

## 1. PURPOSE

Northern Star Resources Limited (Northern Star or the Company) is committed to treating Employees with fairness and respect and as such recruits, develops and promotes personnel on the basis of merit. Our objective is to maintain a work environment free from discrimination and harassment where a structured, formal process is available to deal with any employment or personnel related issue which may arise from time to time. The Equal Employment Opportunity (EEO) is an integral part of Northern Star's overall management philosophy and Code of Conduct. Northern Star prohibits unlawful discrimination, workplace bullying and harassment including sexual harassment, and any occurrence will be dealt with in accordance with this Policy. Northern Star also has a positive duty in Australia to prevent, and is committed to preventing discrimination and harassment, including sexual discrimination and sexual harassment, at work. The Board of Directors are committed to EEO and encourage employees to come forward with complaints of discrimination and retaliation they experience or observe.

## 2. EQUAL EMPLOYMENT OPPORTUNITY

The Company takes its obligations seriously with respect to EEO and providing a work environment based on mutual respect and free from discrimination and harassment. This Policy and its associated procedures set out the Company's commitment to fair employment practices in relation to all decisions affecting employment and career development, including, but not limited to recruiting, promoting, assigning work, training, promoting, upgrading, developing and retaining employees and future employees. All discipline and qualification standards will be based on the principle of merit.

## 3. SCOPE

This Policy applies to all persons performing work for Northern Star including, employees, Directors, contractors, apprentices, trainees, students gaining work experience, volunteers and visitors working for, or visiting Northern Star and its related bodies corporate at any of the Company's business locations. The 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. This Policy is authorised by the Board of Directors of the Company and cannot be amended without the prior approval of the Board of Directors.

## 4. OBJECTIVE

To ensure the Company meets its legal obligation by providing a workplace free from unlawful discrimination, victimisation, harassment and retaliation, and offers employees a fair, impartial and prompt resolution process in dealing with grievances.

## 5. DEFINITIONS AND ACRONYMS

Northern Star or the Company	Northern Star Resources Limited and its subsidiaries.
Equal Employment Opportunity (EEO)	Freedom from discrimination on the basis of sex, colour, religion, national origin, disability, age, and any other class protected by applicable laws in the countries we are operating in. EEO rights are guaranteed by U.S. federal and U.S. state fair employment laws and are enforced, in the U.S., by the Equal Employment Opportunity Commission and equivalent state agencies. Australian based employees may seek relief at various courts or commissions of competent jurisdiction including, the Fair Work Commission, the Australian Human Rights Commission or the Western Australian Equal Opportunity Commission. Australian based employees may also seek assistance from the Fair Work Ombudsman or WorkSafe WA.
Grievance or Complaint	A real or perceived cause for complaint, especially relating to unfair treatment.
Contact Officer	An employee who has been identified and trained to assist other employees who feel the need of support if they feel that they are experiencing harassment or discrimination in the workplace.

Prepared by:	Company Secretary	Document Status:	Controlled
		Review Date:	21/05/2025
Approved by:	Board of Directors	Approver's Signature:	Hilary Macdonald

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## 7. EQUAL OPPORTUNITY FOR WOMEN IN THE WORKPLACE

The Company is committed to maintaining the requirements of the *Workplace Gender Equality Act 2012 (Cth)*, the *Fair Work Act 2009 (Cth)*, *Title VII of the Civil Rights Act of 1964 (U.S.)*, and *Equal Pay Act of 1963 (U.S.)* to promote gender equality in the workplace so that equal access to opportunities and outcomes for both men and women is achieved. Northern Star aims to achieve this by:

- a) promoting merit in employment;
- b) recognising that employees have the right to share (or not share) information about their pay or employment terms and conditions that would be needed to work out their pay, such as their hours of work, with others;
- c) promoting equal employment opportunity and eliminating discrimination including in relation to remuneration; and
- d) 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 on an annual basis, detailing the measures taken and future initiatives to promote equal employment opportunities for women within the Northern Star Group.

## 8. UNACCEPTABLE BEHAVIOUR

Types of unacceptable behaviour may be (but are not limited to):

- a) intended or unintended;
- b) physical, verbal, written or indirect, in any form of media;
- c) disallowing access to training and special assignments; and
- d) 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.

