


# Policy: Fair Employment



Policy	<p>The shareholders and executive management of SM Automatic Doors Pty Ltd (SM Doors) are committed to the ideal of SM Doors as a fair and just employer. Our policy of fair employment embodies the principles of equal opportunity, fair pay, freedom of association, and a legal right to work without harassment, bullying or leverage. These are detailed in the addendum to this policy.</p> <p>SM Doors is committed to compliance with regulations, national standards, and codes of practice as they relate to fair employment, and engage contractors and suppliers who do the same.</p> <p>The addendum to this policy details the principles of each aspect of Fair Employment, and the actions required to enable it are listed below.</p>
As a company, SM Doors will	<ul style="list-style-type: none"> <li>• We will monitor and respond to changes in the compliance environment to ensure that as we take consistent steps to improve fair employment.</li> <li>• Abide by the business-relevant principles of the Universal Declaration of Human Rights (UDHR)</li> <li>• Provide the necessary resources, procedures &amp; facilities to fulfil this policy.</li> <li>• Empower &amp; support employees &amp; agents to enforce SM Doors' policy &amp; procedures, including stopping any practice that they consider is harmful.</li> <li>• Ensure that SM Doors' employment practices are effective &amp; appropriate.</li> <li>• Provide opportunity, through consultative mechanisms, for employment-related matters to be identified &amp; resolved.</li> <li>• Engage employees, contractors and suppliers in accordance with this policy</li> <li>• Review &amp; improve policy &amp; procedures at least annually, &amp; whenever an opportunity to improve is evident.</li> <li>• Monitor behaviour, data and incident reports to identify potential issues</li> <li>• <u>Eliminate the potential practice of inducement of individuals, both in terms of giving or receiving.</u></li> </ul>
Managers & Supervisors will	<ul style="list-style-type: none"> <li>• Behave according to the spirit and letter of this policy towards employees, contractors and suppliers, recognising that any power differential they may have must be used for the good of all.</li> <li>• Identify, report &amp; monitor all situations that affect fair employment</li> <li>• Encourage reporting &amp; correction of fair employment incidents, and maintain a "blameless" culture that focuses on essential factors, not individuals</li> <li>• Identify trends and take systemic corrective action to eliminate or minimise the potential for incidents or non-compliance</li> <li>• Promote fair employment with employees, suppliers &amp; contractors.</li> <li>• Involve employees in fair employment matters, &amp; consult with them to maintain currency of understanding</li> <li>• Comply with statutory authorities &amp; confer with government bodies, &amp; industry groups to develop strategies for improving and maintaining fair employment compliance</li> <li>• Actively manage &amp; audit SM Doors workers, subcontractors &amp; suppliers</li> <li>• Identify shortfalls in personnel knowledge &amp; skill, &amp; provide instruction &amp; information to address it.</li> <li>• Not offer, nor accept inducements (such as gifts), regardless of the motive or timing.</li> <li>• Communicate SM Doors' policy</li> </ul>
Employees will	<ul style="list-style-type: none"> <li>• Have a sound knowledge of SM Doors policies, rules, procedures &amp; practices</li> <li>• Follow the principles &amp; practices of Fair Employment.</li> <li>• Not offer, nor accept inducements (such as gifts), regardless of the motive or timing.</li> <li>• Report any fair employment-related incident to their supervisor or any member of management</li> <li>• Submit their own ideas about how to improve fair employment to their work group, supervisor, or manager.</li> <li>• Act respectfully if they make an error of judgement or behaviour, and take action to rectify it as soon as practically possible, without cover-up or further breaches</li> </ul>
Contractors & Suppliers will	<ul style="list-style-type: none"> <li>• Not offer, nor accept inducements (such as gifts), regardless of the motive or timing.</li> <li>• Comply, as required in their contract, with SM Doors' fair employment policies, procedures &amp; programs.</li> <li>• Observe directions &amp; requests from SM Doors' designated officers.</li> <li>• Take corrective action as identified in SM Doors Quality inspections &amp; audits.</li> <li>• Develop &amp; operate their own compliant &amp; effective fair employment policy &amp; programs</li> <li>• Undertake the same approach with their own suppliers &amp; contractors.</li> </ul>

