

Equal Employment Opportunity, Diversity and Inclusion Policy

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Table of Contents

1.	PURPOSE	3
2.	SCOPE	3
3.	OBJECTIVE	3
4.	DEFINITIONS AND ACRONYMS	4
5.	EQUAL EMPLOYMENT OPPORTUNITY	4
6.	EQUAL OPPORTUNITY FOR ALL GENDERS IN THE WORKPLACE	4
7.	UNACCEPTABLE BEHAVIOUR.....	5
8.	DISCRIMINATION.....	5
9.	COMPLAINT / GRIEVANCE PROCEDURE	8
10.	VICTIMISATION / RETALIATION	8
11.	VILIFICATION	8
12.	CONFIDENTIALITY	8
13.	RESPONSIBILITIES	9
14.	CONSEQUENCES	9
15.	ASSISTANCE.....	9
16.	RELATED DOCUMENTS.....	10
17.	REFERENCES	10

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Revision Number	1	Document Owner	HOD People and Culture
Release Date	July 2024	Document Approver	GC & CS

1. PURPOSE

Consolidated Minerals Pty Ltd (**ConsMin** or **the Company**) is committed to treating our People with fairness and respect and as such we recruit, develop and promote our People on the basis of merit, performance and qualifications. ConsMin is committed to an inclusive workplace that embraces and promotes diversity.

We value, respect and strive for a work environment that values the contributions of all our People. We welcome employees with diverse backgrounds and experiences in our efforts to attract and retain a skilled and diverse workforce, enhancing our reputation and performance through a workforce that respects and reflects the diversity of our community and stakeholders.

Our objective is to maintain a work environment for our People that is free from discrimination, vilification and harassment where a structured, formal process is available to deal with any employment or personnel related issues that may arise from time to time. Our Equal Employment Opportunity (**EEO**) Diversity and Inclusion Policy (**our Diversity Policy**) is an integral part of ConsMin’s overall management philosophy and Code of Business Conduct.

Diversity refers to the variety of characteristics that make individuals different from one another and may result from a range of factors including age, gender, disability, ethnicity, marital or family status, religious or cultural background, sexuality, and gender identity.

Promoting diversity and inclusion involves recognising and valuing the unique contribution people can make because of their individual background and different skills, experiences and perspectives, including persons with co-existing domestic responsibilities; and establishing an inclusive work-place culture and environment that increases the participation and contribution of all our People.

The purpose of our Diversity Policy is to outline the shared obligation of all ConsMin People and the Company’s commitment to diversity and inclusion and ensuring an equal opportunity to participate in our, and sets out the responsibilities of our People including the Board, senior executives, and all employees to achieve the objectives of this Diversity Policy.

ConsMin does not tolerate or condone discrimination, vilification or harassment, and any occurrence will be investigated and dealt with in strict accordance with this Diversity Policy.

2. SCOPE

This Diversity Policy applies to all employees, Directors, contractors and visitors working for, or visiting ConsMin and its related bodies at any time. The Diversity Policy is subject to change from time to time at the Company’s discretion and in accordance with applicable Federal, State, Commonwealth, or local laws.

All directors, executives and employees must comply with this Diversity Policy.

3. OBJECTIVE

To ensure the Company provides a safe work environment and also meets its legal obligations by providing a workplace that is free from unlawful discrimination, victimisation, harassment and retaliation, and offers employees a fair, impartial and prompt resolution process in dealing with grievances.

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Revision Number	1	Document Owner	HOD People and Culture
Release Date	July 2024	Document Approver	GC & CS

4. DEFINITIONS AND ACRONYMS

ConsMin or the Company	Consolidated Minerals Holdings (Australia) Pty Ltd and/or any of its subsidiaries.
Diversity	Diversity includes characteristics such as age, ethnicity, gender, intellectual and/or physical ability, religious or cultural background, sexual orientation, gender identity, or intersex status. Diversity also refers to less visible aspects, such as education, socioeconomic background, faith, marital status and family responsibilities.
Inclusion	Inclusion refers to the way an organisation's culture, values, workplaces and behaviours make a person feel valued, included and able to participate fully. An inclusive workplace is a work environment where all people are treated fairly and respectfully, with equality of opportunity.
Equal Employment Opportunity	Freedom from discrimination on the basis of sex, colour, religion, national origin, disability, age, and any other class protected by law. EEO rights are guaranteed by federal and state fair employment laws and are enforced by the Equal Employment Opportunity Commission.
Grievance or Complaint	A real or perceived cause for complaint, especially relating to unfair treatment.

5. EQUAL EMPLOYMENT OPPORTUNITY

The Company takes its EEO obligations seriously and providing a work environment based on mutual respect that is free from discrimination or harassment. This Diversity Policy and its associated procedures set out the Company's commitment to fair employment practices where all decisions affecting employment and career development, including, but not limited to recruiting, promoting, assigning work, training, promoting and upgrading, developing and retaining our People and future employees.

