

## 1. Purpose

The purpose of this Sexual Harassment Policy (**Policy**) is to confirm Resolute's commitment to maintaining a safe, inclusive and respectful organisational culture that is free from all types of harassment, bullying and discrimination and, in particular, free of any and all forms of sexual harassment.

This document also outlines Resolute's procedure for managing sexual harassment in the workplace by:

- communicating Resolute's commitment to maintaining a workplace that takes a 'zero tolerance' approach to sexual harassment;
- enabling reporting of sexual harassment by providing safe, confidential, well-defined and accessible means for reporting unacceptable behaviour; and
- promptly resolving all allegations of sexual harassment in the workplace in a sensitive, respectful and appropriate manner.

## 2. Scope

This Policy applies to all employees of Resolute and its subsidiary companies and any contractors, consultants, volunteers and vacation students managed by the Company (hereafter collectively referred to as **employees**). This Policy also seeks to protect from sexual harassment all applicants and job-seekers who may be considered for employment with Resolute.

All of Resolute's corporate offices, mine sites and projects operating in any country are covered by this Policy. All expatriate employees (Australian or otherwise) are expected to adhere to the standards set out in this Policy. Personnel should note that they may also be subject to anti-harassment and anti-discrimination legislation that applies in overseas jurisdictions in which the Company operates (such as Mali and Senegal).

## 3. Definitions

### What is workplace sexual harassment?

Though legal definitions of sexual harassment may vary between jurisdictions, sexual harassment can be generally described as any unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature, in circumstances where a reasonable person, having regard to all the circumstances, would anticipate the possibility that the person harassed would be offended, humiliated or intimidated.

Sexual harassment can take many forms and may include physical contact (such as "groping" or massaging), verbal comments (including sexualized comments about physical appearance or questions or comments about a person's sexual activities), requests for sex or invitations to go on dates, sexual jokes, sexual propositions, the display of pornographic or offensive material (including on smart phones, through social media or via text messages) or any other behaviour which creates a sexually hostile environment.

Sexual harassment is not always obvious, repeated or continuous. Unlike bullying, which is characterised by repeated behaviour, sexual harassment can be a one-off incident.

Sexual harassment can also be a behaviour that while not directed at a particular person, affects someone who is exposed to it or witnesses it (such as overhearing a conversation or seeing sexually explicit posters in the workplace).

Sexual harassment is unlawful, including under work health and safety legislation (**WHS laws**), the *Sex Discrimination Act 1984* (Cth) and the *Fair Work Act 2009* (Cth). Acts such as indecent exposure, stalking, sexual assault and obscene or threatening communications may be offences under criminal law and will be referred to Police as well as managed under WHS laws.

#### What is considered to be a 'workplace'?

A **'workplace'** means a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.

This means sexual harassment can happen:

- at a worker's usual workplace;
- where a worker is working remotely, including if the person's workplace is their home;
- in a place where the worker is undertaking work at a different location (such as a client's home);
- where the worker is engaging in a work-related activity such as conferences, training, work trips, work-related corporate events or a work-related social activity like a Christmas party, or
- by phone, email or online (such as through social media platforms).

Sexual harassment may be perpetrated by various people including an employer, supervisor, co-worker, client or customer.

## 4. Business Conduct

Sexual harassment, discrimination and victimisation, in all its various forms, is an affront to workplace safety, diversity, equity and inclusion. Any related behaviour exhibited in the workplace, at a work event, while working remotely or while travelling for business purposes, is unacceptable, will not be tolerated and will lead to disciplinary action up to and including termination of employment. Resolute requires all Employees to behave in a manner consistent with Resolute's values (and other applicable policies and regulations) at all times.

Code of Conduct and other training is provided to all employees on commencement with Resolute to promote safety, diversity and inclusion and to eliminate all forms of sexual harassment, discrimination and victimisation in the workplace. Annual refresher training is run for all employees to reinforce these behavioral expectations.

## 5. Responsibilities

The Board via the Sustainability Committee is responsible for overseeing the implementation of this Policy and all associated initiatives.

The CEO is responsible for establishing a safe and respectful organisational culture where all Employees are treated equally and all forms of sexual harassment, discrimination and victimisation are absent / removed.