<p><b>Accountability.</b> I commit SM Doors to the implementation of this policy and to provide the resources necessary to achieve it. The output of SM Doors' employees, contractors &amp; suppliers is key to our survival &amp; prosperity.</p>	<p>Signed:</p> <p>Jeremy Michaelson Director SM Automatic Doors Pty Ltd</p>  <p>Dated: 14<sup>th</sup> April 2021 Next Review: on or before 14<sup>th</sup> April 2022</p>
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### Equal Opportunity

Equal Opportunity is the principle of non-discrimination. It emphasizes that opportunities in education, employment, advancement, benefits and resource distribution, and other areas should be freely available to all employees irrespective of their age, race, sex, religion, political association, ethnic origin, or any other individual or group characteristic unrelated to ability, performance, and qualification.

This means that if a job opportunity arises within the company, anyone can apply, everyone who applies will be considered, and the basis of consideration will be each individual's ability, performance and qualifications as they relate to the job, and nothing more.

### Fair Pay

Paying people fairly has several factors.

Firstly, there is the aspect of declared awards, and reasonable pay rates for specific jobs in the community & marketplace. Secondly, there is the aspect of paying the same rates to people within the organisation based only on their competence and performance. That is to say that no unrelated factor (such as their relationship, gender, religion, race or personality) affects their rate of pay.

#### *Fair rates of pay*

Monitor award rates of pay, recent enterprise agreements, and other reliable sources to establish a base rate. Monitor contractor rates to determine absolute limits. From that information, actual pay rates must be sufficient in the general marketplace so that employees do not generally feel the need to leave the company to improve their situation. Disgruntlement can lead to many behavioural reactions, including poor quality of work.

#### *Paying for competence, performance, and responsibility.*

A person's competence is the combination of their knowledge, skill, and ability to produce consistent and reliable outputs in variable situations. Their performance is a measure of excellence, ranging from poor to adequate, to exceptional.

A person's rate of pay is set by their competence only. Pay for performance is dealt with through periodic bonus pay, and those bonuses are paid according to criteria known to the employees.

If there are clear competence differences between employees in a job role (such as a trade role), then the role must be divided into logical levels or grades that can be clearly defined. This enables workers with the same job role to understand the distinctions in competence between fellow workers.

Responsibilities are additional to competence and performance, and also range from minor or incidental to significant. It is reasonable to expect all workers to be responsible for the housekeeping of their work area as part of their normal work. A person with specific responsibilities, such as first aid or plant operation, will be paid a rate commensurate with the actual responsibility and costs incurred to maintain their certification, licenses and currency of competence. Other responsibilities may include training, supervision, WHS management and others – if those responsibilities are not already included in the job role and base pay.

It is well-accepted that a person must first demonstrate their competence and performance before being promoted to a new job role. The length of time or number of instances varies significantly, and so a fair judgement must be made about when is appropriate to promote a worker. Naturally, there must also exist a "position" or work need for them to fulfil.

At no time will unrelated factors affect rates of pay. Unrelated factors include gender, ethnic background, religion, friendships, relationships and so on. Language & literacy skills may, or may not, be a factor in job competence.

### Acceptable & Unacceptable Behaviour

#### *Bullying*

Workplace bullying is illegal under National and State law.

A worker is bullied at work if:

- a person or group of people repeatedly act unreasonably towards them or a group of workers
- the behaviour creates a risk to health and safety.

Unreasonable behaviour includes victimising, humiliating, intimidating or threatening. Whether a behaviour is unreasonable can depend on whether a reasonable person might see the behaviour as unreasonable in the circumstances.

Examples of bullying include:

- behaving aggressively
- teasing or practical jokes
- pressuring someone to behave inappropriately
- excluding someone from work-related events or
- unreasonable work demands.

A manager can make decisions about poor performance, take disciplinary action, and direct and control the way work is carried out. Reasonable management action that's carried out in a reasonable way is not bullying.

Management action that isn't carried out in a reasonable way may be considered bullying.

## Addendum to Fair Employment Policy



We use Fair Work Australia's templates for addressing performance reviews, underperformance, and performance improvement. These templates are specifically designed and approved for use in counselling worker performance. We apply the guidance provided by the Australian Fair Work Commission [www.fairwork.gov.au](http://www.fairwork.gov.au)

### *Harassment*

Workplace harassment is illegal under National and State law.

