



Intersection

SAFE, RESPECTFUL AND INCLUSIVE WORKPLACE REVIEW

FOR CHEVRON AUSTRALIA PTY LTD

Content warning: The content of this report contains references to, and quotes from, people who have experienced bullying, harassment, sexual harassment and/or discrimination.

© Intersection Pty Ltd 2022.

**Safe, Respectful and Inclusive Workplace Review
for Chevron Australia Pty Ltd • 2022**

Acknowledgements (the Review Team): Natasha de Silva,
Maria Twomey, Trish Low, Tanaya Roy and Gabriela Sanchez

Design and layout: Dancingirl Designs

Editor: Andy Quan, Boldface Editing

Photography: Cover photo Adobe Stock

Contact details

www.intersection.work
admin@intersection.work

Intersection Pty Ltd respects and honours Aboriginal and Torres Strait Islander elders past, present and future. We acknowledge the stories, traditions and living cultures of Aboriginal and Torres Strait Islander peoples on this land and commit to building a brighter future together.

Safe, Respectful and Inclusive Workplace Review

for Chevron Australia Pty Ltd

CONTENTS

1. Executive summary	6
1.1 Reflections on the current workplace culture at Chevron Australia	7
1.2 More than one culture in any organisation	8
1.3 Key findings	8
1.4 Recommendations	13
2. Introduction	
2.1 Background	17
2.2 The business case for workplaces that are safe, respectful and inclusive	18
2.3 Features of a safe, respectful and inclusive workplace	19
2.4 Methodology	19
2.5 Terminology	24
3. Prevalence and nature of bullying, harassment and discrimination: The Chevron Australia workforce experience	27
3.1 Introduction	27
3.2 Perception of Chevron Australia as a workplace	27
3.3 Bullying	28
3.4 Sexual harassment	30
3.5 Bystander action (and inaction)	37
3.6 Be an Upstander Training	38
3.7 Physical and verbal harassment	38
3.8 Discrimination	40
3.9 Indirect discrimination	46

4. Risks contributing to bullying, harassment and discrimination	51
4.1 Introduction	51
4.2 Leadership	53
4.3 Gender imbalance and inequality	60
4.4 Lack of diversity	62
4.5 Backlash against diversity initiatives	66
4.6 High pressure environment	68
4.7 Insecure employment	68
4.8 FIFO workers/workers performing remote or isolated work	69
4.9 Turnarounds as a time of increased risk	70
4.10 Hierarchy and power imbalance	70
4.11 Workforce composition	71
4.12 The physical environment	73
5. Reporting	
5.1 Introduction	74
5.2 Policies	74
5.3 Reporting mechanisms	75
5.4 Chevron Australia reporting data	75
5.5 Experiences of reporting	75
5.6 Barriers to reporting	78
5.7 Effectiveness	85
5.8 Support mechanisms	89
5.9 Next Steps	90
6. Conclusion	95

EXECUTIVE SUMMARY



'I work at Chevron because it's Chevron, you know. There's a sense of pride associated with being part of this organisation because the workforce is more skilled and quite frankly, better behaved than in some other organisations in the industry. Having said that, we do still have our problems with bad behaviour and it doesn't get addressed in the way it should.'

– Employee

The Safe, Respectful and Inclusive Workplace Review (the Review) was conducted with the objective to gain an understanding of:

- The prevalence of inappropriate workplace behaviours (bullying, physical and verbal harassment, sexual harassment and discrimination)
- The nature and impact of these behaviours
- The risk factors for inappropriate workplace behaviours
- The extent to which these behaviours are reported and any barriers to reporting at Chevron Australia workplaces.

The Review takes place at a critical time and in the broader context of a significant change in community expectations with respect to equality, safety, and respect. This change is occurring against the backdrop of significant global social justice movements such as #MeToo, #BlackLivesMatter and #WeThe15. These social justice movements have, in turn, prompted formal investigations into workplace culture and conduct occurring nationally and locally, including the *Respect@Work* National Inquiry into Sexual Harassment in Australian Workplaces (*Respect@Work*),¹ and the Western Australian Parliamentary Inquiry into Sexual Harassment against Women in the FIFO Mining Industry (WA Inquiry).² Against this backdrop, Chevron Australia engaged Intersection as an independent expert to gain an understanding of how its workforce (employees and contractors) experience the Chevron Australia workplace.

This report presents Intersection's findings, analysis and recommendations to drive change, and is prepared in the context of Australian laws and standards. It is based on a detailed analysis of the qualitative and quantitative data collected throughout the Review, as well as those structural or systemic factors that can contribute to or pose risks to the creation of a safe, respectful and inclusive workplace culture: policies, procedures, performance expectations, recognition and rewards, leadership, training, accountability frameworks, demographic profiles and the physical working environment.

The Review did not extend to investigating or making findings about any individual incident or allegation.

Most importantly, this report and its findings are based on the experiences of individuals who make up the Chevron Australia workforce. The voices of Chevron Australia employees and contractors are represented throughout this report through de-identified quotes. The quotes, although expressed in the words of one individual, are illustrative of themes that emerged through the qualitative data, and represent the views expressed by many.

1.1 Reflections on the current workplace culture at Chevron Australia

Most employees who engaged with us throughout the Review spoke of Chevron Australia in positive terms, in particular when compared to other organisations in the resources sector. Among its workforce, Chevron Australia has a reputation for being an organisation that *'hires the best of the best'*, where the *'pay is very, very good'*, and for whom *'it's a privilege to work for'*.

Following a period of uncertainty marked by workforce reorganisation and COVID-19 border closure responses, it was reported to us by a large number of Review participants that there has been a loss of commitment to the organisation and a corresponding loss of trust in the organisation's leadership.

These significant events have occurred in a relatively short period of time and have created an environment of uncertainty impacting some people's sense of job security and in turn a willingness to act upon or report inappropriate behaviours. These events have also significantly affected some people's connection and commitment to the organisation, as they are concerned about the *'next workforce review'* and feel dispensable and undervalued.

'The shine of Chevron has gone. With the number of movements and lack of control [during the workforce review], people's motivation for the company definitely dropped quite significantly. Why should I go and put in the extra effort? People don't feel as committed anymore.' – Employee

Chevron Australia's current culture is one that can be described as *'civil'*. People in the organisation are generally polite to one another. However, there are still inappropriate behaviours, the most prevalent of which is bullying.

'Chevron is a much better place to work than some of the other companies in the industry, both for career progression but also culture. Well, at least it used to be ... Until recently, it was easy to get exposure to different opportunities and to keep your work interesting and people treated each other with respect. Of course, the workforce reviews have changed everything. Now you're lucky if you have a job and it's every man for himself.' – Employee

We heard that people exhibiting inappropriate workplace behaviours throughout workforce engagements were not dealt with in real time, but rather moved around or only dealt with at the time of a workforce reorganisation and that there was little appetite to address inappropriate behaviours when they occur. We heard that some known *'problem'* individuals were considered *'untouchable'* because of their perceived value to the organisation or their connections, undermining trust in leadership. The lack of accountability for poor behaviour meant that it was allowed to continue or escalate, creating added risk to others.

There is also a perception among some of Chevron Australia's workforce that the financial bottom line is valued above wellbeing and ultimately, physical and psychological safety. Many participants expressed the view that the workforce is so lean, that there is no redundancy in the system, creating added pressure and added risk to physical safety. There is also a perception that employees are under consistent threat of being replaced by cheaper and sometimes less experienced contract staff and that this adds further stress and risk across the organisation.

Contractors felt the insecurity of their employment arrangements to be an impediment to raising concerns or issues for fear of losing their job. Many individuals expressed the view that the tempo was unsustainable and that it was having negative impacts on the wellbeing of workplace participants. These stressors are a contributing factor to how people behave in the workplace.

1.2 More than one culture in any organisation

Organisations that operate in different geographic locations often develop subcultures at each location due to differences in leadership, operations, procedures, nature of work and even the physical environment. This is the case with Chevron Australia, with each of the three operational sites describing a different culture and attributing it to different factors.

Safe, respectful and inclusive subcultures can significantly increase employee engagement, safety and productivity and as such should be supported. Negative or toxic subcultures can have the opposite effect by creating unsafe working environments. To prevent negative subcultures from forming, many organisations set policies and procedures that underpin and influence culture at a whole-of-organisation level and expect these to be followed in each location. A clear, unambiguous articulation and understanding of organisational values will assist with this. However, a one-size-fits-all approach may have the unintended consequence of discouraging positive subcultures from forming.

Throughout our visits to Chevron Australia's operational sites, we heard leaders at various levels talk about being 'hamstrung' by some corporate policies or directions on issues such as informal staff recognition, team-building activities or other site-specific initiatives which they felt would have supported building a positive culture on site. It is important to embed flexibility in organisation-wide policies and practices on key issues to support the development of safe, respectful and inclusive subcultures at operational sites.

1.3 Key findings

Key findings relating to the prevalence, nature, impact, risk factors and reporting of inappropriate workplace behaviour are outlined below. Analysis informing the findings and subsequent recommendations is discussed in greater detail throughout the chapters of this report.

Unless otherwise indicated, statistics referred to in this report are made in reference to findings from the survey. Due to the low survey response rate among contractors, the prevalence rates in this report refer to Chevron Australia employees only. For more information on the survey, see 'Methodology' at section 2.4.

Prevalence and nature of inappropriate workplace behaviours at Chevron Australia

Bullying is the most prevalent form of inappropriate workplace behaviour at Chevron Australia, with almost half (47%) of its employees having experienced bullying over the last five years. Nearly a third of employees reported experiencing bullying behaviours for longer than 12 months. Women experienced bullying at higher rates than men.

Belittling or humiliating conduct, repeated undermining of one's work and sustained unjustified criticism of one's work were the top three bullying behaviours experienced by employees. Bullying behaviours are perpetrated at all levels of the organisation, with colleagues at the same level, direct managers or supervisors and senior leaders identified as perpetrators of bullying behaviours.

Sexual harassment is the second most prevalent inappropriate workplace behaviour experienced by nearly a third (30%) of Chevron Australia employees over the last five years, followed closely by other forms of harassment (verbal and physical) at 29%. Sexually suggestive comments or jokes and intrusive questions about one's private life or appearance were the most prevalent form of sexual harassment. Spreading malicious or hurtful rumours, sexist or racist comments were the most prevalent forms of harassment.

Inappropriate workplace behaviours at Chevron Australia appear to occur 'out in the open' or are disclosed to other employees, with more than half of employees reporting that they had witnessed or heard about incidents of bullying, discrimination or harassment and more than a third of employees reporting they had witnessed or heard about incidents of sexual harassment. Overall, there is a high tolerance for 'low-level' behaviours that often get labelled as 'joking' or banter', rather than identified and reported as inappropriate workplace behaviours. This is particularly the case with regard to sexual harassment.

The prevalence of discriminatory behaviours reported through the survey was very low (2%). However, our analysis of Chevron Australia's policies, programs and procedures and the qualitative data gathered through the Review suggests that experiences of direct or indirect discrimination may be more common than those reported in the survey. The low prevalence rate was also inconsistent with the view of Chevron Australia employees of a broad level of tolerance for discrimination in the organisation and that perception that certain groups of employees are treated more favourably than others.

For example, there is a persistent belief among employees that the organisation has set gender and diversity quotas to meet and that selection processes for roles and promotions prioritise diversity characteristics over skills, qualifications and experience. These perceptions were identified as a driver of employee dissatisfaction on the one hand and inappropriate workplace behaviours on the other.

The experience of 'life at Chevron Australia' for its workforce is gendered. Female employees experience all forms of inappropriate workplace behaviours at greater rates than men. Casual sexism and being held to a different standard to men are common experiences for women at Chevron Australia. Overall, women reported observing and experiencing a higher tolerance in the organisation for inappropriate workplace behaviours and less confidence that they would be appropriately addressed.

47% of employees experienced bullying over the last five years



Bullying is the most prevalent form of inappropriate workplace behaviour at Chevron Australia



Women (53%) experienced bullying at higher rates than men (45%)



Belittling or humiliating conduct (27%), repeated undermining of one's work (22%) and sustained unjustified criticism of one's work (21%) were the top three bullying behaviours experienced by employees

28% senior leaders



38% direct managers or supervisors



37% colleagues at the same level



Bullying behaviours are perpetrated at all levels of the organisation, with colleagues at the same level (37%), direct managers or supervisors (38%) and senior leaders (28%) identified as perpetrators of bullying behaviours

Sexual harassment is the second most prevalent inappropriate workplace behaviour experienced by nearly a third (30%) of Chevron Australia's employees, followed verbal and physical harassment at 29%

Sexually suggestive comments or jokes and intrusive questions about one's private life or appearance was the most prevalent form of sexual harassment

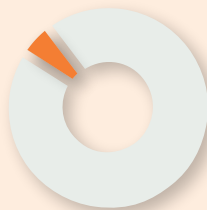
Spreading malicious or hurtful rumours, sexist or racist comments were the most prevalent forms of harassment

30% sexual harassment



29% verbal and physical harassment

2% prevalence of discriminatory behaviours



The prevalence of discriminatory behaviours reported through the Survey was very low (2%). This prevalence rate was found to be inconsistent with employees' views on tolerance for discrimination in the organisation as well as examples of practices and conduct emerging through interviews and focus groups

There is limited national or industry data available on the prevalence of bullying and harassment and as a result, little data exists to allow for a reliable comparison of Chevron Australia's reported prevalence rates in bullying and harassment to other organisations. Anecdotally, evidence suggests that Chevron Australia's reported prevalence of bullying is on par with the industry average.³

A more reliable industry comparison can be made in the context of sexual harassment.

The prevalence of sexual harassment at Chevron Australia (30%) is below the industry average (40%) and slightly below the national average across all industries (33%).⁴

Risk factors of bullying, harassment, discrimination and sexual harassment

Risk factors of inappropriate workplace behaviour are the systemic, structural or workplace-specific factors that underpin or increase the likelihood of inappropriate workplace behaviours occurring or that exacerbate the impacts of such behaviours.

A significant and sustained reduction in the prevalence of inappropriate workplace behaviours can only be achieved by addressing the underlying factors and workplace-specific risks that increase the likelihood of these behaviours occurring.

Some of the systemic risks that underpin workplace inequality and inappropriate behaviours in workplaces were identified by Intersection to be applicable to the context of Chevron Australia. This is based on a review of relevant literature and research, review of Chevron Australia policies, the results of the survey and the hundreds of Chevron employees and contractors we engaged with through focus groups and interviews undertaken in the conduct of this Review. These risk factors included a leadership skills deficit, lack of accountability and transparency, gender inequality, a broader lack of diversity in the workforce and workforce composition in relation to the proportion of employees to contractors.

Chevron Australia is a hierarchical workplace with many levels of leadership throughout the organisation. We heard from staff at all locations that there is a tendency to promote people based on their technical skills or length of service, without regard for, or subsequent development of, people leadership skills. This has acted as a driver for inappropriate workplace behaviours in certain instances. Leaders did not have the skills to address issues in real time and, on several occasions, this led to those issues being allowed to continue. While some participants spoke of Chevron Australia having strong leaders who role modelled respectful, inclusive behaviour, encouraged reporting and took prompt action to address reports, many others spoke of leaders who failed to lead when it came to issues of workplace respect, inclusion and behaviour. Where leaders were selected based on behaviours ahead of technical ability, this was positively acknowledged by employees in consultations.

Although the representation of women at Chevron Australia is on par with industry figures, it still lags behind the representation of women in broader society and has not reached a level considered as a 'critical mass'. We identified several structural and attitudinal barriers to gender equality at Chevron Australia. These have an impact on the recruitment, retention and career progression of women at Chevron Australia and importantly, on the way in which women experience Chevron Australia workplaces. We also identified similar structural and attitudinal barriers to the inclusion of Aboriginal and culturally and linguistically diverse (CALD) people.

Another factor identified as a risk factor for inappropriate workplace behaviours was the composition of Chevron Australia's workforce. Although exact figures were not available as Chevron Australia does not have data on the exact number of people employed by its contractors, estimates given to Intersection indicate that contractors make up at least 50 per cent of its workforce, depending on site activity. The widespread use of contractors in the resources industry was also identified as a risk factor by the WA Inquiry.

Throughout our workforce engagements, we heard about the impact that contractors' employment arrangements have on the Chevron Australia workforce. Workplace participants raised the issues of a fear of speaking up or reporting inappropriate workplace behaviour, confusion about reporting options for contractors and where to seek support and impacts to physical safety.

In addition to systemic risks, we observed and heard about workplace-specific risks that increase the likelihood of inappropriate workplace behaviours. Through the survey, nearly half (44%) of Chevron Australia employees identified the high-pressure work environment and power imbalances as the main risk factors increasing the likelihood of inappropriate workplace behaviours. Approximately two in five employees believe leaders who tolerate discrimination, harassment and bullying and a male-dominated workforce are further risk factors. Women were significantly more likely to cite power imbalances, leadership tolerance and gender imbalance as key risks.

Intersection heard repeatedly about the high-tempo culture at Chevron Australia workplaces and that the pace of work caused a risk of stress. This stress in turn, was identified as a contributing factor to the risk of inappropriate behaviour such as bullying, when people acted out because of the pressures they are under. We note that the evidence gathering phase for this Review began shortly after the COVID-19 hard border closures ended and a consequent COVID-19 infection spike in Western Australia, impacting workforce attendance and workplace pressures.

Reporting of bullying, harassment, discrimination, and sexual harassment

The processes and mechanisms that an employer establishes for reporting and resolving complaints of bullying, harassment and discrimination and the way in which it communicates and applies those processes and mechanisms, can have a significant impact on the experience and wellbeing of those reporting and on the broader culture of the workplace.

The rates of reporting of inappropriate workplace behaviour at Chevron Australia are very low. Only a quarter of employees who had experienced bullying, harassment or discrimination and 10% of employees who had experienced sexual harassment, indicated that they had reported the most recent incident they had experienced.

Where employees did report inappropriate behaviour of any kind, they were most likely to report it to their direct manager or supervisor. Interestingly, the survey data showed that when employees chose to report inappropriate behaviour, they were far more likely to go to Human Resources with complaints about sexual harassment than they were about complaints of bullying, verbal or physical harassment or discrimination.

Although there was a very low number of victims who indicated that they had made a formal report following an experience of inappropriate workplace behaviour, most employees who had made a formal report indicated that they were dissatisfied with the complaint process.

Through focus groups and interviews, some employees spoke about a 'culture of fear' that presents a significant barrier to reporting inappropriate workplace behaviour. This included a fear of negative repercussions for reporting inappropriate behaviour such as exclusion, being 'labelled a troublemaker', dismissal or removal from roles occurring after reporting inappropriate behaviour, including in future workforce reviews.

For contractors, the culture of fear was even more pronounced due to a lack of job security and the possibility of being dismissed at any time. Individuals were hesitant to raise workplace issues or make complaints for fear of being seen to be 'difficult' by Chevron Australia or their employers, with a consequential impact on their current employment or prospects of securing future direct employment with Chevron Australia.

1.4 Recommendations

Strong foundations for change

Chevron Australia is an organisation with strong foundations for a positive workplace culture. However, events over recent years have started to erode these foundations. Increasing lack of commitment to the organisation and its values by its workforce not only impacts the bottom line but is also a driver for inappropriate workplace behaviours. Based on what we heard from its employees, Chevron Australia has an opportunity to re-establish its commitment to and trust in its workforce by acknowledging the experiences shared by employees in the context of this Review and taking action to address the issues outlined in this report.

The most valuable asset of any organisation is its people. Chevron Australia has a highly skilled and qualified workforce with a historically strong commitment to the organisation and a sense of pride in the work that they do and an impressive record of staff retention. Throughout the Review, we were struck by the long tenure of Chevron Australia employees. It wasn't unusual to sit in a room of Chevron Australia employees where the most 'junior' employee present had been with the organisation for 8 years or more. The long tenure of employees reflects the commitment the workforce has felt towards the organisation. Most people we spoke to expressed a genuine pride in the work they do and a love for the unique environment of the oil and gas industry that facilitates this.

Chevron Australia employees have strong relationships that contribute to a positive workplace experience. Many participants spoke of the strong peer-to-peer relationships that exist, particularly among crews and shifts, that are highly valued and add significantly to their positive workplace experience. Colleagues are seen as 'extended family' and provide an important support network for people, particularly when working on site.

We also heard that informal learning is valued and encouraged in the organisation. Several people expressed the view that if they had any questions about the work they do, they felt entirely comfortable asking peers and leaders for advice. In turn, we were told that people were very willing to spend time with others, teaching or assisting them to understand the issues at hand.

Recent changes to workplace health and safety laws and regulation and the impending introduction of a positive duty on employers to prevent sexual harassment in the workplace, further underpin the foundations of a positive culture.⁵

The recommendations for change are made with these strong foundations in mind. The commitment, collegiality and curiosity of the Chevron Australia workforce provide a sound base from which Chevron Australia can, with implementation of these recommendations and commitment to change, be the safe, respectful and inclusive organisation it seeks to be.

These recommendations and actions are presented below.

1 Addressing the prevalence of bullying, harassment (physical, verbal and sexual) and discrimination

Rationale: Mitigating the risks of workplace bullying, harassment and discrimination is critical by reducing prevalence.

1. That a standalone training module on bullying be developed (drawing on the leading practice of 'Be an Upstander') and rolled out as mandatory training for the entire Chevron Australia workforce.
2. That Chevron Australia undertake further appropriate measures to:
 - Understand the sustainability of the operational tempo and its impact on the workforce
 - Understand and alleviate workplace stress
 - Increase physical and psychosocial safety, including by working with contractor companies to promote safe and fair working conditions for contractors as well as employees.
3. That reporting on bullying, harassment, discrimination and other inappropriate workplace behaviours:
 - Be a standing item on the Chevron Australia Leadership Team meeting agenda
 - De-identified data on reports be shared with leaders every quarter, including action taken and outcomes
 - De-identified data on reports is shared at intervals determined sufficient to not risk identification in the same way that 'incident' reporting is currently shared to promote continuous learning and improvement.
4. That Chevron Australia survey the prevalence of inappropriate workplace behaviours 24–36 months after the issuing of this report.
5. That the Bullying, Harassment and Discrimination Policy 277 be updated to reflect leading practice including:
 - Relevant examples of behaviours and explicit reference to the use of digital technology
 - Detailing consequences and relevant action for breaches of the policy
 - Reference to reasonable adjustments
6. That a standalone sexual harassment policy be developed drawing on leading practice including adoption of the definition provided in the federal *Sex Discrimination Act 1984* (Cth).

2 Uplifting leadership accountability

Rationale: Leaders that value safe, respectful and inclusive workplaces set the tone by modelling positive behaviours, responding sensitively and appropriately to disclosures and prioritising transparency to enhance learning and improvement.

7. That leadership acknowledge the loss of trust and damage to organisational commitment caused by the workforce reorganisations and COVID-19 responses and the consequent impacts on workplace behaviours.
8. That leaders take ownership and acknowledge their key role in creating safe, respectful and inclusive workplaces, with an emphasis on creating cultural safety and safety to disclose personal identities or attributes.
9. That leaders throughout the organisation with people management responsibility are upskilled sufficiently to:
 - Manage people effectively and respectfully
 - Develop people management skills for diverse groups, particularly people from different cultural backgrounds
 - Provide constructive, effective and timely feedback.
10. That leaders are equipped to respond sensitively and appropriately to disclosures and reports of inappropriate behaviour including the risk of victimisation following a report.
11. That any future change management process model adopt best practice and take into consideration:
 - The impact of the last three workforce reorganisations
 - The destabilising effect that change processes have on organisational culture
 - The impact on all employees of high levels of change and lack of stability for contractor staff.

3 Increasing diversity, equity and inclusion

Rationale: Diversity is key to increased productivity, profit and innovation. Critical to diversifying the workforce is inclusion. How minority groups experience inclusion will affect attraction, retention and ultimately progression.

The enjoyment of a workplace that is safe, respectful and inclusive where every individual can thrive is a workforce that reflects society and where behavioural norms are not dominated by one group.

12. That the Diversity & Inclusion (D&I) framework be enhanced to set aspirations and strategy for advancing D&I and includes evaluation of initiatives at relevant intervals to promote continuous learning and improvement.
13. That Chevron Australia develop and share a clear articulation of its diversity and inclusion goals and why diversity and inclusion are important in creating a more capable, productive and safe workforce to accompany the D&I framework and to address myths and backlash related to D&I.
14. That leaders throughout the organisation commit to and value the contribution of Employee Diversity Networks and create capacity for this work to be undertaken and recognised.
15. That data collection on diversity be improved upon and reported on to track progress against the D&I framework. In doing so, good practice principles should be followed when undertaking respectful and inclusive diversity data collection, to obtain data that is meaningful, accurate and effective in supporting diversity and inclusion aims.
Further, with respect to data collection, work with contracting partners to better understand the composition of its workforce and demographics on its sites.
16. To attract, recruit and retain Aboriginal staff and to increase cultural safety:
 - Consider offering specific, paid cultural leave
 - That upskilling in cultural competency take place across the organisation (drawing on the leading practice of 'Be an Upstander' training) and delivered by Aboriginal trainers
 - That an additional Aboriginal liaison/support role be created with a focus specifically on providing a greater level of mentoring and support and ensure this role is adequately resourced to do so effectively.
17. That Chevron Australia undertake a review to increase workplace flexibility, prioritising technical and site-based roles, that includes consideration of:
 - Part-time/job share options
 - Caring responsibilities
 - Residential options
 - Impact on leadership or progression opportunities.
18. That Chevron Australia conduct a local study of the gender pay gap annually and appropriately communicate the results – including the extent of any gender pay gap across roles – across the workforce.
19. That Chevron Australia review pathway programs and career progression for women, CALD and Aboriginal employees to assess the benefits of programs including conversions to employment and identify any barriers to progression.

4 Improving the response to inappropriate behaviours

Rationale: Improving trust in complaint processes and responding to complainants in a victim-centred manner will encourage more people to come forward. Increasing accountability for inappropriate behaviours and taking action will ultimately reduce the prevalence.