## 9. DISCRIMINATION

Discrimination means treating an individual or group less favourably than others on grounds prohibited by law.

Discrimination may be direct or indirect.

## 10. DIRECT DISCRIMINATION

Direct discrimination occurs when an individual is treated less favourably than others. For example, two individuals apply for a promotion - one is male and one is female. The male candidate succeeds on the basis that it is perceived that he will better fit the image of the employer.

## 11. 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 disadvantage to some individuals or groups. For example, unnecessary height requirements may have a disparate impact on women.

## 12. DISCRIMINATION IN THE EMPLOYMENT CYCLE

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

- a) advertising
- b) recruitment and selection
- c) terms and conditions of employment
- d) training
- e) assigning work
- f) discipline
- g) qualification standards
- h) transfers
- i) promotion
- j) redundancy, retrenchment (reduction in force) or dismissal

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## 13. UNLAWFUL DISCRIMINATION

Discrimination on any of the following bases is strictly prohibited under this policy (whether or not such categories are protected by applicable law):

- a) race
- b) colour
- c) national or ethnic origin
- d) sex
- e) gender identity
- f) intersex status
- g) sexual orientation
- h) pregnancy or parenthood
- i) breastfeeding
- j) marital or relationship status
- k) age
- l) family or care giver's responsibilities
- m) political opinion
- n) social origin
- o) subjection to family and domestic violence
- p) religious beliefs
- q) physical or mental disability or impairment or medical condition (including HIV)
- r) medical record
- s) personal association with a person with a protected attribute
- t) freedom of association
- u) military service or veteran or discharge status
- v) bankruptcy or bad debts
- w) genetic information
- x) citizenship or residency status
- y) victimisation
- z) whistleblower status
- aa) criminal record

or any other characteristic specified under anti-discrimination or human rights legislation.

## 14. EXAMPLES OF TYPES OF DISCRIMINATION

### 14.1 Age Discrimination

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), the *Equal Opportunity Act 1984* (WA), the *Age Discrimination in Employment Act of 1967* (U.S.), and the *Alaska Human Rights Law* (AK) prohibit both direct and indirect discrimination on the grounds of age in Australia and the United States, respectively. 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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## 14.2 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 circumstances. 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), the *Equal Opportunity Act 1984* (WA), the *Fair Work Act 2009* (Cth), Title VII of the *Civil Rights Act of 1964* (U.S.), and the *Alaska Human Rights Law* (AK) make it unlawful to treat an individual unfairly or discriminate against that individual because of their:

- a) sex
- b) gender identity
- c) intersex status
- d) sexual orientation
- e) marital or relationship status (including same-sex de facto couples)
- f) family responsibilities
- g) parenthood
- h) pregnancy or potential for pregnancy
- i) breastfeeding

## 14.3 Impairment or Disability Discrimination

Impairment or disability discrimination occurs when a person is treated unfairly or, less favourably, because of his or her 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* (WA), the *Disability Discrimination Act 1992* (Cth), the *Americans with Disabilities Act of 1990, as Amended* (U.S.), and the *Alaska Human Rights Law* (AK) 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 or regarded as having an impairment. Under U.S. law, the individual must be a qualified individual with a disability, meaning that the individual is able to perform the essential functions of his or her job, with or without a reasonable accommodation.

## 14.4 Pregnancy Discrimination

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

## 14.5 Family or Care Giver's 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.

Separate and appropriate private areas in the workplace must be available upon request for employees wishing to express breastmilk as required while they are in the workplace. Breastfeeding U.S. employees must also be provided reasonable break time, within the first year after birth, whenever the employee has the need to express breastmilk.

## 14.6 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.

## 15. HARASSMENT

The Company will not tolerate verbal or physical conduct by an employee which harasses, disrupts or interferes with another's work performance and/or creates an intimidating, offensive or hostile environment.

Under Commonwealth and U.S. laws, it is not the harasser's intent that is significant, it is whether someone's words or actions are viewed as being unwelcoming, offensive, intimidating or humiliating. The severity of the harassment lies in the impact on the individual.