The Executive Committee is responsible for overseeing the implementation of the initiatives outlined in this Policy and providing regular feedback to the Board via the Sustainability Committee.

## 6. Procedure

### 6.1 Resolution of Issues Procedure

The Company's procedure for dealing with matters relating to sexual harassment is intended to maximise the possibility of timely and confidential resolution.

#### **Step One: Approach the person involved if safe and confident to do so (self-management)**

Issues can often be resolved by speaking to the person who is the cause of the grievance and advising them of the concerns, but only if you feel safe and confident to do so.

The behaviour that is unacceptable should be communicated and a very clear statement should be made that the behaviour should not be repeated. Informing the person will give them a chance to stop or change what they are doing.

#### **Step Two: Receive Assistance**

If step one is unsuccessful, or the employee does not feel comfortable approaching the person involved directly, he or she should raise their concern with:

- their immediate supervisor and or manager;
- a specifically trained contact person for your site, if a contact person has been appointed;
- a People/Human Resources team representative; or
- make a confidential complaint using the Company's FairCall 24/7 reporting hotline as follows:
  - Australia – 1800 500 965
  - Senegal – +61 2 9335 8785
  - Mali – +223 21 66 0510
  - UK – + 61 2 9335 8785

That person will provide confidential support and will work with the complainant on an appropriate way to resolve the matter. This may then lead to:

- the employee feeling comfortable to directly approach the person involved;
- the supervisor/manager, the contact officer, or People Team representative, privately conveying his/her concerns to the person complained against and reiterating the Company's behaviour expectations, without assessing the merits of the case or necessarily obtaining an admission from the person; or
- a decision that a formal investigation needs to be conducted.

### **Step Three: Formal Process**

In some cases, it will be necessary for Resolute to initiate a formal process to ensure that the complaint is fully investigated. Steps One and Two do not have to be completed to initiate step Three. This step will usually involve Resolute undertaking the following steps on a confidential basis:

- obtaining a written statement of allegations from the complainant by completing the Employee Formal Complaint Form;
- investigating the allegations, including informing the person in writing of the complaint made against them;
- giving the employee an opportunity to respond to the allegations raised against them;
- considering the substantiated facts of the investigation and making a finding as to whether the conduct occurred;
- submitting a report with a recommended course of action to the appropriate decision maker (senior management); and
- implementing an appropriate outcome.

In appropriate circumstances the company may, in its sole discretion, appoint an external investigator to complete Step 3 however, this task will usually be undertaken by a senior Human Resources representative in consultation with the legal team as required.

## **6.2 Other Considerations**

### **False Accusations**

Although all allegations of sexual harassment will be treated seriously and confidentially, disciplinary action may be taken where a person makes a claim which is subsequently proven to be knowingly false or vexatious in nature.

### **Natural Justice**

All investigations of sexual harassment will adhere to the principles of natural justice, also known as procedural fairness, on all occasions.

### **Consequences**

If after an investigation it is found that there has been a breach of this Policy, Resolute's Code of Conduct, values, Employment Contract or the law, disciplinary action will result, up to and including termination of employment.

### **Reporting Behaviour (happening to someone else)**

If any employee observes inappropriate or unacceptable behaviour directed toward another employee, the former employee has the responsibility to raise their concern with:

- the employee exhibiting the inappropriate / unacceptable behaviour
- their supervisor/manager;
- a representative from the People/Human Resources Team; or
- Resolute's Disclosure Protection Officer (refer to Whistleblower Policy).

If a supervisor or manager receives a complaint or observes unacceptable conduct, they must take independent action in accordance with section 6.1 irrespective of whether a complaint has been made.

## 7. Employee Assistance

Employees who believe they have been subject to or have observed inappropriate / unacceptable behaviour at work are encouraged to seek confidential support via the Employee Assistance Program (EAP). EAP assistance can be contacted 24 hours a day at:

- from Australia - 1800 273 865; or
- from overseas - +61 3960 02955

## 8. Rights and Responsibilities

### 8.1 Employee

**The Company's Employees have the following rights and responsibilities:**

#### Rights

- A workplace free from sexual harassment, discrimination and bullying.
- Any complaints taken seriously and treated impartially, in a prompt and confidential manner.
- Protection against victimisation and reprisals.
- Entitlement to make a complaint knowing that such action will not, in any way, affect their current employment status and future career prospects or general standing in the workplace.