20. That Chevron Australia explore, adopt and implement informal resolution mechanisms to:
 - Respond to the high prevalence rate of bullying
 - Provide a core group of individuals with requisite skills to assist in resolving matters at the lowest level possible
 - Provide clarity and consistency in the approach to resolution.
21. That Chevron Australia explore and adopt an alternative anonymous reporting mechanism to the hotline (e.g. similar to the University of Melbourne Speak Safety Platform) to:
 - Provide an additional mechanism to rebuild trust in reporting mechanisms
 - Provide workers with an opportunity to 'register' their experience, obtain necessary support and convert the registration of that experience into a formal report should they later decide to do so
 - Provide workforce intelligence for problem areas and interventions at a group level.
22. That Chevron Australia sufficiently resource the current Human Resources (HR) Business Partner and Employee Relations (ER) Specialist functions to be able to appropriately respond to the volume of complaints and investigations and to adequately support leaders in the response to disclosures of inappropriate behaviour, with a particular focus on ensuring these resources are effectively mobilised to support leaders in remote locations.
23. That Chevron Australia provide greater clarity in policy and procedure documents as to how complaints of inappropriate behaviour are managed (and the process that follows once a complaint is made) including:
 - A clear indication of which policies apply to contractors working in Chevron Australia workplaces
 - A clear articulation of the role of the ER Specialist
 - Provide details on all reporting pathways (internal and external) including clarification of which mechanisms are confidential and how information will be treated in each pathway
 - Provision of all related materials in one location on Chevron Australia's intranet page (the iWay)
 - Clear guidance about which reporting mechanisms are available to contractors and employees and ensure this is communicated to contractors.
24. That Chevron Australia conduct a review and assessment of the support Contact Officers currently provide with a view to determining whether and what improvements may be possible to build on these services to better support the workforce. The review should include consideration of diversifying the pool to include more women and people from CALD backgrounds.

INTRODUCTION



By engaging an independent organisation to understand the experience of its workforce, Chevron Australia has taken the crucial step of 'leaning in' and recognising that you can't change what you don't know. While there is inherent risk in doing so, this risk is outweighed by the ability to make change and lead on creating a safe, respectful and inclusive workplace which will in turn provide a competitive edge in production, profit and the attraction of diverse talent.

A prevalence study – like the one conducted for this Review – provides an important baseline against which to measure future change and success. However, it is just one element of the multifaceted approach required to prevent and address bullying, harassment and discrimination. Our consultations with the workforce have also provided key insights into the application of policies and practice and have informed our findings. We are very grateful to the many employees and contractors who spent time with us to share their experiences, both positive and negative.

In undertaking this Review, Intersection has identified both the prevalence and nature of bullying, harassment and discrimination at Chevron Australia workplaces and importantly, the risk factors for these behaviours. Key areas of concern include the prevalence of bullying, the low reporting rates of inappropriate behaviour and the capacity of leaders to respond effectively and in a trauma-informed manner. We have made several recommendations and suggested actions to prevent future incidents and improve the response to directly address the risks identified.

Chevron Australia has strong foundations on which to build to improve prevention and response to inappropriate behaviour and create a safe, respectful and inclusive workplace where everyone can thrive.

2.1 Background

The Review takes place at a critical time and in the broader context of major change in community expectations with respect to equality, safety and respect. This change is occurring against the backdrop of significant global social justice movements such as #MeToo, #BlackLivesMatter and #WeThe15. These social justice movements have in turn prompted formal investigations into workplace culture and conduct, including the *Respect@Work* National Inquiry into Sexual Harassment in Australian Workplaces (*Respect@Work*),⁶ and the Western Australian Parliamentary Inquiry into Sexual Harassment against Women in the FIFO Mining Industry (WA Inquiry).

More people feel empowered to speak out publicly of their experiences of bullying, harassment and discrimination. These experiences have resulted in an unprecedented national conversation on workplace safety and respect that has impacted the decisions of investors, consumers, employees and other stakeholders in the businesses they choose to engage with, invest in, work for and support. As a result, there is now a strong external authorising environment for workplaces to critically examine their culture and to have conversations that may not have otherwise occurred.

Further, recent changes to workplace health and safety laws and regulation and the impending introduction of a positive duty on employers to prevent sexual harassment in the workplace impose an obligation for organisations to improve their response to inappropriate workplace behaviours.⁷

In recent years, several Australian workplaces have undertaken independent cultural reviews including the Commonwealth Parliamentary Workplaces, Qantas, the Victorian Legal Services Board, Air Services Australia and Rio Tinto, to name a few. While bringing to light issues of inappropriate workplace behaviour has traditionally been considered risky, the changing societal landscape means it can now be viewed as an opportunity: an opportunity to listen to hard truths, to learn from them and to demonstrate bold leadership and commitment through action. No workplace is perfect and all organisations can do better.

2.2 The business case for workplaces that are safe, respectful and inclusive

A safe, respectful and inclusive workplace culture is essential to sustainable, long-term performance and profitability. It enables innovation and builds trust between staff and by extension with the clients and customers an organisation seeks to serve. The business case for both gender and ethnic and cultural diversity is increasingly stronger. A growing body of evidence suggests that companies with more diverse representation, particularly in senior leadership, are significantly more likely to outperform less diverse competitors.⁸

In a country as distinctly diverse as Australia, attracting and retaining diverse talent is important to drive innovation and increase performance. This is increasingly so in the face of a national skills shortage. The success of attracting and retaining diverse talent will depend on the workplace culture experienced by people from minority groups and the ability of the dominant culture in any workplace to change and adapt to the changing workforce.

Studies suggest that stable dominant norms can be changed if diverse representation reaches a certain size, with scholars estimating a 'critical mass' exists between 30% and 40%.⁹ Importantly, in the Australian context, the need for a workforce that reflects the society it operates in is a crucial reason to promote diversity.

However, an emphasis on representation of diverse groups is not enough to ensure profitability and success. Employees need to feel and perceive safety, inclusion, fairness of opportunity and respect in the workplace for the benefits of diversity to flow through.¹⁰

2.3 Features of a safe, respectful and inclusive workplace

A workplace culture that is safe, respectful and inclusive is marked by several features:

Trust and accountability: a workplace that is marked by high levels of commitment, where leaders respond proactively, leaders are trusted and all individuals are accountable for their actions. This includes employees having trust and confidence in reporting mechanisms.

Psychological safety: a workplace where individuals feel safe to speak up, share their ideas, ask questions and make mistakes or report inappropriate workplace behaviours without fear of humiliation, victimisation or retribution. A psychologically safe workplace supports genuine participation and contribution by all individuals as they feel valued and respected.

Enhanced collaboration, creativity, and innovation: individuals are encouraged to collaborate, create and innovate and it is safe for them to do. In this environment, employees' views and experience are sought, listened to and sufficient protections are in place where people are encouraged to learn and improve from mistakes.

Health and wellbeing: individuals report consistently high levels of satisfaction, health and wellbeing. This is encouraged not only through the provision of wellness programs and activities but also a workplace where workloads are sustainable and stress is managed.

Diverse and inclusive: a workplace that represents the society and community it operates in and where all participants can thrive.

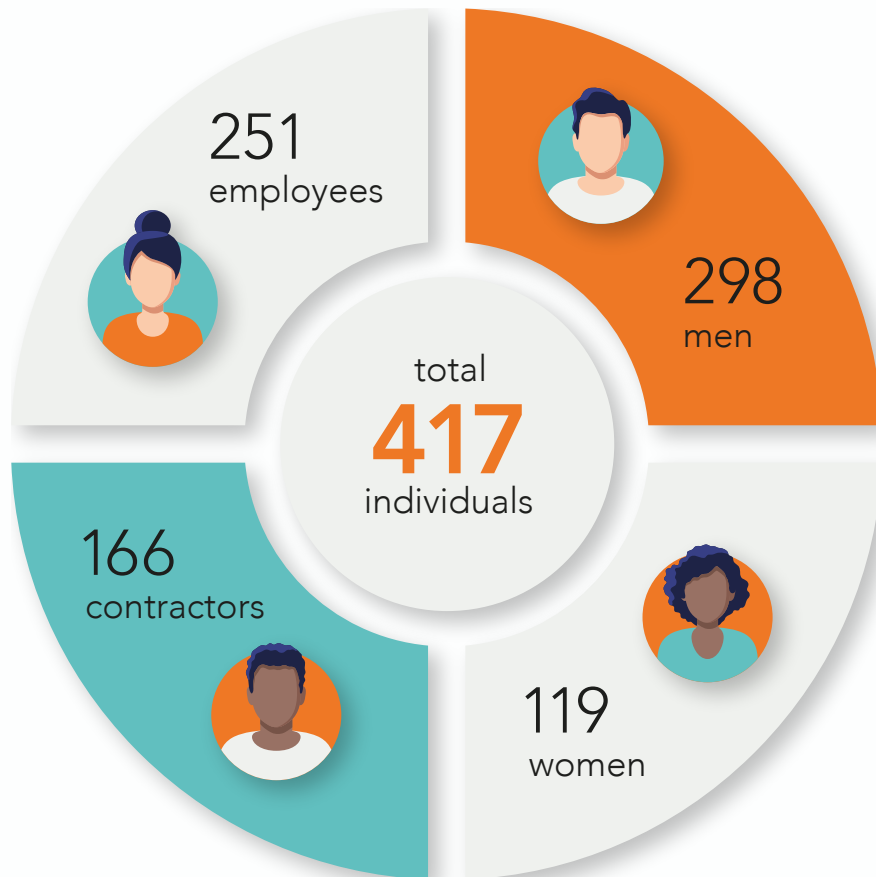
2.4 Methodology

The Safe, Respectful and Inclusive Workplace Review was undertaken for Chevron Australia between February and August 2022. Intersection adopted a mixed methods approach, utilising both quantitative and qualitative research methods to inform its findings and recommendations. The Review methodology and findings presented in this report relate to Chevron Australia's operations in Western Australia only, and are presented the context of Australian laws and standards.

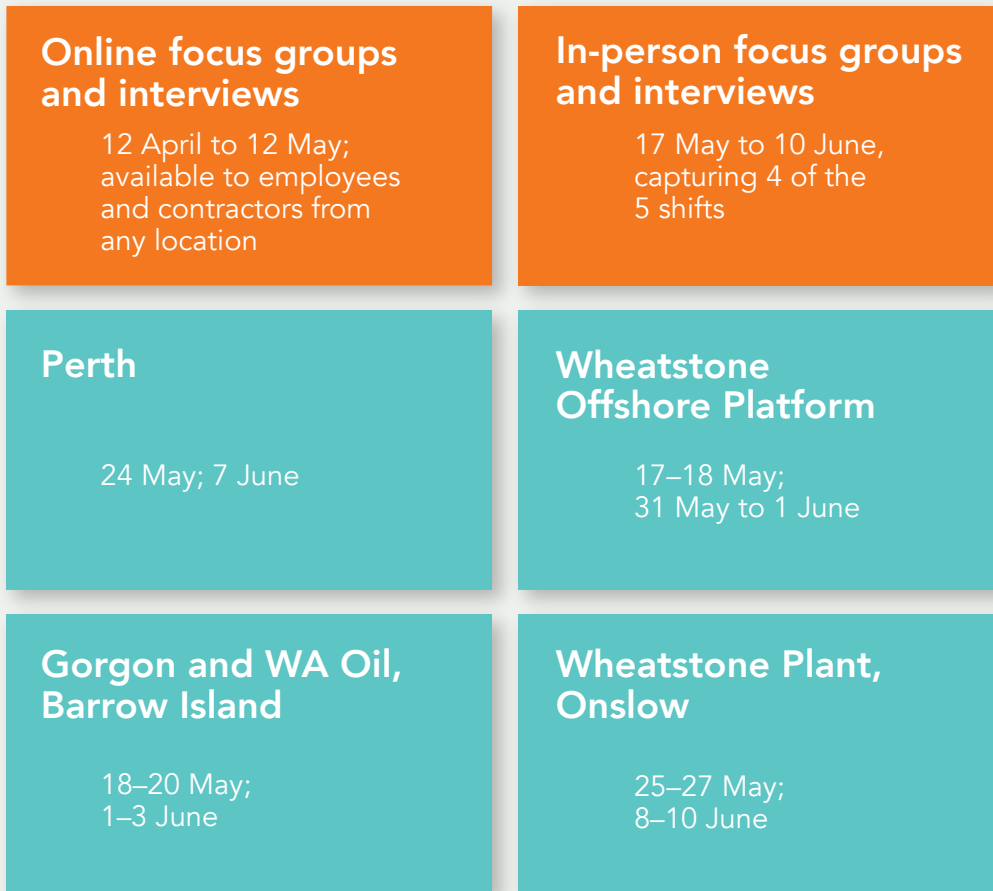
2.4.1 Qualitative data

Focus groups and interviews

Between 12 April and 10 June 2022, Intersection conducted a total of 100 focus groups and interviews with 417 individuals (251 employees and 166 contractors), of which 298 were men and 119 were women.



The focus groups and interviews were conducted in the following locations:



Focus groups and interviews were recorded with the consent of participants. All information provided through focus groups and interviews has been de-identified and treated as confidential.

Recordings of interviews and focus groups were transcribed, coded and systematically categorised to identify themes and patterns emerging from the data. The categorised data was then analysed and compared to the findings of the survey to identify both similarities and differences.

The themes and patterns identified by the qualitative data analysis are illustrated throughout this report through the use of quotes. The quotes selected represent the views of multiple individuals. Quotes which were 'outliers', or appeared to represent the views of a single individual are not included in this report.

Submissions

Between April and June 2022, Intersection accepted email submissions from Chevron Australia employees and contractors. A total of seven submissions were received, all from employees. All submissions have been de-identified and treated as confidential.

Desktop review

Intersection undertook a desktop review of Chevron Australia's policies and procedures, training materials, diversity programs, staff surveys and employee and contractor demographic data (where available), as they related to the scope of the Review. Intersection also analysed de-identified reports of bullying, discrimination and harassment (including sexual harassment) from the past five years to gain an understanding of reporting and investigation processes and outcomes.

2.4.2 Quantitative data

Intersection engaged Qualtrics^{XM} to conduct an anonymous online survey as part of the Review. The survey instrument was developed by Intersection to align with leading practice in undertaking surveys to measure prevalence and incidence of bullying, discrimination and harassment (including sexual harassment) in the workplace.

The survey was open for a period of nine weeks from 7 April to 10 June and all Chevron Australia employees and contractors were invited to participate. The survey was distributed via email, promoted on Chevron Australia's iWay page, as well as on posters located on sites and in accommodation, break rooms, dining areas and office areas. A total of 569 responses were received, 470 from employees and 99 from contractors. The response rate for Chevron employees was 24.8%, while the response rate for contractors was not able to be quantified due to the fluctuation of contractor numbers and unreliability of metrics such as Persons on Board data.

Due to the low number of responses of contractors, the survey results from employees and contractors are analysed separately.

Chevron Australia employee survey results

To ensure the employee survey respondent sample would be representative of the Chevron Australia employee workforce, the survey respondent sample was compared to the demographic profile of Chevron Australia employees by gender and geographic location. The survey results were then weighted to mitigate for an overrepresentation of women and respondents based in the Perth office, in the final survey results. The final survey results have a confidence level of 95%, with a margin of error of 4% for prevalence rates for the entire population and a margin of error of +/- 5.5% for prevalence rates reported for men and women separately.

The respondent numbers for Barrow Island (encompassing Gorgon and WA Oil), Wheatstone Plant Onslow and Wheatstone Offshore Platform were too low to arrive at reliable prevalence rates for each of these locations separately. The site-specific survey results are considered indicative or anecdotal only and reporting on the employee experience at these sites is based on the qualitative data gathered through focus groups and interviews. The weighting applied to the gender profile of the Chevron Australia workforce is detailed in the table below.

Employee Only

	Sample Statistics		Population Statistics		Weighting % Applied		Margin of error (-/+), at 95% confidence
Total Employees	n=		n=				
	470		1889				4%
Gender	n=	%	n=	%	n=	%	
Men	263	56%	1432	76%	1432	75.01%	5.5%
Women	187	40%	457	24%	457	23.94%	5.5%
Prefer not to say	19	4%		0%	19	1.00%	○
Non Binary	1	0%		0%	1	0.05%	

Independent weights are applied to those who answered "Prefer not to say" and "Non Binary" to keep the analysis of these segments separate from "Men" and "Women". This is done to improve the reliability of the metrics from "Men" and "Women".

Contractor survey results

Due to the low response rate of contractors and the unreliability of Persons on Board data as a quantifier (as it is only a 'point in time' record of a fluctuating population; n = 99, 4% based on POB),¹¹ it was not possible to weight the survey responses to match the target population, nor to arrive at reliable prevalence rates. The survey results for contractors are therefore not representative of this group and are considered indicative or anecdotal only.

2.4.3 Principles underpinning the methodology

- *Consultative*: We sought to engage with as many employees and contractors as possible and provided multiple ways in which people could provide us with their views and experiences.
- *Trauma-informed*: always ensuring the well-being of participants. We recognise sharing sensitive and personal experiences can be distressing and provided participants with relevant support information.
- *Ethical*: We recognise the inherent dignity of all participants, their autonomy and agency and that participation is voluntary and informed. All participants provided permission for information gathered through the survey, focus groups and interviews to be used to inform this report and quotes are presented in a de-identified manner.
- *Confidential*: Confidentiality and privacy are critical to this process. All information has been collected and stored in accordance with legal obligations.
- *Evidence-based*: Our findings and recommendations are based on evidence gathered throughout this Review, as well as existing academic and social policy research.

2.5 Terminology

A list of commonly used terms in this report is provided below.

Aboriginal

As Chevron Australia's operations are in Western Australia, the term 'Aboriginal' is used instead of the term 'Indigenous', in keeping with the advice of local Traditional Custodians and in accordance with the Chevron Australia Reconciliation Action Plan. In this report, the term Aboriginal is inclusive of Aboriginal and Torres Strait Islander Peoples.

Bullying

Bullying is repeatedly unreasonable behaviour by an individual or a group of individuals towards another individual, where the behaviour creates a risk to health and safety. Examples of bullying include behaving aggressively towards others, teasing or playing practical jokes, pressuring someone to behave inappropriately, excluding someone from work-related events, repeated unjustified criticism of someone's work and making unreasonable work demands.

Bystander/Upstander

Refers to someone in the workplace who is present and observes an incident and who does not take part in it – but may intervene to resolve or de-escalate the incident and/or provide support to an affected person. In the Chevron Australia context, the term Upstander (as per the 'Be an Upstander' training) is used interchangeably with bystander.

Culturally and linguistically diverse (CALD)

The term 'culturally and linguistically diverse' (CALD) refers to people from a range of nationalities, ethnic backgrounds, societal structures and religions. It includes people of non-English speaking background as well as people born outside Australia but whose first language is English. It encompasses a wide range of experiences and needs.

Direct discrimination

Direct discrimination occurs when someone is treated unfavourably because of a personal characteristic such as age, sex, gender identity, race or disability.

Disclosures, reports and complaints

- **A disclosure**, as distinct from a formal report or complaint, involves the sharing of information about an incident(s) of inappropriate workplace behaviour with another person. Disclosures can be made to anyone and are usually made to a person who is known and trusted. A person who discloses may not want to make a formal report and may instead be looking for information about resources and support.

- **A formal report or a complaint** refers to providing a formal account or statement about inappropriate workplace behaviour to a person (such as a supervisor or HR business partner) or institution that has the authority to act. Reporting can be an outcome of disclosure but is not the only possible outcome.

Harassment

Harassment covers a wide range of behaviours that are offensive in nature. It is commonly understood as behaviour that is demeaning, humiliating or embarrassing to someone.

Examples of harassment include telling insulting jokes about particular racial groups, displaying offensive posters or screen savers, making derogatory comments or taunts about someone, pressuring a person to take drugs or to drink alcohol, or physically unwelcome or intimidating behaviours. A one-off incident can constitute harassment.

Indirect discrimination

Indirect discrimination occurs when a requirement that appears to be neutral and the same for everyone in fact has the effect of disadvantaging someone with a personal characteristic protected by law, such as age, sex, gender identity, race or disability. At the institutional level, this is often in the form of organisational policies and procedures that may be neutral in intent but may have unintended negative effects on people from minority groups.

LGBTQI+

This report uses the term 'LGBTQI+' to refer collectively to people who are lesbian, gay, bisexual, transgender, queer/questioning and/or intersex. However, Intersection recognises the complexity of LGBTQI+ communities and that a person may have more than one LGBTQI attribute (for example, transgender and gay) and that for some people, sexual orientation and gender identity may not be fixed.

Men and women, male and female

Intersection acknowledges that people of diverse genders are affected by inappropriate workplace behaviours. In this report, the terms 'men' and 'women' and 'male' and 'female' are used inclusively. In some instances, the use of these terms reflects the specific language used in submissions, survey responses or other source material.

Perpetrator

This report uses the term perpetrator to describe a person who has engaged in inappropriate workplace behaviours. The use of the term is not intended to suggest that there has been a finding of unlawful or otherwise inappropriate workplace conduct, or of guilt in relation to an offence (or breach of any other law).

Sexual harassment

Sexual harassment is an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which, in the circumstances, a reasonable person, aware of those circumstances, would anticipate the possibility that the person would feel offended, humiliated or intimidated.

Behaviours that can constitute sexual harassment are varied and can often get labelled as “joking” or “banter”. Examples include unwelcome touching, staring or leering, suggestive comments or jokes, sexually explicit pictures or posters, unwanted invitations to go out on dates, requests for sex, intrusive questions about a person’s private life or body, unnecessary familiarity (such as deliberately brushing up against a person), insults or taunts based on sex, sexually explicit physical contact sexually explicit emails or SMS text messages.

Victim

This report captures people’s experiences of inappropriate workplace behaviour that workplace participants at Chevron Australia shared with Intersection. Some people when describing their experiences prefer to use the term ‘victim’ while others consider the use of the term problematic because it may suggest that people who have experienced inappropriate workplace experiences are helpless or lack agency. This is not our position. In this report, the term ‘victim’ is used to describe any individual who has experienced inappropriate workplace behaviours.

PREVALENCE AND NATURE OF BULLYING, HARASSMENT AND DISCRIMINATION: THE CHEVRON AUSTRALIA WORKFORCE EXPERIENCE



3.1 Introduction

This chapter provides an analysis of the workforce experience at Chevron Australia based on both the survey data and qualitative information gathered during employee engagement. The survey results provide an understanding of the prevalence and nature of bullying, harassment (physical, verbal and sexual) and discrimination at Chevron Australia. Although the prevalence rates and other survey data outlined below relate to Chevron Australia employees only, qualitative data gathered through focus groups, interviews and submissions relates to the whole workforce (employees and contractors alike). Taken together, the qualitative and quantitative data paints a comprehensive picture of 'life at Chevron Australia' for its workforce.

It is worth noting that as the demographic breakdown of survey respondents differs from the Chevron Australia employee profile by gender and geographic location, a weighting was applied to the survey participants prior to calculating survey results to ensure they would be representative of Chevron Australia employees with a 95% confidence level (see Methodology in section 2.4 for further details on the survey and the details of the weighting applied to the survey sample). All prevalence rates reported in this report are those calculated after the weighting had been applied.

3.2 Perception of Chevron Australia as a workplace

Intersection heard from employees and contractors, men and women, who compared their experience of working at Chevron Australia favourably to other organisations in the resources sector:

'I have worked at other mining/resource companies and Chevron seems a safer, more respectful place to work and is more visible in its support of diversity and inclusion and intolerance of bullying, verbal or physical harassment'. – Contractor

'Having worked in the industry as a second-generation oil and gas professional ... Chevron is the best company I have ever worked for, particularly in regards to its efforts to create an inclusive and safe workplace, where all are respected and act with appropriate professional behaviours'. – Employee

The vast majority of Chevron Australia's employees believed that that people are mostly (69%) or always (16%) treated respectfully and fairly at Chevron Australia. This is consistent with our qualitative findings, with employees considering Chevron Australia a great place to work 'most of the time' and 'far better than some of the other joints in the industry'.

In total, 83% of men and 69% of women agreed with the statement 'people behave in a respectful way towards others' and 62% of men and 43% of women agree that 'people are treated fairly regardless of their personal characteristics such as gender, race or cultural background, sexual orientation, religious beliefs or disability'. However, just over one quarter of respondents (26%) disagreed with this statement.

Similarly, in consultations, Intersection heard from many men directly, including some working in all-male teams, that 'We are a pretty diverse group here' and that 'there is a lot of understanding for different cultures here'. Some felt that issues of unfair treatment or lack of inclusion was because of a few 'bad apples'.

That said, experiences of diverse workers with whom Intersection engaged was mixed and often suggested otherwise. For some groups of workers in Chevron Australia workplaces, there remain issues around diversity and inclusion:

'While I believe Chevron is trying hard on the diversity piece, inclusion still has a long way to go. Inclusion is not just about the minority groups it affects all.' – Employee

3.3 Bullying

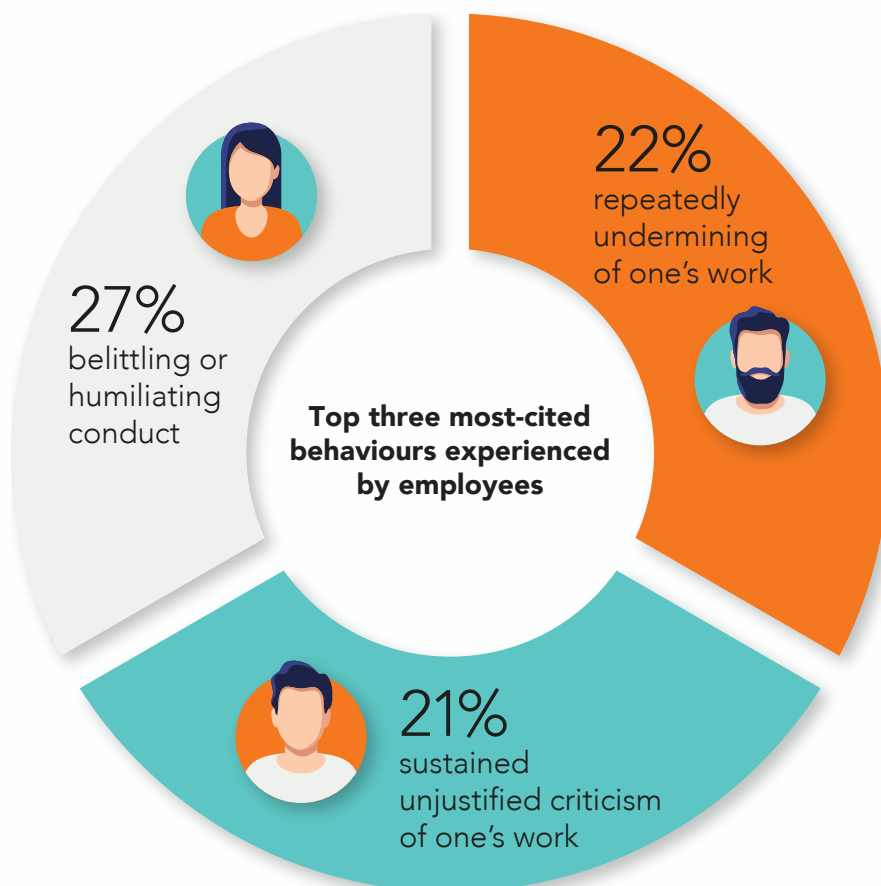
'I was bullied by the same person for more than six years; I reported it multiple times only to see him promoted several times. It wasn't until approximately 20 other people started reporting his behaviour that management started taking it seriously and I believe his employment was terminated. There has been no follow-up on the ongoing impact to my mental health, nor of the other people involved. It has been over a year since he was terminated and I still dread seeing him in the street and have nightmares about him.'
– Employee

Bullying definition

Bullying is repeatedly unreasonable behaviour by an individual or a group of individuals towards another individual, where the behaviour creates a risk to health and safety. Examples of bullying include behaving aggressively towards others, teasing or playing practical jokes, pressuring someone to behave inappropriately, excluding someone from work-related events, repeated unjustified criticism of someone's work and making unreasonable work demands.

