

FH Designs Pty Ltd

Human Resources Policy and Procedure Manual

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Welcome

Welcome to FH Designs! We are excited that you have decided to join us and look forward to a long, happy and successful partnership together. At FH Designs we are committed to delivering high quality, professional strategic advice and products to our clients in International Development. You have been hired because we believe you can help us to deliver these products and services to the standard that we require. We want to ensure that your interactions with other FH Designs staff, contractors and our clients will reflect the value that FH Designs places on integrity, collegiality and the highest ethical standards.

The purpose of this Manual is to introduce you to FH Designs and give you some information about our history, our clients and what we do. You will also find information about your terms and conditions and employment, our expectations around your behavior and our policies and procedures. This manual should be read in conjunction with your Contract of Employment.

This Manual is by no means an exhaustive guide to your employment with us. It has been developed to act as a resource and reference for you. The policies within this Manual are easily listed and easily accessed via the contents page and on the FH Designs website (www.fhdesigns.com.au). This Manual will be updated as required as our business evolves and grows. You will be notified of any changes as they occur. If you have any questions about the content, please do not hesitate to contact Paul Tyndale-Biscoe on +613 9018 9723 or by email at paultyndale@fhdesigns.com.au.

About FH Designs

FH Designs is an Australian based development consultancy with expertise in the management, monitoring, design and evaluation of development programs. We have specialist expertise in in water, sanitation and hygiene (WASH), as well as gender and social inclusion (GeSI), HIV/AIDs, Energy and Infrastructure. We have extensive experience in the design and delivery of training programs, development of training materials and resources and facilitation, as well as conducting research studies.

FH Designs commenced operations as a registered company in 2011 but had been operating as a consulting business on and off for a decade prior to that. Since 2011 we have completed more than 48 assignments in 19 countries.

Our head office is located at 6/72 Faraday Street, Carlton in Melbourne, Australia, and our phone number is +613 90189723.

What We Do

At FH Designs we provide the following products and services to our clients:

- Provision of technical advice and guidance to international development programs across Africa, Asia and the Pacific. Particular areas of expertise include:
 - WASH
 - Gender & Social Inclusion
 - Infrastructure
 - Energy
 - Health, including HIV/AIDS
- Monitoring and evaluation of development programs, with a focus on participatory processes, and 'lean M&E'.
- Program design.
- Strategic planning

Our Clients

FH Designs' clients are drawn from both the for-profit and the not-for-profit sectors. We have conducted numerous evaluations, monitoring visits and provided technical services and advice to a wide range of non-government organisations such as Plan International, World Vision and Oxfam. We have worked for the Australian Government's Department of Foreign Affairs and Trade (DFAT) as well as the UK equivalent – DFID. We have worked on large bilateral programs funded by DFAT and implemented by an Australian Managing Contractor, as well as for multi-lateral organisations such as the UN.

We are proud of the list of clients that FH Designs has provided services for and strive to ensure that we always provide the highest quality work to those who entrust us with their programs.

Your employment

Your employment or sub-contract with FH Designs is essentially governed by your contract of employment or the header contract under which your sub-contract sits. This Manual provides general detail that will guide the content in your contract. The following section provides general information regarding your pay, conditions and our expectations of you.

Payroll

Your pay cycle is monthly, and, for sub-contractors, following receipt of a correctly rendered invoice.

Pays will be automatically deposited electronically into the bank account details provided to FH Designs.

For employee/sub-contractors, taxation payments are automatically deducted from your salary, and superannuation payments are paid into your nominated fund.

Sub-contractors are responsible for their own taxation and superannuation arrangements.

Changing Pay Details

Please advise the payroll officer via email at payroll@fhdesigns.com.au should you wish to change any pay details like changing or closing your bank account. Please ensure you notify us prior to the date you wish for the change to be effective by.

Hours of Work

Office/Business hours are generally between 8am to 6pm Monday to Friday. Your hours of work will depend on business needs and the requirements of the work you are assigned.

Your Manager will work with you to establish your standard hours of work and break times.

FH Designs adopts a common sense approach to managing work hours.

Overtime and Additional Hours

Generally, overtime is not paid as part of employment or sub-contracting arrangements at FH Designs. Unless specified in your contract, you will not be paid for any work in excess

of 8 hours in any 24 hour period. If you cannot for some reason work reasonable additional or overtime hours you must notify your Manager as soon as practicable with the reasons as to why.

Lateness for work

Any absence or late arrival due to illness, injury or any other reason, and the expected duration of leave must be personally reported to your supervisor as soon as practicable (and prior to your normal starting time wherever possible). If you are unable to do this personally, you are requested to ask someone to telephone on your behalf.

Subsequent to this, you must keep your Manager informed of your progress.

Wherever possible you should make dental, medical, business or other appointments outside your normal working hours.

It is essential that you are ready to commence work at your normal commencement time as other staff and the business depend upon you and your contribution.

Reimbursement of Expenses

FH Designs will reimburse employee and sub-contractors for pre-approved expenses properly incurred by employees or sub-contractors in the proper performance of their duties. Reimbursement will be subject to employee/sub-contractors and sub-contractors providing FH Designs with receipts or other evidence of payment and of the purpose of each expense, in a form specified by FH Designs. Staff will also be required to complete the Expense Reimbursement Form which is available from the HR Manager.

Travel

Reasonable travelling expenses, where incurred in the performance of a staff member's duties, will be reimbursed, provided that all claims are made on the appropriate form, signed by the appropriate Manager and supported with the necessary substantiating documentation. The payment of expenses is at all times subject to the prior authorisation of, and at the discretion of, the Company.

Staff should arrange travel and accommodation through FH Designs' preferred travel agent prior to departure, unless agreed otherwise.

In general air travel will be by economy class, unless specified otherwise by FH Designs or in the head contract for the assignment.

Code of Conduct Policy

Purpose

This policy affirms FH Designs' belief in responsible social and ethical behaviour from all employees and sub-contractors. This policy clarifies the standards of behaviour that FH Designs expects of all employees and sub-contractors.

Principles

Our employees (and sub-contractors) contribute to the success of our organisation and that of our clients. FH Designs fully endorse that all employees or sub-contractors are not deprived of their basic human rights.

Furthermore, our employees and sub-contractors have an obligation to the company, our clients and themselves to observe high standards of integrity and fair dealing. Unlawful and unethical business practices undermine staff and client trust.