#### Responsibilities

- Comply with the Company's policies and procedures to achieve an effective resolution.
- Raise concerns about alleged harassment or bullying at the earliest possible time in order to maximise the likelihood of an effective resolution.
- Maintain complete confidentiality concerning any complaint or investigation.
- Respect and abide by the decision and outcomes of an investigation.

### 8.2 Manager

**Managers have the following responsibilities:**

- Ensure that employees are aware of the Company's policies, standards and procedures and the appropriate conduct requirements.
- Role model good conduct at all times.
- Constantly monitor the work environment to ensure acceptable standards of conduct.
- Respond to all claims of harassment, bullying or discrimination in a timely, supportive, objective and confidential manner.
- Raise any concerns of inappropriate behaviour directly and take appropriate action.
- Keep written records of all reports, complaints and actions taken, even in the absence of a complaint.
- Liaise with their Manager once removed or a representative from the People Team regarding all concerns of inappropriate behaviour.
- Liaise with their Manager once removed and or a representative from the People Team to conduct a Workplace Conduct Investigation if it is required.

## 8.3 People Team

Employees within the People Team have the following responsibilities:

- Ensure that all Employees have access to the Company's policies, standards and procedures.
- Ensure all Employees undertake training in relation to the Company's policies, standards and procedures.
- Identify and train workplace contact officers where appropriate.
- Adhere to Company policy to ensure that all Employees have equal opportunity in the workplace.
- Support the complainant and any supervisor/manager through the complaint procedure.
- Offer informal and formal resolution options.
- Address complaints in a manner which is fair, timely and confidential.
- Fully document all complaints and ensuing investigations.
- Facilitate Workplace Conduct Investigations and any outcomes as required.
- Engage an external consultant to conduct an investigation if it is warranted.
- Ensure procedural fairness and natural justice and confidentiality are applied to all complaints.
- Advise if further training, coaching or counselling is requested or deemed appropriate.

## 9. Other definitions

**Board** means the board of directors of RSG.

**CEO** means the chief executive officer of RSG.

**Director** means a director of RSG.

**Employee** means an employee of, or consultant to, Resolute.

**Executive Committee** means the CEO and his direct reports.

**Personnel** means all Directors and Employees.

**Resolute** means RSG and its subsidiaries and related entities.

**RSG** means Resolute Mining Limited ACN 097 088 689.

## 10. Related documents

- Internal documents:
  - Code of Conduct
  - Equal Employment Opportunity
  - Diversity & Inclusion Policy
  - Employee Formal Complaint Form (PAC-ADM-FRM-0007)
- External documents:
  - *Fair Work Act 2009 (Cth), Fair Work Regulations 2009 (Cth), Fair Work Commission Rules 2013 (Cth)*
  - *Fair Work (Registered Organisations) Act 2009 (Cth)*
  - *Occupational Safety and Health Act 1984 (WA), Occupational Safety and Health Regulations 1996 (WA)*
  - *Privacy Act 1988 (Cth), Australian Privacy Principles*
  - *Equal Opportunity Act 1984 (WA)*
  - *Sex Discrimination Act 1984 (WA)*

This Policy reflects the requirements of applicable federal and state anti-discrimination legislation in relation to Australian workplaces. The rights and responsibilities set out in this Policy ensure compliance with these legislative standards.

## 11. Approval and Review

This document is to be reviewed annually by the Sustainability Committee of the Board.

Version	RIGS Document Category	Date	Status	RIGS Document Owner	Reviewer	Approver	Approval Date
1.0	Board	25/02/2021	Reviewed	<b>Jordan Morrissey</b> <i>EGM - Sustainability</i>	<b>Stuart Gale</b> <i>Managing Director and CEO</i>	<b>Martin Botha</b> <i>Chair</i>	28/10/2021
2.0	Board	23/02/2023	Reviewed	<b>Richard Steenhof</b> <i>General Counsel &amp; Company Secretary</i>	<b>Terence Holohan</b> <i>Managing Director and CEO</i>	<b>Martin Botha</b> <i>Chair</i>	23/02/2023