Bullying is the most prevalent form of inappropriate workplace behaviour experienced by Chevron Australia employees, with nearly one in two (47%) having experienced bullying in the last five years. Nearly a third of employees (30%) reported experiencing bullying behaviours for a period of over 12 months. Women experienced bullying at higher rates (53%) than men (45%).

Belittling or humiliating conduct (27%), repeatedly undermining of one's work (22%) and sustained unjustified criticism of one's work (21%) were the top three most-cited behaviours experienced by employees.



Bullying most often occurs at a victim's desk/workstation (48%) or in a meeting with two or more attendees (40%). This is consistent with survey data indicating that more than half (57%) of employees had either directly witnessed or heard about incidents of bullying, harassment or discrimination, either directly from the victim or from another person.

Bullying is most often perpetrated by a man (79%), who is another Chevron Australia employee (92%) and known to the victim (94%). Bullying behaviours are perpetrated at all levels of the organisation, with colleagues at the same level (37%), direct managers or supervisors (38%) and senior leaders (28%) identified as perpetrators of bullying behaviours.

The survey data is consistent with qualitative data collected through focus groups and interviews, with many employees across all Chevron Australia sites recounting experiencing, witnessing or hearing about instances of bullying. Many spoke of a 'culture of bullying' where certain types of bullying behaviours are tolerated and have as a result become normalised.

'It surprised me a bit when the person who was sharing was describing a situation where there was some bullying going on ... and when they confronted the supervisor they were told "but they are a great person" and when that came up, that was a common experience in our team.' – Supervisor

'There is bullying up here ... that is consistent behaviour. There is training about it every year and it gets ticked off, but does it stop it? No. When it is in the culture and that is how people deal with things ... [the training's] not going to make a difference.' – Supervisor

3.4 Sexual harassment

'Literally on my very first day of being on site, two people came to ask me if I was single, saying the guys in their crew wanted to know. I said, "I am not here for that, like, I'm just here to do my job" but it wouldn't stop. At work, at camp, in the mess, people would just come and chat to you and ask you all sorts of questions about your private life and when you don't tell them, it gets worse. I felt like I was being hunted.' – Employee

Sexual harassment definition

Sexual harassment is an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which, in the circumstances, a reasonable person, aware of those circumstances, would anticipate the possibility that the person would feel offended, humiliated or intimidated.

Behaviours that can constitute sexual harassment are varied and can often get labelled as "joking" or "banter". Examples include unwelcome touching, staring or leering, suggestive comments or jokes, sexually explicit pictures or posters, unwanted invitations to go out on dates, requests for sex, intrusive questions about a person's private life or body, unnecessary familiarity (such as deliberately brushing up against a person), insults or taunts based on sex, sexually explicit physical contact sexually explicit emails or SMS text messages.

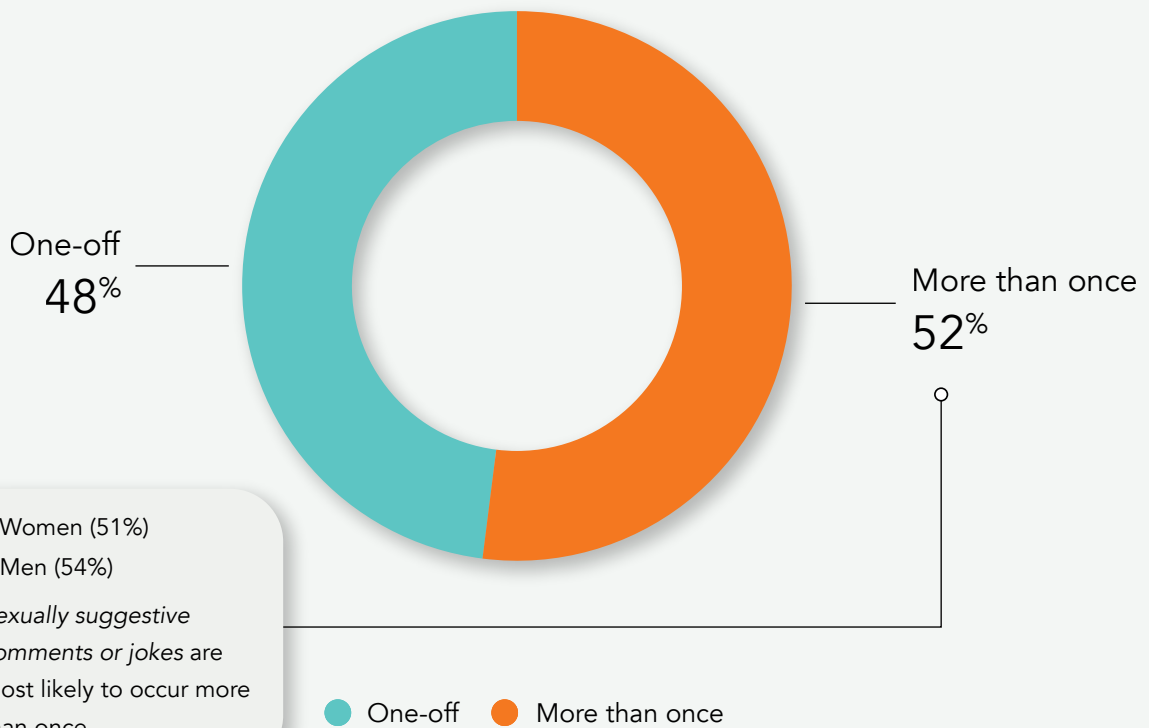
Sexual harassment is the second most prevalent form of inappropriate workplace behaviour experienced by Chevron Australia employees, with nearly one in three (30%) having experienced sexual harassment in the last five years. As with other forms of inappropriate workplace behaviours, women experience sexual harassment at greater rates than men (56% of women, 21% of men).

Sexual harassment at Chevron Australia appears to be repeated behaviour, often experienced over a long period of time. More than half of both women (51%) and men (54%) who had experienced sexual harassment indicated it was a recurring behaviour and one in five (22%) indicated they had experienced sexual harassment for a period of over two years.



Percentage of victims who had experienced **sexual harassment** more than once

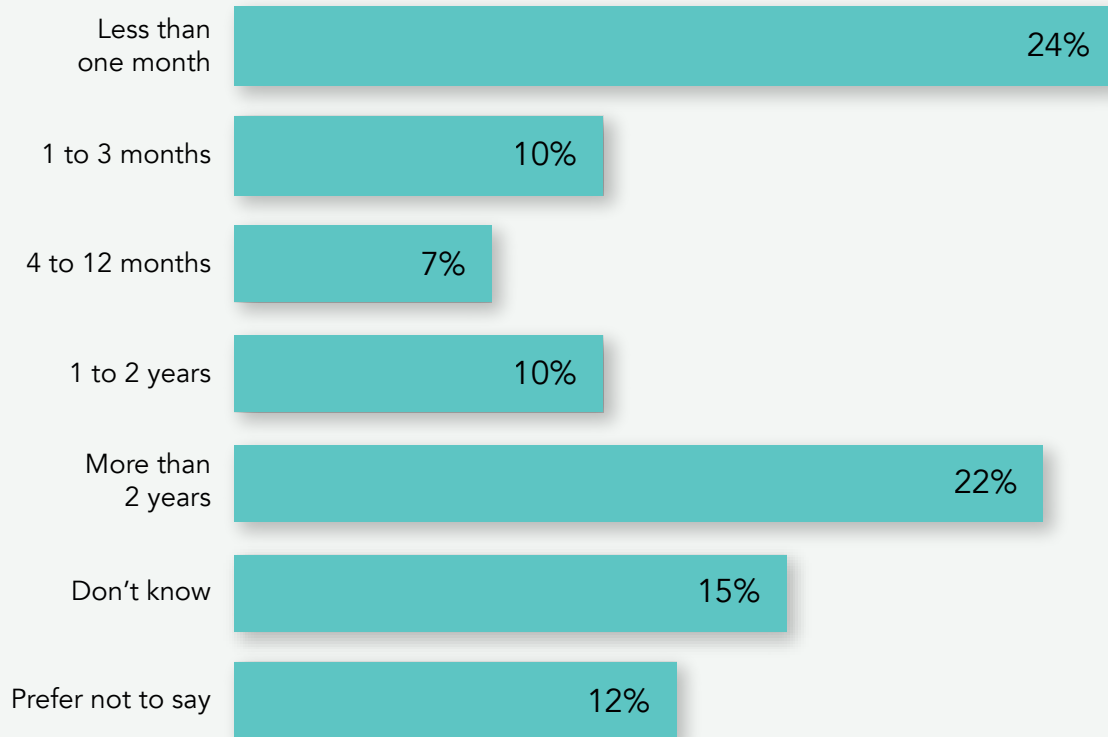
n=166





Length of time victims had experienced **sexual harassment**

n=165



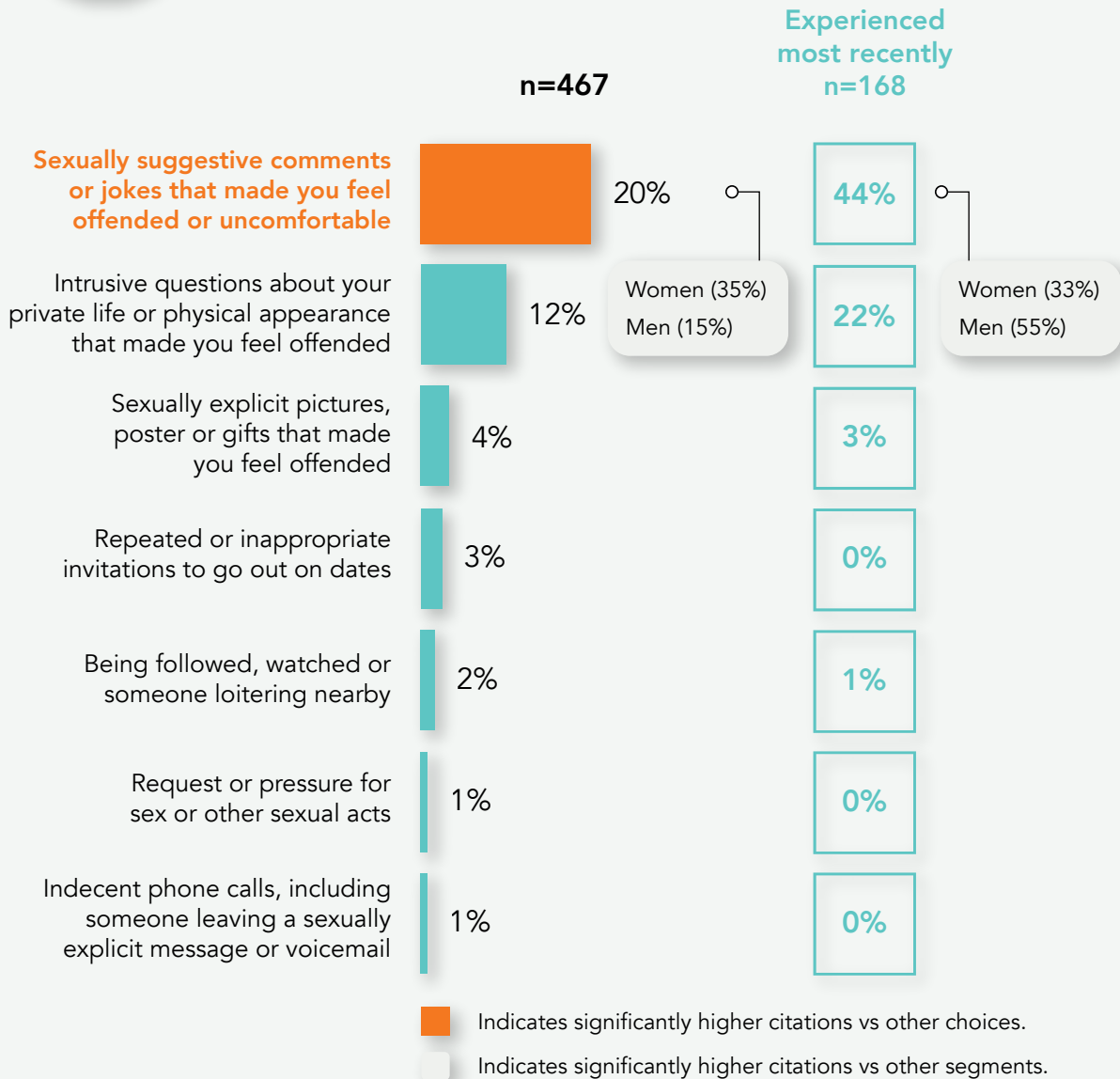
Q4: Was this sexual harassment a one-off occurrence, or had it occurred previously while you were working at Chevron? n=166

Q4a: For how long had you been experiencing this at work? n=165

Most of the sexual harassment at Chevron Australia is in the form of verbal or psychological harassment. Sexually suggestive comments or jokes (20%) and intrusive questions about your private life (12%) were the most common forms of sexual harassment. Over the past five years, significantly more women (35%) indicated experiencing sexually suggestive comments or jokes. However, significantly more men (55%) indicate experiencing such behaviour as the most recent incident of sexual harassment they have experienced.

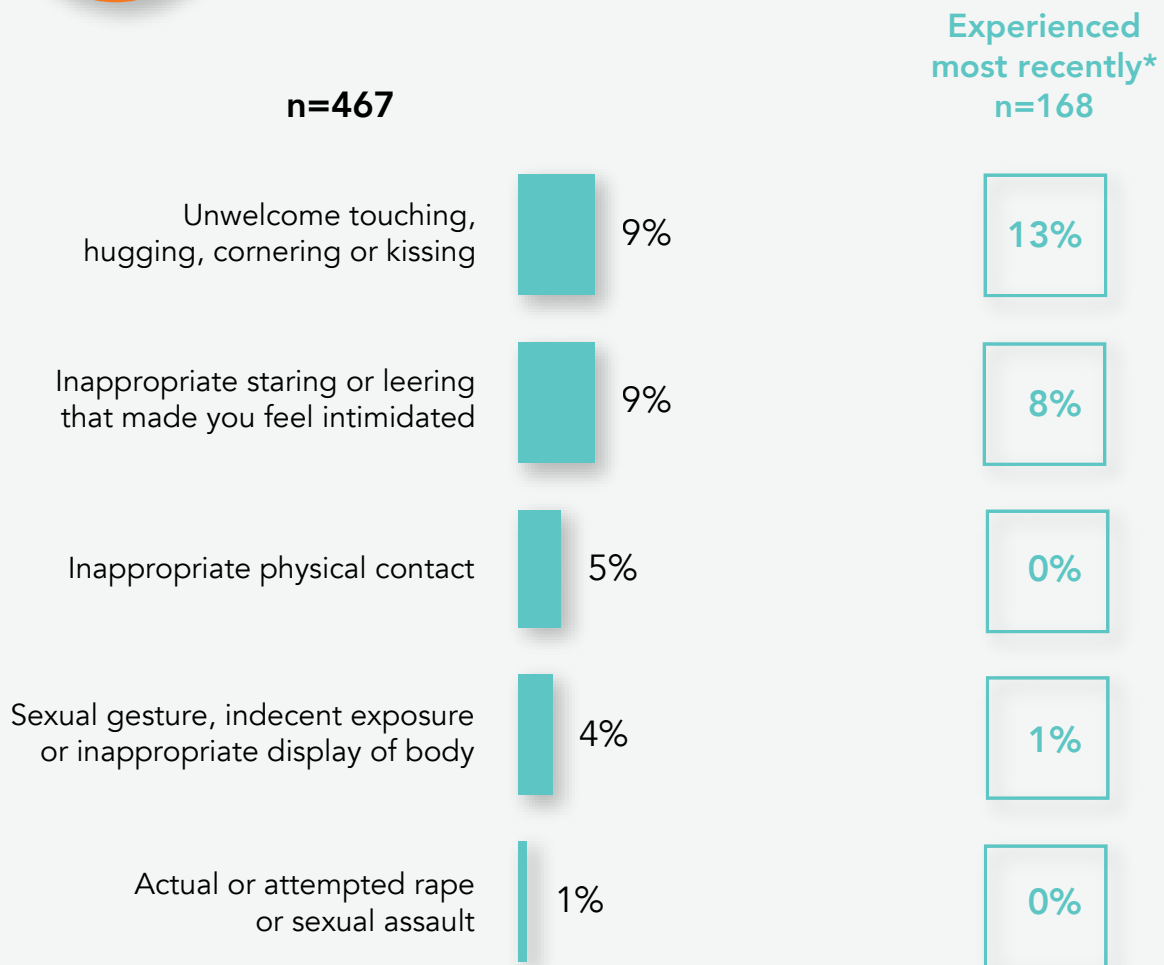


Prevalence of **verbal harassment**





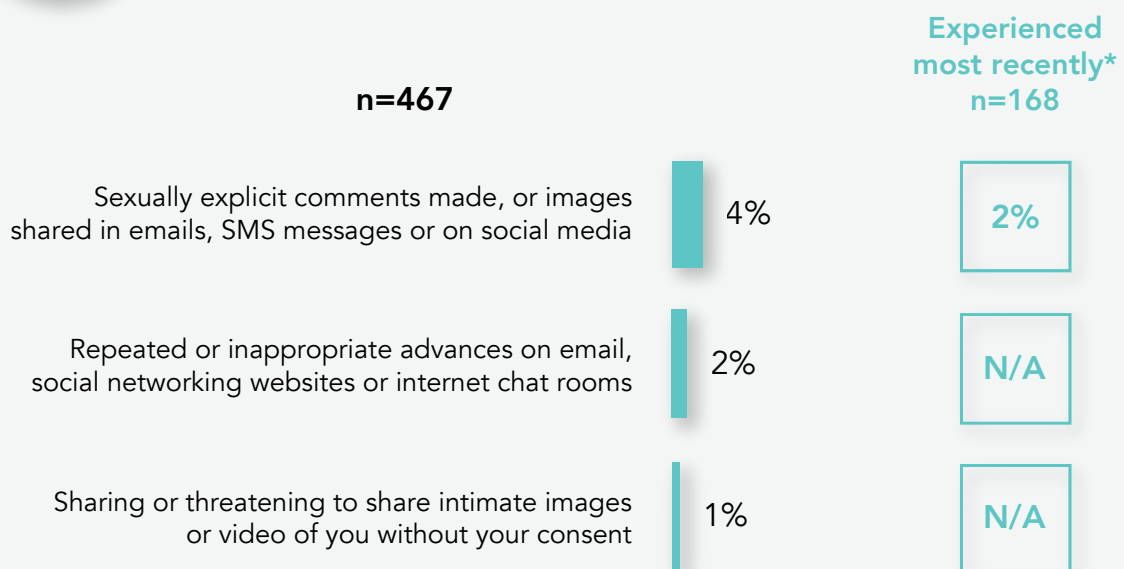
Prevalence of **physical harassment**



*Individuals who reported experiencing actual or attempted rape or assault indicated they had not made a formal report or chose not to provide that information. All respondents were offered information regarding relevant support services and reporting options at the end of the survey.



Prevalence of **online harassment**



Q2+2a: (Sexual Harassment) At any time in the last 5 years have you ever experienced, at a Chevron workplace or a work-related event, any of the following behaviours in a way that was unwelcome? (see speaker notes for detail) n=467

*Q3a: Thinking of the most recent incident, which would you regard as the primary behaviour that occurred? (asked from those who experienced at least one sexual harassment behaviour) n=168

The survey data was consistent with information gathered through focus groups and interviews, with many employees sharing their experiences of sexual harassment.

'I was not believed ... when I made a complaint. It was very distressing. I believe that managers at Chevron continue to disbelieve the prevalence and insidiousness of sexism. I believe that most of the senior men I work with would be absolutely and deeply shocked if they heard that I had actually been physically molested during business hours in the office and would genuinely find it difficult to believe it happened ... I'm not interested in engaging with the apparatus of an organisation which, despite its ability to achieve excellence in so many areas and evincing a total zero-tolerance attitude to safety at work, has done nothing in the posture or position of its leadership to show that they have compassion or empathy or anger about the fact that women in their workplace have been [sexually] assaulted under their noses.' – Employee

3.4.1 Impact of sexual harassment on victims

'Sometimes the comments you hear make it sound like sexual harassment is only a problem on site. Like it doesn't happen in the office. Well I can tell you it does happen. It's happened to me, and I know it's happened to others. It's horrible. It makes you question your self worth'. – Employee

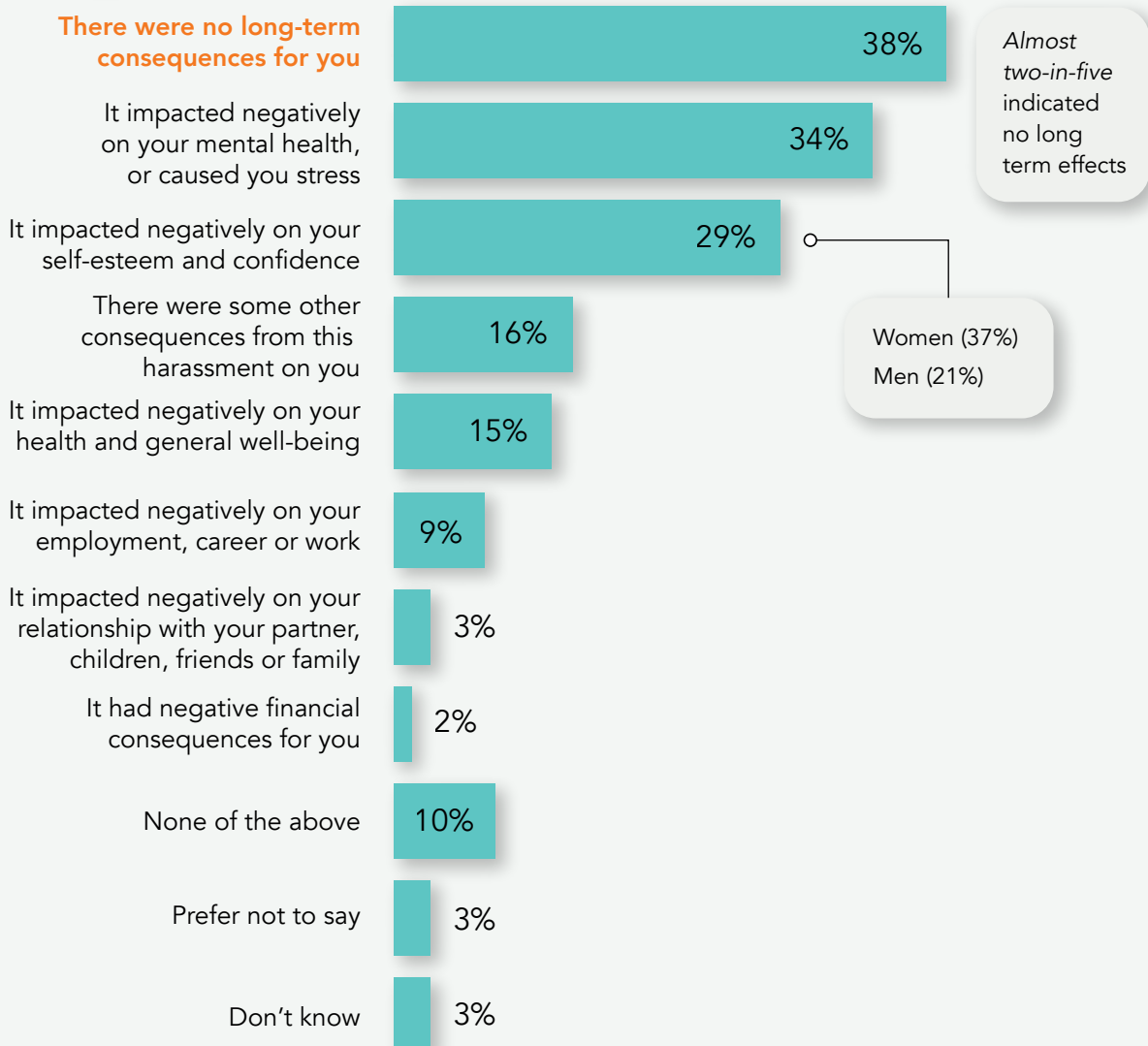
The survey investigated the impacts of the most recent incident of workplace sexual harassment on those who had experienced it at Chevron Australia, including the level of offence and intimidation felt by victims of sexual harassment, as well as whether there were any long-term impacts.

A quarter of victims (26%) reported that they were extremely offended or offended and 19% reported that they felt extremely intimidated or intimidated by the most recent incident. Over a third (34%) reported negative impacts on mental health and nearly a third (29%) reported negative impacts on self-esteem and confidence. Women were significantly more likely to report negative impacts on self-esteem and confidence than men (37% compared to 21%). Almost two in five (38%) of victims indicated they suffered no long-term consequences.



Impact of sexual harassment

n=155



3.5 Bystander action (and inaction)

More than half of Chevron Australia employees (57%) reported witnessing or hearing about incidences of bullying, harassment or discrimination at Chevron Australia workplaces. This is consistent with the prevalence rate of all three of the behaviours combined (54%) and suggests that most of the bullying, discrimination and harassment at Chevron Australia occurs 'out in the open' or is disclosed to other employees.

A total of 42% of employees who witnessed or heard about an incident took some action as a result, with talking with or listening to the victim (70%), offering advice to help the victim (58%) and reporting the bullying, harassment or discrimination to your employer (43%) as the top three actions taken by bystanders. Nearly half of employees (49%) who witnessed or heard about an incident took no action as a result. The main reasons cited for not taking any action were not wanting to make it worse for the person who was being bullied/harassed/discriminated against (31%), being worried that taking action might have a negative impact on my career or safety (25%) and the person being bullied asked me to take no action (21%).

