



# **Effective People Casual Labour Hire Employee Handbook**

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# 1. Introduction

## Definitions

Please refer to your Casual Labour Hire Employment Agreement for all Definitions.

## Welcome

Effective People (**the Employer**) would like to wish you every success during your Assignment.

### Purpose of the Employee Handbook

The Employee Handbook sets out the Employer's rules and regulations, the policies and procedures relating to your employment and also contains information on your benefits and protections. If you require any clarification or additional information, please contact Effective People on 1300 946 471. All employees are required to comply with the Employee Handbook. Therefore, we ask that you read the content carefully as you may be subject to appropriate disciplinary action (up to and including termination) in the event that you breach the Employee Handbook.

## Principle of equality

The Employer is committed to providing equal opportunities and the principle of equality in accordance with relevant legislative provisions. We are confident that you share our commitment in implementing these policies.

We will not tolerate any unlawful discriminatory act or attitude in the course of your employment or in your dealings with your Host Organisation, our clients, suppliers, contractors, members of the public or fellow colleagues. Acts of unlawful discrimination, harassment or victimisation will result in disciplinary action.

## General

Amendments to this Employee Handbook will be issued from time to time.

This Employee Handbook does not form part of your contract of employment, unless expressly stated otherwise. However, in any event, the Employee Handbook may be considered when interpreting your rights and obligations under your terms of employment.

## 2. Joining the Organisation

### Hours of work

Your hours of work are as determined by the Host Organisation and generally between the hours of 9am – 5pm. See Schedule 2 of your Casual Labour Hire Employment Agreement.

### Breaks

Breaks are to be taken when arranged by the Host Organisation. You are required to adhere to the break length as directed by the Host Organisation and be ready to commence work at the end of the break. You are required to notify the Host Organisation Supervisor immediately if you are struggling to take the break, so that it can be rectified or varied.

### Punctuality

You are required to be present and ready to commence work at your rostered starting time. The Employer considers lack of punctuality a serious conduct issue.

### Induction

At the start of your Assignment, the Employer requires that the Host Organisation complete an induction programme, during which all of the Host Organisation's policies and procedures will be explained and/or provided to you. Of great significance is Work, Health and Safety induction. If you do not receive Host Organisation induction training that specifically includes Work, Health and Safety induction within 48 hours of commencing your Assignment at the Host Organisation; you are to advise the Employer's Work, Health and Safety Officer, Gretchen Kinghorn on 1300 946 471 or [candidates@effectivepeople.com.au](mailto:candidates@effectivepeople.com.au) before 10am on the next working day.

### Mobility

If the Host Organisation requests you to use a vehicle, or travel to another place of work, whether on or off the Host Organisation's premises, you must obtain confirmation from the Employer that appropriate insurance arrangements have been made which cover you and the Employer against liability to any third party. If you fail to advise the Employer, you may be personally responsible for any injury, damage, fine or loss incurred or suffered.

### Convictions and offences

During your employment, you are required to immediately report to the Employer any convictions or offences with which you may be potentially or have been charged.

### Illness

You must notify the Employer and the Host Organisation Supervisor by telephone before 9am on the first day of incapacity if you are too ill to undertake your Assignment.

Text messages and e-mails are not an acceptable method of notification.

Other than in exceptional circumstances notification is to be made by you personally.

You should try to give an indication of your expected return date and notify the Employer and the Host Organisation Supervisor as soon as possible if this date changes. The notification procedures should be followed on each day of absence, unless you are covered by a doctor's medical certificate and have provided copies to the Employer and the Host Organisation Supervisor.

### Evidence of incapacity

A medical certificate from a registered health practitioner is required from the employee setting out the reasons for the absence in circumstances where the employee has been absent:

- on two or more consecutive days; or

- on a single day prior to, or the day after a public holiday, weekend or non-working day.

The Employer retains the discretion to require a doctor's certificate for any single day absence. The Employer will notify you of this requirement as appropriate.

### Return to work

You are to notify the Employer and your Host Organisation Supervisor as soon as you know on which day you will be returning to work, if this differs from a date of return previously notified.

On return to work after any period of personal leave, you may be required to attend a return to work interview to discuss the state of your health and fitness for work. Information arising from such an interview will be treated with strictest confidence.

You may be required to provide a certificate from your own doctor stating that you are fit to return to your duties. This will always be required where you have suffered a workplace injury/illness that required medical treatment.

If you have been suffering from an infectious or contagious disease or illness such as rubella or hepatitis, you must not report for work without clearance from your own doctor.

### General

Submission of a medical certificate may not always be regarded as sufficient justification for accepting your absence. Sickness is just one of a number of reasons for absence and although it is understandable that if you are sick you may need time off, continual or repeated absence through sickness may not be acceptable to the Employer and Host Organisation.