Policy

Our Code of Conduct policy applies to all staff and provides the framework of principles for conducting business, dealing with other employee/sub-contractors, clients and suppliers. The Code of Conduct does not replace legislation and if any part of it is in conflict, then legislation takes precedence. This policy is based on the following:

- Act and maintain a high standard of integrity and professionalism
- Be responsible and scrupulous in the proper use of company information, funds, equipment and facilities
- Be considerate and respectful of the environment and others
- Exercise fairness, equality, courtesy, consideration and sensitivity in dealing with other employees, sub-contractors, clients and suppliers
- Avoid apparent conflict of interests, promptly disclosing to an FH Designs senior manager, any interest which may constitute a conflict of interest
- Promote the interests of FH Designs
- Perform duties with skill, honesty, care and diligence

- Abide by policies, procedures and lawful directions that relate to your employment with FH Designs and/or our Clients
- Avoid the perception that any business transaction may be influenced by offering or accepting gifts
- Under no circumstances may employees or sub-contractors offer or accept money
- Any employee/sub-contractor or sub-contractor, who in good faith, raises a complaint or discloses an alleged breach of the Code, whilst following correct reporting procedures, will not be disadvantaged or prejudiced. All reports will be dealt with in a timely and confidential manner.

FH Designs expects co-operation from all staff in conducting themselves in a professional, ethical and socially acceptable manner of the highest standards.

Any staff member in breach of this policy may be subject to disciplinary action, including termination.

Should a staff member have doubts about any aspect of the Code of Conduct, they must seek clarification from the HR Manager.

This policy will be regularly reviewed by FH Designs and any necessary changes will be implemented by the HR Manager.

IT, Internet, Email & Social Media Policies

Internet Use

The internet is provided by FH Designs for business use. Limited private use is permitted if the private use does not interfere with a person's work and that inappropriate sites are not accessed e.g. pornographic, gambling. Management has the right to access the system to check if private use is excessive or inappropriate.

Failure to comply with these instructions is an offence and will be subject to appropriate investigation. In serious cases, the penalty for an offence, or repetition of an offence, may include dismissal. Staff need to be aware that some forms of internet conduct may lead to criminal prosecution.

Email Use

1. Email facilities are provided for formal business correspondence.
2. Take care to maintain the confidentiality of sensitive information. If emails need to be preserved, they should be backed up and stored offsite.
3. Limited private use of email is allowed if it doesn't interfere with or distract from an employee/sub-contractor or sub-contractor's work. However, management has the right to access incoming and outgoing email messages to check if an employee/sub-contractor or sub-contractor's usage or involvement is excessive or inappropriate.
4. Non-essential email, including personal messages, should be deleted regularly from the 'Sent Items', 'Inbox' and 'Deleted Items' folders to avoid congestion.
5. All emails sent must include the approved business disclaimer.

To protect FH Designs from the potential effects of the misuse and abuse of email, the following instructions are for all users:

1. No material is to be sent as email that is defamatory, in breach of copyright or business confidentiality, or prejudicial to the good standing of FH Designs in the community or to its relationship with staff, customers, suppliers and any other person or business with whom it has a relationship.

2. Email must not contain material that amounts to gossip about colleagues or that could be offensive, demeaning, persistently irritating, threatening, discriminatory, involves the harassment of others or concerns personal relationships.
3. The email records of other persons are not to be accessed except by management (or persons authorised by management) ensuring compliance with this policy, or by authorised staff who have been requested to attend to a fault, upgrade or similar situation. Access in each case will be limited to the minimum needed for the task.
4. When using email a person must not pretend to be another person or use another person's computer without permission.
5. Excessive private use, including mass mailing, "reply to all" etc. that are not part of the person's duties, is not permitted.
6. Failure to comply with these instructions is a performance improvement offence and will be investigated. In serious cases, the penalty for breach of policy, or repetition of an offence, may include dismissal.

This policy also applies to all employees, contractors and sub-contractors of FH Designs who:

- have an active profile on a social or business networking site such as LinkedIn, Facebook, MySpace, Bebo, Friendster or Twitter;
- write or maintain a personal or business' blog; and/or
- post comments on public and/or private web-based forums or message boards or any other internet sites.

This policy does not form part of an employee/sub-contractor's contract of employment. Nor does it form part of any contractor or sub-contractor's contract for service.

Professional Use of Social Media

FH Designs expects its employees and sub-contractors to maintain a certain standard of behaviour when using Social Media for work or personal purposes.

This policy applies to all employees, contractors and sub-contractors of FH Designs who contribute to or perform duties such as:

- maintaining a profile page for FH Designs on any social or business networking site (including, but not limited to LinkedIn, Facebook, MySpace, Bebo, Friendster or Twitter);

- making comments on such networking sites for and on behalf of FH Designs;
- writing or contributing to a blog and/or commenting on other people's or business' blog posts for and on behalf of FH Designs; and/or
- posting comments for and on behalf of FH Designs on any public and/or private web-based forums or message boards or other internet sites.

Procedure

No employee/sub-contractor, contractor or sub-contractor of FH Designs is to engage in Social Media as a representative or on behalf of FH Designs unless they first obtain FH Designs' written approval.

If any employee/sub-contractor, contractor or sub-contractor of FH Designs is directed to contribute to or participate in any form of Social Media related work, they are to act in a professional manner at all times and in the best interests of FH Designs.

All employees, contractors and sub-contractors of FH Designs must ensure they do not communicate any:

- Confidential Information relating to FH Designs or its clients, business partners or suppliers;
- material that violates the privacy or publicity rights of another party; and/or
- information, (regardless of whether it is confidential or public knowledge), about clients, business partners or suppliers of FH Designs without their prior authorisation or approval to do so; on any social or business networking sites, web-based forums or message boards, or other internet sites.

Confidential Information includes any information in any form relating to FH Designs and related bodies, clients or businesses, which is not in the public domain. This includes, but is not limited to information relating to {Insert examples}.

Private / Personal Use of Social Media

Procedure

FH Designs acknowledges its employees, contractors and sub-contractors have the right to contribute content to public communications on websites, blogs and business or social networking sites not operated by FH Designs. However, inappropriate behaviour on such

sites has the potential to cause damage to FH Designs, as well as its employee/sub-contractors, clients, business partners and/or suppliers.