Many instances of harassment may be considered to be workplace bullying (see above), but some are different.

Harassment is repeated or constant unwanted and unreasonable attention, contact or communications.

Management, employees, contractors and suppliers will behave professionally towards all people within the company and supply chain.

For work-related issues, such as having a task done, harassment is NOT acceptable behaviour. If there is an employee performance issue, it must be dealt with according to the guidance from the Fair Work Commission.

Harassment of a personal nature (not related to work) is NOT tolerated in the work environment, and will be dealt with according to the law. We will assist employees who continue to be harassed outside of the work environment, to have peace restored with the involvement of law enforcement agencies.

We apply the Australian Human Rights Commission's resources in relation to workplace harassment

<http://www.humanrights.gov.au>

### *Accepting of Inducements*

Inducements are gifts or favours given to individuals in order to persuade them towards a favourable decision, such as awarding of a contract. Inducements include gifts, entertainment, travel, lodging, hospitalities, donations, grants or anything of value.

This behaviour is at best unethical, and at worst, a crime (in the case of government employees).

It is NOT tolerated on any level, or in any amount.

Employees, and agents must NOT accept anything from a person or organisation wishing do business with us, either before a decision or after. This applies to ALL gifts and favours, including alcohol, apparel, food, etc.

Gifts delivered to business premises may be shared with all staff.

Offers should be politely declined.

### *Offering of Inducements*

Giving of inducements to anyone in connection with our business is NOT acceptable, and NOT permitted.

The act of offering an inducement to a government employee is a crime.

We operate our business ethically, and compete in our industry on a level playing field in a fair manner. Giving of inducements disrupts fairness in industry

### *Collusion*

Collusion is illegal under Australian National and State law. It causes significant damage to Australian competitiveness, to industry and to communities.

We DO NOT collude with clients, competitors, suppliers or subcontractors to fix prices or rig tender outcomes.

Suppliers or subcontractors found to be colluding in their dealings with us will be struck from our supply list and reported to authorities.

Suppliers and subcontractors are warned NOT to discuss prices and rates with competitors in any forum whatsoever (it is a breach of the Australian Competition & Consumer Act 2010).

### *Disclosing confidential information*

Commercially confidential information must not be disclosed.

This includes disclosing our confidential information outside of our company, and also the disclosure of other organisation's confidential information within our company.

Personal private information must be handled according to our Privacy Policy, which complies with the National Privacy Principles, and the Privacy Act 1988. Essentially, we may provide information about persons to those with a legitimate need to know (eg worker white card & HRW licence), but NOT disclose "government identifiers" (name, DOB, home address, photo, government-issued number) all together.

## Legal Right to Work

### *Australian Citizens*

Australian citizens over the age 15years, may be employed, however, the legal age for certain types of dangerous work is 18 years. Persons under 15 years may be employed legally in certain types of work only (<https://www.fairwork.gov.au/find-help-for/young-workers-and-students/what-age-can-i-start-work>)

### *School Students*

School students may only be employed under the supervision of their school, with written permission of their parents, and on types of work and conditions as described by the school in writing.

## Addendum to Fair Employment Policy



### *Young or inexperienced People*

Young and inexperienced people are potentially vulnerable and at risk of harm if not supervised, monitored, and subject to planned stages of work and learning. They may be confident, but are unaware of their own lack of competence.

The “apprenticeship” model of allocating a suitable mentor to a single young person is appropriate. The young person works as their offside, and is progressively given broader tasks and roles as skills, knowledge and competence are attained. There are no set ages. Each person must be assessed on their own merits.

### *Citizens of Other Countries*

Foreign nationals must have a current and valid work visa, and present their passport for validation of identity.

### *Freedom of Association*

Employees may be members of associations, societies, clubs, and other groups, and to meet with people individually, without interference by the company. A person’s membership, or non-membership, of a group is irrelevant to any company decisions in relation to the person’s employment.

This typically relates to union membership. Whether or not a person is a member of a union is NOT to be used to decide whether to hire or fire a person.

This freedom does not apply to prohibited associations.

### *Contractors & Suppliers*

To the extent practically possible, we will engage and work with organisations who align with the policies outlined and detailed above.

This may be done via pre-qualification assessment, published policies, or other reasonable & practical means.