All disciplinary and qualification standards will be based on the principle of merit.

6. EQUAL OPPORTUNITY FOR ALL GENDERS IN THE WORKPLACE

The Company is committed to maintain the requirements or the *Workplace Gender Equality Act 2012* (Cth) to promote gender equality in the workplace so that equal access to opportunities and outcomes for all genders are achieved. ConsMin aims to achieve this by:

- promoting merit in employment;
- promoting equal employment opportunity and eliminating discrimination including in relation to remuneration; and
- encouraging consultation between managers and employees on these issues.

In accordance with the *Workplace Gender Equality Act 2012* (Cth), the Company will report to the Workplace Gender Equality Agency an annual basis, detailing the measures

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Revision Number	1	Document Owner	HOD People and Culture
Release Date	July 2024	Document Approver	GC & CS

taken and future initiatives to promote equal employment opportunities for all genders within the Company.

7. UNACCEPTABLE BEHAVIOUR

Types of unacceptable behaviour may be:

- intended or unintended.
- physical, verbal, written or indirect
- allowing access to training and special assignments, and
- behaviour that a reasonable person, having regard to all circumstances would feel personally threatened, intimidated, offended, uneasy, embarrassed or humiliated by and/or that affects the terms and conditions of an individual's employment.

8. DISCRIMINATION

Discrimination means treating an individual or group less favourably than others including in circumstances, or based on grounds, prohibited by law.

Discrimination may be direct or indirect, conscious or subconscious.

8.1 Direct Discrimination

Direct discrimination occurs when an individual is treated less favourably than others. For example, where a male and a female apply for a promotion and one candidate (ie the male) succeeds on the basis that they will better fit the image of the employer, this would be discrimination based on gender.

8.2 Indirect Discrimination

Indirect discrimination is more subtle. It is where there is an apparent neutral employment requirement, applied to everyone, but which results in an unfair advantage to some individuals or groups. For example, unnecessary heart requirements may have a disparate impact on women.

8.3 Discrimination in the Employment Cycle

It is unlawful to discriminate at any stage of the employment cycle including but not limited to:

- advertising;
- recruitment and selection;
- terms and conditions of employment;
- training;
- assigning work;
- discipline;
- qualification standards;
- transfers;
- promotion; and
- retrenchment (reduction in force) or dismissal.

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Revision Number	1	Document Owner	HOD People and Culture
Release Date	July 2024	Document Approver	GC & CS

8.4 Unlawful Discrimination

Discrimination on any of the following basis is strictly prohibited:

- race;
- colour;
- national or ethnic origin;
- sex;
- gender identity;
- pregnancy or parenthood;
- marital or relationship status;
- age;
- family or caregivers' responsibilities;
- political opinion;
- religious beliefs;
- physical or mental disability or impairment or medical condition;
- medical record;
- personal association with a person with a protected attribute;
- freedom of association;
- military service or veteran or discharged status;
- bankruptcy or bad debts;
- genetic information;
- citizenship or residency;
- victimisation;
- whistleblower status; or
- criminal record,

or any other characteristic specified under this Diversity Policy, anti-discrimination legislation and human rights principles.

8.5 Examples of Discrimination

(a) Age Discrimination and Ageism

Age Discrimination is when a person is treated less favourably than another person in a similar situation because of their age. The *Age Discrimination Act 2004 (Cth)* prohibits both direct and indirect discrimination on the grounds of age in Australia. For example, it could be direct age discrimination if an older applicant is not considered for a job because it is assumed that they are not as up to date with technology as a younger person.

It is also age discrimination when there is a rule or policy that is the same for everyone but has an unfair effect on people of a particular age. This is indirect discrimination.

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Revision Number	1	Document Owner	HOD People and Culture
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Ageism refers to stereotypes, prejudice, and discrimination against people based on their age. It can manifest in attitudes, practices, and policies that devalue individuals or groups because of their age. It can affect individuals of all age groups but is most commonly directed at older adults.

(b) Sexual Discrimination

Sexual discrimination happens when a person is treated less favourably than a person of a different sex would be treated in the same or similar circumstance. For example, it may be direct sexual discrimination if male employees are paid more than employees of a different sex who are doing the same work. The *Sex Discrimination Act 1984 (Cth)* makes it unlawful to treat an individual unfairly because of their:

- Sex;
- gender identity;
- intersex status;
- sexual orientation;
- marital or relationship status (including same sex de facto couples);
- family responsibilities;
- parenthood;
- pregnancy or potential for pregnancy; or
- breastfeeding.

(c) Impairment or Disability Discrimination

Impairment or disability discrimination occurs when a person is treated unfairly because of their impairment or disability compared to another person without an impairment or disability in the same or similar circumstances.