The survey results are largely consistent with qualitative data gathered in focus groups and interviews, where many employees expressed a concern that they would face negative consequences for reporting inappropriate workplace behaviour, either through adverse management action or through being bullied or harassed themselves. The only inconsistency appears in the prevalence of reporting undertaken by bystanders (43%). This figure is inconsistent with the prevalence of reporting inappropriate workplace behaviours overall and the number of formal complaints/reports received by Chevron Australia over the past five years. It is therefore more likely that the reporting figure by bystanders reflects the prevalence of disclosures¹² made to supervisors or management, after which no formal action is taken.

'I know of a woman who reported something to a superintendent and nothing happened ... They were forced to keep working with the person'. – Employee

'You don't want to be tarred with a brush [if you report an incident] – people don't want to work with you again. I don't want a reputation of being difficult so it would have to be pretty serious for me to report it'. – Employee

Approximately a third of Chevron Australia employees (31%) reported witnessing or hearing about incidences of sexual harassment at Chevron Australia workplaces. This is consistent with the prevalence rate of sexual harassment overall (30%) and suggests that sexual harassment at Chevron Australia occurs 'out in the open' or is disclosed to other employees. Most often, employees had heard about the incident of sexual harassment whether from the victim directly (18%) or from another colleagues (18%). Only 5% reported observing or witnessing sexual harassment directly.

A total of 38% of employees who witnessed or heard about an incident took some action as a result, with talking with or listening to the victim (57%), offering advice to help the victim (41%) and reporting the bullying, harassment or discrimination to your employer (40%) among the top actions taken by bystanders. But 40% of employees who witnessed or heard about an incident took no action as a result. The main reasons cited for not taking any action were: knowing that other people were supporting the victim (30%) and the person being sexually harassed asked me not to take action (23%).

In stark contrast to the experience of Chevron Australia employees overall, 42% of victims of sexual harassment reported that their most recent experience of sexual harassment was directly witnessed by an average number of 3.6 witnesses. Most often, witnesses were a peer of the victim (70%) with managers and supervisors far fewer (23%). Four in five (81%) of victims reported that none of the witnesses intervened in the incident.

The inconsistency between the perceptions reported by employees overall and by those who have experienced sexual harassment at Chevron Australia is striking. It suggests a high overall tolerance for 'low-level' behaviours that often get labelled as 'joking' or banter' and a lack of understanding among the general workforce on what constitutes workplace sexual harassment – in other words, employees may not understand that the conduct they are witnessing constitutes sexual harassment.

3.6 Be an Upstander Training

Rollout of Chevron Australia's 'Be an Upstander' training was frequently mentioned by employees when the issue of witnessing inappropriate workplace behaviours came up during focus groups and interviews. The training program was very positively received by most employees who had attended it and some reported using the skills they had learned to intervene when they saw inappropriate workplace behaviour. Others reported needing more skills training or 'refresher' training, to embed the skills needed.

'I've done the upstander training, yeah ... I liked it because they said they are all real behaviours that happened at Chevron. But then after I had done the training, nothing happened and you kinda forget what to do. I saw a girl being targeted in the wet mess one night and thought I should say something, but I couldn't remember any of the strategies they told us. So I didn't.' – Employee

3.7 Physical and verbal harassment

Harassment definition

Harassment covers a wide range of behaviours that are offensive in nature. It is commonly understood as behaviour that is demeaning, humiliating or embarrassing to someone.

Examples of harassment include telling insulting jokes about particular racial groups, displaying offensive posters or screen savers, making derogatory comments or taunts about someone, pressuring a person to take drugs or to drink alcohol, or physically unwelcome or intimidating behaviours. A one-off incident can constitute harassment.

Almost a third (29%) of Chevron Australia employees reported experiencing physical or verbal harassment in the last five years, with 85% reporting having experienced harassing behaviours more than once and 30% reporting having experienced harassing behaviours for a period of over 12 months. Women experienced harassment (43%) at greater rates than men (24%).

The most prevalent harassing behaviours reported by employees were spreading malicious or hurtful rumours about you (18%), sexist remarks directed at you (11%) and racist remarks directed at you (5%). Women reported experiencing sexist remarks at significantly higher rates than men (35% of women compared to 3% of men). Harassment was reported to most often occur at a victim's desk/workstation and in a meeting with more than two attendees. This is consistent with survey data indicating that more than half (57%) of Chevron Australia employees had either directly witnessed or heard about incidents of bullying, harassment or discrimination, either directly from the victim or from another person.

Harassment is most often perpetrated by a man (84%), who is another Chevron Australia employee (91%) and known to the victim (91%). Harassing behaviours are perpetrated at all levels of the organisation, with colleagues at the same level (44%), direct managers or supervisors (35%) and senior leaders (34%) identified as perpetrators of harassing behaviours.

The survey data is consistent with qualitative data collected through focus groups and interviews, with many employees recounting their experiences of facing sexist or racist comments.

'I don't believe there's casual racism. Racism is racism to me ... for someone that has grown up dealing with it, there's no casual racism. It's just black and white. You're either saying it or you're not.' – Employee

*'I am so sick of the sexist language that I hear every day on site. Every day, you hear women being referred to as bitches. If you pull someone up on it, they say don't be such a pussy, what a whinging bitch ... one female leader on site was commonly referred to as 'the c**t' by men in my crew ... and in other crews as well. Like how the f**k is that allowed to happen?'* – Employee

'Being asked why aren't you smiling is insulting. Being approached for admin tasks because you are female and not admin is insulting. Being told to take the minutes or be asked to fix the printer is insulting. More women! And support the women that do get the positions. Don't encourage the narrative that she only got the role because she is female ... Stop with the boys club.' – Employee

3.8 Discrimination

Direct discrimination definition

Direct discrimination occurs when someone is treated unfavourably because of a personal characteristic such as age, sex, gender identity, race or disability.

Indirect discrimination definition

Indirect discrimination occurs when a requirement that appears to be neutral and the same for everyone in fact has the effect of disadvantaging someone with a personal characteristic protected by law, such as age, sex, gender identity, race or disability. At the institutional level, this is often in the form of organisational policies and procedures that may be neutral in intent but may have unintended negative effects on people from minority groups.

The prevalence of discriminatory behaviours reported through the survey was very low (2%). The low prevalence rate was inconsistent with Chevron Australia employees' views on the broad level of tolerance for discrimination in the organisation and the perception that certain groups are treated more favourably than others.

Men (72%) reported experiencing or observing a higher level of tolerance in the organisation towards discrimination than women (54%). These figures are consistent with an observed 'backlash' to Chevron Australia's efforts to increase workforce diversity and, in particular, the participation and progression of women in the workplace.

'The only acceptable form of discrimination in this place is against white, middle-aged men. Everyone else gets a leg up in this place. But if you're a man, you've got no hope. You're as good as gone.' – Employee

'Far more men lost their job in the workforce review than women. That's a fact.' – Employee

'I've got nothing against women but I'm sick of seeing women and diversity hires being promoted over competent men. It's bad for the company and bad for morale.' – Employee

These views were mirrored by women's experiences in the workplace, with many female employees recounting experiences of being held to a different standard or not treated as an equal.

'When I changed shifts, I was quickly told I am only there to make up the numbers. Like my skills and experience don't count for anything because I'm a woman.' – Employee

'We were all worried for our jobs during the workforce review. All the guys in my crew kept saying ... "you'll be fine, you're a woman". And when we found out we got to keep our jobs, they all think I kept mine because I am a woman [and] they kept theirs because they're good workers. It's offensive.' – Employee

Our analysis of Chevron Australia’s policies, programs and procedures and the qualitative data gathered through the Review revealed more inconsistency and suggests that experiences of direct or indirect discrimination may be more common than those reported in the survey. These are explored in greater detail below.

3.8.1 Direct discrimination

Direct discrimination occurs when someone is treated unfavourably because of a personal characteristic such as age, sex, gender identity, race or disability.

Sex

In Intersection’s engagements with women employees and contractors, some described a safe and inclusive culture at Chevron Australia, where sexual harassment and other inappropriate behaviours were not tolerated:

‘I have never been subjected to or witnessed any incidents of sexual or physical harassment or bullying at any Chevron location during the course of my employment and have always been treated with respect and courtesy both in the office and offshore.’ – Employee

‘I believe we have a safe and respectful working environment at [site]. Being a female, I haven’t felt like I’m not supported or can’t speak up. I have had personal situations during the Turnarounds with contractors where I’ve felt uncomfortable; however, I raised these issues with my Lead to make them aware and also dealt with the issues myself by speaking up and having the uncomfortable conversation with the individuals.’ – Employee

Conversely, however, women employees and contractors spoke about their day-to-day experiences of a broad range of sexist, exclusionary, hostile and gender-based comments and behaviours.

*‘The number of times I have heard the word “c**t” in conversation over the years is disgraceful. And it shouldn’t just not be used “because there’s a female in the room”. I could retell hundreds more conversations where women are belittled by my colleagues. From their ratings of the attractiveness of female colleagues, to Facebook searching new starters for bikini photos, to spreading rumours of who has apparently slept with who, to commenting on who would be good in bed ... to being hit on whilst going through a maintenance procedure. It’s lewd, entitled, disgusting and, sadly, accepted behaviour.’ – Employee*

Intersection heard that experiences of casual sexism, gender-based bullying and harassment were a barrier to participation and inclusion of women at Chevron Australia. This was particularly the case for women working in site-based/FIFO roles, where such behaviours can be commonplace. As one woman working as a contractor on site said: *‘It’s a man’s world and that is how it is – you know what you are getting into’.*

‘On site in a male-dominated environment, I know that women can find the environment intimidating – particularly in a remote camp environment.’ – Employee

‘There were some horrible people [at site] who make young females feel intimidated and bully them when things don’t go their way.’ – Contractor

‘When I decided to go FIFO for a few months, I kept receiving ad hoc feedback from a few male colleagues that “your son will suffer not having his mum around”.’ – Employee

There was a strong view from women across many different areas of the workforce that they faced more scrutiny than their male counterparts. They felt they were held to different standards and that it took a long time to be respected professionally and establish their credibility:

'Until you prove yourself you are called out way more [than men] about whether I am capable.' – Employee

'As a woman, you feel like you are being watched all the time, like people are waiting for you to fail.' – Employee

'[In some] areas of the organisation, such as [department], there are pockets of very "old fashioned" culture where command and control and sexism/non-inclusive behaviours are firmly entrenched. I have consistently felt that the expertise of women is highly underrated by the majority of our L3 and L2 leaders unless the women are absolutely top of their field or have a particular type of "male like" personality. "Mansplaining" is rife, which is very belittling.' – Employee

'As a woman here, I still feel invisible. I don't get recognised for what I do.' – Employee

Intersection heard from women that to deal with their working environment, they felt the need to adopt a 'thick skin' or conform to the dominant culture. Some said they felt uncomfortable about attending 'women only' events, because their male co-workers seemed threatened by them:

'When you start out FIFO, there is an expectation that "small things" will occur from time to time by a subset of the population – "thick skin" is a necessity but also a badge of honour. I used to look at it this way too, but now it makes me sad for our young female apprentices when I see them harden and shrink themselves.' – Employee

'The biggest struggle I have as a woman is when we get special things (e.g. International Women's Day). It makes me feel my most isolated and leads to bad behaviour. When they talk that way about women, I hate being a woman.' – Employee

Intersection was told about concerning incidents of persistent casual sexism working on site and in FIFO roles. Some employees and contractors referring to being 'ogled' in the dining room and having 'eyes following them around the room', while others spoke about their clothing and underwear being removed from laundries.

'I have had people openly ask me if I am sleeping with X, Y or Z ... I have had inappropriate comments made about my body many, many times. I have been called "bossy" rather than assertive. I have been spoken over in meetings and ignored more times that I can count ... I have had my underwear go missing. I have been deliberately excluded. I can't walk into the wet mess without being leered at. I have been followed to my room. I have had people assume friendliness for something much more. I have had people make "jokes" of sexual nature. I have been told I need to have children soon as time is running out. I have had team members intimidate [and] yell at me. I have been excluded. I am not precious and I think I have fairly thick skin and have been able to navigate these situations – however, it takes its toll.' – Contractor

The *Respect@Work* report and the WA Inquiry highlighted how male-dominated workplace cultures, in which ‘masculine’ attributes and roles are valued and those typically associated with women devalued, can ‘underpin a spectrum of behaviours, ranging from everyday sexism to serious cases of sex discrimination and sexual harassment’.¹³ The report referred to ‘gender-based disrespect’ being a common experience of women working in male-dominated areas.¹⁴

3.8.2 Race

Intersection heard that, overall, for many Aboriginal employees, their experiences of working at Chevron Australia were positive and that workplace culture and behaviours were better than in other workplaces in the resources sector:

‘I’ve heard of [Aboriginal] people not participating in this project because they do feel safe and respected at work.’ – Employee

‘There is no lack of good intent here at Chevron. Plenty of goodwill. There are expats on our leadership team who might not understand the context. There is no bad intent. They want to help but don’t know how.’ – Employee

However, several Aboriginal employees told Intersection about their experiences of racism, discrimination and other negative attitudes and behaviours working at Chevron Australia:

‘As an Aboriginal employee, I have directly been a part of racist remarks processed in general by peers putting on an Aboriginal accent thinking they were funny. I have also had an occurrence where a senior leader has said some pretty generalized comments around the state of Aboriginal affairs that were incorrect and insensitive at the time. I was also disappointed to hear there were some losses of Aboriginal employees as part of the workforce review.’ – Employee

‘In my personal experience, I have heard the terms “gin” and “ginning around” used. You tell them its offensive but “it’s in the lingo” ... There is also the “abo” word and other derogatory words around the business. It’s not directed at me but it is a generalisation.’ – Employee

‘I have heard a couple of comments [from supervisors] including something about eating goannas when an Indigenous employee was present.’ – Employee

Intersection was also told by some Aboriginal employees that they had to ‘call out’ racism when their supervisors or non-Aboriginal peers did not do this and that calling this out could result in the focus being turned on them:

‘Sometimes if you call someone out, at the same time, even though you are doing the right thing, you become a target.’ – Employee

In consultations, CALD employees and contractors spoke about experiencing racist comments, attitudes and behaviour, ranging from discriminatory comments about people’s accents and racial stereotyping to verbal harassment and abuse. One employee spoke about CALD employees being ignored in work meetings because of their accents. Others also described being the targets of other less overtly racist, bullying behaviour:

'I experienced some colleagues, because I come from [another country], they never understand what I'm saying. I think it depends, who you deal with ... In my work, they sometimes interrupt it or bully, but sometimes they try to be flexible, understand.'

– Contractor

'Unless you were born and grew up in Australia and have the accent, if you are expatriate, you can't speak the Australian accent, they say they can't understand us. It is so disappointing. At [another resources sector company], I was not discriminated against, I was able to climb the ladder. Here, they are always telling me my communications was not so good but what can I do? ... The culture in [the other resources sector company] is better. I never felt the same discrimination as here.' – Employee

Intersection also heard about racism and discrimination experienced by CALD workers, particularly contractors on remote sites, working in lower-paid service roles:

'I have seen [CALD] men on site get badly verbally harassed but they stay quiet because of their cultural background so others think "it's ok, they've taken it well".' – Employee

*'Half of our team were older men [of another culture]. They were treated badly, experiencing racism, things like being called a black c***. It was hideous. No one stood up to those men.'*

– Contractor

'Most of them are really nice but sometimes a few people are not nice. We knock at the door to clean their room and they just tell us to piss off. They are abusive. But now we don't go back to the room. Before we had to go back. People working night shift are the ones who are under pressure, I think. They lose patience. I understand that it is hard to work at night.'

– Contractor

Sexual orientation

Intersection heard mixed experiences and perceptions of the LGBTQI+ community, with some positive and supportive and others less so, indicating a lack of cultural safety to disclose sexual orientation or gender diversity:

'I don't know of anyone who is known to be out here [on site]. I know of one person who prefers 'they/them' pronouns but they won't speak up about that.' – Employee

'People who are homophobic get "paid out" [teased, criticised] a whole lot more than homosexual people ... a hundred percent, in a group of guys if someone is homophobic, they'd take the piss out of them way more than someone who is gay.' – Contractor

'I'm openly gay, have had comments ["homo"] I can take it as banter, but I'm sure others can't.' – Employee

Disability

Obtaining data on Chevron Australia workforce participation for people with a disability was not possible as it is currently not captured on Chevron Australia systems. An additional challenge in this area is people with disability feeling sufficiently safe to disclose a disability to their employer for fear of disadvantage or discrimination associated with stigma, as happens more broadly in society.

Potential barriers to inclusion were raised in consultations, particularly in relation to the organisation's risk-averse approach to health and medical issues. It was noted by site-based personnel that for people with temporary medical conditions, there can be quite an onerous process to prove 'fitness for duty' on return to work and that this process may well discourage people from disclosing a disability in the event similar requirements are deemed necessary. We heard of instances that revealed a lack of knowledge and understanding of an employer's obligation to make reasonable adjustments for a person with disability already employed by Chevron Australia. This was particularly the case for people with an invisible disability (e.g. mental health disorders), with some employees commenting that those individuals are likely to be 'managed out'.

In our workforce engagements, we heard of one example where a supervisor felt he did not have the skills to effectively manage an employee with a suspected (undisclosed) personality disability and subsequently felt unsupported and at risk of not doing enough or doing the 'right thing'. In this context, the supervisor also noted that HR was too stretched to provide relevant support. Reference was made to HR Business Partners that used to be on site and the value which that role provided in cases like these.

Intersectionality

Intersecting aspects of a person's identity or social characteristics – together with societal and organisational attitudes, systems and structures – can expose workers to overlapping forms of discrimination and marginalisation, creating inequality and resulting in exclusion of some groups in the workplace. Conversely, these factors can create advantages or privileges for other groups in the workplace.

In adopting an approach to our work that considers these differing aspects of 'intersectionality', we observe that when these factors – for example, gender, age, sexual orientation, Aboriginality, ethnicity, language, culture, ability, mental health, employment or socioeconomic status – combine:

- There is a greater risk for some workers of experiencing sexual harassment, bullying, harassment and other inappropriate workplace behaviours.
- These factors can affect both the way in which workers experience these behaviours and the impact of those experiences.
- Workers find it harder to get the support they need due to systemic barriers.
- There is an increased risk of workers experiencing social/workplace isolation.

Throughout focus groups and interviews, we heard about employee and contractor experiences where intersectionality played a part – either in the types of inappropriate behaviour experienced or their impact.

'I was told, "you are a woman, you identify as black, you tick all the boxes. If you were gay, you'd be the trifecta".' – Employee

'Where I come from, my culture, you're meant to take these things on the chin and never complain and never talk about it. I don't take it home. But that makes it difficult for me.'
– Employee

3.9 Indirect discrimination

At the institutional level indirect discrimination often presents in the form of organisational policies and procedures that may be neutral in intent but that may have unintended negative effects on people from minority groups.

3.9.1 Workplace flexibility and support for people with caring responsibilities

The WA resources sector has historically faced greater challenges in embedding flexible working arrangements than other industries, primarily due to the operational nature of oil and gas and mining.¹⁵ As with much of the resources sector, Chevron Australia has a mix of roles that are generally either city-based, Fly In Fly Out (FIFO) or Drive In Drive Out (DIDO) site-based roles (live in a city, fly or drive to a remote site and live on site while working) or residential (live and work in regional towns).

With respect to flexibility in operational FIFO/DIDO roles, challenges include that organisations operate sites 24 hours, 7 days a week, which poses challenges for incorporating flex time 'on the job'. The Chamber of Minerals and Energy of Western Australia (CME) has reported that some organisations have introduced more flexible options for operational roles (such as job-sharing in FIFO roles).

Intersection also heard that in some roles, primarily due to the nature of remote site-based work, challenges remain around workplace flexibility, which continue to create barriers for some people – particularly women.

'We struggle with flexible job design. The rosters we have, running a plant 24/7 is tricky and difficult to make it work operationally but I don't think we have really tried. I'd like to see operational roles job-share, [more] flexible.' – Employee

Intersection observes that all workers should have access to flexible working arrangements to meet family commitments, through consultation and negotiation. This applies not only to people with parenting and carer responsibilities, but includes illness, disability, bereavement, domestic and family violence or significant cultural events.

3.9.2 Pregnancy

Intersection heard that for women working in site-based roles, there was a lack of understanding and clarity around what work was permitted during pregnancy. One submission referred to uncertainty for people considering pregnancy or who were pregnant, as the parental leave policy (or other policy) did not give direction on the type of work allowed on site while pregnant. In June 2022, Chevron Australia released a new parental leave policy, which specifically addresses fitness for duty for pregnancy and should go some way to providing clarity around this issue.

However, employees also spoke about experiencing discriminatory comments and attitudes towards pregnancy and parenting:

'As a trainee, I was told on my first day on site that "if I didn't get married and have kids then I would do really well at Chevron".'

'Prior to maternity leave, I was told by several leaders that "once I had a baby I wouldn't be back" and that I would have to wait until I got back from maternity leave for my next assignment because "after having the baby, I wouldn't remember anything anyway". I was told this by [three people in leadership roles].' – Employee

Women also had negative experiences around breastfeeding after returning from parental leave:

'There was no facility to [breastfeed/express breastmilk] at the time, despite being assured it had been taken care of. When I asked the site HR at the time, they showed me to a room and said "people don't normally come in here so you should be fine". I said that was unacceptable because I was not comfortable taking my shirt off without being able to lock the door. The HR rep replied that I could "put a table and stool in the disabled toilet then" and that they didn't have time to discuss it further.' – Employee

3.9.3 Parental leave

The revised parental leave policy, referred to above, includes primary and secondary carer leave, is gender neutral, accommodates adoption and surrogacy, and appears to comprehensively cover leave entitlements, fitness for duty (during pregnancy and on return to work), access to benefits and keeping in touch while on leave, returning to work and flexibility.

Intersection notes that leading practice looks at support mechanisms, other than leave, for those with family or caring responsibilities, such as childcare, coaching/development opportunities for people returning from leave, workshops and other support for new parents. In line with leading practice, Chevron Australia should also monitor and evaluate the effectiveness of the new policy in practice on an ongoing basis (including rates of use of the policy, promotion and attrition and the reasons behind this) and review and adapt the policy to suit the shifting needs of the workforce over time.¹⁶

3.9.4 Return to work

Intersection heard through focus groups and interviews that, historically, there was a lack of support on return to work after parental leave and that the experience was 'very dependent on their individual leader'.

Chevron Australia advised that for site-based employees, flexible return-to-work options were decided on a case-by-case basis. We note that while progress has been made in accommodating more flexibility and support for people in technical roles returning to work following parental leave, case-by-case decision-making may perpetuate uncertainty and lack of equity for employees. The reliance on Perth-based opportunities should not come without considering job design for technical roles and other creative ways to build in flexibility on site, such as provision of housing to accommodate families to better facilitate parents' continued engagement in site-based roles. Chevron Australia should also consider greater flexibility for leadership roles and ways in which lack of flexibility may indirectly impact on career progression and leadership opportunities. For example, Intersection heard that eligibility for leadership courses could be affected where women wished to defer attendance due to caring responsibilities.

Intersection also heard that access to childcare was an issue for women with families working on site (Onslow and Perth) and that there were no places available. The *CME Implementation Framework* highlights the importance of childcare as a 'barrier to enticing more women into the workforce, particularly in regional areas'.

Chevron Australia told the WA Inquiry that it had contributed a significant amount to infrastructure upgrades in Onslow town since the Wheatstone project commenced, including recently contributing to 'upgrade Onslow's strained childcare services'. Chevron Australia also noted that 'the project will also be a major ongoing contributor to a new support package to attract and retain the staff needed to manage the upgraded facility'.¹⁷

3.9.5 Cultural leave for Aboriginal employees

A consistent theme across studies on Aboriginal workforce retention is the importance of providing a workplace where Aboriginal culture is respected and supported by company policies and the broader workforce, and that flexible work arrangements which support attending to cultural obligations toward family and community are important enablers to retention.¹⁸

Chevron Australia does not have a specific policy on cultural leave. Intersection heard that cultural leave was made available to Aboriginal employees on a case-by-case application by supervisors of other types of leave (for example, bereavement leave). However, Intersection heard from Aboriginal employees who had experienced a lack of understanding around cultural obligations by supervisors:

'I had to ask for permission to attend a cultural event. It was a mission. I had to go through two supervisors to get the ok for a day of leave. It was an effort.' – Employee

'Chevron doesn't look after their Aboriginal employees. We have no support. Cultural leave is really important. People question your relationships with family and whether they are close to you. It is offensive. That is where cultural awareness would help. It is exhausting having to explain it every time.' – Employee

Intersection understands that Chevron Australia is currently preparing guidance for supervisors on how to apply leave policies with respect to requests for leave to attend cultural obligations. Further, we understand that given the relatively small population of Aboriginal employees in Chevron Australia's workforce, not many employees have sought cultural leave and so this case-by-case application has not caused significant issues. However, Intersection notes that many organisations in the resources sector do offer specific policies on cultural/ceremonial leave and that to position itself as an employer of choice for Aboriginal people and competitive in the sector, Chevron Australia should offer specific, paid cultural leave.

3.9.6 Cultural and language barriers to career progression

CALD workers also described the ways in which discrimination about their accents, culture or perceptions that they were not able to speak English well had a negative impact on their sense of inclusion, promotions and career progression:

'In my crew, everybody in the minority group (non-Caucasian), we are feeling excluded from the majority group. For the career ladder, you need to be social – if you don't hang with them, socialise with them then you don't have a chance for promotion. For some of us ... they don't drink so they won't socialise in the same way, but this is a disadvantage for them. The main Caucasian group doesn't understand about personal beliefs and cultures but they need to understand.' – Employee

'I don't want to call it racial discrimination but it is unconscious bias. Not everyone is walking the talk. Chevron has good objectives but only if the supervisors are walking the talk.' – Employee

'Whenever there was an appraisal, I was singled out by that superintendent. He told me, it was humiliating, he told me if you don't improve your communication, you won't be able to be promoted.' – Employee

'If you don't know how to sell yourself or advertise what you are doing, then you are on the outside of the career ladder ... If you work hard and do your best, no one notices you because English is not your first language ... My supervisor only listens to the Anglo guys. None of my ideas or initiatives are being listened to.' – Employee

Intersection was also told about structural challenges to increasing participation of CALD people, which had been exacerbated by Chevron Australia's shift away from mid-career hires in some areas of its workforce to recruiting graduates. Intersection was told that:

- The pool of international STEM students with working visas were not able to apply for graduate programs at Chevron Australia, because they were excluded based on not having permanent residency status in Australia.
- The pool of skilled migrants with permanent residency status in Australia struggled to find work because they had no Australian working experience or referees and their years of industry experience overseas were not valued.