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## 15.1 Sexual Harassment

Sexual harassment means any verbal, written or physical act, remark or conduct of a sexual nature that is unwelcome and unwanted, 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. People who are harassed may experience feelings of personal threat, annoyance, intimidation, humiliation, distress or discomfort.

The Company must take reasonable and proportionate measures to eliminate, as far as possible, sexual harassment and conduct resulting in the workplace environment being offensive, intimidating or humiliating to a person of the other sex. The conduct does not necessarily have to be directed towards a particular person, but results in a generally hostile work environment.

A single act may be sufficient. The intention of the harasser is not relevant.

Some examples of sexual harassment are:

- a) physical contact (e.g. patting, pinching, embracing, kissing, touching or brushing up against another's body)
- b) "flashing" or sexual gestures
- c) sexual propositions or continued requests for dates
- d) sexually oriented teasing or abuse
- e) statements (verbal or written) with sexual connotations, either directly to a person, or in his or her presence
- f) intrusive questions or insinuations about a person's private life or sexual habits
- g) display of posters, photos or drawings of a sexual nature
- h) unwelcome remarks about a person's body or appearance; and
- i) sexual jokes, abusive language, innuendos, offensive emails, screen savers or telephone calls.

It is **not** sexual harassment to develop friendships with other workers. Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcomed and acceptable to both parties, then it is not sexual harassment.

## 15.2 Racial Harassment

Harassment means any verbal, written or physical conduct of a racial nature that is unwelcome and unwanted 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, depending on the severity.

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

## 16. WORKPLACE BULLYING

Workplace bullying is repeated occurrences of verbal, physical, social or psychological abuse by another person or group of people in the workplace, which create a risk to health and safety. Bullying in the workplace is harmful, can impact on the health and wellbeing of the victims of bullying, and is detrimental to the workplace culture. The Company is committed to provide a safe workplace free from violence, harassment, bullying and favouritism.

Bullying may include but is not limited to:

- a) physical actions
- b) repeated hurtful remarks, or making fun of your work or you as a person
- c) verbal abuse, including yelling, screaming or offensive language
- d) sexual harassment
- e) excluding or isolating employees
- f) psychological harassment
- g) intimidation (including threats, undue pressure, instilling fear or terror)
- h) assigning meaningless tasks unrelated to the job
- i) giving employees impossible jobs that can't be done in the given time or with the resources provided

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- j) deliberately changing work hours or roster to inconvenience particular employees; and
- k) undermining work performance by deliberately withholding information vital for effective work performance.

## 16.1 What Is Not Workplace Bullying

A Supervisor/Manager can make decisions about an employee's poor performance or conduct, take disciplinary action and direct and control the way work is carried out. Reasonable management action that is done in accordance with the Company's relevant policy is not bullying.

## 17. COMPLAINT / GRIEVANCE PROCEDURE ("FAIR TREATMENT PROCEDURE")

Northern Star, and in particular the Board of Directors and the Chief Executive Officer, encourages and promotes through its Code of Conduct and this EEO Policy, fairness and transparency in all our dealings and interactions.

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

The Company is required to ensure that the Fair Treatment Procedure is followed in relation to all informal or formal complaints of discrimination, harassment and or retaliation.

The Fair Treatment Procedure is to provide a structured process to assist an employee raise any employment complaint, grievance or other matters which may arise from time to time, by providing a fair, impartial and prompt resolution process for the complainant and the respondent, and having regard to their respective safety and wellbeing.

While this policy provides a prescriptive process, the Company will, wherever possible, support the complainant's choice and control over the process. If the complainant would like to explore other resolution options or alterations to the prescriptive model below, the Company will genuinely consider whether it can accommodate the same, in the interests of fairness to all parties.

The complainant can, at any time, stop or withdraw from the process. Having said that, the Company may have an independent obligation to continue investigating a complaint even if the complainant ceases to be involved.

The Company will consider, in conjunction with the complainant, whether immediate and interim adjustments need to be made to the working arrangements of the parties to the complaint process.