For this reason, all employees, contractors and sub-contractors of FH Designs must agree to not publish any material, in any form, which identifies themselves as being associated with FH Designs or its clients, business partners or suppliers.

All employees, contractors and sub-contractors of FH Designs must also refrain from posting, sending, forwarding or using, in any way, any inappropriate material including but not limited to material which:

- is intended to (or could possibly) cause insult, offence, intimidation or humiliation to FH Designs or its clients, business partners or suppliers;
- is defamatory or could adversely affect the image, reputation, viability or profitability of FH Designs, or its clients, business partners or suppliers; and/or
- contains any form of Confidential Information relating to FH Designs, or its clients, business partners or suppliers.

All employees, contractors and sub-contractors of FH Designs must comply with this policy. Any breach of this policy will be treated as a serious matter and may result in disciplinary action including termination of employment or (for contractors and sub-contractors) the termination or non-renewal of contractual arrangements.

Other disciplinary action that may be taken includes, but is not limited to, issuing a formal warning, directing people to attend mandatory training, suspension from the workplace and/or permanently or temporarily denying access to all or part of FH Designs' computer network.

For the purposes of this policy, the following definitions apply:

Social Media includes all internet-based publishing technologies. Most forms of Social Media are interactive, allowing authors, readers and publishers to connect and interact with one another. The published material can often be accessed by anyone. Forms of Social Media include, but are not limited to, social or business networking sites (i.e. Facebook, LinkedIn), video and/or photo sharing websites (ie. YouTube, Flickr), business/corporate and personal blogs, micro-blogs (i.e Twitter), chat rooms and forums and/or Social Media.

Recruitment

Policy

FH Designs recognises a robust and professional approach to recruitment and selection helps us to attract and appoint individuals with the necessary skills and attributes to fulfil our aims and support our business goals.

All appointments should be made on the Principle of Merit, compliance with all relevant Federal & State Legislation and adherence to this policy and related processes.

Procedure

1. Create a simple position description for the job covering key activities, tasks, skills required, expectations, deliverables and safety considerations. When advertising, avoid discriminatory language e.g. young person. Target the requirements of the job e.g. we seek an energetic person.
2. The recruitment process may include some or all of these: an application form, interviews, practical testing, reference checks, right to work in Australia checks. If undertaking an interview ensure there are no possible discriminatory requests for information, for example *Do you plan to have a family in the near future?*
3. Give the successful candidate a contract of employment setting out clear terms and conditions. This includes the nature of employment e.g. permanent part time, casual. The contract should include a welcome note and start details.
4. Once the candidate has accepted, contact the unsuccessful candidates as a matter of courtesy.

Induction

Policy

FH Designs will make sure all new employees and sub-contractors feel welcome and are ready to start work safely and competently through the use of a proper formal Induction process which this manual forms part of.

Procedure

Complete an induction plan for each new starter with details of:

- introductions
- welcome tea
- workplace tour
- OH&S procedures and evacuation
- business overview
- who's who
- nominated buddy
- a working safely plan
- training plan
- IT system orientation
- copy of the Fair Work Information Statement
- policy and procedural requirements, e.g. equal employment opportunity

Training & Development

Policy

FH Designs will give employees and sub-contractors adequate training to do their job safely and competently. Our business believes training is a two-way process. We encourage employees and sub-contractors to participate and to highlight any gaps in their own skills or knowledge they believe they have.

Training includes internal on-the-job training, written instructions such as standard operating procedures, coaching, external training and courses. Safety training takes precedence.

Probation

Policy

The 3 month probationary period is a time for both the employee/sub-contractor/sub-contractor and the business to assess suitability, fit and competency within a role. During this period FH Designs commits to reviewing employee/sub-contractor or sub-contractor performance and (for employees) at the end of this time ongoing permanent employment will be confirmed.

Procedure

1. Use system to track and monitor probationary periods
2. Managers to give informal and formal appraisal during the probation period.
3. Give at least one formal appraisal four weeks before the end of probation.
4. At the end of the probation period, complete a final probation appraisal and advise the employee/sub-contractor or sub-contractor of the result via a formal written letter.

Occupational Health & Safety

Policy

FH Designs will, as far as practicable, provide a safe work environment for the health, safety and welfare of our employee/sub-contractors, contractors, visitors and members of the public who may be affected by our work.

To do this, FH Designs will:

- develop and maintain safe systems of work, and a safe working environment
- consult with employees (or sub-contractors) and health and safety reps on safety
- provide information and training for employees and sub-contractors
- assess all risks before work starts on new areas of operation, for example, buying new equipment and setting up new work methods, and regularly review these risks
- remove unacceptable risks to safety
- provide employees and sub-contractors with adequate facilities (such as clean toilets, cool and clean drinking water, and hygienic eating areas)

Ultimately, everyone at the workplace is responsible for ensuring health and safety at that workplace.

All persons responsible for the work activities of other employees/sub-contractors are accountable for:

- identifying practices and conditions that could injure employees, sub-contractors, clients, members of the public or the environment
- controlling such situations or removing the risk to safety. If unable to control such practices and conditions, report these to their manager
- making sure workers use personal protective equipment (PPE), training workers to use PPE correctly
- making sure PPE is maintained and working properly

FH Designs demands a positive, proactive attitude and performance with respect to protecting health, safety and the environment by all employees and sub-contractors, irrespective of their position.

Manual handling policy

It is FH Designs' policy to provide all employees and sub-contractors with a safe and healthy workplace by identifying, assessing and controlling manual handling risks.

While management is responsible for the health, safety and welfare of all staff, all employees and sub-contractors must report potential and actual manual handling hazards.

Never lift or manually handle items larger or heavier than you can easily support. If you are in any doubt, do not hesitate to ask for help.

Workers' compensation policy

All employees and sub-contractors may be eligible for workers' compensation benefits if injured while at work.

Injury procedure

If there is an injury:

1. The first priority is medical attention. The injured worker or nearest colleague should contact one of FH Designs' first aiders. For a serious injury also call an ambulance.
2. Any employee/sub-contractor or sub-contractor who is injured on the job, experiences a safety incident or a near miss, must report the incident to their manager.
3. The manager must write a report in the Incident Register. This standard report must include:
 - employee/sub-contractor or sub-contractor's name and job details
 - time and date of injury
 - exact location the injury/incident occurred
 - how the injury/incident happened
 - details of the injury/illness and the part/s of the body injured
 - names of any witnesses
 - name of the person entering details in the Register

- date the employer was notified
4. FH Designs will let the injured employee/sub-contractor or sub-contractor know in writing that we have received notification of any injury or illness reported in the Register.