Intersection observes that this has also resulted in a low priority being given to initiatives to improve workforce participation and inclusion of CALD employees. Chevron Australia has two Employee Networks representing employees of CALD backgrounds.

Other than these networks and the recent capture of ethnicity data on the HR system, the only other specifically targeted initiative that Intersection was told about was the development of a mentoring program for CALD employees.

3.9.7 Reasonable adjustments

Some people with disability may face barriers at work because of some feature of their work situation which could be easily altered. These changes are known as reasonable adjustments and employers can be required by law to make these in the workplace. Examples include changes to work schedules, modifying equipment or providing training.

In consultations where invisible disability was raised, we asked about the understanding of the obligation to provide reasonable adjustments for people with permanent or temporary disability. There was a clear lack of awareness on these issues.

Intersection notes that neither Chevron Australia's Discrimination, Bullying and Harassment Policy (No 277) nor its EEO Policy (No 278) include reference to or guidance on reasonable adjustments. It is possible this information is provided in other policy documentation; however, if not, Intersection recommends that this be included in a revision of the policies.

RISKS CONTRIBUTING TO BULLYING, HARASSMENT AND DISCRIMINATION



4.1 Introduction

This chapter explores the underlying risk factors of bullying, harassment and discrimination at Chevron Australia.

Risk factors are the workplace-specific risks that can increase the likelihood of inappropriate workplace behaviours occurring or exacerbate the impacts of such behaviours. A significant and sustained reduction in the prevalence of inappropriate workplace behaviours can only be achieved by addressing these risks.

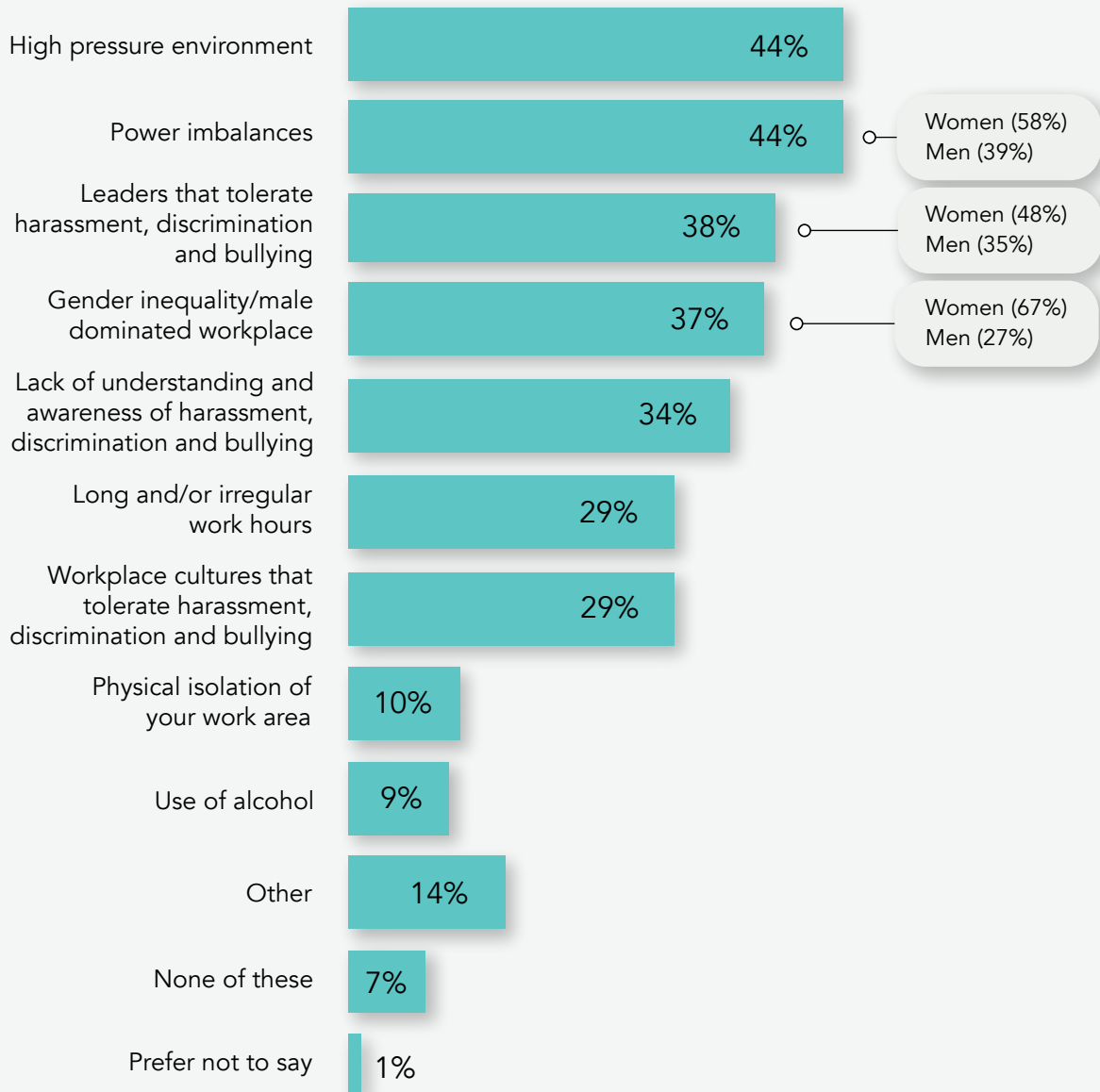
Following a comprehensive review and analysis of Chevron Australia's policies in relation to inappropriate behaviour, diversity and inclusion, a broader literature review and our workforce consultations, a number of risk factors have been identified by the Intersection team.

In our survey, nearly half (44%) of Chevron Australia employees identified the high-pressure work environment and power imbalances as the main risk factors increasing the likelihood of inappropriate workplace behaviours. Some two in five employees believe leaders who tolerate discrimination, harassment and bullying (38%) and a gender- imbalanced/male-dominated workforce (37%) are further risk factors. Women were significantly more likely to cite power imbalances (58% of women, compared to 39% of men), leadership tolerance (48% of women, compared to 35% of men) and gender imbalance (67% of women, compared to 27% of men) as key risks. The survey findings were echoed by comments made by employees in interviews and focus groups. The qualitative data also identified several other risk factors, discussed below.



Risk factors for inappropriate workplace behaviour

n=470



A number of factors may increase the risk of unacceptable behaviour in the workplace. In your opinion, which of the following factors apply to your workplace at Chevron Australia that may contribute to this risk (select all that apply) n=470

Indicates significantly higher citations vs other segments.

4.2 Leadership

'From my experience, often the person who is the bully is very good at managing upwards. They use intimidation and psychological bullying against their direct reports. Their manager has no idea about the conduct and behaviour occurring from the bully to the direct report. Too often, leadership teams across the enterprise promote people into supervisory and managerial positions based on technical abilities, when those people are not capable leaders.' – Employee

Strong and consistent leadership is critical to the success of safe, respectful and inclusive workplace cultures. However, it is also important to recognise that each leader will also be on their own journey in understanding what this means in practice, including reflecting on their own leadership style and values. Some leaders may be resistant to championing workplace diversity and inclusion; others may engage in inappropriate workplace behaviours themselves. Building empathy and authentic connection to the case for change is critical for leaders, particularly if they have not had lived experiences of bullying, harassment and discrimination. Creating space for open and frank conversations where leaders can listen and safely express and test their views can be important markers for change.

Acknowledgement and ownership

In engagements with the Chevron Australia workforce there was a strong desire for leadership at the highest level to acknowledge and own that inappropriate behaviours do take place and to be more active in addressing them.

'What I'd like to see from leadership is self-reflection, belief and acceptance that inappropriate behaviours are an issue and follow up and action in response.' – Employee

'I'd like to see leaders looking for instances of these poor behaviours, because they are not always so overt ... so that they become more aware of what is going on. It would be good if they had an increased awareness of what is going on in their workplace.' – Supervisor

'Leaders need to understand that employees are watching them and that when behaviours happen in front of them and they don't take action, that is quite disempowering for their employees and it does not inspire others to do better.' – Employee

Role-modelling expected behaviours

It is essential for senior-level leadership to role model positive behaviour; this sets the required tone and must cascade through to all levels of leadership. Throughout the course of this Review, we heard of instances where leaders had not intervened or had participated in inappropriate workplace behaviours.

On the positive side, we heard that in the establishment phase of the Wheatstone Plant, there was an emphasis on hiring people based on behaviours rather than technical ability and that this had continued to influence the culture and practice at the plant to some degree. Several people also referred to positive leadership in the organisation:

'Chevron has a strong culture of doing the right thing and senior management are very consistent in their commitment to Chevron culture and values. I also see a continuing sense of vulnerability which was evident at the Senate Inquiry and is the reason that Chevron has sought continuous improvement including through the rollout of Upstander training.'
– Employee

'I'm committed to supporting a safe and inclusive workplace for everyone in Chevron and our senior leaders are committed to this also.' – Employee

People management skills

In terms of people management skills, a gap was identified by employees across the organisation who felt that not all leaders had the requisite skill set to effectively manage people. Intersection heard about a tendency to promote technically competent employees into management roles without a skill set in or the subsequent development of people management and leadership skills:

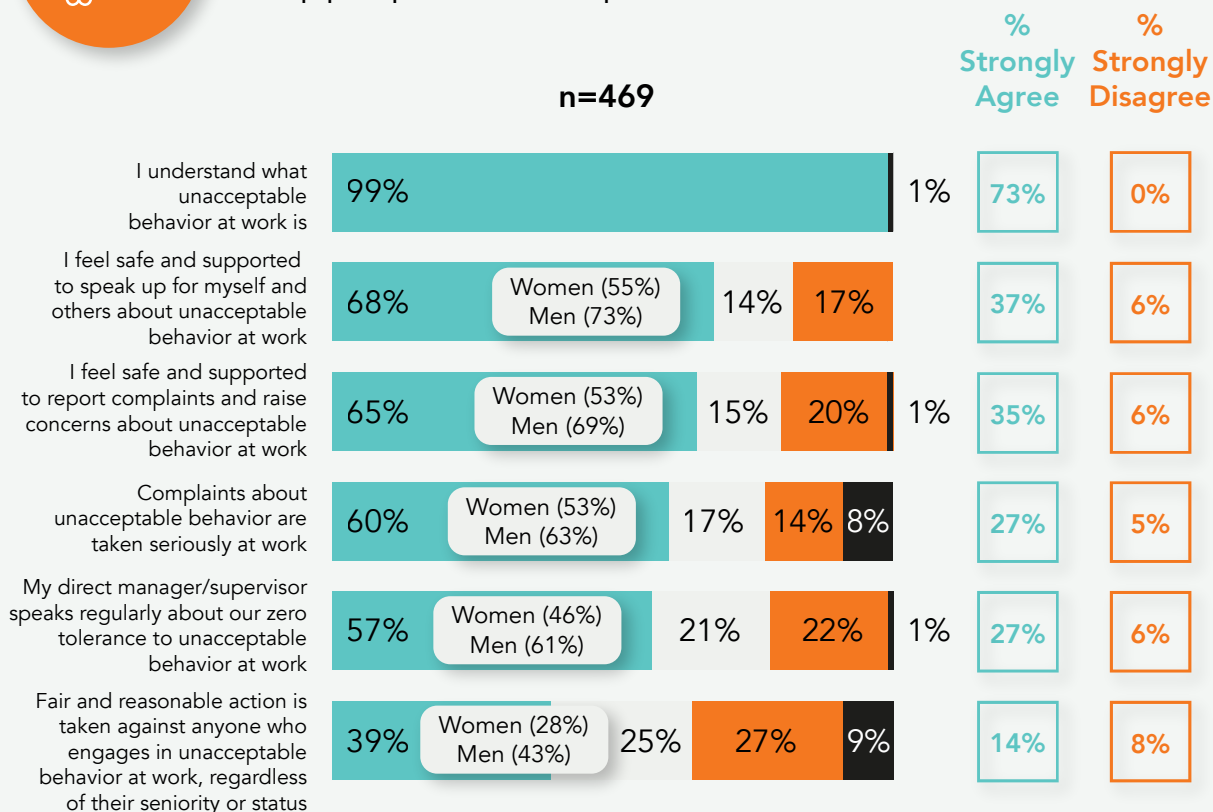
'We have a problem with leadership – leaders don't have [the] right skills or temperament – engineers are running the company.' – Employee

'[There is a] lot of very well worded and well-presented literature around Chevron Way Behaviours in the workplace, yet unfortunately the Supervisors are given little (if any) support to shape/calibrate poor behaviours ... this has also led to a middle management (supervisors) who won't have the difficult conversations as they remain conflict avoidant, due to a lack of support or the risk of negative backlash.' – Employee

Employees' perception on leadership action to address inappropriate workplace behaviours follows similar gendered lines as their perceptions of Chevron Australia as a workplace and the perception of tolerance of inappropriate workplace behaviours. Significantly more men than women felt confident to speak up or report inappropriate workplace behaviour and had confidence in complaints being taken seriously and actioned appropriately.



Perceptions on action taken to address inappropriate workplace behaviour



- Agree
- Neither
- Disagree
- Don't know/Prefer not to say

Unacceptable behaviour at work includes bullying, harassment (verbal, physical and sexual) and sexual assault. To what extent do you agree or disagree with the following statements (see source notes) n=469

Bases reflect total number of respondents to that question. While percentages and averages are weighted according to the population breakdown.

■ Indicates significantly higher citations vs other segments.

Overall, Chevron Australia employees had the least confidence in the statement 'fair and reasonable action is taken against people who engage in inappropriate workplace behaviours regardless of their seniority or status', with only 39% of all employees (43% of men, 28% of women) agreeing with the statement and 27% of all employees disagreeing with the statement. The survey results are consistent with views expressed by employees in focus groups and interviews.

'My peer who is the supervisor of the bully does nothing. He is as bad as the person I have provided feedback on. Unless we can get the victims to raise a complaint in writing, he won't do anything and I don't really think my boss is creating any consequence either.' – Supervisor

'Sometimes, it's the managers who are the worst bullies and when you go over their head and make a complaint, nothing happens, they just get to keep being bullies.' – Employee

Despite a lack of confidence in action taken by leadership to address inappropriate workplace behaviours, Chevron Australia employees reported a high level of 'openness, trust and respect between me and my direct supervisor or manager' with 80% of all employees agreeing with the statement and 49% strongly agreeing with the statement. A slightly lower proportion (74%) of employees believed that 'people in leadership roles promote a safe, respectful and inclusive workplace culture', with female employees (63%) reporting lower levels on confidence in the statement than male employees (78%).

Trust in leadership

Importantly, we also heard about a loss of trust in leadership because of multiple workforce reorganisations in recent years and a general unease expressed about another on the horizon:

'In the last four to five years, we've had at least two major re-orgs. In the 2020 review, what leadership promoted quite heavily was that the selection process was based predominantly around behaviours and that technical aspects were promoted as being secondary to behaviours. Yet what we ended up with is not aligned to that. So people see people in high levels of the organisation who exhibit poor behaviours being reselected in those processes after we said behaviours would be valued. So that is where the loss of trust has come in. We don't do what we say we will do.' – Supervisor

'We've been through three workforce transitions. The result is a loss of trust in leadership.' – Employee

'A lot of people here are not as invested as they once were. There is no brand loyalty here anymore. It is just transactional.' – Employee

'Trust was severely damaged [in the workforce review]. It will take a long time to mend that. We are on edge about another one coming.' – Employee

A lack of trust in an organisation's leadership can manifest in several ways. Throughout our focus groups and interviews, participants shared with us a feeling of not being treated with respect by the organisation or its leadership throughout the course of the workforce reorganisations conducted in recent years and a sense that 'respect should go both ways'. This lack of trust and respect is a risk for more disrespect among colleagues and peers and contributes to a lack of trust in the existing reporting mechanisms. Acknowledgement of the loss of trust will be an important step to regaining and repairing this.

Lack of accountability

Effective leadership is also directly linked to accountability and transparency. The Intersection team heard frequently that people who are considered high performers, technical experts and/or part of a 'club' (a friendship group with other leaders, part of a 'boys' club or 'purple circle') will not be held accountable for exhibiting poor and inappropriate behaviours.

'Leadership accountability is critical – even if we talk about support for this work, I wonder if anyone is checking in on those leaders to see what is being done. Leaders should be demonstrating how important this work is to their departments.' – Employee

'There are poor behaviours at higher levels of the organisations that we don't deal with very well.' – Employee

'I've heard [other resource sector company] has built a model where supervisors are forced to take action when issues come to their awareness. There is a system for supervisors to report these matters and there are consequences for failing in their duty of care as a leader if they do not. And this is tied to performance and bonus systems. Unless there is accountability, nothing will change.' – Employee

'There is a distinct lack of ability or willingness to discipline people. There are no consequences for bad behaviour.' – Employee

Accountability is a significant contributing factor to behavioural and cultural change. This is how leaders throughout the organisation 'walk the talk' and build trust. Accountability does not need to be harsh consequences for all inappropriate behaviours, but it does mean taking *proportionate* action to address inappropriate behaviours. This will not always be visible to everyone – for example, a conversation with someone in private about a remark made in public. However, the action should result in changed behaviour either at the time or because of follow-up and sustained communication about behavioural expectations.

It was also expressed to us that the workforce reorganisations were used as an opportunity to remove 'bad actors', rather than those bad actors being dealt with in real time. This has heightened the workforce's scepticism about accountability and the courage and/or ability of leaders to address inappropriate behaviours. This too has had a significant impact on people's willingness to report inappropriate behaviour. This is discussed in Chapter 5.

Related to accountability was the view from many employees we spoke with that there is a lack of a feedback loop from leadership at Chevron Australia.

'I think our workforce is a little bit fatigued with focus groups, hearing groups, surveys. It is another avenue from which we are seeking feedback and my sense is that we seek the feedback but then don't take action so we don't close the loop.' – Employee

There was clear fatigue with the quarterly Chevron Employee Survey (CES) where people provide their feedback as requested at regular intervals yet no visible action is taken to address or action the feedback. As one employee noted, *'We have to recognise that we are not good at giving feedback. Nothing is ever done with the concerns we have identified. We gave them the top 5 issues identified from the survey and nothing was done about it ever.'*

Leaders that tolerate bullying, harassment and discrimination

Another key risk identified concerned the inconsistent approaches taken by leaders in relation to inappropriate behaviour.

Almost all employees (99%) reported understanding what inappropriate workplace behaviour is/ looks like. However, both the survey results and the qualitative data revealed a perceived tolerance of inappropriate behaviours at Chevron Australia.

'There's a lot of racism, sexism and homophobia that gets branded as "banter" and no one deals with it because it's almost seen as a positive if you know what I mean. And managers don't just do nothing, they laugh at the jokes in front of everyone. They participate.'

– Employee

'People seem to get away with almost anything around here just by saying they were joking. And if you call something out as inappropriate you're the one who can't take a joke. It blows back on you.' – Employee

While some participants spoke of strong leaders who role-modelled respectful, inclusive behaviour, encouraged reporting and took prompt action to address reports, many others spoke of leaders who failed to lead when it came to issues of workplace respect, inclusion and behaviour.

Many employees spoke about experiences of leaders who failed to take action to address inappropriate behaviour or, worse, engaged in it themselves. Employees also spoke of managers tolerating or excusing the behaviour of 'mates' or high-value workers, in 'an effort to "get things done"'. As an employee noted, 'We seem to keep people in senior roles (even through two recent workforce reviews where there was opportunity to reshuffle personnel) because they are considered too valuable for the organisation to lose despite those individuals exhibiting consistently poor behaviour.'

All these damaging behaviours erode trust in the organisation's commitment to ensuring a respectful and inclusive workplace and to individuals' trust in their leaders and their application of company policies and processes to address inappropriate behaviour. This, in turn, can lead to an increased risk of inappropriate behaviour occurring, going unchecked and ultimately of a permissive culture developing where people feel inappropriate behaviour is condoned, excused, tolerated or (at worst) encouraged and feel unsafe to raise concerns and lack trust that the organisation will act to address such conduct.

Lack of transparency

While confidentiality is an important feature of dealing with individual reports of inappropriate workplace behaviour, a balance must be struck between the need for confidentiality and privacy and being transparent in responding to incidents of bullying, harassment and discrimination appropriately. Indeed, transparency of both incidents and actions has led to significant cultural change in the physical safety regime that the Chevron Australia workforce is well familiar with.

'We have been so focused on preserving confidentiality that we haven't properly considered how transparency might assist in behaviour change. The effectiveness of transparency on disciplinary action should not be underestimated.' – Employee

'Recently, we did share the outcome of an investigation. We shared there had been inappropriate behaviours and that we had let an individual go because of it and it is amazing how many times we've had feedback about how good it was that we took action. It has had a very positive effect.' – Employee

Transparency regarding physical safety is well established in the resources sector. There is both recognition and practice that includes safety policies and procedures, supervision of implementation of the policies and procedures, avenues for reporting of incidents and near misses, and addressing incidents and sharing information with respect to incidents; all of these promote continuous improvement and learning to increase prevention efforts.

We heard much about Chevron Australia as a positive learning environment, certainly with respect to the technical elements of the work with employees and trainees making frequent statements such as: *'If I need to know anything, I feel very comfortable asking my team or supervisor.'*; *'My coord is great, he will go out of his way to spend time explaining things to me.'*; and *'Everyone here is really keen to show you what they know. If they know you want to learn, people here will make time to teach you.'*

We heard about the 'no blame' culture that Chevron Australia is trying to foster with respect to safety incidents, but we also heard that that system is not as developed as people would like. Individuals reported to us their concern about being blamed for incidents, which undermines psychological safety in the organisation.

'There is a tension between high accountability and the no blame culture. People are not clear on what it means for them so they are reluctant to report issues.' – Supervisor

'The no blame culture is not nearly as mature as it needs to be. We say we have it. That doesn't mean it actually exists.' – Employee

'In certain high-stress environments when things go wrong, I've been blamed for things that I have no control over.' – Employee

'There is a positive reward culture but that makes it hard to speak about problem issues.'
– Employee

Conversely, however, the Intersection team attended several pre-start meetings where incidents were shared and recognition provided to those involved both in reporting and addressing incidents, presenting positive examples of the physical safety culture in practice.

Proactive approaches to safety transparency are a key prevention tool. The move to include psychosocial safety in workplace health and safety laws and regulation and the introduction of a positive duty on employers to prevent sexual harassment in the workplace present an opportunity for Chevron Australia to adopt leading practice in this regard.

4.3 Gender imbalance and inequality

'Men in management within our organisation also need to be trained on how to communicate appropriately with women. They need to stop telling us that they have proof that they support women because they admire their wife/mother/daughter. As a female professional, I don't want to be compared to some man's family member. I just want to be acknowledged and respected as a fellow colleague who is contributing to delivering results and demonstrating Chevron Way behaviours. Can you imagine I told our Managing Director I admire him just because he reminds me of my husband? Or my son? It's just weird.'
– Employee

Gender inequality is a contributing factor to inappropriate behaviour in workplaces, as a reflection of the broader society. Workplaces can drive change by developing policies and practices that proactively support women's equal participation and progression in the workplace and encourage men to share caring responsibilities and unpaid work traditionally done by women. Workplace policies and practices that support gender equality can also change the attitudes and norms that underpin gender inequality and inappropriate workplace behaviour.

Chevron Australia has several initiatives to improve participation of women in its workforce, including targeted recruitment and re-entry programs, support networks and most recently, the launch of a Gender Equity Plan. Intersection conducted a comprehensive analysis of these initiatives and identified challenges to the inclusion of women in Chevron Australia workplaces through focus groups and interviews and the survey, including:

- A persistent lack of gender diversity in many areas of the organisation, particularly at leadership levels
- Barriers to career progression for women
- A lack of transparency about gender pay gaps
- Workplace flexibility and support for people with family and caring responsibilities. While there have been recent promising changes with the introduction of a new parental leave policy, ongoing barriers remain in some areas.

Workforce participation of women at Chevron Australia

Women have represented just under one quarter of Chevron Australia's employee workforce for the past five years.

Chevron Australia women are over-represented in part-time roles (ranging from 94% to 98% between 2018 and 2021). This is significant given that, while part-time roles are available in Perth, Intersection heard that there were few site-based part-time roles (and that no technical roles were available part-time).

As the CME has noted, a lack of available part-time roles may inhibit diversity, as people with family and caring responsibilities leave the workforce or are discouraged from joining in the first place.¹⁹

Headcount data from Chevron Australia shows that women occupy most roles in certain employment categories: Administrative Professionals; Corporate Affairs; Health, Environment & Safety (HSE); Human Resources (HR); Health and Medical; and Technologists. Men occupy most roles in the two largest employment categories: Operations and in Facilities Engineering.

Women are also represented unevenly across different work locations at Chevron Australia, likely also reflecting the occupational spread in the sites. Employee headcount data showed that as at 1 March 2022:

- Most women worked in the Perth office (33.7%)
- Far fewer women worked at Barrow Island (8.5%), Wheatstone Plant Onslow (11.5%) or Wheatstone Offshore Platform (4%).

The operation of pathway programs was raised by Review participants, including the conversion rates of these into employment for women. In our view, there is further work that can be done to understand the effectiveness of these programs and the segregated nature of the workforce.

Women in leadership

'I believe the only way to improve things is to place more and more women in leadership positions. The women in management are still by far the minority and face challenges that the other male leaders do not face. I am aware of a recent example where a number of men in a team refused to report to or update their female manager, to try and stop her getting her job done effectively. I just don't understand why Chevron tolerates this behaviour as it does not support Chevron's goals. If Chevron wants to deliver results, it needs their managers to be performing at their best. It's this kind of passive aggressive behaviour that is widely tolerated within Chevron and exists across the organization.' – Employee

'There is still a significant male-dominated culture at Chevron Australia and more efforts should be made to address diversity of thought. There is no reason why our Leadership Team should not have more female representation than it does currently. This role modelling and diversity of thought at the top should be a priority. Where are the diversity elements of the succession plans for these senior roles?' – Employee

The small number of women in senior leadership roles means that the organisation is lacking clear or established pathways and role models, to which junior women can identify and aspire.