In deciding whether your absence is acceptable, the Employer and Host Organisation will take into account the reasons for your absences and extent of them, including any absence caused by sickness/injury. The Employer and Host Organisation cannot operate with an excessive level of absence as all absence, for whatever reason, reduces the Employer's and Host Organisation's ability to operate successfully.

The Employer and Host Organisation will not tolerate any non-genuine absences, and any such instances will result in disciplinary action being taken.

If considered necessary, we reserve the right to ask your permission to contact your doctor and/or for you to be independently medically examined.

### Time off

Circumstances may arise where you need time off for medical/dental appointments, or for other reasons.

Where possible, such appointments are to be made outside normal working hours. If this is not possible, time off required for these purposes may be granted at the discretion of the Host Organisation Supervisor and will normally be without pay.

### 3. Safeguards

#### IT and computer policy

##### **i) Use of computer equipment**

In order to control the use of the Host Employer's computer equipment and reduce the risk of contamination, the following rules will apply:

- the introduction of new software and applications must first of all be checked and authorised by the Host Organisation before general use will be permitted;
- only authorised employees are permitted access to the Host Organisation computer equipment;
- only software that is used for business applications may be used on the Host Organisation computer equipment;
- no software may be brought onto or taken from the Host Organisation premises without prior authorisation;
- unauthorised access to computing facilities will result in disciplinary action up to and including termination; and
- unauthorised copying and/or removal of computer equipment and/or software will result in disciplinary action up to and including termination.

##### **ii) Internet policy**

The purpose of this policy is to provide a framework to ensure that the expectations and rules relating to the use of the internet while performing duties for the Host Organisation are clear.

Authorised employees are encouraged to make use of the internet as part of their professional activities. This includes, but is not limited to, accessing the internet on the Host Organisation devices. Attention must be paid to ensuring that published information has relevance to normal professional activities before material is released in the Employer's or Host Organisation's name. Where personal views are expressed, a disclaimer stating that this is the case is to be clearly added to all correspondence.

The availability and variety of information on the internet means that it can be used to obtain material reasonably considered to be offensive. The use of the internet to access and/or distribute any kind of offensive material, or material that is not work-related, leaves an individual liable to disciplinary action up to and including termination.

The Employer and the Host Organisation will not tolerate the use of the internet at work for unofficial or inappropriate purposes, including:

- accessing websites which put the Employer at risk of viruses, compromising copyright or intellectual property rights;
- using Host Organisation devices to access the internet for inappropriate or illegal purposes;
- using social media in breach of the Employer's or the Host Organisation's social media policy;
- accessing the Host Organisation's internet on personal devices;
- connecting, posting or downloading any information unrelated to their employment and, in particular, pornographic or other offensive material; and

- engaging in computer hacking and other related activities, or attempting to disable or compromise the security of information contained on the Employer's or Host Organisation's computers.

You are reminded that these activities may constitute a criminal offence.

### iii) **Email**

The use of the work email system (**work email**) is encouraged as its appropriate use facilitates efficiency. Used correctly, it is a facility that is of assistance to the Employer and Host Organisation. However, inappropriate use causes a number of problems, including distractions, time wasting and legal claims. The policy sets out the Employer's and the Host Organisation's position on the correct use of work email.

Unauthorised or inappropriate use of work email may result in disciplinary action up to and including summary termination.

Work email is available for communication and matters directly concerned with the legitimate business of the Host Organisation. Employees using work email are to:

- comply with Employer and Host Organisation communication standards;
- only send emails to those to whom they are relevant;
- not use email as a substitute for face-to-face communication or telephone contact;
- not send inflammatory emails (i.e. emails that are abusive or may be perceived as abusive);
- be aware that hasty messages sent without proper consideration can cause upset, concern or misunderstanding;
- if the email is confidential, ensure that the necessary steps are taken to protect confidentiality; and
- be aware that offers or contracts transmitted by email are as legally binding on the Employer and the Host Organisation as those sent on paper.

The Employer and the Host Organisation will not tolerate the use of work email for unofficial or inappropriate purposes, including:

- any messages that could constitute bullying, harassment or other detriment;
- personal use (e.g. social invitations, personal messages, jokes, cartoons, chain letters or other private matters);
- on-line gambling;
- accessing or transmitting pornography;
- social media;
- transmitting copyright information and/or any software available to the user; or
- posting confidential information about other employees, the Employer, the Host Organisation or their customers or suppliers.

#### iv) Monitoring

The Employer and the Host Organisation considers any and all data created, stored or transmitted upon the systems (the **Systems**) as work product and as such, expressly reserves the right to monitor and review any data upon the Systems, including your usage and history, on an intermittent basis without notice.

In addition to this, the Employer and the Host Organisation has the right to protect its business interests and confidentiality. This includes the right to survey, audit and/or monitor the Systems, including but not limited to:

- monitoring sites users visit on the internet;
- monitoring time spent on the internet;
- reviewing material downloaded or uploaded; and
- reviewing emails sent and received.