No steps will be taken in relation to adjusting the complainant's working arrangements without first consulting with the complainant.

Any person experiencing what they consider may be unlawful discrimination or harassment in the workplace is encouraged, in the first instance to make it clear to the person concerned that the behaviour is unwelcome, provided that he or she feel comfortable to do this. If however, the employee does not succeed in satisfactorily having the issue resolved, the employee should then direct the complaint to their immediate Supervisor/Manager.

The Company recognises that this is not always appropriate or easy for the individual, and this step is not compulsory. In the event that the Supervisor/Manager is the alleged perpetrator, the complaint should be addressed to the Supervisor/Manager once removed.

The following methods of resolving grievances are recommended.

### 17.1 Informal Complaint

The informal procedure emphasises resolution rather than factual proof or substantiation of a complaint. Informal action is usually appropriate where:

- a) the allegations may not amount to unlawful harassment, but the individual subjected to the behaviour wants it to cease
- b) it is not sufficiently serious to warrant suspension, termination or otherwise pose as an ongoing risk to health and safety
- c) the individual subjected to the behaviour wishes to pursue an informal resolution; and
- d) the parties are likely to have ongoing contact with one another and the individual subjected to the behaviour wishes to pursue an informal resolution so that the working relationship can be sustained.

Informal ways of dealing with complaints of discrimination and/or harassment can include the following:

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- e) resolving the situation yourself. This may be after seeking advice from the HR Department, a Contact Officer or your direct Supervisor; or
- f) requesting your Supervisor speak to the alleged perpetrator on your behalf. The Supervisor will privately convey your concerns and reiterate the Company's commitment to EEO to the alleged perpetrator without assessing the merits of the case; or
- g) a complaint is made, the perpetrator admits to the behaviour, and an investigation is not required if the complaint can be resolved; or
- h) a Supervisor or Manager observes unacceptable conduct occurring and takes independent action even when no complaint has been made.

An employee is not required to exhaust informal attempts at resolution before making a formal complaint.

The Head of Human Resources must be informed by the relevant Supervisor or Manager or HR Advisers of any informal complaint.

## 17.2 Formal Complaint

The formal procedure focuses on investigating whether a complaint can be substantiated, or at least whether the parties can try and reach a satisfactory outcome. The Head of Human Resources must be informed by the relevant Supervisor or Manager or HR Advisers of any formal complaint. Formal procedures are usually appropriate where:

- a) informal attempts at resolution have failed
- b) the person alleging discrimination or harassment has been victimised or retaliated against
- c) the complaint involves serious allegations of misconduct and informal resolution could compromise the rights of the parties
- d) the complaint is against a more senior employee. Formal procedures may help to ensure that the aggrieved person is not victimised, retaliated against, or disadvantaged
- e) the allegations are denied and the aggrieved person wishes to proceed and investigation is required to substantiate the complaint; or
- f) the aggrieved person wishes to make a formal complaint from the outset.

Formal procedures should involve:

- g) investigations of the allegations
- h) application of the principles of natural justice
- i) making a finding as to whether the discrimination or harassment occurred, or whether it is likely it occurred or determining legitimacy of the grievance
- j) submitting a report with a recommended course of action to the appropriate decision maker (Senior Management, being the Head of Human Resources, the General Manager and the Chief Legal Officer & Company Secretary, as appropriate to the circumstances); and
- k) implementation of an appropriate outcome.

## 17.3 Steps Usually Involved in a Formal Complaint

If an employee chooses to lodge a formal complaint, they may either raise verbal complaints in their primary language, or anonymously, or otherwise document their complaint in writing and pass this to their site Contact Officer, direct Supervisor/Manager or the Human Resources Department. All complaints received verbally will be documented by the individual receiving the complaint and must be provided to the Head of Human Resources. An Investigating Officer will be appointed so that the complaint can be formally and thoroughly investigated commencing within 5 days, and resolved where practicable within 30 days, as outlined in this Policy. The Investigating Officer must be a neutral person who has expertise and who has received training on conducting workplace investigations.