The manager must report serious injuries to WorkSafe immediately.

Smoking policy

FH Designs has a non-smoking policy. Smoking is not permitted on FH Designs property or in offices at any time.

Smokers who need to take breaks should do so in their allotted breaks. These breaks must be limited to 10 minutes from leaving the workplace to recommencing work. These breaks must not be taken at the entrance to FH Designs offices. Excessive smoking breaks will be regarded as absenteeism and performance improvement action may be taken.

Alcohol & drugs policy

FH Designs is concerned by factors affecting a staff member's ability to safely and effectively do their work to a satisfactory standard. The business recognises alcohol or other drug abuse can impair short-term or long-term work performance and is an occupational health and safety risk.

FH Designs will do its utmost to create and maintain a safe, healthy and productive workplace for all employee/sub-contractors. FH Designs has a zero tolerance policy in regards to the use of illicit drugs on their premises or the attending of other business related premises (e.g. clients) while under the influence of illicit drugs. Contravening either of these points may lead to instant dismissal.

FH Designs does not tolerate attending work under the influence of alcohol. This may result in performance improvement action or dismissal.

FH Designs, at times, makes alcohol available to staff over the age of 18. Limiting the consumption of any alcohol made available is the responsibility of the employee/sub-contractor or sub-contractor. Driving over the legal limit or under the influence of illicit drugs is illegal.

Equal Employment Opportunity (EEO) & Anti Bullying

Policy

This policy applies to all staff including contractors and covers all work-related functions and activities including external training courses sponsored by FH Designs.

It also applies for all recruitment, selection and promotion decisions.

The objective of FH Designs' Equal Opportunity Policy is to improve business success by:

- attracting and retaining the best possible employee/sub-contractors
- providing a safe, respectful and flexible work environment
- delivering our services in a safe, respectful and reasonably flexible way

Discrimination, Sexual Harassment and Bullying

FH Designs is committed to providing a workplace free from discrimination, sexual harassment and bullying. Behaviour that constitutes discrimination, sexual harassment or bullying will not be tolerated and will lead to action being taken, which may include dismissal.

For the purposes of this policy, the following definitions apply:

Discrimination:

Direct discrimination occurs when someone is treated unfavourably because of a personal characteristic that is protected under Victorian law.

Indirect Discrimination occurs when a rule seems neutral, but has a discriminatory impact on certain people. For example a minimum height requirement of 6 foot for a particular job might be applied equally to men and women, but would indirectly discriminate on the basis of sex, as women tend to be shorter than men.

Sexual harassment includes unwelcome conduct of a sexual nature in circumstances in which it could reasonably be expected to make a person feel offended, humiliated or intimidated a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.

Workplace bullying may include behaviour that is directed toward an employee/sub-contractor/sub-contractor, or group of employee/sub-contractors/sub-contractors, that creates a risk to health and safety e.g. physical and/or verbal abuse, excluding or isolating individuals; or giving impossible tasks.

FH Designs provides equal opportunity in employment to people without discrimination based on a personal characteristic protected under state and federal equal opportunity legislation.

Under State legislation they include:

- age
- breastfeeding
- carer status
- disability
- employment activity
- gender identity
- industrial activity
- lawful sexual activity
- marital status
- parental status
- personal association with someone having any of these characteristics
- physical features
- political activity/belief
- pregnancy
- race
- religious activity/belief
- sex
- sexual orientation

Any staff member found to have contravened this policy will be subject to disciplinary action, which may include dismissal as outlined in the complaint procedure below.

Employee/sub-contractors must report any behaviour that constitutes sexual harassment, bullying or discrimination to their manager.

Employees/sub-contractors will not be victimised or treated unfairly for raising an issue or making a complaint.

Reasonable adjustments

Reasonable adjustments are changes that allow people with a disability to work safely and productively.

FH Designs will make reasonable adjustments for a person with a disability who:

- applies for a job, is offered employment, or is an employee/sub-contractor, and
- requires the adjustments in order to participate in the recruitment process or perform the genuine and reasonable requirements of the job.

Examples of reasonable adjustments can include:

- reviewing and, if necessary, adjusting the performance requirements of the job
- arranging flexibility in work hours (see 'Flexible work arrangements')
- providing telephone typewriter (TTY) phone access for employee/sub-contractors with hearing or speech impairments
- purchasing screen reading software for employee/sub-contractors with a vision impairment
- approving more regular breaks for people with chronic pain or fatigue
- buying desks with adjustable heights for people using a wheelchair.

When thinking about reasonable adjustments FH Designs will weigh up the need for change with the expense or effort involved in making it. If making the adjustment means a very high cost or great disruption to the workplace, it is not likely to be reasonable.

In some cases, FH Designs can discriminate on the basis of disability, if:

- the adjustments needed are not reasonable, or
- the person with the disability could not perform the genuine and reasonable requirements of the job even if the adjustments were made.

Procedure: To make a complaint

If you believe you are being, or have been, discriminated against, sexually harassed or bullied, you should follow this procedure.

1. Tell the offender the behaviour is offensive, unwelcome, and against business policy and should stop (only if you feel comfortable enough to approach them directly, otherwise speak to your manager). Keep a written record of the incident(s).
2. If the unwelcome behaviour continues, contact your supervisor or manager for support.
3. If this is inappropriate, you feel uncomfortable, or the behaviour persists, contact another relevant senior manager. Employee/sub-contractors may also lodge a complaint with the Victorian Equal Opportunity and Human Rights Commission, the Australian Human Rights Commission, or take action under the *Fair Work Act 2009*.

Employee/sub-contractors/sub-contractors should feel confident that any complaint they make is to be treated as confidential as far as possible.

Procedure: To receive a complaint

When a manager receives a complaint or becomes aware of an incident that may contravene FH Designs EEO Policies, they should follow this procedure.