Information reports will be available to the Employer and the Host Organisation which can subsequently be used for matters such as system performance and availability, capacity planning, cost re-distribution and the identification of areas for personal development.

For the avoidance of doubt, the Employer and the Host Organisation reserves the right to monitor all internet and email activity by you for the purposes of ensuring compliance with the Employer's and the Host Organisation's policies and procedures and for ensuring compliance with the relevant regulatory requirements and you hereby consent to such monitoring. Information acquired through such monitoring may be used as evidence in disciplinary proceedings.

#### Social media

Any work-related issue or material that could identify an individual who is a customer/client or colleague, which could adversely affect the Employer or the Host Organisation, a customer/client or the Employer's or the Host Organisation's relationship with any customer/client must not be placed on any social networking site.

This means that, unless otherwise authorised, work related matters must not be placed on any such site at any time either during or outside of working hours and this includes access via any mobile computer equipment, including mobile phone or other devices.

Likewise, all employees are strictly prohibited from using social media (whether on the Host Organisation's devices or their own personal device) for non work-related purposes during work time.

You may be granted access to the Host Organisation's social media in order to complete your duties as directed by the Host Organisation. Any access to the Host Organisation's social media must be approved, in writing, by the Employer prior to any work performed. During this access, you must not bring the Employer, the Host Organisation, its clients, suppliers, contractors or any other associated parties into disrepute through the content of your usage. While representing the Host Organisation on social media, it is expected that you will exhibit a professional and courteous attitude with customers, your colleagues, suppliers and other members of the public and ensure that you act in the Employer's and the Host Organisation's best interests at all times.

Any breach of this policy will be considered serious and may result in disciplinary action.

#### Phones and other devices

The Employer's phones, computers, laptops and other devices are to be used for business purposes and where approved, reasonable incidental personal use. Personal calls to international numbers or other high cost numbers are not permitted.

Any unauthorised personal use may be repayable by you and may result in disciplinary action up to and including termination. The Employer reserves the right to deduct the appropriate sums from your salary in the event that repayments are not made.

Limited and reasonable use of personal mobile phones and other personal devices is permitted, provided such devices are set to silent and the use does not impact on your output or quality of work. The Employer and the Host Organisation reserves the right to ask you to switch off any device at any time.

## Surveillance

Surveillance may be conducted in the workplace. If you are a new worker the surveillance may already be in place and could start immediately on commencement of work.

Surveillance may be conducted using:

- Internet usage recording devices, such as data capture, web browsing and email history captured on servers, and keystroke recognition;
- any form of visual recording devices including all types of camera, such as CCTV cameras;
- any form of audio recording devices; and
- electronic recording devices in any part of the workplace.

The surveillance may be conducted at any time and any employee may be subject to surveillance. The surveillance may be continuous or intermittent at the Employer's or the Host Organisation's discretion. The Employer or the Host Organisation may, at their discretion, disclose the surveillance records for any reason that is not barred by privacy legislation.

You may consult with the Employer regarding any concerns about the surveillance. All cameras are visible and recording devices (including cameras) will not be placed in bathrooms or change rooms.

The purpose of the surveillance is to ensure the safety and security of employees, visitors and property. The Employer and the Host Organisation reserves the right to review and use the CCTV in disciplinary proceedings.

## 4. Standards

### Behaviour at work

You must behave with civility towards fellow colleagues, clients and members of the public, whilst at work. Rudeness will not be permitted. Objectionable or insulting behaviour or bad language may result in disciplinary action up to and including termination.

You are to use your best endeavours to promote the interests of the Employer and the Host Organisation and shall, during normal working hours, devote the whole of your time, attention and abilities to the Host Organisation and its affairs.

Any involvement in activities which could be construed as being in competition with the Employer or the Host Organisation is not allowed.

### Friends and Family in the workplace

Friends and family must not be in the workplace, unless approved in advance by the Employer, due to an emergency or for genuine business reasons. It is your responsibility to ensure that friends and family are not in the workplace for longer than necessary.

### Conflict of interest

You may not be involved, employed or engaged in any activity which may be or is likely to create a conflict of interest. The Employer and the Host Organisation may take whatever action it determines appropriate to avoid the actual or potential conflict of interest. Such action may include where the Employer and the Host Organisation deems such action appropriate, termination of employment.

### Wastage

We maintain a policy of "minimum waste", which is essential to the cost-effective and efficient running of the Employer.

You are able to promote this policy by taking extra care during your normal duties by avoiding unnecessary or extravagant use of services, time, energy, etc. The following points are illustrations of this:

- handle machines, equipment and stock with care;
- turn off any unnecessary lighting and heating;
- keep doors closed whenever possible;
- ask for other work if your job has come to a standstill; and
- start with the minimum of delay after arriving for work and after breaks.