It is unlawful under the *Equal Opportunity Act 1984 (Cth)* to discriminate against a person with an impairment or disability. A person with an impairment or disability includes anyone with a physical, intellectual or emotional impairment. A person who has had an impairment in the past, or has a record of an impairment, or someone assumed to have regarded as having an impairment.

(d) Pregnancy Discrimination

Pregnancy discrimination occurs when an employee is treated unfavourably because they are pregnant, because they plan to be pregnant, or because they could become pregnant.

(e) Family or Care Givers' Responsibility

Employees are protected from discrimination when trying to balance their work arrangements with family and care giver responsibilities and should not be disadvantaged in the workplace when compared to workers without these responsibilities.

(f) Racial Discrimination

Racial discrimination occurs when an individual experiences unfair treatment and racism because of how they look or where they come from. It is unlawful to discriminate against people on the basis of their race, colour, descent or national or ethnic origin.

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8.6 Racial Harassment

Harassment means any verbal, written or physical conduct or a racial nature that is unwelcome and uninvited resulting in an individual being offended, humiliated or intimidated, that affects the terms and conditions of the individual's employment, and/or that is sufficiently severe or pervasive so as to create a hostile work environment. A single act may be sufficient.

Racial harassment may include, but is not limited to, telling a joke about a particular race, and using derogatory slang names.

9. COMPLAINT / GRIEVANCE PROCEDURE

Please refer to the Grievance Procedure for comprehensive guidance on the process, and specific steps to take for addressing any grievances or complaints within our Company.

10. VICTIMISATION / RETALIATION

It is unlawful to victimise or retaliate against an individual in exercising their right to make a complaint or participating in a complaint. The law prohibits victimisation/retaliation of anyone making a complaint, considering making a complaint or conducting or participating in an investigation into a complaint. Victims and witnesses will not be retaliated against or suffer any negative employment consequences for cooperating in an investigation.

11. VILIFICATION

Vilification means conduct which incites hatred towards, serious contempt for, or severe ridicule of a person or group of persons on any ground covered by EEO legislation.

12. CONFIDENTIALITY

To the extent permitted by law, details of complaint, including their nature, the identity of the Complainant, the identity of any alleged offender and any documents generated in the process, should remain confidential between those involved in the complaint and those responsible for investigating and resolving it.

Only those with a genuine role in resolving a complaint should be involved in it or discuss it. Any person found to have breached this provision may face disciplinary action, up to and including termination of employment.

13. RESPONSIBILITIES

13.1 The Company

The Company has a legal responsibility to prevent unlawful discrimination, victimisation/retaliation, and harassment in the workplace.

The Company is required to ensure fair treatment is followed in relation to all complaints of discrimination, harassment and or retaliation.

13.2 Supervisors / Managers

Supervisors and Managers are required to be proactive in the application of this Diversity Policy and associated awareness sessions and processes to ensure that the workplace is free from discrimination and harassment by:

- monitoring the work environment to ensure that acceptable standards of conduct are followed at all times and report to the Head of People and Culture behaviour constituting discrimination, harassment and or retaliation.
- displaying appropriate behaviour themselves
- treating all complaints as serious and taking immediate action to investigate and resolve the matter; and
- referring the matter to another Company representative if they do not feel that they are the relevant person to deal with the case.

13.3 All Employees

It is the responsibility of all employees to understand their obligation and rights in relation to the Diversity Policy and to act accordingly.

Employees are required to proactively apply and promote the Company's Diversity Policy by:

- offering support to anyone who feels they may have been the subject of behaviour contrary to this Diversity Policy and advising the person where they can to seek help or advice;
- draw attention to the relevant Manager or Supervisor of any issues of concern so that appropriate action may be taken; and
- maintain confidentiality for any employee who provides information during the investigation of a complaint. An employee should be aware that spreading gossip or rumours may expose them to defamation action.

14. CONSEQUENCES

A breach of this Diversity Policy may result in disciplinary action being taken by the Company. A breach of any anti-discrimination laws may result (among other things) in external legal action being initiated.

15. ASSISTANCE

If circumstances are such that the employee is not comfortable with raising a grievance within ConsMin, the employee may seek assistance through the Company's independent Employee Assistance Programme which provides a confidential free service. Details of the EAP are annexed to this Diversity Policy.

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16. RELATED DOCUMENTS

Document Name
Employee Conduct and Corrective Action Standard
Code of Business Conduct
Discrimination Bullying and Harassment Standard
Sexual Harassment Standard
Workplace Behaviour Standard
Grievance Procedure
ConsMin Life Saving Rules

17. REFERENCES

Relevant legislation and regulatory bodies include:

- *Workplace Gender Equality Act 2012* (Cth)
- *Age Discrimination Act 2014* (Cth)
- *Sex Discrimination Act 1984* (Cth)
- *Equal Opportunity Act 1984* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Fair Work Act 2009* (Cth)
- National Employment Standards
- Fair Work Commission
- Equal Opportunity Commission
- Australian Human Rights Commission

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