To ensure consistency and fairness, employer representatives should document the steps involved in a formal complaint. The following steps must be taken:

- a) the complainant and any relevant witnesses are interviewed and the allegations or issues are documented in writing. This should include the grounds for the complaint (i.e. type of harassment or discrimination etc.) and the area covered by the legislation, or the basis and circumstances of the grievance

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- b) interviews will occur in private and individually (unless a representative is permitted by law) without the respondent (s) present
- c) the identity of the complainant, witnesses and the facts of the discrimination will be kept confidential to the extent possible and to the extent permitted by law
- d) the Company will encourage witnesses not to disclose the identity of the complainant or the facts of the alleged discrimination, to the extent permitted by law
- e) the respondent will be instructed that he or she has to refrain from any action that might dissuade a potential witness from cooperating with any investigation
- f) a statement clearly detailing what happened, when the alleged incident(s) took place and the names of any witnesses and/or other relevant evidence that could substantiate their claim or a full explanation of the complaint
- g) minimise, wherever possible, the amount of times the complainant must tell his or her story and take reasonable steps to avoid retraumatizing the complainant
- h) if appropriate, the allegations are conveyed to the respondent in full
- i) if appropriate, the respondent is given the opportunity to respond to the allegations and provide the names of any witnesses and/or other relevant evidence that could substantiate their response
- j) a finding is made as to whether the complaint has substance
- k) a written report documenting the investigation process, the evidence, the finding(s) and recommended outcome(s) is submitted to the appropriate decision maker and/or the Head of Human Resources; and
- l) the decision maker implements the recommended outcome or decides on an alternative course of action. The complainant will have the option to receive a summary of the investigative steps taken by the Company and the outcome of the investigation.

## 17.4 Assistance / Support Person

An employee may at any stage of the process nominate another employee to provide assistance, guidance, advice and/or support in the preparation or presentation of their grievance. HR Department personnel are able to provide assistance in relation to substantive and procedural fairness, or to clarify any aspect of the grievance process.

The parties must be permitted to have a support person, advocate or other representative accompany them to any interviews or meetings in relation to the matter if they so choose. The support person's role is to provide support to the individual in the meeting, but they are not to directly interact in the meeting or process.

All parties, including the support person, must be advised of the requirements to keep proceedings and all relevant information confidential to the extent permitted by law.

## 17.5 Consideration and Substantiation of Evidence

In order for a complaint to be substantiated, investigators must be able to establish findings of the balance of probability that the stated events/behaviours actually occurred. It is not a matter of establishing the behaviour beyond reasonable doubt.

A formal complaint should not be dismissed on the grounds that no one saw or heard the alleged incident(s) occur or is aware of the issue(s). The purpose is to decide if there is sufficient information to substantiate the complaint.

## 17.6 Action

If it is concluded that the complaint is substantiated, the employer representative will:

- a) contact the complainant to explain the outcome of the inquiry and the suggested course of action now considered appropriate, including a general description of the remedial actions to be taken or proposed, if any. This may include supportive or punitive action. The complainant will be able to provide feedback about how to mitigate the impact on the complainant of any potential disciplinary action against the respondent to the complaint (e.g. communication with other workers about the disciplinary action);
- b) where it is determined that discrimination or retaliation has occurred, ensure that the Company takes appropriate corrective action under the Company's Counselling &

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Disciplinary Policies including disciplinary action up to and including termination of employment in relation to the discrimination or retaliation;

- c) record the complaint and its resolution on the complainant's and any respondent's personal file utilising an appropriate format;
- d) meet with the respondent to the complaint and notify him or her of the outcome;
- e) where possible, obtain the complainant's written confirmation that the complaint is resolved; and
- f) at a later set date, check the behaviour has ceased and that the solution is working for all parties.

Should any resultant disciplinary action be necessary, the details will be placed on the personal file of the employee who is the subject of the discipline.

The complainant, witnesses and any victims will not be retaliated against by the Company, or suffer any negative employment consequences for complaining or cooperating in an investigation.

### 17.7 Timeline

To optimise procedural fairness and accurate recollection of events by all parties, an employee should seek to initiate any complaint procedure promptly after incident occurrence, whether this be through consultation with the Contact Officer, or via formal or informal processes. Investigations should commence within 5 days, and should be completed within 30 days, where practicable.