Further:

- any damage to stock or property (including non-statutory safety equipment) that is the result of your carelessness, negligence or deliberate vandalism will render you liable to pay the full or part of the cost of repair or replacement; and
- any loss to the Employer or the Host Organisation that is the result of your failure to observe rules, procedures or instruction, or is as a result of your negligent behaviour or your unsatisfactory standards of work, will render you liable to reimburse the full or part of the cost of the loss.

In the event of failure to pay, the Employer has the contractual right to deduct such costs from your pay.

## Dress and appearance

Consistent with the culture of the Employer, you will be expected to present a professional image with regard to your appearance and standards of dress and maintain excellent standards of personal hygiene at all times.

You are to wear clothes appropriate to your job responsibilities, and they are to be kept clean and tidy at all times.

You must ensure that any tattoos are fully covered and are not visible during your hours of work.

If you arrive for work in a manner that does not comply with this policy, the Host Organisation Supervisor will advise you that you are not dressed or groomed appropriately to perform your duties. As a result, you may be sent home to change with any resulting lost time being unpaid.

Any deliberate or persistent breaches of this policy may result in disciplinary action being taken against you.

If you are in any doubt whether any aspect of your appearance or attire is appropriate for your job role you are to contact the Employer.

## 5. General terms and procedures

### Changes in personal details

You must notify the Employer of any changes in your personal details including but not limited to your name, address, telephone number, emergency contact so that we can maintain accurate records.

### Secondary employment

You are expected to devote the whole of your time and attention during working hours to our business. If you propose taking up additional employment with an Employer or pursuing separate business interests or any similar venture, you must discuss the proposal with the Employer in order to establish the likely impact of these activities on both yourself, the Employer and the Host Organisation. You will be asked to give full details of the proposal and consideration will be given to:

- working hours;
- competition, reputation and credibility;
- conflict of interest; and
- health, safety and welfare.

You will be notified in writing of the Employer's decision. The Employer may refuse to consent to your request. If you work without consent this could result in the termination of your employment.

If you already have any other employment or are considering any additional employment, you must notify the Employer so that we can discuss any implications arising from such employment, i.e. working time, health and safety issues or conflicts of interest.

You may not under any circumstances, whether directly or indirectly, undertake any other duties of whatever kind during your hours of work with the Host Organisation or whilst on the Host Organisation premises. Unless approved by the Employer, you may not under any circumstances perform services similar to what are performed for the Employer and the Host Organisation at your residence or at any another site in exchange for compensation.

### Banking and expenses

We will reimburse you for any reasonable expenses incurred where these are authorised by the Employer. You must provide receipts for any expenditure.

You are required to ensure that the use of any Host Organisation card and/or bank accounts is limited to business related expenses and is completed in a safe and secure manner.

### Employee's property and lost property

We do not accept liability for any loss of, or damage to, property that you bring onto the premises. You are requested not to bring personal items of value onto the premises and, in particular, not to leave any items overnight.

## 6. Whistle-blowers

If you believe that the Employer or the Host Organisation or any of its officers or employees is involved in any form of wrongdoing such as:

- committing a criminal offence;
- failing to comply with a legal obligation;
- endangering the health and safety of an individual;
- environmental damage; or
- concealing any information relating to the above,

you are to, in the first instance, report your concerns to the Employer who will treat the matter with complete confidence and if necessary raise it with the Host Organisation. If you are not satisfied with the explanation or reason given to you, you are to raise the matter with the appropriate organisation or body, e.g. the police, the Environment Protection Agency or Work Cover.

You will not suffer any detriment as a result of any genuine attempt to bring to light matters of concern. However, if this procedure has not been invoked in good faith (e.g. for malicious reasons or in pursuit of a personal grudge), then you may be subject to disciplinary action up to and including termination.

## 7. Capability procedure

### Introduction

We recognise that during your employment with us you may find yourself less capable of conducting your duties. This might commonly be because either the job changes over a period of time and you fail to keep pace with the changes, or you change (perhaps because of health reasons) and you can no longer cope with the work.

### Job changes/general capability issues

If we have general concerns about your ability to perform your job or if the nature of your job changes, we will try to ensure that you understand the level of performance expected of you and that you receive adequate supervision. Concerns regarding your capability will normally first be discussed in an informal manner and you will be given time to improve.

If your standard of performance is still not adequate, you will be warned in writing that a failure to improve and to maintain the performance required could lead to your termination.

If there is still no improvement after a reasonable time, or if your level of performance has a serious or substantial effect on the Employer or the Host Organisation to its detriment, you will be dismissed with the appropriate notice.

### Personal circumstance/health issues

Personal circumstances may arise which do not prevent you from attending work, but which prevent you from carrying out your normal duties (e.g. a lack of dexterity or general ill health). If such a situation arises, we will normally need to have details of your medical diagnosis and prognosis so that we have the benefit of expert advice.

Under normal circumstances, this can be most easily obtained by asking your own doctor for a medical report. Your permission is needed before we can obtain such a report and we will expect you to co-operate in this matter should the need arise. When we have obtained as much information as possible regarding your condition and after consultation with you, a decision will be made about your future employment with the Employer in your current role.