1. Listen to the complaint seriously and treat the complaint confidentially. Allow the complainant to bring another person to the interview if they choose to.
2. Ask the complainant for the full story, including what happened, step by step.
3. Take notes, using the complainant's own words.
4. Ask the complainant to check your notes to ensure your record of the conversation is accurate.
5. Explain and agree on the next action with the complainant.
6. If investigation is not requested (and the manager is satisfied that the conduct complained is not in breach of FH Designs EEO policies) then the manager should:
 - act promptly
 - maintain confidentiality

- pass any notes on to the manager's manager

If an investigation is requested or is appropriate, follow the next procedure.

Procedure: To investigate a complaint

When a manager investigates a complaint, they should follow this procedure.

1. Do not assume guilt.
2. Advise on the potential outcomes of the investigation if the allegations are substantiated.
3. Interview all directly concerned, separately.
4. Interview witnesses, separately.
5. Keep records of interviews and the investigation.
6. Interview the alleged harasser, separately and confidentially and let the alleged harasser know exactly of what they are being accused. Give them a chance to respond to the accusation. Make it clear they do not have to answer any questions, however, the manager will still make a decision regardless.
7. Listen carefully and record details.
8. Ensure confidentiality, minimise disclosure.
9. Decide on appropriate action based on investigation and evidence collected.
10. Check to ensure the action meets the needs of the complainant and FH Designs.
11. If resolution is not immediately possible, refer the complainant to more senior management. If the resolution needs a more senior manager's authority, refer the complainant to this manager.
12. Discuss any outcomes affecting the complainant with them to make sure where appropriate you meet their needs.

Possible outcomes

If after investigation management finds the complaint is justified, management will discuss with the complainant the appropriate outcomes which may include:

- disciplinary action to be taken against the perpetrator (counselling, warning or dismissal)

- staff training
- additional training for the perpetrator or all staff, as appropriate
- counselling for the complainant
- an apology (the particulars of such an apology to be agreed between all involved)

Pregnancy at Work

Advising of pregnancy

FH Designs encourages employee/sub-contractors/sub-contractors to inform their manager of their pregnancy as soon as possible. However, we respect that an employee/sub-contractor/sub-contractor may not wish to advise us of her pregnancy earlier than the minimum notice period.

We also respect an employee/sub-contractor/sub-contractor's wishes regarding when it is appropriate to tell colleagues about the pregnancy.

See the Parental leave policy on page **Error! Bookmark not defined.** about requirements for taking unpaid parental leave, including notice periods.

Harassment while pregnant

FH Designs is committed to ensuring the safety of pregnant employee/sub-contractors/sub-contractors and considers harassment, bullying and discrimination to be unacceptable behaviour.

(See the Equal Employment Opportunity policy on page 22 for our general policy and procedure on harassment, bullying and discrimination.)

Safety at work

FH Designs understands pregnancy to be a healthy and normal process and recognises that women have different experiences. When an employee/sub-contractor/sub-contractor notifies her manager that she is pregnant, the manager will ask the employee/sub-contractor/sub-contractor to let them know if they experience any changes to their work capacity during the pregnancy. The employee/sub-contractor/sub-contractor and her manager will then discuss what is needed to keep the employee/sub-contractor safe at work and adjustments will be made accordingly where possible.

Options to reduce hours, change of duties, light duties, rotated tasks, provision of a chair and provision of additional breaks are common ways to ensure safety at work, and will be considered on a case-by-case basis.

Transfer to a safe job

If it's not safe (due to illness, risks or hazards) for a pregnant employee/sub-contractor/sub-contractor who is entitled to parental leave to continue in her usual position, she can be transferred to a 'safe job' with no change to terms and conditions.

The employee/sub-contractor/sub-contractor needs to provide FH Designs with reasonable evidence that she is fit for work, but it would be inadvisable to continue in her present position. FH Designs may insist on a medical certificate.

An employee/sub-contractor may be required to take unpaid parental if she does not provide a medical certificate within seven days or if she provides a medical certificate stating she is not fit for any work.

Working until the birth

A pregnant employee/sub-contractor may work until the expected date of birth of her child. If she wishes to continue working in the last six weeks of her pregnancy she may be requested to provide a medical certificate within seven days confirming she is fit to work.

If the medical certificate indicates the employee/sub-contractor/sub-contractor is not fit for work, she may be required to start parental leave or take a period of unpaid leave as soon as practicable. (See the Parental leave policy on page **Error! Bookmark not defined.**)

Return to work

If the employee/sub-contractor/sub-contractor has agreed to contact during leave, then towards the end of the leave period, the manager should confirm the employee/sub-contractor/sub-contractor's intention to return on the agreed date. The employee/sub-contractor/sub-contractor also may want to discuss any requests for flexible work arrangements at this time (see Flexible Working Arrangements policy on page **Error! Bookmark not defined.**).

An employee/sub-contractor/sub-contractor must provide four weeks notice if they want to extend their leave beyond the return date that was initially advised (see the Parental leave policy on page **Error! Bookmark not defined.**)

The employee/sub-contractor/sub-contractor on parental leave has the right to return to the job they held prior to going on leave, including any promotion. If that position no longer exists, the employee/sub-contractor/sub-contractor will be given whichever other

available position is nearest in status and remuneration to the position they held prior to going on leave.

If an employee/sub-contractor/sub-contractor was placed in a safe work position prior to leave, the employee/sub-contractor/sub-contractor is entitled to return to the position they held immediately before the safe work position.

If the pre-parental leave position no longer exists, FH Designs will follow its redeployment and redundancy procedures to determine if a suitable alternative position is available.

Breastfeeding at work

FH Designs aims to understand and support mothers in the workplace, including accommodating breastfeeding as much as possible e.g. providing a private space.

An employee/sub-contractor/sub-contractor should discuss her needs with her manager and FH Designs will endeavour to make a private space available or other arrangements made by agreement. Depending on the employee/sub-contractor/sub-contractor's duties this may include cover while she is away from her work environment.

Flexible Working Arrangements

Employee/sub-contractor/sub-contractors may request flexible working arrangements based on parental and carer responsibilities. Employee/sub-contractor/sub-contractors are encouraged to put the request in writing.

To comply with the Equal Opportunity Act, FH Designs will consider this request, and consider all relevant facts and circumstances in deciding whether or not to agree to the request. Such a request will not be refused unless it is reasonable to do so.