'There are not many females on site and less in leadership positions and, until that changes, it is always going to be harder to change the culture. Strong female representation is required. This is not saying the male representation isn't supportive. They are, but if you have not experienced these things yourself, it is hard to put yourself in someone else's shoes. Also, having to come to a FIFO workplace where you feel intimidated and worried is a hard thing to do. It shouldn't be like that.' – Contractor

A significant number of women in focus groups and consultations raised the issue of experiencing challenges with career progression at Chevron Australia. Intersection understands that in recent times, there have been changes to performance assessment processes which may alleviate some future concerns. On the basis of our review of related policies, there is further work required to ensure that there are no systemic barriers that may be inadvertently impacting women's progression.

4.4 Lack of diversity

Lack of diversity within Chevron Australia

In the survey, interviews and focus groups, the Intersection team heard from many employees who spoke positively about Chevron's values and culture:

'Chevron is a great company to work for that has strong values.' – Employee

'Chevron is a safe place to work for all genders and cultures.' – Employee

'Every workplace contains a cross-section of society and no workplace can claim to be perfect. However, Chevron has a strong culture of doing the right thing and senior management are very consistent in their commitment to Chevron culture and values.'
– Employee

Several employees reflected on positive changes in the workplace culture which had taken place within the organisation in recent years but noted that work on diversity and inclusion needed to be ongoing. As one employee said, *'the culture in the workplace has significantly shifted in the past five years and this is a positive change'*. Another noted that while there were *'encouraging signs'*, Chevron Australia was still *'early on this journey'*.

Intersection observes that the Chevron Australia workplace is largely Caucasian and male dominated. When the representation of other minority populations at Chevron Australia are considered, the lack of diversity becomes starker, particularly at leadership levels.

'The people who wear Chevron shirts are always white people. [There is] not one brown or yellow person.' – Contractor

'You can see in the company very few people outside of America and Australia are in leadership roles.' – Employee

'Look at your three levels of leadership and tell me how much cultural diversity there is, when 30% of the Australian population is from a non-Anglo-Saxon background.' – Employee

Chevron Corporation is in the process of collecting improved demographic data through the implementation of a new 'People Dashboard/Demographic Dashboard' across each Business Unit.²⁰ Until the wider release of the dashboard across Chevron Australia, Human Resources Business Partners generate similar diversity data on an ad hoc basis and only for gender and Aboriginal and Torres Strait Islander status.

While the dashboard facilitates more systematic data collection with respect to age and gender diversity, there remains a gap in understanding the broader diversity of Chevron Australia's workforce.

Collecting, tracking and reporting on diversity data – including around cultural and linguistic diversity, disability, gender identity, sexual orientation and intersex variations – can provide a powerful tool for Chevron Australia to better identify gaps and opportunities in its diversity and inclusion initiatives and improve inclusion of people from diverse backgrounds as part of its broader business strategies.

Some workers may be reluctant to disclose information or self-identify on Human Resources systems, due to a perception that they may be more likely to face some form of discrimination or harassment. Intersection heard that some employees with disability and Aboriginal employees, for example, had chosen not to formally self-identify for this reason.

Intersection notes that data collection must be done sensitively, in a way that does not risk excluding employees or capturing unnecessary or inaccurate information and that reporting and benchmarking of findings is used effectively. Chevron Australia should ensure that when undertaking data collection, it follows good practice principles for undertaking respectful and inclusive diversity data collection, to obtain data that is meaningful, accurate and effective in supporting its diversity and inclusion aims.²¹

Workforce participation of Aboriginal people

The proportion of Aboriginal employees in Chevron Australia's workforce is on par with the representation of Aboriginal people in the Australian population. However, other companies in the resources sector have significantly higher Aboriginal representation – for example, BHP reported around 7% in 2021 and FMG reported around 15% in 2019. However, Intersection heard that Chevron Australia currently has a smaller workforce overall that is highly skilled and with significantly lower turnover than many of these companies.

Despite its small workforce, Intersection heard that, anecdotally, the attrition rates for Aboriginal employees are not high. However, it is important to highlight the need to better understand the reasons for attrition of diverse groups in the workforce and to address higher levels of under-representation in some parts of the organisation than others.

Lack of representation in more senior roles

Intersection observes that much of Chevron Australia's focus on improving representation of Aboriginal peoples in its workforce has been through entry-level pathways, rather than experienced or lateral hires. Intersection heard that this has resulted in most Aboriginal employees remaining in entry-level positions – with few progressing to more senior levels in the organisation:

'They recruit Indigenous kids [as apprentices] and then leave them at that level.' – Employee

Intersection observes that this is a feature across the WA resources sector. Despite some increases in Aboriginal workforce participation in the sector, the CME reported that Aboriginal employees continued to be under-represented in management roles in 2019. It found there had been limited progress on increasing the proportion of Aboriginal people in leadership overall.²²

Employees spoke about the ways in which the lack of representation at senior levels and in decision-making roles in the company could have a negative impact on promotions and career development opportunities for Aboriginal employees:

'From the Aboriginal perspective – [there is] no representation in that middle tier and it is therefore hard to have a chance [at promotion] without that. There is a white male workforce at the upper echelons which is impenetrable.' – Employee

'Career development is a challenge. There are no Aboriginal people on the PDC [Personnel Development Committee]. Sometimes, there is an assumption because people don't put themselves forward that they are not ambitious or don't want the promotion but actually that is not the case. Culturally, we might not put ourselves forward or speak up about what we want.' – Employee

Intersection notes that Chevron Australia currently lacks a career development program specifically for its Aboriginal employees. Intersection understands that work on developing such a program has been delayed due to the challenges around providing mentoring and face-to-face support due to COVID-19 travel restrictions and encourages Chevron Australia to continue to focus on this as a priority after these challenges have been addressed. Intersection also supports Chevron Australia pursuing an interim option of selecting high-performing Aboriginal employees (particularly women) to participate in its existing general leadership program.

Organisational cultural learning and safety

Intersection observes that symbolic recognition of Aboriginal peoples is strong within Chevron Australia. In line with its Reconciliation Action Plan (RAP), efforts have been made to promote Aboriginal inclusion during culturally significant times such as Reconciliation Week and NAIDOC Week. However, Aboriginal workers told Intersection that the organisation was lacking in cultural awareness of its workforce and that upskilling in cultural competency would improve cultural safety within Chevron Australia.

'Chevron culture is yeah, good. But Chevron has no idea of culture ... If you are going to suck the life out of Thalanji country and that is literally what you are doing here, your employees should be trained in cultural awareness properly. It is online only. It is click and flick.'
– Employee

Intersection heard that Chevron needed *'a better Aboriginal cultural awareness course. The one we have is outdated. There are lots of people here that would want that'*. While baseline cultural competency training is mandatory for all employees, Intersection notes the limitations of online training. Intersection considers that Chevron Australia should ensure the provision of effective face-to-face immersive cultural competency training as part of the range of training available to all employees in its workforce, by locally qualified Aboriginal trainers when available.

Availability of culturally appropriate support mechanisms

Research indicates that an important mechanism for providing culturally appropriate support to Aboriginal workers, reducing absenteeism and improving retention, is the role of Aboriginal Liaison Officers (also described as Aboriginal/Indigenous Liaison Officers or Support Officers). The support and mentoring provided through these roles can be especially important for a young, entry-level Aboriginal workforce, often in their first year of mainstream employment.²³

Such roles require a diverse skill set, ranging from providing general guidance, support and mentoring for Aboriginal employees, to building awareness and engaging supervisors. The officers also frequently have a networking and relationship-building role, including with Aboriginal communities and across the business, including leadership. The literature highlights that adequate resourcing is critical for such roles.²⁴

Chevron Australia has employed an Aboriginal Liaison Officer, whose role includes working across Barrow Island and Wheatstone/Onslow to:

- Provide support and cultural advice to Aboriginal and non-Aboriginal employees to create a culturally safe workplace and build cultural capability
- Act as a contact officer for cultural issues on Chevron Australia remote sites
- Engage with the local Aboriginal community in Onslow.

Intersection heard that this role had a more strategic focus in managing implementation of the RAP on sites and that Aboriginal employees felt there was a need for increased mentoring and support, given the difficulties of reaching individuals working across different shifts and sites. Intersection notes the critical importance of engagement, mentoring and support for inclusion and retention of Chevron Australia's Aboriginal workforce.

We observe that there is a need to ensure adequate resourcing to fulfil this complex role across the different sites, as well as helping to guide and upskill supervisors of Aboriginal employees. Chevron Australia should consider an additional liaison and support role with a specific focus on providing a greater level of mentoring and support and in turn improving cultural safety in the workplace.

Inclusion of LGBTQI+ people

Intersection understands that the Australian Workplace Equality Index (AWEI) survey is the method used by the Pride Network at Chevron Australia to collect data on LGBTQI+ people in the workplace, as well as experiences of inclusion and equality. While most respondents in the 2021 survey reported positively about regular awareness-raising activities supported by the leadership, there is the view that Chevron Australia still has some way to go as with the inclusion of other minority populations:

'We say there's been a focus on gender diversity, but really binary cis-gender diversity. Exploring sexually/gender-diverse people in our workforce – there are not many who are openly out. Some might be in small parts of a work group. But processes aren't even really set up for it. I was recently trying to fill in a medical [form] and found it didn't include my identity.' – Employee

The Pride Network is one of nine 'Diversity Networks' at Chevron Australia to promote inclusion. Employee Networks operate on a volunteer basis and are open to all workers. They are self-governed, formally structured (each with a committee and charter), with an annual budget allocation. The volunteer nature of the groups means that their work is limited:

'Globally, Chevron talk about how they do in the US equality indexes, but we don't even make it into the bronze tier here in Australia and there's no commitment from HR to help us apply for those. We do it for ourselves in the PRIDE network, just so we can benchmark. We didn't bother this year as there was no progress from last year and we didn't have time and space in the committee to do that extra above and beyond work.' – Employee

The Diversity Networks appear to be an important element in advancing inclusion at Chevron Australia. A key challenge to be addressed is the safety to disclose one's identity and be their whole self at work. Intersection spoke to many diversity network representatives. A common theme was the volunteer nature of the work and a lack of time to effectively implement initiatives. Given the benefits to the company and its people, Intersection recommends that Chevron Australia consider giving employees with representative roles in diversity networks time and resources to participate in advancing objectives.

4.5 Backlash against diversity initiatives

A recurring theme in Intersection's consultations was that within Chevron Australia's largely Caucasian, male-dominated workforce, the word 'diversity' remains contentious. We heard that, despite the success of some diversity initiatives and attempts to increase the representation of people from diverse groups, there has been a 'backlash' against diversity. A Supervisor observed that *'many men feel threatened by this'*.

'I am frustrated at times with the Chevron preferences in favour of minority groups. I feel that I am discriminated against because I am NOT in a minority group of race and/or sexual orientation. ... In the modern Chevron world of anti-discrimination, it seems that performance managing people from a minority group is too delicate to address, so it is rarely pursued. I greatly enjoy working in a very diverse work group and have many friends within (and outside of) Chevron who are great performers from all walks of life, but we need to truly treat all employees equally.' – Employee

We also observed a widespread lack of understanding around the company's messaging about its diversity initiatives and misconceptions about quotas for women and other minority populations. Some people believed that such initiatives were 'unfair', 'discriminatory' and undermined a system based on merit.

'To be inclusive, we need to value persons on their capability to do the job they are doing and stop judging on sex, sexual preference, age, ethnicity, etc.' – Employee

'It has become very clear, if you are female or part of another minority within Chevron you will be given special treatment ... Everyone is so concerned about not discriminating against the minority groups that the majority is now being discriminated against.' – Employee

'Of late, male members of [the] workforce are feeling discriminated [against] due to the overdrive on [the] diversity front which is solely directed towards gender equality ignoring other elements of diversity (age, experience, ethnicity, language), resulting in reduced career progression opportunities for capable employees.' – Employee

Others spoke about the term 'diversity' being 'appropriated' to mean 'different skill sets':

“Diversity” is a trigger word, 100%. Aboriginality is dropping off that meaning of diversity. Diversity means different skills.' – Employee

'We should be focusing more on the diversity of personality traits, skills, mindsets and experiences that are important to getting the benefits of diversity – not physical appearance or sexual preferences. We could end up with teams that look different but all have the same mindset and not really achieve any diversity of thought.' – Employee

Women, Aboriginal employees and other employees from diverse backgrounds spoke about how this backlash affected their experience in the workplace:

'Being a part of a minority – it is pretty difficult. We are constantly talking about diversity ... We talk about it so much I have to prove that I am here because I earned it.' – Employee

'I don't want to be in the spotlight because I am black. I don't want to be in the spotlight because I am a woman. I just want to get on with my job.' – Employee

'As a female though, I am tired of being told: I will be ok because of my gender. You will be considered favourably because you are a female. It is a shame you didn't tick another diversity group as well. So you got the job to fill the female quota. It is time to promote the best person for the job.' – Employee

'There are leaders who believe females were saved [in the workforce reviews] just because they were females. That they were still here because of their gender rather than the value they bring.' – Employee

A senior employee commenting on this backlash, described Chevron Australia's diversity and inclusion systems as 'immature' and lacking any consistent effort. Intersection also heard that despite strong value statements, a lack of consistent messaging about diversity and inclusion as a real priority and a lack of support around understanding and implementing initiatives, caused confusion for employees and supervisors:

'We've tried to move away from targets. In my view, we have too many initiatives and it is really hard for the business to understand what is [the] priority [and] how do all these come together to increase our diversity. Inclusion is something out there – a feeling – no one is able to put anything measurable in place that would define or support more employees [in] feeling included.' – Supervisor

Intersection agrees there is a need for better communication with the workforce – including employees at all levels and contractors – about Chevron Australia's diversity and inclusion goals and a clear narrative about why diversity and inclusion are important in creating a more capable, productive, safe and inclusive workforce.

4.6 High pressure environment

Intersection heard repeatedly about the high-tempo culture in place at Chevron Australia workplaces, particularly at Gorgon. The perceived relentless pace of work caused a risk of stress and increased the risk of inappropriate behaviour such as bullying when people acted out because of the pressures they are under.

'I feel that we create a very competitive environment – we are constantly under review in the new environment [new performance method]. People are trying to outdo each other. This creates a culture that is not far away from being unsafe.' – Employee

Participants said organisational commitments to excellence drove competition among workers and this, in turn, could lead to individuals engaging in negative behaviours designed to protect and advance their position, at the expense of co-workers. Both Safe Work Australia²⁵ and Chevron Australia's *Mental Health Risk Assessment Procedure*²⁶ identify high work or job demands as common psychosocial hazards and risk factors for psychological harm and research indicates that these can also be an enabling factor for bullying in organisations.²⁷

4.7 Insecure employment

Additional risks associated with insecure or precarious work were identified in employee feedback. Intersection heard consistently that the multiple, recent large-scale corporate reorganisations at Chevron Australia had left employees feeling insecure about their ongoing employment and anxious to position themselves as best they could to maintain employment in any future reorganisations. They feared losing their jobs and this acted as a barrier to reporting. Employees said they were reluctant to make reports as they feared being labelled a 'troublemaker' and felt this may adversely impact on their prospects of securing ongoing employment and place them at greater risk for being selected for redundancy.

'[The] culture on our operating sites is prevalent with bullying and harassment, and the workforce is too scared to report it. Last workforce review, anybody who had spoken up was run off [and] given a redundancy.' – Employee

Major organisational change, such as restructuring and downsizing (particularly when poorly managed), are recognised as risk factors for psychosocial harm and as precipitating factors for bullying.²⁸

Further, some employees reported that opportunistic perpetrators were aware and took advantage of this situation, choosing times of organisational change to start or continue inappropriate behaviour and feeling emboldened to engage in such behaviour, knowing victims were concerned for their roles and less prepared to report in these circumstances.

4.8 FIFO workers/workers performing remote or isolated work

The resources industry,²⁹ the Australian Human Rights Commission³⁰ and state and federal workplace safety regulators³¹ have identified FIFO work, as well as work conducted in remote and isolated locations as presenting a uniquely challenging set of psychosocial hazards (as well as physical hazards) for workers.

Research has established that workers performing this type of work are at greater risk of experiencing inappropriate workplace behaviour, because of vulnerabilities and risk factors arising from the nature of their work. These risks arise out of factors common to these workers, including that:

- While working away, they are often isolated from their usual social and family networks and supports for extended periods of time, with more limited access to external support services.
- They often travel long distances for work (which itself takes a physical and mental toll) and live on site or in company-provided accommodation with co-workers with scope for greater interaction between workers than would be the case in non-FIFO roles, at all times of the day and night and in settings and locations not typically present in workplaces (e.g. on-site recreation, dining, laundry and sleeping areas). These factors combine to create settings and opportunities for inappropriate behaviour that simply do not exist in non-FIFO workplaces (e.g. such as access to co-workers' personal laundry items in communal laundry facilities on site; proximity of co-workers' bedrooms) and a blurring of boundaries between what is 'work' and 'outside of work'.
- They are often required to perform demanding work, in a high-risk environment, to an exacting standard, with little or no tolerance for error, and limited control over how or when work is performed. This results in increased pressure and psychosocial hazards for workers, that may lead to aberrant behaviours.

While Intersection heard that at a corporate and governance level, Chevron Australia is very cognisant (as much of the industry is) of the unique risks associated with remote on-site workplaces and has a structured approach for assessing and controlling safety hazards and risks on-site, we heard from many FIFO workers about how these unique factors combined to place them at a greater risk of experiencing inappropriate behaviour at remote sites – and of choosing not to report it if it did occur (whether due to a reluctance to be identified as a 'troublemaker' or because their employer encouraged them not to 'rock the boat').

4.9 Turnarounds as a time of increased risk

Turnarounds (TARs) were identified as a time of increased risk at Chevron Australia sites, with the site-based workforce temporarily increasing by up to 50% at peak activity and a culture of disrespect described.

Women in particular shared experiences of feeling less safe during TARs and of experiencing harassment during a TAR in a way and to an extent that did not occur outside TARs.

'Day 1 of the TAR, I got harassed.' – Employee

'I don't walk in the bar [during a TAR] as I get eye raped.' – Employee

Employees described TARs being seen as a challenging and uncomfortable time to push through, where Chevron Australia employees 'banded together' to complete work as efficiently as possible, so that they could get the temporary TAR workers offsite at the earliest opportunity and return to a situation where they were working with the standard workforce.

Employees noted that during TARs the following factors combined to increase risk of boundaries being blurred or crossed, people treating others disrespectfully, incidents of inappropriate behaviour occurring and incidents going unreported:

- A much larger than usual workforce in numbers, leading to more opportunities for incidents of inappropriate behaviour occurring between people.
- Many workers present who do not ordinarily work at site and are not familiar with Chevron Australia's behavioural expectations or come from organisations with cultures that may not align with the Chevron Australia culture.
- Many co-workers who are new to each other and have no pre-existing working relationships, being brought together on site, to work and live together for a temporary period, requiring many hours spent in proximity, both during the working day and before and after shifts in both working and living/social environments, with the knowledge that (for many) there will be no ongoing working relationship to build or preserve.
- Working under high pressure, in demanding conditions (physically and in some cases operationally as well – due to tight timeframes and high performance expectations. This leads to high stress and a greater risk of people acting out or behaving badly.

4.10 Hierarchy and power imbalance

Chevron Australia is a very hierarchical organisation with many levels throughout the organisation and consequently many leadership levels. As noted above, leadership at all levels is dominated by Caucasian men. Inappropriate use of power is a key risk for workplace bullying, harassment and discrimination.

In the conduct of this Review, we heard about the inability of leaders to provide constructive feedback to their direct reports, which, at best, was considered a gap and, at worst, an inappropriate use of power. There was a sense that some leaders lacked this skill and as a result, at annual performance review time, people felt blindsided by negative ratings that had not been raised at all during the year.

'We don't teach leaders how to give constructive feedback and we are definitely not good at receiving feedback.' – Employee

'When we put in place a no-blame culture, we didn't teach anyone how to give or receive constructive (critical) feedback.' – Supervisor

It was also perceived that leadership do not trust employees sufficiently to be honest with them:

'We only share the good stories, not the bad. We should share facts and actions.'
– Supervisor

'Leaders sugar coat central messages before they get to us. They don't, or won't, speak straight to us.' – Employee

'[My manager] brought out a slide with results of the Pulse survey – but only what was great, not what was bad. I asked about the negative things and she responded, "I don't know how to make you feel valued".' – Employee

A lack of feedback and poor performance process can allow inappropriate workplace behaviours to go unchecked.

4.11 Workforce composition

Contractors make up a significant proportion of Chevron Australia's workforce, more than 50%, and are engaged in all areas of Chevron Australia's business, from corporate functions to operations, transport and hospitality.

The outsourcing of work through contracting arrangements can have obvious benefits for a business in terms of costs, as well as providing skills and services that a resources company is not best placed to do. Contractors are not directly employed by Chevron Australia and therefore work under different conditions to Chevron employees with regard to rosters and pay. Although arrangements vary between contractors, in general terms contractors work a less desirable roster and are paid less than Chevron Australia employees.³² Contractors can also lack security for their jobs or specific roles. Coupled with the demanding nature of FIFO employment, contractors' employment arrangements can lead to difficulties in staff retention, which in turn can cause high turnover.

The widespread use of contractors in the resources industry was identified as a risk factor by the WA Inquiry. Throughout our workforce engagements, we heard about the impacts of contractors' employment arrangements (often a direct result of the contracting arrangement between Chevron Australia and the contractor company), including a lack of engagement, low morale, fear of speaking up or reporting inappropriate workplace behaviour, confusion about reporting options for contractors and where to seek support, and perceived impacts on physical safety.

Chevron Australia has considerable influence and power when selecting the organisations it chooses to partner with and negotiating contract terms. The outcome of these negotiations has immediate impacts on the people engaged as contractors and flow-on impacts on workplace culture and resulting workplace behaviours, especially if, as we heard, contractors are being asked to do the same job for less money due to a tightening of terms in a new agreement between their employer and Chevron Australia.

Fear of speaking up

A lack of job security and the possibility of being dismissed at any time was described as creating a culture of fear where contractors were hesitant to raise workplace issues or make complaints for fear of being seen to be 'difficult'.

'I'm a contractor and I can be let go like that [snaps fingers] so I won't speak up.' – Contractor

'I knew someone who spoke up against their supervisor. Two weeks later she was gone.'

– Contractor

This was a particular concern for contractors who, as a precarious workforce, repeatedly spoke of their fear that reporting inappropriate behaviour would lead either to their contracts not being renewed or jeopardising their prospects of securing future direct employment with Chevron Australia:

'I felt, as a Contractor, it was difficult to raise complaints, particularly when one of the instigators reported to senior leadership ... it is actually really, really hard to report these things. You feel like your job is going to be compromised.' – Contractor

Concerningly, several contractors indicated that their employers often encouraged them not to report inappropriate conduct that they had experienced in Chevron Australia workplaces, possibly because their supplier contracts with Chevron Australia were noted to be equally precarious:

'There is a very high percentage of contractors like me and I often feel we are more reluctant to report bad behaviour because of the client relationship and our contractor organisations not wanting us to "rock the boat".' – Contractor

'I was called names and abused by a co-worker. I made a written report but no action was taken. When I followed up, the supervisor he said to me, "Just forget about it because we need staff. I just wanted an apology but he said "forget about it".' – Contractor

'We did report [inappropriate behaviour] once. It went nowhere so now we don't report. We would like acknowledgement of our issues and an apology.' – Contractor

Similarly, the inherently precarious nature of contractor engagements and the perceived capacity for contractors to be removed from site at the 'whim' of a manager caused contractors to be fearful for their job security. As reported, *'Management protects Chevron employees and fires contractors who complain'*. This acts as a barrier to reporting as contractors do not want to be labelled 'troublemakers' and risk averse consequences such as the termination of their engagement or removal from site, ostracism or jeopardising their chance of securing direct employment with Chevron in the future.

'It is actually really, really hard to report these things. You feel like your job is going to be compromised, like the opinion of you will change, like you're making a big deal out of nothing, like people here don't actually think this happens because it hasn't happened to them, like everyone will know it was you and you will be ostracised.' – Contractor

Confusion regarding reporting processes

Throughout focus groups and interviews with contractors, Chevron Australia employees and supervisors alike expressed confusion about whether contractors would be able to report inappropriate behaviour to Chevron Australia using its processes or only to their employer under their employer's reporting process. This confusion was persistent, in spite of recent training ('Avenues to address workplace concerns') that Intersection was advised was delivered to the workforce to clarify reporting options. This confusion led to some victims not knowing or being at risk of receiving incorrect information about their rights and options for making reports, which may act as a barrier to reporting and potentially cause additional trauma.

4.12 The physical environment

With respect to safety, the Intersection team also considered the physical layout at operational sites of accommodation, recreation and dining facilities such as door security and lighting. While in our view, there are improvements that could be made, we did not consider that the facilities overall created significant risk. In addition, the facilities were not raised by employees or contractors in our discussions with the workforce as an issue contributing to safety risk. We note that the WA Inquiry recommended that standards be developed for the provision of facilities for the sector more broadly and that once these are developed, Chevron Australia undertake a separate assessment against the standards at that time. In the meanwhile, any additional measures or upgrades Chevron Australia decides to implement should be undertaken in consultation with the affected workforce, as appears to have been the case to date.

REPORTING



5.1 Introduction

Reporting has a significant impact on the experience and wellbeing of employees and on the broader culture of the workplace: both the processes and mechanisms for reporting and resolving complaints of inappropriate workplace behaviour and the way they are communicated and implemented.

Best practice approaches indicate that effective workplace reporting systems should be supportive, victim-centred, tailored for the workforce and flexible (in terms of levels of formality, confidentiality and response). Workers should be offered a range of:

- Reporting options (i.e. different avenues to make complaints to a range of different places and people, including anonymously)
- Resolution options (including options for early intervention and formal and informal resolution mechanisms).³³

By establishing best practice reporting and complainant handling processes, employers can encourage workers to report inappropriate behaviour when it occurs and respond to those reports in a way that minimises harm to victims and helps promote and maintain a culture of respect. Ultimately, an effective complaint-handling process can reduce the prevalence of inappropriate workplace behaviours overall.

This chapter considers:

- Chevron Australia's policies and mechanisms for reporting inappropriate behaviour and its approaches to responding to and resolving such complaints
- Participant experiences of reporting such behaviour in Chevron Australia workplaces
- Ways in which Chevron Australia can build on its existing policies and practices to provide a best practice, victim-centred approach to reporting and handling complaints of inappropriate workplace behaviour.

5.2 Policies

Intersection reviewed Chevron Australia's policies within the scope of this Review including in relation to bullying, harassment, discrimination, equal opportunity, and complaint handling.