There may also be personal circumstances which prevent you from attending work, either for a prolonged period or for frequent short absences. Under these circumstances, we will need to know when we can expect your attendance record to reach an acceptable level. This may again mean asking your own doctor for a medical report or by making whatever investigations are appropriate in the circumstances. When we have obtained as much information as possible regarding your condition, and after consultation with you, a decision will be made about your future employment with the Employer in your current role.

### Short service employees

We retain discretion in respect of the capability procedures to take account of your length of service and to vary the procedures accordingly. If you have a short amount of service, you may not be in receipt of any warnings before termination, but you will retain the right to a hearing.

## 8. Disciplinary procedure

### Introduction

This policy sets standards of performance and behaviour expected by the Employer, together with the procedure to be followed in the event of disciplinary issues. The policy aims to help promote fairness and order in the treatment of individuals. It is the Employer's aim that the rules and procedures should emphasise and encourage improvement in the conduct of individuals where they are failing to meet the required standards, and not be seen merely as a means of punishment. We reserve the right to amend these rules and procedures where appropriate.

Every effort will be made to ensure that any action taken under this procedure is fair, with you being given the opportunity to state your case.

The following rules and procedures should ensure that:

- the correct procedure is used when requiring you to attend a disciplinary hearing;
- you are fully aware of the standards of performance, action and behaviour required of you;
- disciplinary action, where necessary, is taken speedily and in a fair, uniform and consistent manner;
- you will only be disciplined after careful investigation of the facts and the opportunity to present your side of the case;
- at all disciplinary hearings, rather than investigatory meetings, you have the right to be accompanied by a support person at all stages of the formal disciplinary process;
- you will not normally be dismissed for a first breach of discipline, except in the case of serious misconduct; and
- if you are disciplined, you will receive an explanation of the penalty imposed.

On some occasions temporary suspension without pay may be necessary in order that an uninterrupted investigation can take place. This is not to be regarded as disciplinary action or a penalty of any kind.

### Disciplinary rules

It is not practicable to specify all disciplinary rules or offences that may result in disciplinary action, as they may vary depending on the nature of the work. In addition to the specific examples of unsatisfactory conduct, misconduct and serious misconduct shown in this policy, a breach of other specific conditions, procedures and practices set out elsewhere in this Employee Handbook or that have otherwise been made known to you, will also result in this procedure being used to deal with such matters.

### Rules covering unsatisfactory conduct and misconduct

You will be liable to disciplinary action if you are found to have acted in any of the following ways:

- failure to abide by the Employer's or the Host Organisation's health and safety policies and procedures and your general health and safety responsibilities;
- actions which could threaten the health and safety of yourself, your colleagues or others;
- persistent absenteeism and/or lateness;
- unsatisfactory standards or output of work;

- rudeness towards customers/clients, members of the public or your colleagues, objectionable or insulting behaviour, harassment, bullying or bad language;
- failure to devote the whole of your time, attention and abilities to our business and its affairs during your normal working hours;
- unauthorised use of email, internet and/or social media;
- failure to carry out all reasonable instructions or follow our rules and procedures;
- unauthorised use or negligent damage or loss of our property; and
- failure to report immediately any damage to property or premises caused by you.

This list is not exhaustive.

### Serious misconduct

Occurrences of serious misconduct are significant because the penalty may be termination without notice, even without any previous warning being issued. It is not possible to provide an exhaustive list of examples of serious misconduct. However, any behaviour or negligence resulting in a fundamental breach of your contractual terms that irrevocably destroys the trust and confidence necessary to continue the employment relationship will constitute serious misconduct. Examples of offences that will normally be considered to be serious misconduct include serious instances of:

- theft or fraud;
- physical violence or bullying;
- deliberate damage to property;
- deliberate acts of unlawful discrimination or harassment;
- possession, or being under the influence, of illegal drugs at work; and
- breach of the Employer's or the Host Organisation's health and safety policies and procedures and your general health and safety responsibilities or any actions that endangers the lives of, or may cause serious injury to, employees or any other person.

### Disciplinary procedure

Disciplinary action taken against you may be based on the following procedure:

<b>Offence</b>	<b>1<sup>st</sup> occasion</b>	<b>2<sup>nd</sup> occasion</b>	<b>3<sup>rd</sup> occasion</b>	<b>4<sup>th</sup> occasion</b>
Unsatisfactory conduct	Formal verbal warning	Written warning	Final written warning	Termination
Misconduct	Final written warning	Termination		
Serious misconduct	Termination			

We retain discretion in respect of the disciplinary procedures to take account of your length of service and the severity of the misconduct to vary the procedures accordingly. If you have a short amount of service you may not be in receipt of any warnings before termination, but you will retain the right to a disciplinary hearing.