Circumstances that may be relevant to determining whether a refusal is or is not reasonable include:

- the nature of the employee/sub-contractor/sub-contractor's work and parental or carer responsibilities
- the nature and cost of the arrangements required for an employee/sub-contractor/sub-contractor to fulfil their family or carer responsibilities
- the financial circumstances of the employer
- the size and nature of the workplace and the employer's business
- the effect of the flexible working arrangements on the workplace, including the financial impact on the business
- the consequences for the employer of having the flexible working arrangements
- the consequences for the employee/sub-contractor/sub-contractor of not having the flexible working arrangements

Other factors that might be relevant in a particular case include:

- when the arrangements are to commence
- how long the arrangements will last
- information that has been provided by the employee/sub-contractor/sub-contractor about their situation
- the accrued entitlements of the employee/sub-contractor/sub-contractor, such as personal, carer's or annual leave

- whether any legal or other constraints affect the feasibility of the employer accommodating the responsibilities, such as occupational health and safety laws or award penalty rates.

In addition, under the National Employment Standards, employee/sub-contractor/sub-contractors who have at least 12 months continuous service, with responsibility for the care of a child under school age, or for care of a child under 18 with a disability have the right to request flexible working arrangements.

Flexible work arrangements will also be considered as a form of reasonable adjustments to allow people with a disability to work safely and productively (see information on reasonable adjustments above).

This right applies to all employee/sub-contractors including permanent full-time and part-time employee/sub-contractors, as well as casual employee/sub-contractors, regardless of role of job function.

Employee/sub-contractors must put such a request in writing.

FH Designs will provide a written response granting or refusing the request within 21 days and will only refuse such requests on reasonable business grounds. These reasons will be detailed in the written refusal.

Options for flexible work practices

Flexible work options which may be considered by FH Designs include:

- permanent, part-time work
- graduated return to work (for employee/sub-contractors returning from parental leave), e.g. the employee/sub-contractor returns part time and then builds up to full-time work flexible start and finish times for staff to accommodate child care and school pick-up requirements
- flexible rostering such as working split shifts
- job-sharing - where two or more employee/sub-contractors share one full-time position, each working on a part-time basis
- work from home
- purchased leave (48/52 leave) – where employee/sub-contractors take an additional four weeks leave per year by adjusting their salary to 48 weeks paid over the full 52 weeks

- compressed hours – where the employee/sub-contractor works additional daily hours to provide for a shorter working week or fortnight

This is not an exhaustive list, and other options may be agreed.

Employee/sub-contractors utilising flexible work practices will be treated no less favourably than any other employee/sub-contractor. Flexible working is not a barrier to promotion or supervisory responsibilities.

Leave

General leave policy

Unless specified otherwise, employee/sub-contractors referred to in this policy mean permanent full-time or part-time employee/sub-contractors.

All employee/sub-contractors are entitled to leave in accordance with the relevant awards or agreements and statutory provisions. Where the entitlements or practices in this document conflict, the applicable award, workplace agreement, employment contract or employment law takes precedence.

All planned leave has to be mutually agreed, and take into account workloads and the employee/sub-contractor's needs. Leave must be approved in advance, except when the employee/sub-contractor can't anticipate the absence. Any documents regarding leave will be kept on the employee/sub-contractor's personnel file.

Annual leave policy

Each employee/sub-contractor is entitled to a minimum of 20 days annual leave a year (pro-rata for part-time). Leave entitlements are calculated from the date they started work and accrue in accordance with workplace relations legislation or industrial instruments. Annual leave counts towards continuous service (used when calculating long service leave). Applications for annual leave generally need to be lodged 3 weeks in advance.

An employee/sub-contractor is expected to take accrued annual leave for business close down periods. If insufficient leave is accrued, FH Designs may direct an employee/sub-contractor to take unpaid leave.

FH Designs will decide on a case-by-case basis whether it will agree with an employee/sub-contractor to 'cash out' annual leave as permitted by workplace relations legislation or any industrial instrument.

In some circumstances, leave in advance of what leave has accrued may be approved. This is conditional on the employee/sub-contractor agreeing to the business deducting any advance in the event of termination, or to the employee/sub-contractor accepting leave without pay.

Sub-contractors are generally not entitled to leave unless it is specified in the head contract for their assignment.

Personal (sick) leave policy

An employee/sub-contractor is entitled to a minimum of 10 days of personal/carer's leave every 12 months which can all be taken as carer's leave if required. An employee/sub-contractor should notify his/her manager as soon as possible if they are unable to attend work due to illness or injury. Management, at its discretion, may request evidence such as a medical certificate showing that the employee/sub-contractor was entitled to take personal leave during the relevant period.

Sub-contractors are generally not entitled to personal sick leave unless it is specified in the head contract for their assignment.

Compassionate leave policy

Compassionate leave is paid leave taken by an employee/sub-contractor to spend time with a family member/member of the employee/sub-contractor's household, who has a personal illness, or injury, that poses a serious threat to his/her life, or after the death of a family member/member of the employee/sub-contractor's household.

Each employee/sub-contractor is entitled to a period of two days paid compassionate leave for each occasion where a family member has died, or the employee/sub-contractor needs to spend time with a seriously ill family member. Additional unpaid leave maybe granted at management discretion.

Sub-contractors are generally not entitled to compassionate leave unless it is specified in the head contract for their assignment. FH Designs will take a flexible and reasonable attitude for sub-contractors requiring compassionate leave, but will negotiate this on a case-by-case basis.

Long service leave policy

Employee/sub-contractors are entitled to long service leave in line with Victorian long service leave laws (or per a relevant Award or Agreement). There are no long service leave provisions for sub-contractors.

Time in lieu policy

FH Designs will grant time in lieu to an employee/sub-contractor who is required to work outside their normal hours. Time worked towards time in lieu must be approved in advance unless exceptional circumstances exist, in which case management will consider granting approval after the time is worked.

Time in lieu will be added to the employee/sub-contractor's annual leave. FH Designs will record time-in-lieu credits and debits. Generally, employee/sub-contractor should take time in lieu in the same financial year within which they accrue it. A manager must approve time-in-lieu leave. An employee/sub-contractor cannot accrue more than 8 hours of time in lieu.

Sub-contractors are generally not eligible to accrue time in lieu. However, FH Designs will take a flexible and reasonable attitude to time-management by sub-contractors, so long as the sub-contractor meets all the requirements specified in their contract.