Within a suggested timeframe of 48 hours of notification of the issue and where agreed with the employee, the Investigating Officer will meet with the employee to discuss potential investigation options. Where practicable (particularly subject to personnel rosters) and unless mutually agreed, any informal discussion or formal investigation is expected to be completed within a reasonable timeframe and where practicable no later than 30 days from the date the complaint was brought to the attention of Human Resources.

### 17.8 Dispute

Where a satisfactory resolution is not achieved through utilisation of the abovementioned informal and formal processes, the complainant may refer the complaint to an independent body such as the Fair Work Commission (Cth), the Equal Opportunity Commission (WA), Australian Human Rights Commission (Cth), Equal Employment Opportunity Commission (U.S.), or Alaska State Commission for Human Rights (AK), or the Company may seek the involvement of an external disputes mediator (Mediator).

In attempting to resolve the grievance the Mediator will generally confer with the parties informally to agree on procedural matters including the manner in which each side will present its case, confidentiality requirements (as permitted by law), representation, timing, location and duration of proceedings and any other matters about the Mediator's role in respect to establishing procedures to resolve the grievance.

In attempting to resolve the grievance, the Mediator may help the parties identify and define the matters in dispute and help the parties develop a procedure for resolving the dispute quickly and in a way that avoids unnecessary technicalities and legal forms. The parties may, if requested and agreed to by both parties, discuss the matters in dispute privately with any of the parties to the dispute or their representatives.

The Mediator may, if after the proceeding steps have been followed and the grievance has not been resolved, and if the parties agree, make suggestions as to what would constitute a reasonable resolution to the dispute or any part thereof and provide within a reasonable timeframe a written statement of such suggestions to the parties.

The costs of any mediation or conciliation sourced by the Company will be borne by the Company.

## 18. CONTACT OFFICERS

A Contact Officer (and alternate) will be appointed at each site/location that the Company operates. The names, email addresses and phone numbers of the Contact Officer(s) for each Northern Star site will be posted around the workplace or can be obtained from the Human Resources Department or the

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Intranet, and annexed to this Policy, for all the Company's operations.

The role of a Contact Officer is to facilitate in all areas in relation to complaints and provide some basic information or support if required. Contact Officers will be trained for the role and can provide information as to the types of behaviour which may constitute harassment and discrimination. They are also aware of the confidentiality sensitivities that surround such issues.

Individuals may speak with a Contact Officer prior to making a decision to make an informal or formal complaint.

Contact Officers are also a first point of contact to support employees who believe they have an issue in the workplace. Issues may relate to perceived workplace discrimination, harassment, bullying and/or victimisation. The Contact Officer has access to information about complaint resolution options within and outside the organisation and will provide support to persons in making informed decisions about how best to address the grievance.

Contact Officers should not be viewed as mediators, counsellors or advocates for individuals involved in a grievance.

## 19. 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, vilified, defamed or suffer any negative employment consequences for cooperating in an investigation.

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.

Defamation law is concerned with protecting a person's reputation in the eyes of others. It is not defamatory for an individual to make a genuine complaint or to confront a harasser to advise them that their behaviour is unwelcome.

A person with a recognised genuine interest in the resolution or investigation of a complaint of harassment (either formal or informal) may be protected by the defence of qualified privilege<sup>1</sup>. The parties to a complaint should be warned of defamatory legal consequences which may follow if confidentiality provisions are breached to the extent permitted by law.

During the course of the resolution of an EEO complaint, issues raised in relation to defamation and qualified privilege should be referred to the Chief Legal Officer for legal advice.

## 20. CONFIDENTIALITY

To the extent permitted by law, details of complaints, 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, including termination of employment, to the extent permitted by law.

## 21. RESPONSIBILITIES

### 21.1 Supervisors / Managers

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

- a) monitoring the work environment to ensure that acceptable standards of conduct are followed at all times and report to the Head of Human Resources behaviour constituting discrimination, harassment and or retaliation
- b) displaying appropriate behaviour themselves

<sup>1</sup> Qualified privilege in this case means that the person with the accountability to receive then investigate and/or resolve the complaint or grievance is protected by law against defamation action provided the investigation is carried out without malice.