If a disciplinary penalty is imposed it will be in line with the procedure outlined above, which may encompass a formal verbal warning, written warning, final written warning, or termination, and full details will be given to you.

There may be occasions where the performance or conduct of an employee is serious enough to by-pass one of the above steps and move immediately to a first and final written warning but not a summary termination. This option might be used in circumstances where the Employer's or the Host Organisation's policy is breached but it is not so serious as to warrant instant termination.

In all cases, warnings will be issued for misconduct, irrespective of the precise matters concerned and any further breach of the rules in relation to similar or entirely independent matters of misconduct will be treated as further disciplinary matters and allow the continuation of the disciplinary process through to termination if the warnings do not change behaviour.

## 9. Grievance procedure

It is important that if you feel dissatisfied with any matter relating to your employment you should have an effective means by which to raise such a grievance and, where appropriate, have it resolved.

Nothing in this procedure is intended to prevent you from informally raising with the Employer or the Host Organisation Supervisor any matter you may wish to mention. Informal discussion can frequently solve problems without the need for a written record. However, if you wish to raise a formal grievance you should normally do so in writing from the outset.

If you feel aggrieved at any matter relating to your work (except harassment, for which there is a separate procedure in this Handbook), you are to first raise the matter with manager the Employer, explaining fully the nature and extent of your grievance. You will then be invited to a meeting at a reasonable time and location at which your grievance will be investigated fully. You must take all reasonable steps to attend this meeting. You will be notified of the decision, in writing, normally within ten working days of the meeting.

## 10. Privacy policy

While the operation of the Privacy Act does not apply to the Employer in regard to any acts which directly relate to:

- the employment relationship between the Employer and the individual; and
- an employee record held by the Employer,

the Employer treats the handling of your personal information very seriously. Accordingly, the purpose of this policy is to ensure the protection of your privacy in relation to the handling of your personal information.

### Collection of personal information

Personal information may be collected during the onboarding process and throughout your employment with the Employer. This personal information may be disclosed to other areas within the business for administrative purposes and for the progression of your application. All confidential information will be used for legitimate purposes in accordance with relevant legislation.

**Personal information** includes information relating to:

- the engagement, training, disciplining or resignation of the employee;
- termination of the employment of the employee;
- terms and conditions of employment of the employee;
- employee's personal and emergency contact details;
- employee's performance or conduct;
- employee's hours of employment; employee's salary or wages;
- employee's membership of a professional or trade association;
- employee's trade union membership; and
- employee's taxation, banking or superannuation affairs.

All reasonable attempts will be made to keep this information relevant, complete and current. You must ensure that any personal information provided is accurate and current.

### Your responsibilities

In light of the above objective, every employee is responsible for the appropriate handling of such information and to prevent unlawful disclosure.

If you have access to this information or such any personal information belonging to another employee or a client of the Employer or the Host Organisation, you must ensure that you maintain the confidence of any confidential information that you have access to, or become aware of, during the course of your employment and will prevent its unauthorised disclosure or use by any other person.

You will not use the confidential information for any purpose other than for the relevant and related Employer or Host Organisation processes during or after your employment.

### Breach

Any action in breach of this policy may result in disciplinary action being taken.

## 11. Equal opportunities policy and anti-discrimination

### Statement of policy

We recognise that discrimination is unacceptable and, although equality of opportunity has been a long-standing feature of our practices and procedure, we have made the decision to adopt a formal equal opportunities policy.

Breaches of the policy will lead to disciplinary proceedings and, if appropriate, disciplinary action.

The aim of the policy is to ensure that no job applicant or employee is discriminated against either directly or indirectly on the grounds of age, disability, gender identity, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

The policy will be communicated to all private contractors reminding them of their responsibilities in respect of equality of opportunity.

We expect that the Host Organisation maintains a neutral workplace in which no employee or other worker feels under threat or intimidated.

### Recruitment and selection

The recruitment and selection process are crucially important to any equal opportunities policy. We will endeavour through appropriate training to ensure that employees making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making these decisions.

We will adopt a consistent, non-discriminatory approach to the advertising of vacancies. We will not confine our recruitment to areas or media sources which provide only, or mainly, applicants of a particular group. All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job.

All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.

Short listing and interviewing will be carried out by more than one person where possible.

Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.

Selection decisions will not be influenced by any perceived prejudices of other staff.

## 12. General workplace procedures

### Introduction

Along with the specific guidelines and procedures outlined throughout this Handbook, there are some simple day to day measures that can be adopted by management and employees alike to reduce the risks to health and safety in the workplace.

### General

The Host Organisation and employees alike must ensure:

- no plant, equipment or safety device (including Personal Protective Equipment) is altered or removed from the workplace without express management authority;
- all safety signs, policies and procedures are complied with in full;
- illegal drugs are not brought into, or used, in the workplace; and
- persons affected by alcohol or drugs are not permitted to access, or remain at, the workplace.

