplace bullying.

7. Internal Controls

7.1 Staff do not understand XMR Holdings Pty Ltd Workplace Bullying policy and what constitutes workplace bullying.

If the policy is not understood, there is a risk of miscommunication and non-compliance. It is crucial that Directors, Shareholders and Managers understand XMR Holdings Pty Ltd Workplace Bullying policy and to ensure that it is adhered to.

Reference must be made to XMR Holdings Pty Ltd Workplace Bullying policy at each Directors and Shareholders Meeting and confirmation given and noted by the that each person in attendance has read and understands the obligations contained in the Policy.

8. Policy

XMR Holdings Pty Ltd as a PCBU (Workplace), is committed to protecting the dignity of all involved whether they be paid employees, contractors, owners, tenants, residents or guests by working to prevent and eliminate all forms of Workplace Bullying or unreasonable interference. A owner, occupier or member of the public is entitled to make a complaint about conduct of an XMR employee or contractor under this policy and the Grievance Policy.

All concerned must be free to work and enjoy an environment free from bullying, harassment, threats or violence. Directors and XMR Shareholders must ensure all who have right of access to XMR Holdings Pty Ltd are treated with respect, courtesy and dignity, not harassed, bullied or intimidated.

All must treat each other with respect and courtesy, not engaging in bullying or intimidating behaviour, nor condoning it by silently bearing witness to these behaviours.

Who may experience Workplace Bullying?

Workplace Bullying can occur between people in any direction of authority in a workplace:

- Laterally (between equals in authority and or responsibility)
- Upwards (between lower and higher levels of authority or responsibility)
- Downwards (between higher and lower levels of authority or responsibility)

Effects of Workplace Bullying on People and the Organisation

It can create an unsafe working environment, result in a loss of trained and talented workers, the breakdown of teams and individual relationships, reduced efficiency and lower or destroy the peace of a working or living environment. People who are harassed can become distressed, anxious, withdrawn, depressed, and can lose self-esteem and the ability to carry out their respective responsibilities effectively.

Workplace Strategies to Eliminate Workplace Bullying

XMR Holdings Pty Ltd as an entity will take the following actions to prevent and control exposure to the risk of workplace bullying:

- Provide all Directors, Shareholders, Managers and Workers with XMR workplace bullying policy
- Ensure that the policies covering bullying and grievance procedures are endorsed by everyone
- Provide support for all victims of bullying
- Commit to promptly investigating complaints
- Ensure that disciplinary action will be taken against a person who bullies a worker or who victimises a person who has made or is a witness to a complaint. Complaints found to be malicious, frivolous or vexatious may make the complainant liable for disciplinary action.

9. Procedure

Persons who believe they have been subjected to workplace bullying should contact the Managing Director and Shareholders to discuss the range of options available to deal with the matter.

There are a number of options available to complainants for dealing with bullying ranging from dealing with the matter individually to making a formal complaint. These are referred to in the Grievance Policy.

10. Endorsement

10.1 XMR Holdings Pty Ltd as an entity, and its Directors and Shareholders are committed to this policy and its implementation, and to ensuring a healthy and safe work environment that is free from workplace bullying. Failure of any person to comply with this policy may result in disciplinary action and termination of employment.