Leave without pay policy

Management has the discretion to approve leave without pay that an employee/sub-contractor is not otherwise entitled to.

Emergency services leave policy

If an employee/sub-contractor needs to take temporary absence from work because of voluntary emergency management activities (for example, as a volunteer dealing with an emergency or natural disaster as a member of SES, CFA or Army Reserve) then they should ask management for leave as soon as possible after they become aware of the need to take leave.

FH Designs will support such activities wherever possible, as an important community service.

FH Designs may require evidence of these activities at its discretion.

Performance Management

Policy

The purpose of performance management is to improve performance. It is an ongoing process. It should include informal and formal review. We encourage a two-way process, that is, employee/sub-contractors can also give management feedback on performance.

All employee/sub-contractors will undergo a formal performance review with their immediate managers annually.

Procedure

1. The manager and the employee/sub-contractor agree on the date for a performance appraisal meeting to allow time to prepare.
2. The manager and employee/sub-contractor will meet and openly and constructively discuss performance over the period.
3. The manager and the employee/sub-contractor will agree any objectives and outcomes for the next appraisal period.
4. Training and development will be considered as part of the process.
5. Notes should be taken of the meeting and copies kept.
6. Outside of this formal process, employee/sub-contractors are encouraged to raise any issues they have when they arise.

Performance improvement

Policy

Where warranted FH Designs will use improvement processes to improve performance. Should such improvement processes be unsuccessful in improving an employee/sub-contractor's performance, FH Designs may decide to end an employee/sub-contractor's employment or terminate a sub-contractor's contract. Depending on the circumstances, performance improvement action may include verbal or written warnings, counselling or retraining.

FH Designs requires a minimum standard of conduct and performance which will be made clear to employee/sub-contractors and sub-contractors in management appraisals. If an employee/sub-contractor or sub-contractor does not meet this standard, FH Designs will take appropriate corrective action, such as training. Formal performance improvement procedures will generally only start when other corrective action fails.

If an employee/sub-contractor or sub-contractor deliberately breaches business policy or procedure, or engages in misconduct, FH Designs may start improvement procedures, or, in cases of serious misconduct or breach of policy, may dismiss an employee/sub-contractor or terminate a sub-contractor's contract.

Each employee/sub-contractor or sub-contractor must understand their responsibilities, be counselled and given the opportunity to reach the standards expected of them. FH Designs will give an employee/sub-contractor or sub-contractor the opportunity to defend themselves before management takes further action.

Note: If employee/sub-contractors (or sub-contractors) have a disability that requires reasonable adjustments to be made to the workplace or job to allow you to work safely and productively, they should raise this with their manager. FH Designs will only refuse such requests on reasonable business grounds.

Procedure

1. FH Designs will advise the employee/sub-contractor of any shortfall in their performance, and give them an opportunity to respond.
2. Once they respond, the manager will consider their response and decide if performance improvement action should be taken. FH Designs will provide support such as training where appropriate.

3. If the employee/sub-contractor or sub-contractor is given a verbal warning, the manager should make a note of it, date it and sign it.
4. The manager will advise the employee/sub-contractor or sub-contractor in clear terms what they see as the performance problem or the unacceptable conduct. To highlight the deficiency they should use specific examples, and refer to the correct policy or procedure.
5. The manager will allow the employee/sub-contractor or sub-contractor to respond before making a decision and consider the employee/sub-contractor's responses. The employee/sub-contractor or sub-contractor may have a support person present at such meetings.
6. The manager will decide if more action is needed.
7. If a written warning is to follow, the manager is to:
 - document it and give the employee/sub-contractor or sub-contractor a copy
 - give the employee/sub-contractor or sub-contractor the opportunity (and their support person the opportunity) to sign the warning
 - keep a copy on file
8. The warning must clearly define:
 - the deficiency
 - a clear explanation of the expected standard
 - by when the employee/sub-contractor needs to achieve it
 - how the business will help the employee/sub-contractor or sub-contractor achieve the improvement required
 - consequences of failing to improve
9. The manager concerned will keep a record of all meetings, training and/or coaching given and a summary of discussions, and put a copy on the employee/sub-contractor or sub-contractor's personnel file. This should include date, location and time of discussion.
10. They will continue to support the employee/sub-contractor or sub-contractor and note the support they give, for example, training or counselling.

11. If the employee/sub-contractor or sub-contractor's performance or conduct doesn't improve, the manager will give the employee/sub-contractor or sub-contractor a final written warning and follow steps 4–10 above. This document needs to warn the employee/sub-contractor or sub-contractor in clear terms FH Designs will terminate their employment if there is not enough improvement, and a sustained improvement in, their performance.

Note: some circumstances justify going straight to a second or final warning.

Gross or serious misconduct policy

Summary (instant) dismissal for gross or very serious misconduct is possible (depending on the facts involved). Management should seek advice before taking this step.

Procedure

1. The manager is to investigate the alleged offence thoroughly, including talking to witnesses, if any.
2. The manager should ask the employee/sub-contractor or sub-contractor for their response to the allegation (taking notes of this discussion) and allow them to have representation. The manager should also have a witness present. The manager shall give genuine consideration to the employee/sub-contractor's response and circumstances.
3. If still appropriate, following a thorough investigation, the manager can terminate/dismiss the employee/sub-contractor or sub-contractor.
4. The manager should keep a file of all evidence collected and action taken in these circumstances.
5. FH Designs will send the employee/sub-contractor or sub-contractor a letter of termination noting brief details.

Grievance complaints

Policy

FH Designs supports the right of every employee/sub-contractor or sub-contractor to lodge a grievance with their manager if they believe a decision, behaviour or action affecting their employment is unfair. An employee/sub-contractor may raise a grievance about any performance improvement action taken against them.

We aim to resolve problems and grievances promptly and as close to the source as possible. When necessary, FH Designs will escalate a grievance to the next higher level of authority for more discussion and resolution, and continue escalating it to the level above until it is resolved.

Managers will do their utmost to action grievances objectively, discreetly and promptly. Be aware that grievances that are misconceived, vexatious, and lacking substance may result in disciplinary action being taken against the employee/sub-contractor or sub-contractor lodging the grievance.