You must ensure that you wear and use any personal protective equipment and clothing issued for your protection at all appropriate times.

### Housekeeping

Failure to ensure that the workplace is kept neat and tidy may create unnecessary hazards.

The Host Organisation and employees alike are responsible for maintaining a neat and tidy workplace. This involves:

- ensuring emergency exits, thoroughfares and pedestrian access points are not obstructed;
- ensuring aisles and work areas are clear and free from obstruction at all times so as not to cause additional hazards including slip, trip, or fall hazards;
- placing rubbish in the bins provided; and
- ensuring all work, communal areas and facilities are kept clean and tidy at all times.

## Hygiene

Any exposed cuts or burns must be covered with a first-aid dressing.

If you are suffering from an infectious or contagious disease or illness such as rubella or hepatitis you must not enter the workplace without clearance from your own doctor and written approval from the Employer.

Contact with any person suffering from an infectious or contagious disease must be reported before commencing work.

## Fitness for work

If you arrive for work and, in the Employer's or the Host Organisation Supervisor's opinion, you are not fit to work, the Employer reserves the right to exercise its duty of care, particularly where the Employer believes that you may not be able to undertake your duties in a safe manner or may pose a safety risk to others. We may send you away for the remainder of the day with or without pay and, dependent on the circumstances, you may be liable to disciplinary action.

You may be required to provide a certificate from your treating doctor stating your fitness for duties before being permitted to return to work.

## 13. Bullying and harassment

### Introduction

The Employer is committed to the provision of a fair, healthy and safe workplace in which everyone is treated with dignity and respect and in which no individual or group feels bullied, threatened or intimidated.

Bullying or harassment in any form is unacceptable behaviour and will not be permitted or condoned.

We recognise that bullying and harassment can exist in the workplace, as well as outside, and that this can seriously affect workers' working lives by detracting from a productive working environment and can impact on the health, confidence, morale and performance of those affected by it, including anyone who witnesses or has knowledge of the unwanted or unacceptable behaviour.

### Harassment

The intention of these procedures is to inform workers of the type of behaviour that is unacceptable and to provide procedural guidance.

We recognise that we have a duty to implement this policy and all workers are expected to comply with it.

Harassment is any unwanted physical, verbal or non-verbal conduct based on grounds of age, disability, gender identity, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation which affects the dignity of anyone at work or creates an intimidating, hostile, degrading, humiliating or offensive environment.

A single incident of unwanted or offensive behaviour can amount to harassment.

Harassment can take many forms and individuals may not always realise that their behaviour constitutes harassment. Examples of harassment include:

- insensitive jokes and pranks;
- lewd or abusive comments about appearance;
- deliberate exclusion from conversations;
- displaying abusive or offensive writing or material;
- unwelcome touching; and
- abusive, threatening or insulting words or behaviour.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of harassment. Appropriate action in relation to an employee will include disciplinary action in accordance with the Employer's disciplinary and disciplinary termination procedure.

### Bullying

Bullying is repeated, offensive, abusive, intimidating, insulting or unreasonable behaviour directed towards an individual or a group, which makes the recipient(s) feel threatened, humiliated or vulnerable. Note single incidents of bullying will not be tolerated.

Bullying can occur in the workplace and outside of the workplace at events connected to the workplace, such as social functions or business trips.

Bullying can be a form of harassment and can cause an individual to suffer negative physical and mental effects.

Bullying can take the form of physical, verbal and non-verbal conduct. As with harassment, there are many examples of bullying, which can include:

- abusive, insulting or offensive language or comments;
- unjustified criticism or complaints;
- physical or emotional threats;
- deliberate exclusion from workplace activities;
- the spreading of misinformation or malicious rumours; and
- the denial of access to information, supervision or resources such that it has a detrimental impact on the individual or group.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of bullying. Appropriate action in relation to an employee will include disciplinary action in accordance with the Employer's disciplinary and disciplinary termination procedure.

### Reasonable management action taken in reasonable way

It is reasonable for the Employer and the Host Organisation Supervisor to allocate work and to give fair and reasonable feedback on a worker's performance. These actions are not considered to be workplace bullying or harassment if they are carried out lawfully and in a reasonable manner, taking the particular circumstances into account.

Examples of reasonable management action can include but are not limited to:

- setting reasonable performance goals, standards and deadlines;
- rostering and allocating working hours where the requirements are reasonable;
- informing a worker of their unsatisfactory work performance;
- meeting with a worker to discuss performance and/or conduct;
- informing a worker of their unreasonable or inappropriate behaviour in an objective and confidential way; and
- taking disciplinary action including suspension or termination of employment.

### Bullying and harassment complaint procedures

#### **i) Informal complaint**

We recognise that complaints of bullying, harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper.

If you are the victim of minor bullying or harassment you should make it clear to the alleged bully or harasser on an informal basis that their behaviour is unwelcome and ask the individual to stop. If you feel unable to

do this verbally then you should hand a written request to the individual, and your confidential helper can assist you in this.