Intersection considers that there is scope to provide greater clarity in Chevron Australia policy and procedure documents as to how Chevron Australia manages complaints of inappropriate behaviour.

Based on the information provided to Intersection, it appears that there is currently no document which employees and contractors can access that describes Chevron Australia's formal process for managing complaints or what practical steps a complainant might expect to be taken by the company (and by whom) if they make a formal complaint.

5.3 Reporting mechanisms

Best practice approaches to reporting indicate that employees should be provided with multiple, flexible avenues for reporting concerns about workplace behaviour including formal and informal options and anonymous reporting options.

Positively, Chevron Australia currently provides several different ways for people to report concerns about inappropriate workplace behaviour. Reports can be made through any of the following mechanisms:

- The Chevron Hotline
- The Security Incident reporting process
- Reporting to supervisors/managers, Contact Officers and HR.

Intersection notes that reporting mechanisms are only as useful as they are known and that emphasising the full range of reporting mechanisms to all workers is an important part of ensuring these options are available to the workforce.

It appears that information about all reporting mechanisms is made available to the workforce through various means. While multiple, reinforcing communications can assist in ensuring people are made aware of options, additionally, we recommend that a central location on the iWay, identifying all reporting mechanisms and providing an overview of what each involves, would be a valuable way to educate the workforce and ensure that they are able to understand all their options. This will maximise the prospect of individuals finding a reporting mechanism they are comfortable with and raising any concerns. Any training that refers to reporting mechanisms should contain a comprehensive list of all options and avenues available and this list should be consistent across all relevant training materials.

5.4 Chevron Australia reporting data

Intersection undertook a review and analysis of de-identified data of Chevron Australia complaints with respect to bullying, harassment and discrimination. That review and analysis, along with survey results and information gathered during focus groups and interviews, informs our findings in this area.

5.5 Experiences of reporting

5.5.1 How and when employees and contractors report

The rates of reporting inappropriate workplace behaviour at Chevron Australia are very low:

74% of employees who had experienced bullying, harassment or discrimination and 90% of employees who had experienced sexual harassment indicated that they did not file a report after the most recent incident.

Where employees did report inappropriate behaviour of any kind, they were **most likely to report it to their direct manager or supervisor**; 64% of reports about sexual harassment and 78% of reports about bullying, harassment (verbal or physical) or discrimination were made to employees' direct manager or supervisor. A further 19% of reports about sexual harassment were made to another manager or supervisor within the business.

Interestingly, the survey data showed that where employees chose to report inappropriate behaviour, they were far more likely to go to Human Resources with complaints about sexual harassment (56%) than they were about complaints of bullying, harassment or discrimination (21%).

For reports about sexual harassment, after an employee's direct manager or supervisor, the most common people to whom reports were made were Human Resources (56%) and co-workers or 'someone else' (25%).

For reports about bullying, harassment (verbal or physical) or discrimination, after an employee's direct manager or supervisor, the most common people to whom reports were made were senior leaders (26%) and Human Resources (21%). Reports were also made to co-workers (15%), the Chevron Ombuds (13%), the Chevron Hotline (1%) or somewhere else (9%).³⁴

In Australian workplaces, inappropriate workplace behaviour has historically been treated as a human resources issue and managed by Human Resources professionals, in collaboration with line managers. The survey data demonstrates that, within Chevron Australia, while Human Resources is one group to whom reports of inappropriate behaviour are often made, line managers and supervisors are in fact more likely to be the first port of call for employees who choose to report inappropriate workplace behaviour. In cases that involve bullying, harassment or discrimination (rather than sexual harassment), employees are far more likely to first report this behaviour to a manager or supervisor (78%) than to Human Resources (21%). Chevron Australia should ensure that all its managers and supervisors are adequately trained and supported to receive and respond appropriately to such reports and complaints in a way that minimises harm to victims.

5.5.2 Awareness of reporting policies and mechanisms

Most employees (90%) were aware of procedures for reporting, written policies and training on bullying, verbal or physical harassment and discrimination and 83% know their Contact Officer(s). More than four in five employees (82%) said they knew where to find the policies or procedure for bullying, verbal or physical harassment and discrimination.

While survey data indicated that employees knew there were policies and procedures that addressed inappropriate workplace behaviour and where to find them, feedback provided by employees in interviews and focus groups showed that people's understanding of the scope of such policies and specifics of processes that applied to resolve complaints was limited.

Lack of awareness of the Chevron Hotline as a reporting mechanism

In discussing mechanisms for making complaints, few participants mentioned the Hotline. One employee noted that while they were aware that inappropriate behaviour could be reported via the Hotline, *'I don't believe people know about the global reporting hotline for serious events anymore'*.

Another employee said that they were aware of a situation in which using the Hotline had been effective in prompting action and investigation of bullying:

'I unfortunately witnessed the bullying of several high-performing colleagues for over a year in 2020 and 2021. A number of those being bullied raised the issue with the individual's manager a number of times; however, it was only when an anonymous hotline complaint was made that a formal investigation took place which found the allegations to be substantiated.'

– Employee

This was consistent with Survey results, where no one who reported experiencing sexual harassment said they had reported it via the Hotline, and only 1% of those who said they had experienced bullying, harassment or discrimination said that they had reported it via the Hotline.

Lack of awareness of the role of Grievance Officer/Employee Relations Specialist

Intersection was advised that the title 'Grievance Officer' is no longer used within Chevron Australia and that the role has changed to 'Employee Relations (ER) Specialist'.

Intersection's understanding was that people were unclear that the role of Grievance Officer had changed to ER Specialist and unclear about what the role involved. This suggests there is scope to provide further communication and education to the workforce about the role.

Intersection was advised that there is a single Grievance Officer/ER Specialist for the whole of Chevron Australia. While the role of Grievance Officer was identified in Chevron Australia's written submission to the WA Inquiry as one 'reporting mechanism' for inappropriate behaviour and the role was described on page 5 of that submission, Intersection notes that the role is not referred to in other Chevron Australia materials provided that deal with mechanisms for reporting inappropriate behaviour. For example, the 'Avenues to address workplace concerns' PowerPoint presentation does not refer to a Grievance Officer or ER Specialist nor identifies them as the person to whom reports can be made (although there is a reference to 'HR Business Partner').

Intersection was not provided with any documents that are available to the workforce that either explain the role of the Grievance Officer/ER Specialist in relation to the receipt and management of inappropriate behaviour complaints or identify who the Grievance Officer/ER Specialist is.

Of the materials provided to Intersection during this Review, the *ABU Grievance Management Process Map* (Grievance Process Map) appears to be the key document that addresses this role. Intersection was advised that the Grievance Process Map is an internal document, used only by the Chevron Australia HR and Legal Teams. While the Grievance Process Map does not refer to the Grievance Officer or ER Specialist, it does refer to the role of 'HR Representative – ER' and sets out the tasks that role is responsible for carrying out.

Considering participant feedback and a review of relevant materials, Chevron Australia should consider providing greater clarity to the workforce about the role of the ER Specialist, ensuring a consistent use of the role and title.

Based on the information set out in the Grievance Process Map, the person or people in this position play a critical role in managing complaints of inappropriate behaviour in Chevron Australia workplaces. Feedback provided by employees and contractors suggests that they do not understand this and it is important that they do.

Chevron Australia should also clarify with the workforce the action that the ER Specialist may take when they receive a complaint, including an outline of key steps and considerations. This will be particularly useful to ensure greater transparency about who manages complaints and how complaints are managed and address the concern expressed by the workforce that they are unsure what process applies once a complaint has been made. Demystifying this process will ensure complainants have a better understanding of what they can expect if they make a complaint. This, in turn, may assist in improving confidence in the process and encourage more people to feel comfortable in raising their concerns.

5.6 Barriers to reporting

This section examines the barriers which participants in the Review identified as preventing them from reporting inappropriate workplace behaviour in Chevron Australia workplaces.

5.6.1 Reasons for not reporting

Employees shared valuable information with Intersection through the survey about *why* they did not report or seek support in relation to inappropriate behaviour they had experienced. The reasons given varied, depending on the type of inappropriate behaviour experienced.

The top three reasons employees gave for not reporting or seeking support in relation to inappropriate behaviour are shown in the following table.

Table 1: Top 3 reasons given by Chevron Australia employees for not reporting or seeking support in relation to inappropriate behaviour

Behaviour:

sexual harassment

- I didn't think it was serious enough (43%)
- I thought people would think I was overreacting (30%)
- I took care of the problem myself (25%).

Behaviour:

bullying, harassment or discrimination

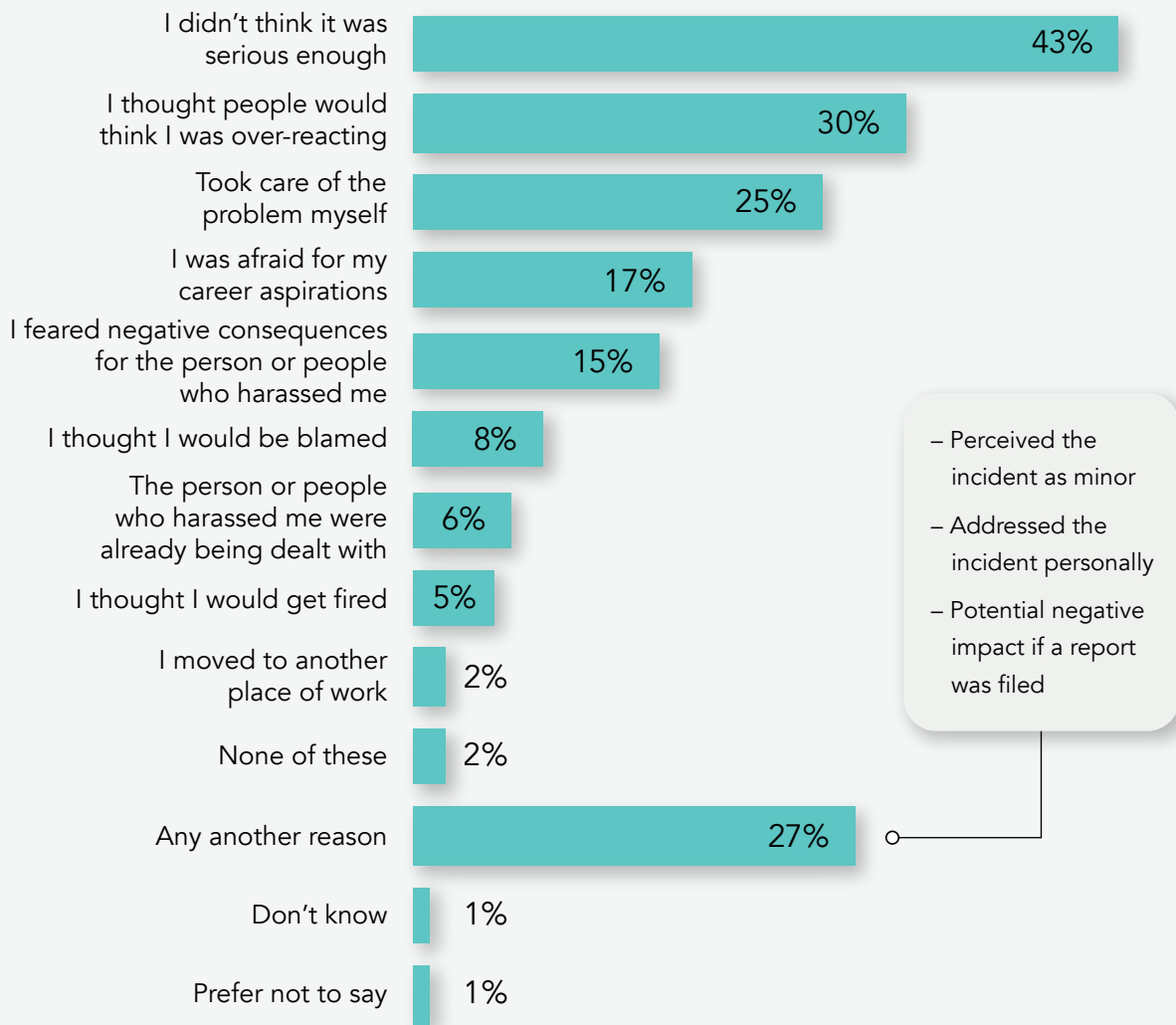
- I feared negative consequences as a result for myself (47%)
- It was easier to keep quiet (38%)
- I thought it would not change things or nothing would be done (36%) – or I thought my reputation or career would be damaged (36%).

Many of the reasons given by Chevron Australia employees for not reporting or seeking support are broadly consistent with those expressed by victims across Australian workplaces.



Reasons for not reporting or seeking advice

n=119



Q11c. And which, if any, of the following are reasons why you did not make a report or complaint in relation to the most recent incident of sexual harassment? (Mark all that apply) n=119

Reporting is 'hard' and processes are complex and time consuming for complainants

Contractors and employees noted that making a complaint could be a personally and emotionally difficult and time-consuming process for complainants. As one contractor put it, *'Reporting is hard – really hard'*.

Others spoke about the complexity of the process, saying *'there's nothing easy about it'*. One employee said they had decided not to report bullying that they had experienced because they felt the reporting process was particularly demanding, saying *'it will take much energy and time from me'*.

Confusion and inconsistency

A key theme that emerged from discussions with participants was that there was a lack of clarity and consistency (at all levels within Chevron Australia) about complaint processes.

This included confusion about what processes applied and inconsistency in the way complaints were managed. Employees and contractors alike expressed confusion around whether contractors should use the Chevron Australia complaint process or their employer's complaint process to report inappropriate behaviour.

Contractors and employees repeatedly told us that contractors were required to report any inappropriate behaviour to their own employer, under their employer's complaint process.

In contrast, some employees were adamant that contractors should use Chevron Australia's processes to make complaints about incidents that occurred in Chevron Australia workplaces or where a perpetrator was a Chevron Australia employee.

One employee described the advice they had received from Chevron Australia's HR:

'We can't do much for contractors. They need to use their own process. He has to go through his HR and they do something. But he was worried about going to his employer because he was afraid he would lose his job. He did not make a complaint and I felt like I let him down.'
– Employee

The degree of confusion about whether Chevron Australia processes apply to complaints made by contractors leads to uncertainty and, in turn, unnecessary stress for workplace participants who are making, receiving and advising others about such complaints. In addition, given the evidence that this confusion is present in managerial and HR cohorts, it also gives rise to a high risk of inconsistent messaging about the processes for handling and inconsistent handling of complaints made by contractors.

Another key theme that emerged from feedback from participants was the lack of consistency in how inappropriate behaviour was dealt with across the business. There was a strong sense that the way in which complaints were managed varied, depending upon who was responsible for managing them.

One employee said that they had observed situations in which senior managers had protected perpetrators who they were friends with and failed to take prompt action to address their bullying behaviour:

'There is also evidence of where senior managers protect or do not take prompt active measures to rectify bullying where friendships exist in the workplace. I have witnessed this behaviour firsthand and in the last one to two years'. – Employee

Another employee noted that there was inconsistency in the way the company responded to sexual harassment complaints based on the nature of the behaviour in question with more proactive responses being reserved for behaviours that blatantly breached company policy and less proactive responses being taken in relation to sexual harassment that was more subtle:

'Inappropriate behaviours are responded to best when "blatant" not "borderline" or "grey". I have been involved with colleagues [exposed to] blatantly poor behaviour and I've been satisfied with the action that has been taken. Similarly, I've had colleagues who've been exposed to more borderline behaviour and I'd like to see more proactive responses from management'. – Employee

5.6.2 Confidentiality and communication

Concerns about confidentiality/anonymity of complaint processes

Many participants voiced concern about the lack of confidentiality associated with the complaint process. There was a strong theme that lack of confidentiality was a barrier to reporting.

Comments such as *'As much as you want it to be anonymous – it gets out there'* – Supervisor and *'When a confidential incident happens, it's not confidential: everyone talks about it'* – Employee were indicative of the views of many participants.

For some, concerns about lack of confidentiality arose out of circumstances particular to their position, with those in small teams observing that maintaining confidentiality was particularly problematic. One employee said: *'I don't believe my identity could be protected, with small teams and if it is only happening to one person, it will be easy for the bully to work out who has reported them.'*

One employee said there was a lack of trust that systems used to report or provide anonymous feedback were truly anonymous: *'Demonstrate that our internal feedback tool in workday is truly anonymous. Nobody believes it'*.

Lack of communication and inappropriate communication during and after the complaint process

There was significant criticism about the lack of communication provided both to complainants and to managers/supervisors of complainants once complaints had been made and during the complaint process.

Many participants said once they had made complaints, they felt that those complaints went into a vortex and there was little or no communication to them about if or how the complaints were being managed. For example, one supervisor recalled:

'After making a complaint, no one ever came back to me, no one checked in on me to see if I was ok, no one communicated the outcomes of my complaint to me, if there were outcomes – it was just never spoken of again'.

Several employee complainants described how this lack of communication, about complaint status, process and outcomes, led to additional stress and uncertainty for them, left them feeling unsupported and undermined their confidence in the complaints process and the company's ability to resolve their concerns effectively:

'Complainants are not advised on progress and are left hanging. I think there is a lot more the company could do to support them. I think in parallel to any investigation process, there should be a process to proactively support complainants, including communication and recognition from senior management. Even a thank you for coming forward.' – Employee

Another employee observed:

'HR need to share with the victims something of what the outcome is so that it gives people the confidence to come forward'.

While lack of communication was a common concern raised by participants who had made complaints, where participants *had* received communication during or after making a complaint, the appropriateness and nature of that communication was also of concern to some participants. One employee described the communication from HR after making inquiries about the status of their sexual harassment complaint. They felt it was unsupportive and noted they were not thanked for raising the issue. The response was not drafted in a victim-centred, trauma-informed supportive manner and represented a missed opportunity to support the employee making the report. Indeed, they believed it caused further harm.

One employee was critical of the fact that no feedback of any kind was given to the team after an incident had occurred between their colleagues and a complaint made. This issue was also highlighted by a supervisor, who described being unable to find out what had happened in relation to the incident that occurred between members of his team, which he believed involved sexual harassment. He said that, as far as he was aware, there had been no investigation of the incident, but the complainant had been moved out of his team, without him receiving any explanation or communication about this. He noted that, if there was a problem in his team, he wanted to know about it.

These observations suggests that, while the confidentiality of parties must be respected and the primary focus of a complaint must be on those involved in it, it can also be important to consider and manage any impacts on the broader team in which the incident has occurred and communicate appropriately with those who, while not directly involved in the complaint, are nonetheless 'touched' by it or its consequences.

5.6.3 The role of gender, power and hierarchy

It was evident that the role or seniority of a perpetrator also influenced some participants' decisions not to report inappropriate conduct.

Many employees noted that where a perpetrator held a senior role in the company or was their manager or supervisor, this was a deterrent to reporting.

Some employees simply noted that the reason they chose not to report inappropriate conduct was because of the perpetrator's role or seniority:

'I was afraid being told, "it's cultural differences". And the person is more senior and higher up.' – Employee

'The person being inappropriate was my supervisor.' – Employee

Others added that there was a perception that perpetrators who held senior roles or were well-liked or viewed as operationally valuable were 'protected' by the company. Their inappropriate behaviour was tolerated or excused and Chevron Australia was unlikely to take action to address their misconduct, leading to people considering reporting their misconduct as futile.

A small number of employees indicated that where a perpetrator of inappropriate behaviour was female, this could influence their decision as to whether to report the behaviour. Some employees noted it was futile to report inappropriate behaviour perpetrated by women, because it was not taken seriously, particularly when the victim was male. For example, one male employee indicated that he did not report sexual harassment by a female colleague as *'it would have not been taken seriously.'*

Employees also commented on the intersection of gender and seniority and the impact this had on people's preparedness to report bullying behaviour, noting that misconduct by senior women was at times tolerated or ignored in Chevron Australia workplaces. One employee described senior women working at Chevron Australia as *'untouchable'* and noted that people would not report their misconduct because of this and a sense that it was pointless to do so. Another male employee observed: *'A [problematic] female in leadership is absolutely protected. No one will discipline those behaviours.'*

In addition, some participants referred to the gender of those available to receive complaints in Chevron Australia workplaces, observing that at some sites and in some teams, there was a lack of women who could receive complaints and this could create additional challenges and act as a further barrier to reporting for some women. This would particularly be the case in relation to matters involving sexual harassment, where some women feel more comfortable discussing this with a female rather than a male colleague or supervisor/manager. As one employee put it: *'The reporting process is not easy [for women]. There are no women supervisors or contact officers. I have had female apprentices come to me and I wonder "what do I do?".'*

5.6.4 The role of leadership and HR

Both employees and contractors relayed their experiences of leaders and people managers including Persons in Charge (PICs), managers, superintendents, supervisors and HR officers failing to take any action in response to complaints of inappropriate behaviour.

'I know of a woman who reported something to a superintendent and nothing happened ... They were forced to keep working with the person.' – Employee

'Most of the people I work with believe that supervisor and HR complaints don't lead anywhere.' – Employee

Participants said that where leaders and HR failed to take any action in response to complaints, it meant that inappropriate behaviour went unchecked and others in the workplace continued to be exposed to the risk of ongoing harm from these perpetrators. It also undermined their confidence in the company's complaint processes and its commitment to maintaining a safe, respectful and inclusive workplace.

Some employees referred to repeat offenders or perpetrators whose bad behaviour was known to the company but tolerated with no action taken by leaders or HR to address it. One employee observed in relation to a supervisor that, *'Several other women have left Chevron because of this individual; however, they continue to get promoted.'*

Many participants said that in their experience, when complaints of inappropriate behaviour were made, the company's response was often to simply 'move' the perpetrator away from the complainant/s to an alternative role, site or shift, rather than dealing with the perpetrator's inappropriate behaviour directly.

Participants expressed concern and disappointment with this approach and felt it undermined the company's stated 'zero tolerance' position on inappropriate behaviour. The sense was that moving the perpetrator may be considered a quick and easy way to resolve a complaint at a local level but, from a company-wide perspective, was not an effective way to manage inappropriate behaviour.

'The person was a senior manager who had prior complaints which were not dealt with. He was just shifted to another area and promoted.' – Employee

'We don't manage bad actors well. They are moved around and then bad behaviour re-emerges. This is true of bullying in particular.' – Supervisor

Further, it led some to feel that reporting such behaviour was 'pointless' because it was not actively or directly addressed and, when the perpetrator was moved, this simply allowed them to continue their bad behaviour in another location or towards other workers.

'Instead of trying to fix that [incident of sexual harassment], they said, "we will take you out". [The woman involved] did not want to move on, she did like it here and she wanted to stay. But leadership's solution was to move her out of the situation.' – Employee

It was observed by many that this could cause detriment to the complainant's career and financial position and was viewed as unfair:

'Removing a person that has been sexually harassed from a site role has a negative financial impact, when the perpetrator may be allowed to remain again only highlighting the power imbalance and vulnerability of the victim.' – Employee

Consistent with adopting a victim-centred approach to complaint management that minimises harm to victims, Intersection recommends that Chevron Australia take steps to ensure that all supervisors/managers, leaders and HR team members understand that even if a decision to move a complainant in response to them making a complaint of inappropriate behaviour is motivated by a 'good intention' to protect them, by removing them from the perpetrator's workplace:

- Any unilateral decision to move a complainant from their role or vary their duties may amount to unlawful victimisation
- Such decisions should only be made in exceptional circumstances and respecting the victim's agency
- Doing so may not only result in harm to the victim, but also constitute a breach of Chevron Australia's legal obligations to anti-discrimination and industrial laws and company policy.

5.7 Effectiveness

5.7.1 Satisfaction with the complaint process

Positive experiences

Some participants shared positive experiences of reporting inappropriate behaviour at Chevron Australia. Several participants who had reported inappropriate behaviour, either to a manager/supervisor or to Human Resources, said that they were satisfied with both how the situation was managed and the outcome.

'Although I experienced bullying at work, my manager at the time dealt with this very quickly and I felt totally supported.' – Employee

'Chevron took action and handled the situation appropriately. I feel safe and supported in the workplace and know if there is an issue that requires action, the appropriate steps will be taken to resolve the issue either by training and education or disciplinary actions.'
– Employee

Several employees spoke positively about the specific outcomes of their complaints, including perpetrators (employees and contractors) being dismissed from their employment or removed from site and receiving a personal apology from a perpetrator.

While these positive experiences did not reflect the experiences of most participants who made complaints, it is important to acknowledge that there are good examples of complaints being managed effectively by Chevron Australia employees and complainants being satisfied with their experience in making and resolving complaints.

Negative experiences

Due to the very low number of victims who indicated that they had made a formal report following an experience of inappropriate workplace behaviour, the survey data regarding complainant experiences can only be considered anecdotal. However, as noted above, most employees who made formal complaints indicated dissatisfaction with the complaint process. This was evidenced by the numerous descriptions given by participants (in interviews, focus groups and the survey) of their negative experiences of making complaints and their criticisms of various aspects of the complaint process as detailed above.

5.7.2 Contact Officers

Most employees are aware of the existence of Contact Officers in Chevron Australia workplaces; however, feedback suggests that Contact Officers are currently underutilised and some participants expressed concerns about their efficacy and appointment.

Underutilisation of Contact Officers

The Contact Officers that Intersection spoke with indicated that they were not called on frequently to carry out their role. One Contact Officer only had one person ask to make a formal complaint in the 18 months they had been in the role. Another reported being contacted a lot during the workforce review but not much outside that time.

This was consistent with survey data which revealed that, of the participants who reported experiencing inappropriate behaviour, none said they had reported this to a Contact Officer and only 3% of those who experienced bullying, harassment or discrimination said they had sought support from a Contact Officer.

Intersection notes that, currently, the majority of Contact Officers are male and that, at Gorgon, all but one Contact Officer are men. This may act as a barrier to women seeking support if they prefer to discuss concerns with a female Contact Officer.

Concerns about the efficacy and suitability of Contact Officers

Several participants raised concerns about the process by which individuals were selected for appointment as Contact Officers and indicated that some were not suitable to hold the role:

'[There needs to be] a review of contact officers throughout the organisation. There is no vetting process for those in the role and no feedback mechanism on their suitability by the broader workforce. I have previously witnessed bullies be put into Contact Officer positions during my time in Chevron.' – Employee

'Our contact officers are mostly ineffective. Change it up! The person who repeatedly touched me when I did not want to be [touched] was a Contact Officer.' – Employee

Intersection was advised that while Contact Officers received training for the role, the processes used to select and appoint them could be strengthened to ensure that individuals are suitable for the role.