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		Review Date:	21/05/2025
Approved by:	Board of Directors	Approver's Signature:	Hilary Macdonald

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## EQUAL EMPLOYMENT OPPORTUNITY POLICY

- c) calling out behaviour in breach of the Company's EEO Policy
- d) treating all complaints seriously and taking immediate action to investigate and resolve the matter; and
- e) referring complaints to another Company representative if they do not feel that he or she is the person to deal with the case. The Head of Human Resources must be informed by the relevant Supervisor or Manager or HR Advisers of any informal or formal complaint.

For the avoidance of doubt, all Supervisors, Managers, trainers and Human Resources personnel have a duty to actively monitor their work areas to:

- a) ensure compliance with the policy occurs throughout the business
- b) ensure that the complainant, witnesses and any victims will not be retaliated against by the Company, or suffer any negative employment consequences for complaining or cooperating in an investigation
- c) report any incidents and/or complaints of discrimination, harassment and or retaliation which they observe or of which they become aware, to the Human Resources Department.

For managers, supervisors, trainers and Human Resources personnel, performance reviews will include equal employment opportunity enforcement and compliance as standards for managers, supervisors, trainers and Human Resources personnel.

### 21.2 All Employees

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

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

- f) offering support to anyone who feels he or she may have been the subject of behaviour contrary to this Policy and advising the person where he or she can get help or advice;
- g) calling out behaviour in breach of the Company's EEO Policy
- h) draw attention to the relevant Manager any issues of concern so that appropriate action may be taken
- i) to the extent permitted by law, 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 him or her to a defamation action

Northern Star's Human Resources Department conducts Equal Opportunity Awareness Sessions to assist individuals to understand and meet these obligations. Questions regarding the availability of these sessions and attendance at them should be directed to the Human Resources Department.

### 22. CONSEQUENCES

A breach of this 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.

### 23. ASSISTANCE

Need Help? Any queries in relation to this Policy or its implementation should be directed in the first instance to your Supervisor/Manager or Human Resources Adviser, or to the Head of Human Resources.

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

### 24. IMPLEMENTATION OF POLICIES

A copy of the EEO Policy is available to all employees on the Company's Intranet or INX system.

- a) The EEO Policy will be explained at the induction process and a copy will be available for review or can be requested from the Human Resources Department.
- b) The EEO Policy should be reviewed annually to ensure currency and compliance with state and federal legislative requirements.

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## 25. RELATED DOCUMENTS

Document Name	Document Number
Code of Conduct	NSR-COR-001-POL
STARR Core Values	NSR-COR-024-POL
Counseling and Disciplinary Policy USA	NSR-HR-062-POL
Counselling and Disciplinary Policy	NSR-HR-002-POL
Group Contact Officers	NSR-HR-063-FOR

## 26. REFERENCES

- a) Workplace Gender Equality Act 2012 (Cth)
- b) Fair Work Act 2009 (Cth) (includes the National Employment Standards)
- c) Age Discrimination Act 2004 (Cth)
- d) Racial Discrimination Act 1975 (Cth)
- e) Disability Discrimination Act 1992 (Cth)
- f) Sex Discrimination Act 1984 (Cth)
- g) Equal Opportunity Act 1984 (WA)
- h) Title VII of the Civil Rights Act of 1964 (US)
- i) Age Discrimination in Employment Act of 1967 (US)
- j) Americans with Disabilities Act of 1990, as Amended (US)
- k) Equal Pay Act of 1963 (US)
- l) Fair Labor Standards Act of 1938 (US)
- m) Alaska Human Rights Law
- n) Fair Work Commission
- o) Equal Opportunity Commission
- p) Australian Human Rights Commission
- q) Equal Employment Opportunity Commission
- r) Alaska State Commission for Human Rights
- s) Employee Assistance Programs – Australia and USA

## 27. APPENDICES

APPENDIX I – Group Contact Officers

APPENDIX II – EAP Service Provider Australia

APPENDIX III – EAP Service Provider USA

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