## ii) **Formal complaint**

Where the informal approach fails or if the bullying or harassment is more serious, you should bring the matter to the attention of the Employer as a formal written complaint and again your confidential helper can assist you in this. If possible, you are to keep notes of the bullying or harassment so that the written complaint can include:

- the name of the alleged bully or harasser;
- the nature of the alleged incident of bullying or harassment;
- the dates and times when the alleged incident of bullying or harassment occurred;
- the names of any witnesses; and
- any action already taken by you to stop the alleged bullying or harassment.

The formal complaint must be passed to the CEO of Effective People using a mechanism you feel comfortable with. The CEO's name is Dean Hill and he can be contacted on 1300 946 471 or [dean@effectivepeople.com.au](mailto:dean@effectivepeople.com.au), and it is an indication of the importance we place on such a complaint that the CEO is the point of contact. On receipt of a formal complaint we will take action to separate you from the alleged bully or harasser to enable an uninterrupted investigation to take place.

You will be invited to attend a meeting, at a reasonable time and location, to discuss the matter so we can carry out a thorough investigation. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

On conclusion of the investigation which will normally be within ten working days of the meeting with you, a report of the findings and of the investigator's decision will be sent, in writing, to you and to the alleged bully or harasser. There are many other variables that can occur, however it is a measure of the seriousness of the matter that our CEO will engage directly with the Host Organisation and be accountable for the investigation.

### General notes

If the report concludes that the allegation is well founded, the Employer will liaise with the Host Organisation to ensure appropriate action will be taken against the bully or harasser.

If you bring a complaint of bullying or harassment you will not be victimised for having brought the complaint. However, if the report concludes that the complaint is both untrue and has been brought with malicious intent, appropriate action will be taken against you. Appropriate action in relation to an employee will include disciplinary action in accordance with the Employer's disciplinary and disciplinary termination procedure.

## 14. Drugs and alcohol

### Zero tolerance policy

The use of drugs or alcohol jeopardises a safe workplace. The Employer has a zero-tolerance policy with regard to drugs and alcohol and the workplace. Workers are not permitted to work while under the influence of drugs or alcohol.

Non-compliance with this policy and any associated procedure by employees may result in disciplinary action up to and including termination. Non-compliance by other workers may also result in appropriate action up to and including termination of their engagement with the Organisation.

The Organisation recognises alcohol and other drug dependencies as treatable conditions and encourages those persons who may be subject to such dependency to seek assistance from appropriate organisations or support groups.

Workers and visitors must not be adversely affected by drugs or alcohol at work or while at work functions and must at all times be fit to perform their work safely.

Alcohol may be consumed at some Employer and Host Organisation events. Where this is the case, the Employer encourages responsible alcohol consumption. At no time should you be drunk or behave in a manner which is inappropriate.

### Prescribed/over-the-counter medication

Employees who are taking any prescribed/over-the-counter medication or drugs which may affect their ability to perform their work must notify the Employer as soon as possible. You may be required to produce a medical certificate stating that you are fit for work or specifying any restrictions.

### Screening

The Employer may require screening for alcohol and drugs. For employees, this may include pre-employment testing. Testing may be conducted based on reasonable suspicion or following an incident or accident. The Employer reserves the right to carry out random testing across all levels of Employees.

The following provides examples of activities which may result in disciplinary procedures, up to and including termination of your employment. If you:

- are removed from the workplace due to impairment or reasonable suspicion of impairment;
- return a positive result following testing;
- return a blood alcohol level of more than 0.00 or the equivalent in urine or breath samples;
- refuse reasonable direction to undertake drug and alcohol screening; or
- are in possession of illegal drugs for supply or consumption in the workplace or the Host Organisation's vehicles.

This list is not exhaustive.

If the Host Organisation conducts regular or random drug and alcohol testing, you are required to participate.

Where you are suspected of being affected by drugs or alcohol, you may be required to participate in appropriate testing. Positive readings at any time will result in disciplinary procedures up to and including termination of your employment or engagement with the Employer.

If you return a positive result or refuse to participate in testing, you will be required to cease work immediately and leave the workplace. This time will be unpaid until such a time that you are fit to return to work. You will not be able to return to the workplace until you return a negative result. If you are required to leave the workplace, you will be required to report to the Employer on your return or when you are no longer under the influence of drugs or alcohol, to discuss the incident.

### No smoking policy

Smoking on and Host Organisation premises or in Host Organisation vehicles is not permitted. You are only permitted to smoke in designated areas and during your breaks.

If working on alternative sites, you must adhere to all relevant client site-specific policies and procedures regarding smoking.

## 15. Acknowledgement Form

I \_\_\_\_\_ (please print name) acknowledge that I received a copy of the Effective People Casual Labour Hire Employee Handbook Version 1 and that I have read and understood it.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_