5.7.3 The Ombuds

The role of the Ombuds, a confidential service to provide support to employees, was not well understood by those we spoke to, evidenced by two key concerns identified by participants about raising concerns or complaints with the Ombuds:

- A concern that there was little point reporting to the Ombuds, as they did not or could not take any meaningful action in response to address complaints and/or did not follow through on concerns raised.

Employees gave several examples, including referring to the fact that the Ombuds had visited site *'because of poor Pulse [survey] results'* and conducted interviews with staff about this, but that there had been no further action in the six months since, saying *'There was no response back, no feedback.'* Another employee noted *'Ombuds is a shoulder to cry on with no real authority to act on failures of management to follow the rules.'*

- A concern that any reports made to the Ombuds may not be truly confidential and this acted as a barrier to using the Ombuds to seek support. As one employee put it, *'I've heard it's the end of your career if you raise an issue ... with Ombuds'*.

5.7.4 Need for informal options

Several employees observed that they themselves or victims who had shared experiences of inappropriate behaviour with them were reluctant to use the formal complaint mechanisms in place at Chevron Australia.

This reluctance to use existing formal complaint mechanisms is evident in the low number of complaints received by the company and survey data that shows few employees report inappropriate behaviour that they have experienced.

Some employees and contractors felt that there were limited options for resolving issues about inappropriate behaviour. Some contractors said that when they experienced bad behaviour, their employers told them their only options were to make a formal complaint or *'forget about it'*.

Both employees and contractors indicated that they would like to see the company offer a wider range of complaint resolution options, particularly informal resolution options or processes, such as mediation or facilitated discussions:

'I was given a choice [by employer] to action it and make it an issue [formal complaint] but is it worth bringing it up to that standard? There was no in-between. I would have liked a mediator who is neutral and for there to be an outcome and closure.' – Contractor

'It happens frequently that people come to us to tell us about their experiences but then ask us not to do anything or make it formal but that information that they do tell us isn't captured anywhere. There is nowhere to capture this.' – Employee

A best practice, victim-centred approach to complaint management requires organisations to provide options for a range of mechanisms for reporting of complaints, including informal and anonymous reporting avenues, and for informal and early resolution of complaints *alongside* formal resolution options, allowing complainants some choice in the mechanism used to make and resolve their complaints.³⁵

The *Respect@Work* report recommended that informal and early intervention options for resolving complaints be considered to provide for a range of different interventions and resolution options, which provide victims greater choice in how their complaints are resolved and give employers a range of more nuanced responses to deploy, beyond the limited responses available under formal investigation processes.

While Chevron Australia does not offer any informal resolution options as part of its complaint handling process in policy documentation, Intersection recognises the possibility that these types of informal resolution options may be offered and utilised by the company on an ad hoc basis to resolve complaints, notwithstanding that they are not referred to in policy.

Intersection considers this to be a gap in Chevron Australia's existing complaint resolution system and sees significant benefit in the company revising its approach to introduce informal resolution options. Intersection recommends that Chevron Australia prioritise the consideration and introduction of informal complaint resolution options for its workforce. A range of different models are available for informal complaint resolution and may include mechanisms such as:

- **Direct resolution** – where the victim, if comfortable to do so, is supported to approach the perpetrator themselves and have a direct conversation about their concerns and seek to resolve the matter. Such approaches are typically considered appropriate in relation to concerns and complaints that involve one-off incidents of inappropriate behaviour (as opposed to a pattern of repeated inappropriate behaviour), where the behaviour is not egregious, where there is not a significant power imbalance between the individuals, and where the victim feels safe and comfortable to approach the perpetrator directly. Mechanisms may be established to provide support to the victim in advance of the discussion (e.g. assistance to plan what they will say and to practise and role play the discussion).
- **Assisted resolution** – where a third party, such as a Contact Officer or HR team member, assists the victim to have a discussion with the perpetrator to explain and seek to resolve their concern. The third party may be present at the discussion to lend support or may take a more active role – e.g. facilitating a mediated discussion between the individuals.
- **Mediation/conciliation** – where a company or external mediator or conciliator is appointed to engage with the victim and perpetrator and conduct a mediation/conciliation to seek to resolve the complaint.

Intersection also recommends that Chevron Australia consider introducing practical early intervention options to allow for 'low-key' intervention to identify and address inappropriate behaviour at the earliest opportunity before it escalates to become more serious or repeated.

It is important that Chevron Australia take time to explore different models available and, ideally after consultation with the workforce and relevant stakeholders, determine which one (or which combination of models) is most appropriate for the company.

Once any informal complaint resolution or early intervention model has been chosen and designed, Chevron Australia will need to ensure that appropriate communication and education and training are provided to:

- All members of the workforce about the new model (including who can use it, what it involves and who is responsible for facilitating or administering it)
- Those charged with responsibility for implementing and facilitating or 'running' the process (e.g. HR team members, PICs, senior leaders)

Depending on the model chosen and the parties involved in different stages of any informal resolution or early intervention process, it may be necessary to design and deliver different training programs for different cohorts, to ensure each cohort is provided with the necessary skills and understanding to play their part in the process effectively and in a victim-centred, trauma-informed manner.

For example, as one of the key groups receiving complaints, supervisors and managers may need to be trained on 'triaging' complaints. This may include new training or building on existing training on how to receive and respond to complaints, on the resolution options available to complainants and to whom to refer complaints depending on the resolution option chosen by each complainant. If HR is then charged with the responsibility for facilitating an informal resolution process or processes then relevant HR team members will require specific training on how to do so (e.g. training on how to support an employee to have a respectful, assertive conversation to directly resolve a concern with a colleague or how to conduct a mediated discussion between a complaint and respondent).

5.8 Support mechanisms

5.8.1 How and when employees and contractors seek support

In addition to rarely reporting inappropriate behaviour, most Chevron Australia employees also indicated that they did not seek any form of support or advice about the most recent incident of inappropriate behaviour they had experienced.

Only 28% of victims of bullying, harassment (verbal or physical) or discrimination and only 17% of victims of sexual harassment said they sought any support or advice about their most recent experience of inappropriate behaviour.

Where employees did seek support or advice in relation to sexual harassment, they were most likely to do so from a peer (57%), friends or family (35%) or a senior leader (30%). Where employees sought advice or support about other forms of inappropriate behaviour, they were most likely to do so from friends or family (56%), a peer (42%) or their direct manager or supervisor (39%).

5.8.2 Barriers

The reasons given by participants for not seeking support in relation to incidents of inappropriate behaviour were often the same as the reasons they gave for not reporting such incidents, including fear, a sense that it was not necessary and that it was 'not worth it'.

5.8.3 Effectiveness

Several participants indicated that there was an opportunity for Chevron Australia to provide more and better support to complainants during the complaint process, such as responsible managers/supervisors or HR simply 'checking in' with complainants at appropriate intervals when their complaint was being investigated, to identify any wellbeing or other issues.

'A comment about the process: once a formal investigation commences, there is no formal mechanism to check back in on the victim, to see how they are faring, nor is there any advice on the outcome of the investigation.' – Employee

5.9 Next Steps

5.9.1 Anonymous reporting

Providing anonymous reporting mechanisms in workplaces is recognised as an important way to encourage workers to raise concerns about inappropriate behaviour and can be one way to counter low rates of formal reporting associated with such behaviour, by allowing workers to make reports without fear of victimisation.³⁶ Anonymous reporting can allow employers to gather valuable data on 'problem areas' within a business, which may not otherwise be apparent due to people's reluctance to come forward with formal reports.

While there are clear limitations on the ability to formally investigate or take disciplinary action in response to matters raised by anonymous complaints – due to considerations of procedural fairness – there are nonetheless preventative and responsive actions that an employer can take in response to anonymous complaints which make them a valuable tool to prevent and respond to inappropriate workplace behaviour.³⁷

In recent years a diverse range of Australian organisations including universities (for example, see the University of Melbourne's recently launched 'Speak Safely' platform³⁸ which is accessible online and designed to allow for anonymous reporting of sexual misconduct), Commonwealth Parliamentary workplaces³⁹ and the NSW legal professional body (Office of the Legal Services Commissioner)⁴⁰ have introduced or refined the anonymous reporting channels available to employees in an effort to encourage reporting of inappropriate workplace behaviour and better understand and address these types of behaviour.

As noted above, Chevron Australia currently has an anonymous reporting mechanism available to the workforce in the form of the Chevron Hotline; however, there is little uptake and/or trust in this.

Intersection also notes the observation made in the WA Inquiry report that for large organisations, it may be reasonable and appropriate to consider providing specific anonymous reporting mechanisms for sexual misconduct, in addition to general, anonymous reporting and whistle-blower hotline services provided to report unethical or problematic behaviour.⁴¹

Intersection suggests that, as an interim and immediate measure, Chevron Australia consider engaging in additional efforts to:

- Publicise the existence and operation of its existing anonymous reporting mechanism (the Chevron Hotline) and anonymous support mechanism (the Ombuds) with the workforce
- Assure the workforce of the anonymity of these existing mechanisms, providing clear and specific explanations of how reports made through them are kept anonymous (if there are any circumstances in which anonymity may not be maintained and assured, these should also be identified).

Further, Chevron Australia should consider whether there is benefit in introducing alternative mechanisms to the existing Hotline, designed specifically for anonymous reporting of inappropriate workplace behaviour. An example the secure and encrypted app-based and online reporting platforms which have been adopted with success by professional regulators and in the corporate and educational sectors.

Intersection suggests that Chevron Australia also review the way that anonymous reports received via other channels (e.g. anonymous reports made to HR or supervisors/leaders) are dealt with and consider if any additional efforts are required to ensure a best practice approach is adopted in relation to such reports.

There is a general misconception, particularly among HR and legal officers in organisations, that anonymous reports cannot be actioned.⁴² This is not the case. Action is possible and a best practice approach to prevention and response demands it. While formal investigation may not be possible, there are several other options for action and response to anonymous complaints that may be available and should be considered by organisations. Appropriate education should be provided to HR, legal and other individuals responsible for managing anonymous complaints to ensure they are familiar with and understand them.

The types of action available may include monitoring or surveying areas or teams identified in anonymous complaints to obtain further information about issues; changing work protocols or operational matters to reduce or avoid risks identified in anonymous complaints; targeted education and training for workers in areas about which anonymous complaints are made to reinforce messages around acceptable standards of behaviour; and, if possible and where appropriate, conducting enquiries with parties identified in the anonymous complaint to explore whether further information is available to assist in addressing issues raised.⁴³

5.9.2 External reporting avenues and options

Intersection notes that it is best practice is to identify available external reporting options for the workforce, in addition to any internal/company-provided reporting channels. The presentation materials provided to Intersection for 'Be an Upstander' and 'Avenues to address workplace concerns' do not refer to any external avenues to raise complaints, nor does Policy 277.

Intersection recommends relevant training materials and policy and information documents be revised to identify external reporting channels that may be available to the workforce (e.g. the Fair Work Commission, federal and WA human rights commissions, WorkSafe, and the WA Police for criminal conduct).

5.9.3 Other reporting considerations

Intersection was advised that Chevron Corporation is currently considering the possibility of outsourcing the handling of inappropriate behaviour complaints made by Chevron Australia employees to a team based in the region, under a shared services model for the region.

Intersection has not been provided with any details regarding the outsourcing arrangements under consideration but notes, however, that given the complexity of the legal and regulatory environment that applies in Australia, this may cause the company additional risk if not managed appropriately.

Best practice approaches to complaint handling require victim-centred, trauma-informed responses, handled by individuals with specialist expertise in these matters, and close and regular careful communication between those making and those handling complaints.

Intersection cautions that, subject to the specific outsourcing arrangements agreed, it may not be possible to achieve a best practice approach using the outsourcing model currently under consideration.

Reporting obligations under workplace safety laws

The recent WA Inquiry considered the obligations that employers – or Persons Conducting a Business Undertaking (PCBUs) in the resources industry – have under work health and safety laws to report incidents of workplace sexual misconduct to the Department of Mines, Industry Regulation and Safety (DMIRS). The Inquiry concluded that it was unclear how WA's recently updated work health and safety framework would deal, in practice, with incidents of sexual harassment as reportable injuries or accidents; that the current reporting threshold imposed under these laws was not fit for purpose in relation to sexual harassment;⁴⁴ and that it was too soon to tell if recent Codes of Practice and Conduct and other measures introduced to address sexual harassment in resources industry workplaces are sufficient or positive.⁴⁵ While these findings were made in relation to workplace sexual harassment and sexual assault specifically, these observations apply equally in relation to the reporting to DMIRS of incidents, injuries and accidents arising from other forms of inappropriate workplace behaviour.

Chevron Australia gave evidence to the WA Inquiry that, in the preceding five years, it had not reported any incidents involving substantiated cases of sexual harassment to DMIRS under the workplace health and safety reporting obligations that applied at the time and that there was limited guidance from the regulator to assist it to understand when to make such reports.⁴⁶ Intersection understands that new Codes of Practice were issued under the *Occupational Health and Safety Act 1984 (WA)* in July 2022.⁴⁷

Given the attention that the WA Inquiry brought to reporting and the increasing work by safety regulators across Australia to address reporting challenges, it seems likely that reporting will continue to be subject to discussion and that further clarification is likely of reporting obligations and how to comply with them in relation to incidents of inappropriate workplace behaviour that gives rise to psychosocial risk or harm. It will be important for Chevron Australia to continue to monitor any future developments that occur in relation to these reporting obligations.

Intersection recommends that Chevron Australia continue discussions with industry and seek further advice on its reporting obligations, to ensure that it is meeting them and that any reporting data is analysed and used to the greatest effect by the company to inform its prevention and response efforts.

Intersection notes that, consistent with the findings made in *Respect@Work*, regular, transparent industry-based reporting of the prevalence and nature of inappropriate workplace behaviour is an important tool that can assist industry participants to better prevent and respond to inappropriate behaviour.

5.9.4 Transparency and reporting on inappropriate behaviour

Transparency has been identified as a critical component of a best practice approach to prevention and response to inappropriate workplace behaviour. Other than in the recent data reported to the WA Inquiry, there is currently no regular reporting (using appropriately aggregated, de-identified data) to the workforce of reports of inappropriate behaviour at Chevron Australia workplaces, nor of the steps and initiatives that Chevron Australia is taking to prevent and respond to inappropriate behaviour. Intersection is unclear whether, or with what regularity, reporting on these matters is provided to the Chevron Australia Leadership Team.

5.9.5 Reporting to the workforce

Since the *Respect@Work* report encouraged workplaces to demonstrate greater transparency in their communication with their workforce about sexual misconduct and, importantly, to measure prevalence and progress over time, Intersection has observed a trend in organisations increasingly being more transparent and explicit with their workforce about what they are doing in this space.

For example, the University of Melbourne has adopted a practice of issuing an annual report on sexual misconduct, which reports on the number of cases and outcomes of those cases and prevention and response initiatives carried out across the university.

In order to establish a best practice approach to transparency and reporting of incidence and responses to inappropriate behaviour, Intersection recommends that Chevron Australia give further consideration to ways in which it can regularly report back to the workforce and to other stakeholders and potentially the broader public about the steps it is taking to prevent and respond to inappropriate behaviour and to continue to report over time on this and prevalence rates.

Intersection recommends that, to ensure a best practice, preventative approach to inappropriate workplace behaviour, Chevron Australia:

- Share the findings of this report with the workforce
- Thereafter share de-identified reports on complaints data and prevalence rates and prevention and response initiatives, at regular intervals with the workforce. For example, simple, regular reports could be issued to staff via pre-starts, email or published on the iWay, detailing the number of complaints received by the company over the relevant period in relation to each type of inappropriate behaviour, a description of the types of actions that were taken in response to substantiated complaints, and metrics on the average time taken to resolve complaints.

5.9.6 Reporting to the Leadership Team

Intersection also recommends that Chevron Australia review and consider the way in which inappropriate behaviour and workplace culture are reported to and considered by the Leadership Team at a governance level, as a critical non-financial risk.

This was a key matter addressed in the findings of Australia's Banking Royal Commission,⁴⁸ where the critical role of the board in establishing a healthy workplace culture and addressing aberrant workplace behaviours was recognised.

The Australian Human Rights Commission's recent *'Equality across the board'* report⁴⁹ recommends that boards *'take primary responsibility and accountability for ensuring the company has in place a governance framework for sexual harassment and for monitoring performance against this framework across the organisation. The board should also clearly identify the information it expects to receive in monitoring performance, including information to assess how effective the organisation's systems are in preventing, as well as responding to, sexual harassment.'*⁵⁰

Recommendations were made about the need to use transparency to drive workplace culture and behaviour, and a best practice approach requiring regular collection and reporting to the board of information to measure and track the effectiveness of systems and frameworks to prevent and manage inappropriate behaviour.⁵¹

In line with these best practice recommendations, Intersection recommends that Chevron Australia review the following and, where necessary, take steps to ensure they are addressed and implemented by the Leadership Team and with leaders across remote sites:

- Reporting on inappropriate behaviour be included as a standing item on the Leadership Team meeting agenda. This should include details of complaints received in the last period, details of investigation, time taken to resolve, actions and outcomes for both formal and informal/anonymous reporting processes and could also include relevant information on prevention and response initiatives for example, findings and recommendations of this report and numbers attending 'Be an Upstander' trainings.
- To ensure these issues are prioritised across senior leadership levels at all Chevron Australia workplaces, PICs at each remote site should be briefed regularly and confidentially, either verbally or in writing, on complaint data for their site to manage risk. Note that this should not occur where the specifics of the case make it inappropriate to do so. For example, where a particular leader is the subject of or involved in a complaint, they should not be briefed on it.

CONCLUSION



This Review has established the prevalence, nature and impact of bullying, harassment (physical, verbal and sexual) and discrimination at Chevron Australia workplaces and barriers to reporting these behaviours. It provides an important benchmark against which to measure future action and change. Key to ensuring that Chevron Australia is as safe, respectful and inclusive as it can be is addressing the risks that contribute to bullying, harassment and discrimination identified in this report. Our recommendations and suggested actions set out a plan for making these changes.

This Review has found that bullying is the most prevalent inappropriate workplace behaviour, with 47% of employees having experienced bullying in the past 5 years. Concerningly, reporting rates of inappropriate behaviour are very low, with only a quarter of people choosing to report their experience of bullying, discrimination or harassment and only 1 in 10 people choosing to report their experience of sexual harassment, with corresponding low rates of satisfaction of the reporting process when reports are made.

In order to prevent and better respond to bullying, harassment and discrimination, Chevron Australia will require leadership commitment at all levels to rebuild trust, increase accountability and enhance transparency. Essential to this is the reform of reporting mechanisms so that the workforce feels safe and confident to utilise them, knowing that their wellbeing will be prioritised and proportionate action taken to respond to inappropriate behaviours in real time. Additionally, adoption of a safety framework to increase visibility and reporting of incidents and actions to the workforce will support prevention activities in this area.

Chevron Australia's efforts to increase diversity to date have yielded some results, however, more can be done to better understand the composition of the workforce (both employees and contractors) so that future initiatives are targeted in appropriate areas to continue to grow attraction, retention and progression. The competitive advantage and enhanced performance that diversity contributes to the business is not well understood and clear communication of this will be important to promoting inclusion in the Chevron Australia workplace. Workplaces that provide physical and psychosocial safety, where all individuals can thrive, are inclusive and respectful ones.

There is a strong sense among the Chevron Australia workforce that of resource sector organisations, it is one of the best, providing a strong base from which to improve prevention of and responses to bullying, harassment and discrimination.

Endnotes

- 1 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020).
- 2 Community Development and Justice Standing Committee of the Legislative Assembly of Western Australia, 'ENOUGH IS ENOUGH' – *Sexual harassment against women in the FIFO mining industry* (June 2022) Report.
- 3 D Salin, *Ways of explaining workplace bullying: A review of enabling, motivating and precipitating structures and processes in the work environment*, *Human Relations* (2003), 56(10), 1213–1232.
- 4 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020), 96.
- 5 See the WA Code of Practice for psychosocial hazards in the workplace (2022) issued under the *Occupational Health and Safety Act 1984* (WA) and *Sex Discrimination and Fair Work (Respect at Work) Amendment Bill* (Cth) 2021.
- 6 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020).
- 7 See the WA Code of Practice for psychosocial hazards in the workplace (2022) issued under the *Occupational Health and Safety Act 1984* (WA) and *Sex Discrimination and Fair Work (Respect at Work) Amendment Bill* (Cth) 2021.
- 8 McKinsey & Company, *Diversity Wins – How Inclusion Matters* (May 2020).
- 9 Iacopo Iacopini, Giovanni Petri, Andrea Baronchelli & Alain Barat, 'Group interactions modulate critical mass dynamics in social convention' (2020) 5(64) *Communications Physics* 2.
- 10 McKinsey & Company: *Diversity Wins – How Inclusion Matters* (May 2020).
- 11 The response rate has been calculated using an approximate number of 2,500 business partners.
- 12 A disclosure, as distinct from a formal report or complaint, involves the sharing of information about an incident(s) of inappropriate workplace behaviour with another person. Disclosures can be made to anyone and are usually made to a person who is known and trusted. A person who discloses may not want to make a formal report and may instead be looking for information about resources and support. A formal report or a complaint refers to providing a formal account or statement about inappropriate workplace behaviour to a person (such as a HR business partner) or institution that has the authority to take action. Reporting can be an outcome of disclosure, but it is not the only possible outcome.
- 13 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020) 231, quoting Victorian Equal Opportunity & Human Rights Commission, Submission 372, *Sexual Harassment Inquiry*, 19.
- 14 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020) 231, citing Women, Work and Leadership Research Group, Submission 260, *Sexual Harassment Inquiry*, 1.
- 15 The Chamber of Minerals and Energy of Western Australia, *Diversity in the Western Australian Resources Sector Report* (2019) 36.
- 16 Workplace Gender Equality Agency, *Developing a Leading Practice Parental Leave Policy: A guide for employers* (February 2022).
- 17 Chevron Australia, *Submission to the WA Parliamentary Community Development and Justice Standing Committee Inquiry into sexual harassment of women in the FIFO mining industry* (13 August 2021).
- 18 J Parmenter & R Barnes, 'Factors supporting Indigenous employee retention in the Australian mining industry: A case study of the Pilbara region', *The Extractives Industries and Society* (2021) 8, 423–33.
- 19 The Chamber of Minerals and Energy of Western Australia, *Diversity in the Western Australian Resources Sector Report* (2019), 9.
- 20 Chevron Corporation, *Corporate Sustainability Report* (2020), 28.
- 21 See, for eg, Diversity Council of Australia's D&I 101: *Collecting Diversity Data* guide.
- 22 The Chamber of Minerals and Energy of Western Australia, *Diversity in the WA Resources Sector Report* (2019).
- 23 See Parmenter, J and Barnes, R, 'Factors supporting Indigenous employee retention in the Australian mining industry: A case study of the Pilbara region', *The Extractives Industries and Society* (2021) 8, 423–33; and research cited at 430–31.
- 24 Ibid.
- 25 Safe Work Australia, *Code of Practice: Managing Psychosocial Hazards at Work* (July 2022), 17–18.
- 26 Chevron Australia, *Mental health risk assessment procedure*, 6.
- 27 D Salin, *Ways of explaining workplace bullying: A review of enabling, motivating and precipitating structures and processes in the work environment*, *Human Relations* (2003), 56(10), 1213–1232.
- 28 Ibid.

- 29 Australian Resources & Energy Group (AMMA), *Resources and Energy Industry: Workforce Mental Health Framework* (2021); Minerals Council of Australia, *Safe, Healthy and Respectful Workplaces* (January 2021); Chamber of Minerals and Energy WA, *Implementation Framework: Eliminating Sexual Harassment in the WA Resources Sector* (2021). See also Community Development and Justice Standing Committee of the Legislative Assembly of Western Australia, 'ENOUGH IS ENOUGH' – *Sexual harassment against women in the FIFO mining industry* (June 2022) Report 2, Chapters 3 and 4.
- 30 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020), 134–135, 244–247.
- 31 Commission for Occupational Safety and Health, 2019, *Mentally healthy workplaces for fly-in fly-out (FIFO) workers in the resources and construction sectors – Code of Practice: Department of Mines, Industry Regulation and Safety, Western Australia*. See also NSW Government, WorkSafe NSW (2021) Code of Practice: Managing psychosocial hazards at work, 8; WorkSafe Victoria.
- 32 Information gathered through employee engagement with Chevron Australia employees and contractors.
- 33 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020), 696–704.
- 34 Where numbers add up to more than 100%, respondents were able to choose more than one option.
- 35 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020), 687–695.
- 36 *Ibid.*, 698–700.
- 37 *Ibid.*, 698.
- 38 Access to the platform is available at: <https://unimelb.elker.com/report> and information about its adoption is included in the recently published and publicly available *University of Melbourne Sexual Misconduct Annual Report* (20 May 2022). https://safercommunity.unimelb.edu.au/__data/assets/pdf_file/0024/345525/UoM-Sexual-Misconduct-Annual-Report-2021.pdf.
- 39 Parliamentary Workplace Support Services, *Anonymous reporting*. <https://pwss.gov.au/making-a-report/anonymous-reporting>.
- 40 Office of the Legal Services Commissioner, *Informal reporting of inappropriate personal conduct*. <https://www.olsc.nsw.gov.au/Pages/inappropriate-personal-conduct/informally-reporting-ipc.aspx>.
- 41 Community Development and Justice Standing Committee of the Legislative Assembly of Western Australia, 'ENOUGH IS ENOUGH' *Sexual harassment against women in the FIFO mining industry* (June 2022) Report, 286.
- 42 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020) 699.
- 43 *Ibid.*, 699–700.
- 44 Community Development and Justice Standing Committee of the Legislative Assembly of Western Australia, 'ENOUGH IS ENOUGH' *Sexual harassment against women in the FIFO mining industry* (June 2022) Report 2, Findings 71 and 72, 123.
- 45 *Ibid.*, Finding 69, 118.
- 46 Community Development and Justice Standing Committee of the Legislative Assembly of Western Australia, *Inquiry into sexual harassment of women in the FIFO mining industry*, Transcript of evidence taken at Perth, Wednesday, 24 November 2021, Session One, 2–3.
- 47 Government of Western Australia, Department of Mines, Industry Regulation and Safety, *New codes of practice released*. <https://www.commerce.wa.gov.au/announcements/new-codes-practice-released>.
- 48 Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry (Banking Royal Commission), *Final Report* (2019). See, in particular, 361.
- 49 Australian Human Rights Commission, *Equality across the board: Investing in workplaces that work for everyone* (2021).
- 50 *Ibid.*, 9.
- 51 *Ibid.*, Recommendation 6.



Intersection

www.intersection.work
admin@intersection.work