Procedure

1. The employee/sub-contractor or sub-contractor should try to resolve the grievance as close to the source as possible. This can be informal and verbal. At this stage, every possible effort should be made to settle a grievance before the formal grievance process starts. If the matter still can't be resolved, the process continues and becomes formal.
2. To start the formal grievance the complainants must fully describe their grievance in writing, with dates and locations wherever possible and how they have already tried to settle the grievance.
3. The person(s) against whom the grievance/complaint is made should be given the full details of the allegation(s) against them. They should have the opportunity and a reasonable time to respond before the process continues.
4. If the grievance still can't be resolved, refer the matter to the most senior manager for consideration and a final decision. A grievance taken to this level must be in writing from the employee/sub-contractor or sub-contractor.

Conflict of Interest

Policy

Conflict of interest arises whenever the personal, professional or business interests of an employee/sub-contractor or sub-contractor are potentially at odds with the best interests of FH Designs.

All employee/sub-contractors and sub-contractors are required to act in good faith towards FH Designs. Employee/sub-contractors and sub-contractors need to be aware of the potential for a conflict of interest to arise and should always act in the best interests of FH Designs.

As individuals, employee/sub-contractors and sub-contractors may have private interests that from time to time conflict, or appear to conflict, with their employment with FH Designs. Employee/sub-contractors and sub-contractors should aim to avoid being put in a situation where there may be a conflict between the interests of FH Designs and their own personal or professional interests, or those of relatives or friends. Where such a conflict occurs (or is perceived to occur), the interests of FH Designs will be balanced against the interests of the staff member and, unless exceptional circumstances exist, resolved in favour of FH Designs.

It is impossible to define all potential areas of conflict of interest. If an employee/sub-contractor or sub-contractor is in doubt if a conflict exists, they should raise the matter with their manager.

Procedure

Employee/sub-contractors (or sub-contractors) must:

- declare any potential, actual or perceived conflicts of interest that exist on becoming employed or contracted by FH Designs to management
- declare any potential, actual or perceived conflicts of interest that arise or are likely to arise during employment or the contract period by FH Designs to management
- avoid being placed in a situation where there is potential, actual or perceived conflict of interest if at all possible

If an employee/sub-contractor or sub-contractor declares such an interest, FH Designs will review the potential areas of conflict with the employee/sub-contractor or sub-contractor and mutually agree on practical arrangements to resolve the situation.

Employee/sub-contractors and sub-contractors must disclose any other employment that might cause a conflict of interest with FH Designs to their manager. Where there are external involvements that do not represent a conflict of interest, these must not affect performance or attendance whilst working at FH Designs. If such involvement does affect performance or attendance it will be considered a conflict of interest.

Employee/sub-contractors and sub-contractors must not set up or engage in private business or undertake other employment (or contracts) in direct or indirect competition with FH Designs using knowledge and/or materials gained during the course of employment with FH Designs.

Engaging in other business interests during work hours will result in strong performance improvement action.

Failure to declare a potential, actual or perceived conflict of interest or to take remedial action agreed with FH Designs, in a timely manner, may result in performance improvement proceedings including dismissal.

Intellectual Property & Security

All intellectual property developed by employee/sub-contractors or sub-contractors during their employment with FH Designs, including discoveries or inventions made in the performance of their duties related in any way to the business of FH Designs, will remain the property of FH Designs.

Employee/sub-contractors (or sub-contractors) may be given access to confidential information, data, business property, keys to premises or any other business related property/information in the performance of their duties. This must be protected and used only in the interests of FH Designs.

Employee/sub-contractors or sub-contractors must not:

- disclose or use any part of any confidential information outside of the performance of their duties and in the interests of FH Designs; or
- authorise or be involved in the improper use or disclosure of confidential information;
- during or after their employment (or contract period) without the Employer's written consent, other than as required by law.

'Confidential information' includes any information in any form relating to FH Designs and related bodies, clients or businesses, which is not in the public domain.

Employee/sub-contractors or sub-contractors must act in good faith towards FH Designs and must prevent (or if impractical, report) the unauthorised disclosure of any confidential information. Failure to comply with this policy may result in performance improvement proceedings including dismissal, and FH Designs may also pursue monetary damages or other remedies.

Environmental Best Practice

Policy

FH Designs will comply with all local, state and federal laws and regulations on:

- disposing of hazardous waste (including EPA's list of prescribed industrial waste), trade waste (i.e. waste added to the sewer) and waste water
- safe handling, storage and transport of hazardous waste and dangerous goods
- noise
- land use
- air pollution and carbon emissions

Procedure

FH Designs will endeavour to increase energy and water efficiency, and seek opportunities for reducing and recycling waste. To do this, we will:

General

- investigate ways to reduce consumption or recycle waste
- give preference to maintenance and other contractors using green products

Energy

- buy electrical and lighting systems rated as energy efficient
- use accredited GreenPower, either in part or whole

Water

- buy appliances rated as water efficient
- buy plumbing devices (e.g. taps) with built-in flow restrictors in kitchen and washing up areas, or add these to existing fittings

Waste

- look for opportunities to exchange waste on the waste exchange database website (wasteexchange.net.au)

FH Designs - Policies and Declaration

Guidance: Including this section is important to ensure you can manage your employee/sub-contractors when breaches of policies and procedures occur. Keep this page in your employee/sub-contractor files to ensure you can performance manage later. Delete policies that do not apply to your business.

You must read all the policies contained in this document and listed below. Company policies are a part of your employment contract and therefore must be read and understood to ensure you are fully aware of your responsibilities as an employee/sub-contractor of FH Designs.

Please read each of the policies listed below and tick where shown to indicate you are aware of the rules and responsibilities you have whilst employed by FH Designs.

1. Code of Conduct Policy
2. IT, Email and Internet Policy
3. Recruitment & Selection Policy
4. Induction Policy
5. Training & Development Policy
6. Probation Policy
7. Occupational Health & Safety Policy
8. EEO and Anti-Bullying Policy
9. Pregnancy at work policy
10. Flexible Work Arrangements Policy
11. Leave Policy
12. Performance Management Policy
13. Performance Improvement Policy
14. Gross & Serious Misconduct Policy
15. Grievance and Complaint Policy
16. Conflict of interest Policy
17. Intellectual Property & Security Policy

18. Environmental Best Practice

Employee/sub-contractor Declaration:

I have read and understand the contents of this manual along with the above policies and I agree to the terms of conditions of these documents.

Employee/sub-contractor Name:

Employee/sub-contractor Signature:

Date: