

# TROPICAL FRUITS

## HUMAN RESOURCES POLICY

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### 1.1 Policy statement

Tropical Fruits is committed to providing transparent, effective, legal, and consistent human resources (HR) systems that benefit the organisation and its staff, Management Committee members (Committee), subcommittees, students and volunteers.

### 1.2 Purpose and scope

The purpose of this policy is to provide guidance to Tropical Fruits in developing and implementing HR systems that are equitable, efficient, communicated to all staff, Committee members, students and volunteers and comply with relevant legislation. This policy applies to all Tropical Fruits employees, Committee members, volunteers and student placements.

### 1.3 Definitions

<b>Worker</b>	Any person aged 18 years or over who is employed or engaged in work in any of the following capacities: <ul style="list-style-type: none"> <li>• as a paid employee</li> <li>• as a self-employed person or as a contractor or sub-contractor</li> <li>• as a volunteer (including Committee members)</li> <li>• as a person undertaking practical training as part of an educational or vocational course (other than as a student undertaking work experience).</li> </ul>
<b>Child/Young person</b>	A child is a person under the age of 16 years and a young person is aged 16 years to 24 years.
<b>Child-related work</b>	Any work in an area prescribed as child-related work in the Child Protection (Working with Children) Act 2012 and the Child Protection (Working with Children) Regulation 2013.
<b>Significant risk of harm</b>	Refers to a person being in circumstances that are causing significant concern for their safety, welfare or wellbeing.
<b>Employee misconduct</b>	Is indicated where the minimum requirements of the organisation's Code of Conduct are not being met and/or where any other improper behaviour or behaviour that endangers the safety of others or the reputation of the organisation is identified.
<b>Serious misconduct</b>	Includes proven theft, physical assault, gross negligence, serious breach of policies and/or procedures, willful or malicious damage, serious breach of safety procedures, illegal or fraudulent acts while on organisational business, or abandonment of employment.
<b>Concern</b>	Is a work-related issue raised by an employee, student, volunteer or Committee member that may be dealt with informally or recorded with no further action required.
<b>Grievance</b>	Is a clear statement by an employee, student, volunteer or Committee member of a work-related problem or complaint that requires formal resolution.
<b>Complainant</b>	Is the person raising the concern or grievance, or making the complaint.

<b>Respondent</b>	Is the person who the concern or grievance is about.
<b>Volunteer</b>	An unpaid person who contributes to workplace operations and services of their own volition and/or as a participant in a recognised volunteer program.
<b>Volunteering</b>	An activity which takes place through many organisations and is undertaken: <ul style="list-style-type: none"> <li>• to be of benefit to the community and the volunteer</li> <li>• of the volunteer's own free will and without coercion</li> <li>• for no financial payment</li> <li>• in designated volunteer positions.</li> </ul>
<b>Student</b>	An unpaid student who contributes to workplace operations and services on their own volition and/or as a participant in a recognised student program supervised by an academic institution.
<b>Workplace bullying</b>	Is described as repeated, unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety.
<b>Unreasonable behaviour</b>	Behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining or threatening.

#### 1.4 Principles

- Tropical Fruits provides a fun, safe and inclusive workplace which is an equitable and positive environment with the absence of nepotism or patronage.
- Workers and volunteers are valued and recognised for their contribution to the organisation's successful achievements and outcomes.
- Workers behave in a professional manner that respects the rights of others. Unlawful discrimination will not be tolerated by any worker.
- Flexible and supportive working conditions are provided in line with relevant legislation.

#### 1.5 Outcomes

- Tropical Fruits recruits and retains workers that contribute to organisational outcomes.
- Working conditions and benefits are an asset of the organisation.
- Human resource practices are free from discrimination.
- Workers drive a dynamic and inspiring culture.

#### 1.6 Delegations

<b>Management Committee</b>	<ul style="list-style-type: none"> <li>• Endorse and ensure compliance with the Human Resource Policy.</li> <li>• All HR responsibilities for Club Manager</li> <li>• Ensure succession planning for Club Manager and other critical operational positions.</li> <li>• Endorse redundancy action as required.</li> <li>• Act as facilitators in resolving grievances as required.</li> </ul>
<b>Club Manager</b>	<ul style="list-style-type: none"> <li>• Compliance with the Human Resource Policy.</li> <li>• Develop and implement HR systems across the organisation.</li> </ul>

	<ul style="list-style-type: none"> <li>• Implement performance and misconduct management processes as required.</li> <li>• Act as facilitator in resolving grievances as required.</li> <li>• HR planning, including identifying position requirements and associated budget.</li> <li>• Endorse recommendations for employment, employee contracts and variations.</li> <li>• Endorse leave requests.</li> <li>• Endorse student placements.</li> <li>• Ensure volunteers are appropriately inducted and supported and comply with relevant legislation e.g., WHS.</li> </ul>
<b>Accounts Officer</b>	<ul style="list-style-type: none"> <li>• Payroll processing and leave record-keeping.</li> </ul>
<b>All Staff</b>	<ul style="list-style-type: none"> <li>• Compliance with the Human Resource Policy.</li> </ul>

### 1.7 Policy implementation

This policy is developed in consultation with Tropical Fruits staff and is approved by the Management Committee. All staff are responsible for understanding and adhering to these HR policy and procedures. Human Resources is an agenda item in staff meetings where system and implementation issues may be raised where relevant.

The specific monitoring and support activities undertaken by Tropical Fruits are:

- Evaluation of worker's and/or volunteers orientation experience
- Evaluation of worker's leaving the organisation

### 1.8 Risk management

Tropical Fruits develops and implements human resource systems that comply with relevant employment legislation, including the Fair Work Act 2009 (Commonwealth). All staff, Committee members, students and volunteers are to be made aware of this policy during orientation.

## SECTION 2 EMPLOYEE RECRUITMENT AND SELECTION

### 2.1 Permanent and contract employees

The Tropical Fruits Club Manager is primarily responsible for the recruitment of permanent and contract employees, with other staff or Committee involved where they have some responsibility for providing supervision for positions.

#### 2.1.1 Position details

Where the organisation intends to recruit to a permanent, contract or casual position, the Club Manager undertakes the following activities:

- Identify need for the position and budget
- Identify remuneration in line with appropriate award<sup>1</sup>
- Develop or review the position description.

#### 2.1.2 Position descriptions

All Tropical Fruits positions have current and relevant position descriptions which detail:

- Title, primary functions and tasks
- Performance indicators
- Reporting and working relationships
- Remuneration range
- Skills and experience required.

#### 2.1.3 Advertising vacant positions

Tropical Fruits seeks to appoint the best possible candidate for permanent, casual and contract-based positions and, in general, will advertise positions externally.

Advertised positions identify:

- Position title
- Summary of the primary functions (i.e., a position description)
- Remuneration or Award
- Process for applying
- If a National Police Check (NPC) and/or Working with Children Check (WWCC) will be required
- Tropical Fruits contact person for enquiries and application
- Application closing date.

Tropical Fruits positions are advertised through the organisation website, social media and external media where relevant.

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<sup>1</sup> For further information on current awards, pay rates and conditions, refer to the Fair Work Ombudsman website.



In the case of recruiting for the Club Manager position, the Tropical Fruits Management Committee is required to co-ordinate an independent recruitment process.

The Club Manager may make the decision not to externally advertise a vacant position if:

- The position is available for a short period of time only (e.g. less than one (1) year)
- Advertising the position would significantly delay the commencement or continuation of the position functions.
- A suitable candidate from within Tropical Fruits is identified.

#### 2.1.4 Position Information Pack

A Position Information Pack is made available on the Tropical Fruits website and to potential applicants by request. The Position Information Pack includes:

- Position description
- Organisation chart
- Organisation's Strategic plan
- Tropical Fruits contact person details
- Other information as relevant.

#### 2.1.5 Handling position applications

Tropical Fruits responds to enquiries from potential applicants and provides general information about the position and organisation equally to all persons who lodge enquiries.

Applications are valid if received before the specified closing time, in the specified format, and include a cover letter, statement responding to the selection criteria, Curriculum Vitae and other information specified.

Tropical Fruits formally acknowledges receipt of all applications by email within 5 working days. A register of all applications is made.

#### 2.1.6 Applicant selection

Selection of applicants for a position with Tropical Fruits is based on merit, with the best possible candidate identified through their Curriculum Vitae, response to the position selection criteria in their written application, interview process and reference checks.

#### 2.1.7 Selection panel

A selection panel reviews, shortlists and interviews applicants, and selects the best candidate for all Tropical Fruits positions. Only applications that address the selection criteria in their written application will be reviewed. A recruitment convener is appointed for each recruitment action.

Tropical Fruits selection panels include:

- A mix of genders

- Club Manager and/or Committee member
- An independent member with knowledge and expertise in the area the position covers
- If the position is an identified position, an Aboriginal and Torres Strait Islander person should sit on the panel.

The Club Manager convenes and provides or delegates secretariat support to the selection panel and the interview process.

The selection panel rates applications against the skills and experience required, and shortlists applicants for interview. Interview questions are based on the position functions, as well as an applicant's relevant skills and experience, and are prepared prior to the interview(s).

### 2.1.8 Applicant interview

Shortlisted applicants are offered an interview for a scheduled date and time. If the applicant is unable to attend at the time offered, the selection panel considers an alternative date and/or time where possible.

Tropical Fruits considers the interview to be a two-way process wherein the organisation is assessing the applicant and the applicant assessing the organisation and deciding if they want to work for the organisation.

All applicants are treated fairly and courteously and assisted to feel relaxed in order to be able to demonstrate their skills, knowledge and experience. Applicants are provided with the prepared interview questions fifteen (15) minutes before the interview commences.

At commencement of the interview, the convener will introduce the panel members and provide an opportunity for each to ask questions from the prepared list. The same questions are asked of each interviewee, with prompts and additional questions as required. The panel rates applicants according to how they meet the selection criteria and their answers to interview questions.

An approximate time frame of when a recruitment decision will be made and when applicants will be notified is provided at conclusion of the interview. Applicants are provided an opportunity to ask questions about the position and about Tropical Fruits.

The selection panel will review their ratings and impressions of each applicant after all scheduled interviews are completed and makes a decision on the applicant(s) best suited for the position.

### 2.1.9 Reference check

The Tropical Fruits recruitment convener is responsible for undertaking applicant reference checks. Reference checks provide an opportunity for the organisation to

confirm employment details provided by the applicant and to further assess suitability for the position.

Reference checks with the applicants' current and/or recent direct manager are sought in order to determine their skills, knowledge and experience. Tropical Fruits may also contact other referees whose details are provided by the applicant.

Other applicant information required may include a National Police Certificate (NPC) and/or a Working with Children Check (WWCC). Refer to Sections 2.3 and 2.4 of this policy for further information.

#### 2.1.10 Interview follow-up

Once references are confirmed to the satisfaction of the selection panel, the preferred applicant(s) is contacted and asked to provide a National Police Certificate (NPC) and/or a Working with Children Check (WWCC), if required. Once the NPC and/or WWCC is confirmed to the satisfaction of the Club Manager, the applicant is offered the position in writing and formally accepts the position in writing.

The employee's remuneration package is confirmed at offer and again at signing the Employment contract. The Employment contract may be signed at offer of the position, or in the time leading up to and including the first day of employment.

All unsuccessful interviewees for Tropical Fruits positions will receive formal acknowledgement of such through a letter within 5 working days of the recruitment decision being made and are informed that their application is securely retained for a period of 6 months. Interview feedback can be provided to unsuccessful interviewees if requested.

#### 2.1.11 Recruitment records

All position recruitment enquiries, applications and interview documents are confidential, with access to such details restricted to those directly involved in the recruitment and selection process.

Once the recruitment process is complete, all recruitment records are filed in the organisation HR filing cabinet for a period of 6 months.

The Tropical Fruits staff member with responsibility for providing supervision for the new position is to prepare a personnel file for the new employee, as well as an induction and orientation process.

## 2.2 Casual and temporary recruitment

Tropical Fruits may utilise casual and temporary recruitment to fill an identified short-term need for a period of up to six (6) months. Recruitment of casual and temporary employees is an internal process and does not require external advertising or a formal selection panel. However, it is important that due process is followed to ensure the process is transparent.

### 2.2.1 Casual, Short Term Contract and temporary recruitment preparation

Recruitment to casual and temporary positions requires endorsement from the Tropical Fruits Management Committee and identifies the following:

- Need for the position
- Primary functions and tasks
- Cost of the position and how it fits within the organisation's budget
- Position description, including selection criteria and performance indicators
- If a National Police Check (NPC) and/or Working with Children Check (WWCC) will be required – refer to Sections 2.3 and 2.4 of this policy for further information.
- Whether the staff member recruiting has a perceived or actual conflict of interest, in which case a second staff person or Committee member is involved in the recruitment process.

### 2.2.2 Identify and approach potential candidates

Following Management Committee endorsement, potential candidates may be identified through known networks, or by reviewing the credentials of applicants who applied unsuccessfully for similar positions in the past twelve (12) months.

The Tropical Fruits staff member in charge of the recruiting process makes initial contact with potential candidates, provides a position information pack, and invites interested individual/s to submit a written statement against the selection criteria, Curriculum Vitae and references.

### 2.2.3 Shortlist applicants

The Tropical Fruits Club Manager reviews applications together with a Management Committee member and meets with the preferred applicant(s) to discuss the position and the required skills. At this stage there are no assurances about the position, as a decision is still required by the Management Committee.

Once references are checked, an NPC is performed (and/or a National Police Certificate is provided) and a WWCC is confirmed (where relevant) to the satisfaction of the Club Manager, and endorsement provided, the preferred applicant(s) is contacted and offered the position in writing. Once the successful applicant formally accepts the position in writing, the employee's remuneration package is confirmed twice: at offer, and again at signing the Employment contract.

## 2.3 National Police Check (NPC)

Conducting a National Police Check (NPC) is not mandatory. However, Tropical Fruits may ask job applicants and employees to disclose specific criminal record information if they have identified that certain criminal convictions or offences are relevant to the requirements of the job.

Positions which require an NPC include:

- Positions that have delegation to sign-off financial approvals

- Positions that require employees to work with children or young people – mandatory under the Commission for Children and Young People Act 1998 (NSW)

The purpose of Tropical Fruits obtaining NPC is to reduce the risk of fraud, theft and professional misconduct within the organisation, to protect the organisation from reputational risk, and to protect vulnerable people, including children and young people, older people and people with intellectual or cognitive impairment.

### 2.3.1 Requesting a National Police Check (NPC)

An NPC is requested from the applicant at the final stage of the recruitment process. The applicant is contacted and offered the position, pending Tropical Fruits' satisfaction with their NPC. Tropical Fruits reimburses applicants for the cost of the NPC (or National Police Certificate). Applications for an NPC are completed by the applicant online.

Tropical Fruits' responsibilities include:

- NPCs are conducted with the authorisation of the job applicant or current employee
- An applicant's NPC is to be used only for the purpose for which it was intended
- An applicant's NPC is personal information to be securely stored in a private and confidential manner
- Under privacy laws, a person's criminal record is treated as sensitive information.

Tropical Fruits respects the privacy of job applicants and employees with criminal records.

### 2.3.2 Risk assessment and results

If an applicant's NPC includes one or more convictions or charges, they are not automatically excluded from the position. Tropical Fruits will give the applicant (or existing employee) an opportunity to provide further information, including circumstances surrounding the offence/s and character references, before determining individual employment decisions.

Tropical Fruits' Club Manager and the Committee Chair undertake a risk assessment and make a determination on employment of the applicant, with consideration given to the following:

- Nature of the offence – How do these offences relate to the functions and responsibilities of the position?
- Pattern of offence(s) – Is there a pattern, even with minor penalties, which indicates a degree of risk due to recurring behaviour?
- Frequency – How often was the offence(s) committed?
- Age – Were the offences committed as a minor?
- Recency – What period of time has elapsed since the conviction?
- Penalty – The quantum and type of penalty may indicate the seriousness of the conviction.

- Mitigating or extenuating circumstances – Mitigating or extenuating circumstances may be considered; these circumstances may include provocation, peer pressure, and misuse of alcohol and drugs at the time of the offence.
- Behaviour patterns – Degree of risk may be indicated by referee reports, peer and manager evaluations, Probation and Parole reports, and stability of employment.
- Decriminalisation – The offence may now have been removed from the statutes, decriminalised, or attracting much lesser penalties.

### 2.3.3 Privacy and confidentiality

Only the Tropical Fruits Club Manager and Committee Chair have access to an applicant's or employee's NPC, which are filed in relevant personnel files.

## 2.6 Orientation and induction

### 2.6.1 Prior to the new employee's commencement date

The Club Manager prepares for the induction and orientation of the new employee. The Induction and orientation checklist details tasks that need to be completed before the new employee's commencement date.

The Club Manager arranges meetings between the new employee and other relevant staff for the first two weeks of the new employee's commencement date to discuss the organisation, current projects and programs, and the employee's role and responsibilities.

An orientation pack is prepared which includes:

- Fair Work Information Statement and the National Employment Standards Fact Sheet
- Position description, Employment contract and Code of conduct to be signed
- Induction and orientation checklist
- Employee contact details form
- Employee bank account details form
- Tax File Number Declaration
- Induction and orientation feedback form
- Organisation's Strategic plan
- Organisation constitution
- Organisation structure

### 2.6.2 Commencement of employment

The new employee is provided with the orientation pack and advised that they are jointly responsible for completing the Induction and Orientation checklist within the first month of employment.

The new employee is provided an opportunity to ask questions regarding the Employment contract and/or the Position description before signing the contract.

### 2.6.3 Orientation and induction feedback

One month from commencement of employment, the employee is asked to complete the Induction and orientation feedback form and meet with the Club Manager to discuss.

Information provided in the Induction and orientation feedback form is used to inform the development of future orientation and induction processes and provides an opportunity to address any concerns the new employee or the organisation may have.

### 2.6.4 Qualification/Probation period

A Six (6) month probation period applies to all permanent and three (3) month probation period applies to contract positions. During the probation period, the new employee and Club Manager regularly meet to continue the orientation process and ensure the new employee is aware of their role and performance expectations. This period allows Tropical Fruits and the new employee to determine suitability for the position before continuation of the employment contract.

During the probation period, Tropical Fruits or the employee can terminate employment by providing a minimum of two (2) weeks' written notice, in line with the Fair Work Act 2009 (Cmlth).

### 2.6.5 Orientation of Students, Committee members and volunteers

All workers are provided with an orientation to Tropical Fruits that is relevant to their role.

Refer to Section 9 of this policy for more information about working with students

Refer to Section 10 of this policy for more information about working with volunteers.

For more information on Committee orientation and responsibilities, refer to the Governance Policy.

## SECTION 3 CONDITIONS OF EMPLOYMENT

### 3.1 Employment contract

All Tropical Fruits employees have a current and signed employment contract and position description relevant to their roles and responsibilities. The signed employment contract and position description are filed in the employee's personnel file, with copies provided to the employee.

### 3.2 Hours of work

Each employee's ordinary hours of work are clearly identified in their Employment contract. Full-time employment with Tropical Fruits requires employees to work 7 hours per day over operational days unless otherwise negotiated with the management Committee/Manager.

Tropical Fruits' hours of operations are between 10am and 5pm Wednesday, Thursday and Friday.

Reasonable additional hours may be required on a regular basis to accommodate a pressing work issue, attend meetings or represent the organisation outside of usual working hours. During the week prior to the New Year's Festival, you will be required to work 5 days (27<sup>th</sup>-31<sup>st</sup> December inclusive). Time off in lieu of paid overtime will be offered as an option to employees who are required to work hours beyond their normal contractually agreed weekly hours.

If an employee is required to work on a weekend or Public Holiday, they will be paid at their normal rate and an alternative half day, full day or day and a half off will be negotiated with the immediate supervisor. See Public Holiday Section of Employment Policy for further information.

### 3.3 Remuneration

Employment contracts detail individual employee remuneration packages which may include the following components:

- Rate of pay – based on relevant Award
- Superannuation

The contracted wages are paid fortnightly by electronic funds transfer (EFT) to a bank account nominated by the employee as indicated on the Employee bank account details form.

#### 3.3.1 Higher duties allowance

Higher duties allowance is paid when acting in the position of Club Manager under the following conditions:

Period of acting	Higher duties allowance
Six (6) days or less	None



Seven (6) consecutive days or more	Social, Community, Home Care and Disability Services Industry Award 2010 (MA000100) Level 3
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### 3.4 Superannuation

Tropical Fruits makes superannuation payments in accordance with the Superannuation Guarantee (Administration) Act 1992 (Cmlth) into a fund nominated by the employee. If the employee does not nominate a complying superannuation fund within two (2) weeks of commencing employment, Tropical Fruits will make contributions into a complying fund nominated by the organisation.

Employees may choose to make additional superannuation contributions, over and above the payments made by Tropical Fruits on their behalf, from their salary.

### 3.5 Leave entitlements

Unless otherwise specified, when ‘employees’ referred to in this section (3.7) of the policy, it means permanent full time or part time employees.

All employees 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. The Fair Work Ombudsman website provides further details about employee leave entitlements according to specific awards or agreements and statutory provisions.

All planned leave must be mutually agreed upon by Tropical Fruits and the employee and take into account workloads and the employee’s needs. Leave must be approved in advance, except when the employee can’t anticipate the absence. Any documents regarding leave will be kept on the employee’s personnel file.

#### 3.5.1 Annual (Recreational) leave

Full-time employees of Tropical Fruits are entitled to a period of Twenty (20) working days paid annual leave for each twelve (12) month period (applied pro rata for part-time employees). Annual leave is exclusive of any days declared and observed as public holidays as notified by the NSW and/or Australian Government.

Annual leave is accrued at the rate of approximately one-third of a week per month and may be taken after the completion of six (6) months’ service, unless negotiated with the Club Manager. Leave entitlements are calculated from the date the employee starts work with Tropical Fruits and accrues in accordance with the relevant workplace relations legislation or industrial instruments.

Applications for annual leave need to be lodged two (2) weeks in advance, or with as much notice as is possible.

Annual leave counts towards continuous service (used when calculating long service leave).

Tropical Fruits will decide on a case-by-case basis whether it will agree with an employee 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 by Tropical Fruits. This is conditional on the employee agreeing to the business deducting any advance in the event of termination, or to the employee accepting leave without pay.

### 3.5.2 Public holidays

Permanent full time, part time, and contract-based employees are entitled to be paid their base rate of pay for the hours they would have ordinarily worked on a public holiday, except where reasonably requested to work, in line with the Fair Work Act 2009 (Cmlth).

An employee may be requested to work on a particular public holiday and will be entitled to 1.5 day's leave in lieu on a mutually agreeable day. However, such a request may be refused by the employee on reasonable grounds, e.g. family responsibilities, etc.

### 3.5.3 Personal leave (Sick leave and Carer's leave)

Full time employees are entitled to a minimum of 10 days of personal leave every 12 months under the Fair Work National Employment Standards (NES). This can be taken as entirely as carer's leave, sick leave, or as a combination of both, as required. Paid personal leave accrues at the rate of 0.8 days per month of service and is cumulative.

#### **Sick Leave**

An employee should notify the Club Manager as soon as possible if they are unable to attend work due to illness or injury. Tropical Fruits, at its discretion, may request evidence such as a medical certificate showing that the employee was entitled to take personal leave during the relevant period.

Unclaimed sick leave accrues on a monthly basis and from year to year. Accrued sick leave is not paid out on termination of employment.

#### **Carer's leave**

Paid carer's leave is available to an employee for the care or support of an ill family or household member or if an unexpected emergency affects a family or household member. It is generally considered a part of the personal leave entitlement and is dealt with similarly to sick leave (as above).

Employees, including casual employees, are entitled to take up to two days unpaid carer's leave for each occasion of family or household member illness or unexpected emergency. An employee cannot take unpaid carer's leave if they could instead take paid carer's leave.

#### 3.5.4 Compassionate leave

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

Each employee of Tropical Fruits is entitled to a period of two (2) days paid compassionate leave for each occasion where a family member has died, or the employee needs to spend time with a seriously ill family member.

Additional unpaid leave maybe granted at Tropical Fruits management discretion. Casual employees are entitled to two (2) days unpaid compassionate leave for each occasion.

#### 3.5.5 Family and domestic violence leave

Under the Fair Work 'National Employment Standards' (NES), all Tropical Fruits employees (including part time and casual employees) are entitled to five (5) days unpaid family and domestic violence leave each year.

#### 3.5.6 Long service (Extended) leave

Long service (Extended) leave entitlements are provided by Tropical Fruits in accordance with the Long Service Leave Act 1955 (NSW). Long service leave applies to most NSW employees who are full time, part time or casuals. Refer to your Employment contract to confirm your entitlement to long service leave. Employees with ten (10) years or more time working for Tropical Fruits are entitled to two (2) months (8.67 weeks) paid leave.

Employees with five (5) years continuous service or more are entitled to a pro rata long service leave payment, if they have been terminated by Tropical Fruits for any reason other than serious and wilful misconduct, resigns as a result of illness, incapacity, domestic or other pressing necessity; or if the employee dies.

If employment is terminated before the completion of five (5) years' continuous service, there is no long service leave entitlement for the employee.

Payment for untaken long service leave at the termination of employment is provided after ten (10) years' continuous service and is exclusive of leave loading. No leave loading applies to Long service leave in general. Part-time employee's Long service leave is applied pro rata.

#### 3.5.7 Parental leave

The Fair Work Act 2009 (Cmlth) defines parental leave as:

- Maternity leave in connection with a pregnancy or the birth of a child
- Paternity or partner's leave for a worker whose spouse is having a child
- Adoption leave for parents who have adopted a child under 16 years of age.

If you are the primary caregiver of your child, you can access up to 52 weeks of parental leave. Parental leave is unpaid except in the instances where an employee is eligible for paid parental leave in line with legislation.

Please note that Tropical Fruits will only make payments in line with the types of parental leave which are outlined below. Where relevant, parental leave will be paid in line with the standard Tropical Fruits pay cycles.

### **Unpaid parental leave**

Employees (including a de facto or same sex partner, or single person) of Tropical Fruits who are expecting a child or adopting a child are eligible for 52 weeks of unpaid parental leave if they are:

- permanent full time or part time with at least twelve (12) months service prior to the expected date of birth or adoption placement
- casual with twelve (12) months regular and systemic service who have a reasonable expectation of continuing regular and systematic work.

After birth or adoption, the parent with primary responsibility for the care of the child is entitled to unpaid parental leave. Employees who are pregnant may commence leave up to six (6) weeks before the expected due date.

Tropical Fruits employees may request to extend their parental leave by a further twelve (12) months (for a total of 24 months maximum). Requests to extend parental leave should be submitted in writing at least four (4) weeks before the end of the original 12 months unpaid parental leave. Tropical Fruits will respond in writing within 21 days and may refuse only on reasonable business grounds. The written response will include details if the request is refused.

More information about unpaid parental leave is available from the Australian Government Fair Work website.

### **Paid parental leave (Primary caregiver pay)**

The Australian Government funds a Paid Parental Leave Scheme where eligible working parents are paid the 'National Minimum Wage' for a maximum period of eighteen (18) weeks. This applies to eligible primary carers of newborn or adopted children. The payments are made by the Government to Tropical Fruits, who then pays these to the employee.

Parental leave can be paid before, after, or at the same time as other existing entitlements, such as annual leave and long service leave.

Paid parental leave is not taken in addition to the 52 weeks unpaid parental leave mentioned above. Any periods of unpaid and paid parental leave must not exceed 52 weeks in total.

Employees may take subsequent periods of paid Parental Leave if they have completed a minimum of twelve (12) months continuous service following their return from any previous paid parental Leave.

### **Parental leave for partners**

If your partner is the primary caregiver of your child, you may be entitled to 2 weeks of Government funded paid Partner Pay whilst on Concurrent Leave. It is your responsibility to check your entitlement to this payment.

Generally, only the parent with responsibility for the care and welfare of the child is entitled to take unpaid parental leave. However, up to three weeks unpaid parental leave may be taken at the same time by both members of an employee couple, with the period of concurrent leave starting on the day of the birth (unless the organisation agrees to other arrangements).

### **Concurrent leave**

Where two (2) employees of Tropical Fruits are a couple who is eligible for parental leave, both employees may take leave at the same time for a maximum period of eight (8) weeks. This leave must be taken within twelve (12) months of the birth or adoption of a child. The concurrent leave may be taken in separate periods. Each period must be no shorter than two (2) weeks, unless the employer agrees otherwise.

### **Special maternity leave**

Unpaid special maternity leave is available to pregnant employees in the case of pregnancy-related illness. The duration of this leave should be agreed with Tropical Fruits as soon as is practically possible, and any unpaid special maternity leave will reduce the overall amount of maternity leave you are entitled to take by the same amount.

If an employee is ill during the pregnancy, they may also access ordinary sick leave entitlements, including any accrued leave.

### **Loss of a child while pregnant**

An employee may also take unpaid 'special maternity leave' if the pregnancy ends within 28 weeks of the due date without a live birth.

The employee must make a special maternity leave application as soon as practicable, specifying the expected leave period for the period, as guided by their treating doctor, and providing a medical certificate, if requested by the manager.

Tropical Fruits will be sensitive to the personal issues associated with this type of leave.

### 3.5.8 Applying for parental leave

An employee wishing to take unpaid and/or paid parental leave must provide written notice to Tropical Fruits at least ten (10) weeks before starting the leave (or as soon as is practicable), including the intended leave start and end dates.

Any changes to leave dates must be confirmed at least four (4) weeks before the leave starts. The Club Manager will confirm the leave and any affected entitlements, such as continuous service, in writing.

Because Tropical Fruits recognises that the timing of placement for an adopted child may be uncertain, employees who are adopting should keep the Club Manager informed of any changes to the likely placement date and commencement of leave.

### 3.5.9 Other types paid parental leave

#### **Time off for antenatal appointments, adoption interviews or examinations**

Personal leave may be available for attendance at medical appointments. Appointment times and the availability of leave should be discussed with the Club Manager.

An employee may take up to two days unpaid pre- adoption leave. Employees must provide notice of the leave to Tropical Fruits, including expected leave period, as soon as practicable (which may be after the leave has started).

If an employee requires more than two days pre-adoption leave, they should discuss their requirements with the Club Manager.

### 3.5.10 During parental leave

Even though the employee is on leave, they will continue to be protected against discrimination as an employee.

Tropical Fruits respects that some employees do not want any contact while on leave, and others do. The Club Manager should discuss with the employee what sort of communication the employee would like while on leave and record this agreement.

While an employee is on unpaid parental leave, Tropical Fruits will ensure that the employee is considered and kept informed of significant changes that may occur in the business.

Where a decision will have a significant effect on the status, pay or location of the pre-parental leave position, Tropical Fruits will take all reasonable steps to inform the employee and discuss the effect of the decision. During any restructures, employees on parental leave will be treated no less favourably than other employees and will be kept informed of the process.

If an employee has applied for less than 52 weeks unpaid parental leave, they can extend the period of leave once to take the total leave up to a maximum of 52 weeks. The employee must give at least four weeks' notice prior to the end date of the original leave period. A period of unpaid parental leave may be reduced by agreement between Tropical Fruits and the employee.

An employee can resign while on parental leave but must give the required notice of resignation as set out in the relevant award or their contract.

Employees should not undertake any activity during leave which is inconsistent with the employment contract, including other employment and they should remain responsible for the care of the child.

The employee's position may be filled on a temporary basis while they are on leave. Tropical Fruits will notify the replacement employee that their employment in this role is temporary and that the pregnant employee has the right to return to the position.

#### 3.5.11 Time in lieu

Tropical Fruits will grant time in lieu to an employee 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 the Club Manager will consider granting approval after the time is worked.

Time in lieu will be added to the employee's annual leave. Tropical Fruits will record time-in-lieu credits and debits. Generally, an employee should take time in lieu in the same financial year within which they accrue it. The Club Manager must approve time-in-lieu leave. An employee cannot accrue more than the equivalent of two weeks of time in lieu.

#### 3.5.12 Leave without pay

Leave without pay may be requested by an employee of Tropical Fruits who has taken all other forms of relevant leave and where a period of absence from the workplace is sought.

Tropical Fruits has the discretion to approve leave without pay for leave that an employee is not otherwise entitled to, with consideration given to:

- the effect on the workplace (e.g., impact on finances, efficiency, productivity, service delivery)
- the ability to manage the workload among existing staff
- the ability to recruit a replacement employee.

#### 3.5.13 Jury duty

An employee is entitled to paid leave for jury duty in accordance with legislation. An employee on jury service should supply the official request to attend, the details of attendance and the amount the court has paid them. Tropical Fruits will reimburse the employee the difference between this amount and their base salary. If an employee is

absent because of jury service of more than ten (10) days in total, the employer is only required to pay the employee for the first ten days of absence.

#### 3.5.14 Emergency services leave

An employee wanting to take temporary leave from work because of voluntary emergency management activities (e.g., as a volunteering to help manage an emergency or natural disaster, such as a member of SES), they should request the leave from the Club Manager as soon as possible after they become aware of the need to take leave.

Tropical Fruits will support such activities wherever possible, as an important community service. Tropical Fruits may request evidence of these activities at its discretion.

#### 3.5.17 Leave applications

All employee leave requests are made through the Tropical Fruits using a Leave application form submitted for approval by the Club Manager. Leave requests and approvals or declines are made in advance to leave being taken.

Sick Leave requests may be completed in retrospect, provided the employee has advised the Club Manager as soon as possible of the need for sick Leave.

The Club Manager forwards the approved Employee Leave Application Form to Accounts Officer for payroll processing.

Processed Employee leave application are filed in employee's personnel files.

### 3.6 Flexible working arrangements

Flexible working arrangements are adjustments in when, where and how work commitments are undertaken. Flexible working arrangements must balance the needs of both the organisation and the employee and are negotiated between the employee and the Club Manager. Tropical Fruits supports flexible work practices wherever possible, however they are not an employee entitlement.

To be eligible to request flexible working arrangements, permanent full time, part time and contract-based employees must have worked for Tropical Fruits for at least six (6) months. Long-term casual employees who have a reasonable expectation of ongoing employment with Tropical Fruits are also eligible.

#### 3.6.1 Flexible work practices

Flexible work practices that could be incorporated in individual flexible working arrangements include, but are not limited to:



- **Flexible working hours** – daily commencement and finishing times can be varied depending on the needs of the employee and the organisation, provided that required hours are completed or time in lieu is applied
- **Make up time** – time from ordinary hours may be taken, with these hours worked at a later time at the ordinary rate of pay
- **Time in lieu** – time may be taken in lieu of overtime payment for above ordinary hours worked
- **Working from home** – duties are undertaken by employees in their homes rather than in the organisation’s office, a ‘Working from Agreement’ is completed and actioned before working from home commences.
- **Job sharing** – where two or more team members share one full time position, each working on a part time basis
- **Purchased leave (or 48/52 leave)** – where team members take an additional four (4) weeks leave per year by adjusting their salary to 48 weeks paid over the full 52 weeks
- **Compressed hours** – where an employee works additional daily hours to provide for a shorter working week or fortnight.

Employees of Tropical Fruits are expected to meet their employment responsibilities and adhere to the organisation’s Code of Conduct whether flexible work practices are used or not.

Tropical Fruits Club Manager is expected to provide adequate and equitable supervision and support for staff.

Communication strategies are adapted to ensure the employee and their team are not adversely affected due to an employee’s flexible work practices.

All correspondence relating to an employee’s flexible working arrangements are to be filed in the employee’s personnel file.

Requests to negotiate flexible working arrangements with Tropical Fruits are considered on a case-by-case basis.

### 3.6.2 Flexible working arrangement considerations

In reviewing requests for flexible work practices, Tropical Fruits considers the following:

- Is the flexible work practice being sought the best or only solution to the need?
- Are the employee’s functions/duties/activities suited to the flexible work practice proposed?
- What are the costs and benefits of the proposal in financial and non-financial terms?
- If working from home, does the employee have the information and competency to undertake work unsupervised?
- If working from home, are all necessary equipment/resources available for the employee to safely undertake their duties?

Approval for flexible work practices may be retracted if there are concerns regarding an employee's work performance, if the practices are adversely affecting Tropical Fruits' operations, or if there are unacceptable work health and safety risks.

### 3.6.3 Working from home

Once initial approval for working from home has been granted in principle, a Tropical Fruits Work health and safety (WHS) report is to be completed by the staff member and forwarded to the Club Manager. A Working from home agreement will then be signed by the employee and Club Manager.

Once the WHS Report has been completed, reviewed and no WHS concerns remain that would impede working from home, the employee and the Club Manager develop and document a Working from Home Agreement. This agreement may be reviewed at any time due to WHS concerns, concerns from the Club Manager or worker.

All working from home documentation, including requests, correspondence, working from home report and agreements are filed in the staff member's personnel file.

## SECTION 4 PERFORMANCE AND DEVELOPMENT<sup>2</sup>

Employees who are valued and well supported are more likely to remain in the workplace and to further develop their skills. Ongoing supervision and support are essential for monitoring progress and identifying skill deficits and strengths, planning for development and ongoing performance monitoring.

### 4.1 Probation period

A six (6) month probation period applies to all permanent and contract positions with Tropical Fruits. During the qualification period, the new employee and Club Manager regularly meet to continue the orientation process and ensure the new employee is aware of their role and performance expectations. This period allows Tropical Fruits and the new employee to determine suitability for the position before continuation of the employment contract.

In the 2 to 3 weeks prior to completion of the 6-month probation period, a review of the employee's performance is undertaken with the Club Manager. Elements for discussion in this review include:

- Ability to perform duties as outlined in the position description
- Performance measured against indicators in position description
- Attendance, punctuality and conduct
- Participation in team and organisation professional activities.

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<sup>2</sup> For up-to-date information seek advice from Fair Work Australia

## **4.2 Performance and development planning**

Tropical Fruits employees maintain current performance and development plans and reviews that have been developed as a collaborative process between the employee and the Club Manager. Plans are informed by the employee's position description, function areas, and performance indicators; these plans also detail expected outcomes and professional development activities. Staff members are guided by the organisation's Performance and development plan and review documents.

Performance and development of the Club Manager is similarly planned and reviewed by the Chair of the Management Committee.

Initial performance and development planning of Tropical Fruits employees is undertaken at the 6-month probation period for new employees, if employment is continuing.

Mentoring/coaching may be made available to employees and Management Committee members on discussion with the Management Committee and Club Manager.

## **4.3 Work plans and supervision**

Tropical Fruits employees undertake monthly work planning and supervision sessions with the Club Manager, providing a two-way process to:

- Discuss current projects, tasks and issues as per employee's work plan
- Ensure the staff member understands and is meeting all requirements of their position description
- Provide feedback on performance, including achievements and areas for development
- Maintain the link between the individual worker and the organisation's Strategic plan.

The monthly meetings are centered on the employee's Work plan.

## **4.4 Performance and development review**

Employee performance and development reviews are a collaborative process between the individual employee and the Club Manager and are conducted in 12-month cycles.

The purpose of performance and development reviews is to review overall performance and achievement, progress against expected outcomes, professional development activities, additional supports required, and remuneration. Tropical Fruits performance and development reviews aim to benefit both the employee and the organisation by developing work performance and employee satisfaction.

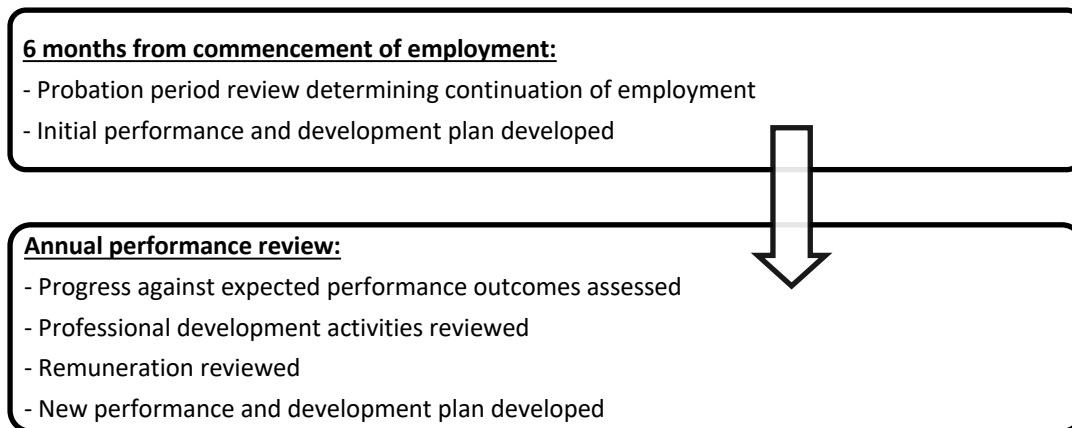
Tropical Fruits' Club Manager is responsible for providing performance feedback and suggestions for development; however, the employee takes primary responsibility for performance improvement and implementing professional development activities.

Performance and development review meetings are scheduled with a minimum of four (4) weeks' notice to allow both the employee and the Club Manager to populate the Performance and development plan and review template, including assessment ratings for each function area. The

plan may be expanded or adjusted following the performance and development review meeting, before being signed by both parties and filed in the employee’s personnel file, with a copy provided to the employee.

#### 4.5 Plan and review cycle

The twelve (12)-month performance and development review cycle is comprised of several stages/events, as outlined in the figure below:



#### 4.6 Performance assessment rating

Twelve (12)-month performance reviews include an assessment of achievement against expected performance outcomes. These performance outcomes are developed in previous performance review meetings and are identified in performance and development plans.

Both the employee and Club Manager make an assessment rating for each function area and additional comments to further explain rationale for the rating. The rating is used to discuss performance and achievements, inform future professional development plans, and support any recommendation for wage increase.

##### Performance assessment ratings – (1 to 5)

<b>5</b>	Consistently exceeds performance expectation and requirement of role, and contributes to raising the standards, profile and/or sustainability of the organisation
<b>4</b>	Performance indicators met and exceeds expectations and requirement of role
<b>3</b>	Performance indicators met
<b>2</b>	Performance indicators partially met
<b>1</b>	Performance indicators not met

In applying performance assessment ratings, Tropical Fruits gives consideration to external factors that may have limited the ability of an employee to fulfil performance expectations. External factors may include staff turnover or absence, changes to funding and budget arrangements.

Where it is determined that external factors have impacted on an employee's ability to meet a target outcome, it is assumed that the employee would have met the target under normal circumstances and a performance assessment rating of 3 applied.

#### **4.8 Managing poor performance**

Poor performance is work-related behaviour that does not meet the expected performance outcomes in the performance and development review and/or does not meet expected standards outlined in the position description or Tropical Fruits' Code of Conduct.

Consistent and repeated poor performance may lead to termination of employment.

##### **4.8.1 First step – Performance discussion**

Where general poor performance is identified, the Tropical Fruits Club Manager meets with the employee to discuss performance concerns and areas for improvements. Details of the meeting are documented, including performance concerns, employee's response, action to be undertaken and indicators of improvement. Documentation is filed in the employee's personnel file.

Poor performance may also be identified and discussed as part of the employee's 6-month probation period, monthly work plan and supervision sessions, or performance and development reviews.

Poor performance is to be managed as soon as identified and not left for the next scheduled performance and development review.

Where poor performance is discussed with an employee, the employee is provided the opportunity to respond verbally or in writing within a set timeframe.

Where performance improvement is required, Tropical Fruits will give a clear time frame for change followed by a systematic review of employee performance according to the identified improvement indicators.

Tropical Fruits provides reasonable additional support for the employee to achieve performance improvement.

##### **4.8.2 Second step – First written notice**

Where initial poor performance discussions do not result in an improvement of performance, the Tropical Fruits Club Manager and employee meet, where a first written notice relating to the poor performance is addressed and provided to the employee.

The first written notice is signed by the Club Manager and employee to acknowledge receipt. It includes a description of the poor performance, improvements required and indicators of improvement within a reasonable set time period. The employee is informed of the serious nature of receiving a first written notice and that failure to improve

performance shall result in a second written notice, with potential to lead to termination of employment.

Following the first written notice, performance is reviewed within a set time period. If performance has improved to the required level, a meeting between the Club Manager and employee occurs where ongoing performance is discussed and planned. Notes are taken of these discussions between Tropical Fruits and the employee and the outcome of the process. The matter is then considered closed, with documentation filed in the employee's personnel file.

#### 4.8.3 Third step – Second written notice

If performance is reviewed as not meeting the level required by Tropical Fruits after the first written notice, the employee is given a second written notice. This second warning states the process undertaken to date, details of continued poor performance, where improvements in performance have not been made, and why this is considered serious poor performance.

The second written notice is discussed at a meeting between the Club Manager and the employee. The Club Manager may be accompanied by a Committee member if appropriate, and the employee may be accompanied by another person, including a union representative or an advocate.

A statement is to be signed by the Club Manager and employee indicating understanding of the poor performance, improvements required and indicators of improvement within a reasonable set time period.

Following the second written notice, performance is reviewed within the set time period. If performance has improved to the required level, a meeting between the Club Manager and employee occurs where ongoing performance is discussed and planned. Notes are taken of all discussions between the Club Manager and the employee regarding employee performance and the outcome of the process. The matter is then considered closed, with documentation filed in the employee's personnel file.

If performance is reviewed as not meeting the required level after the second written notice, the options to be considered for both the organisation and the employee are:

- Change in position, responsibilities and remuneration
- Voluntary resignation
- Termination of employment by the organisation

## 4.9 Managing employee misconduct

Employee misconduct is indicated where the minimum requirements of the organisation's Code of Conduct are not being met and/or where any other improper behaviour or behaviour that endangers the safety of others or the reputation of Tropical Fruits, is identified.

Serious misconduct<sup>3</sup> may lead to summary dismissal.

#### 4.9.1 First instance of misconduct

Where misconduct is identified, the Club Manager meets with the employee to discuss the issue. The employee may be accompanied by another person, including a union representative or an advocate.

When a complaint about performance or conduct is brought to the Club Manager's attention by a third party, the substance of the complaint is verified before any action is taken on the matter.

Details of the meeting are documented, including misconduct behaviour, employee's response and action to be undertaken.

Actions Tropical Fruits may take in response to employee misconduct include:

- Change in responsibilities and activities
- Increase in supervision of the employee
- Training/education to improve understanding and behaviour in certain areas
- Temporary suspension from duties
- Summary dismissal.

After the meeting, the employee is provided with written notification of the misconduct behaviour and action to be undertaken. The notification may include a statement that if further instances of misconduct occur, the employee's employment may be terminated. Documentation is filed in the employee's personnel file.

#### 4.9.2 Second instance of misconduct/First instance of serious misconduct

Where a Tropical Fruits employee engages in a second instance of misconduct, or where the behaviour is defined as 'serious misconduct', the employee may be suspended with full pay for a period, to emphasise the serious nature of the misconduct and to allow sufficient time for Tropical Fruits to determine a further course of action.

This suspension period might be used to undertake employee training/education aimed at improving understanding and behaviour in certain areas, and to allow for return-to-work planning. Return to work planning includes a written warning that any other instances of misconduct shall result in dismissal.

Serious misconduct, or a second instance of misconduct, may also result in the employee's employment being terminated. The Tropical Fruits Club Manager is the only staff member who can suspend or dismiss an employee as a result of misconduct. The

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<sup>3</sup> Serious misconduct includes proven theft, physical assault, gross negligence, serious breach of policies and/or procedures, willful or malicious damage, serious breach of safety procedures, illegal or fraudulent acts while on company business, or abandonment of employment.

Club Manager will seek advice and approval on suspensions or dismissals from the Management Committee and/or an external source, such as an industrial employment body.

In the event of disciplinary action against the Tropical Fruits Club Manager, the Committee must authorise the suspension or dismissal of the Club Manager.

#### 4.9.3 Employee appeals

An employee may appeal against poor performance or misconduct allegation through written notification to the Tropical Fruits Club Manager.

The Tropical Fruits Club Manager will recommend a response and further course of action after consulting with the Committee and may seek advice from an external source, such as an industrial employment body.

The Management Committee is informed by the Club Manager of any appeals against performance management measures. The Committee also has the responsibility for ensuring that the Club Manager is in compliance with industrial relations laws.

### 4.10 Grievance management

Tropical Fruits is committed to preventing and effectively responding to staff grievances in the workplace and provides appropriate procedures in managing concerns, grievances and disputes by staff, Committee members, volunteers and students.

This section includes concerns and grievances:

- between workers
- about the behaviour of a staff member, student or Committee member not directly impacting on the complainant (e.g. witnessing inappropriate behaviour)
- about a specific policy or decision by the organisation.

This policy does not provide detailed guidance on:

- Grievances between Committee members – refer to Tropical Fruits' Governance policy for more information on Committee grievances.
- Feedback and complaints from members and stakeholders

#### 4.10.1 Disciplinary or performance management

- A concern or grievance raised by Tropical Fruits employees, Committee members, students or volunteers is considered separate and independent from disciplinary processes undertaken to manage performance or conduct matters. However, a grievance may give rise to a disciplinary process.
- If a concern or grievance is raised during disciplinary or performance management processes, the matter is to be addressed as per this policy and related procedure, and the disciplinary or performance management process continues independently.



- In the first instance, a concern should be resolved informally. Where this is not possible, or where the complainant seeks a formal outcome, the concern is considered a grievance and the matter proceeds to the Tropical Fruits formal grievance management process.
- Examples of concerns include reports of another staff member's behaviour, or an organisation practice that reflects negatively on the organisation, staff members, Committee Members, students, volunteers or members.
- When a concern about a third person's behaviour (not directly impacting on the complainant) is brought to the Club Manager's attention by the complainant, the substance of the concern is verified before any action is taken on the matter.

#### 4.10.4 Formal grievance resolution

- Complainants are to make formal notification of a grievance in writing and submit it to the Club Manager. Where the complainant's direct Manager is the Club Manager and is also the respondent to the grievance, the complainant shall lodge the grievance with the Tropical Fruits Committee's Chair, who may manage the grievance or request another Committee member to do so. Note that in some circumstances concerns or grievances may not relate to a specific respondent.
- An appropriate person to manage the grievance is identified, depending on the nature of the grievance. It is critical that this person is impartial, has no conflict of interest in the matter nor vested interest in the outcome of the matter.
- The person who has received formal notification of a grievance shall acknowledge receipt of the grievance in writing within seven (7) days. The person managing the grievance, the complainant and the respondent (if there is one) manage the grievance process. This may include:
  - The person managing the grievance shall interview the complainant to clarify allegations and details, ascertain desired outcome(s), and advise of the process to be followed.
  - The person managing the grievance shall assess the allegations in the context of Tropical Fruits policies and relevant legislation, identify whether there is a legitimate complaint, and whether the Human Resources policy (Grievance Management section) established an appropriate course of action under which the situation should be addressed.
  - Any respondent/s will be informed of the grievance allegations as soon as possible and provided with opportunity to respond in writing and/or in person to the allegations within seven (7) days.
  - The person managing the grievance may interview other parties only if relevant to the grievance allegation and that a conflict of interest or bias does not exist.
  - The person managing the grievance may propose a resolution, allowing both the complainant and the respondent (if any) opportunity to comment and agree to.
- After action has been taken to resolve the grievance, if no further response is received from either the complainant and the respondent (if any) is satisfied with the resolution, the grievance is considered closed. The Grievance process is closed off, the original filed with the Grievance Register, and copies placed in the personnel files of both the complainant and the respondent.

- Where a grievance remains unresolved, the person managing the grievance may seek the Committee's Chair to contribute to the resolution process. Additionally, external mediation may be arranged by the organisation in an attempt to resolve the dispute.
- The complainant and/or the respondent may request to have Union representation or an advocate as part of the external mediation procedure. The complainant and/or the respondent and/or Tropical Fruits may seek assistance from a relevant industrial tribunal.
- If there is the possibility that a person's employment will be terminated if the allegations are proven as part of an investigation, then the engagement of an external investigator will require serious consideration by the Club Manager and Management Committee to ensure that the process was carried out correctly, impartially and will stand up in any potential court proceeding.

#### 4.10.5 Withdrawing a grievance

- The complainant may withdraw their grievance at any time through written notification, providing an explanation as to why the grievance is being withdrawn to all those involved.
- A record of the withdrawal shall be kept with the original Grievance and noted on the Grievance register) and copies kept in the files of both the complainant and respondent.

#### 4.10.6 Ill-founded grievances

- The person managing the grievance may determine that the grievance is ill-founded and propose terminating further grievance management procedures.
- Final determination to terminate further grievance management procedures is made by the Club Manager and/or the Chair.
- Complainants related to ill-founded grievances have the right to request review of grievance management termination.

#### 4.10.7 Documentation

- All grievances are to be lodged in writing and the details are to include:
  - Grievance allegations
  - Respondent's response if any
  - Resolution actions previously undertaken
  - Proposed resolution actions.
- Details of how the grievance has been managed are to be recorded and the details are to include:
  - Names of those involved in the grievance
  - Proposed and actual actions undertaken
  - Outcomes and further recommendations
  - Closure details
  - Sign-off by all parties.
- Details relating to grievances are considered confidential outside those directly involved in the Tropical Fruits grievance management process.

- Copies of Grievances and other documentation related to the grievance are retained in the complainant's and respondent's respective personnel files and attached to the Tropical Fruits Grievance register.
- A register of grievances and related original documentation are retained in the secure Tropical Fruits Human Resource filing cabinet, which the Club Manager is responsible for the security and management of.
- Grievances remain on the grievance register for a period of not less than five (5) years.

## SECTION 5 WORKPLACE CONDUCT

### 5.1 Code of Conduct

Tropical Fruits staff and volunteers are required to abide by the organisation's Code of Conduct. The Code of Conduct outlines standards of behaviour required in the performance of Tropical Fruits related duties.

Tropical Fruits expects staff, committee members, contractors, students and volunteers to always treat other staff, members, guests and suppliers with the utmost respect and courtesy. Personal contacts with the above need to be friendly, professional and conducted with our core values at front of mind, that is being fun, safe & inclusive.

To ensure we provide the best possible services to and protect the experience and safety of our members and guests, along with maintaining a safe and positive work environment, Tropical Fruits expects employees to:

- Respect the law and lawful instructions
- Respect your colleagues, guests and the public
- Work with integrity, diligence, economy and efficiency

Employees acknowledge understanding of, and agreement with Tropical Fruits' Code of Conduct by signing a copy of the code at commencement of their employment or placement.

#### 5.1.1 Unacceptable workplace conduct

Tropical Fruits considers the following to be unacceptable behaviour by employees.

Breaches of law and lawful instructions include, but are not limited to:

- Not complying with any laws relating to work undertaken by Tropical Fruits.
- Not complying with Tropical Fruits' policies and procedures.
- Refusing or failing to carry out any reasonable and lawful instructions of the Club Manager.
- Violating or causing others to violate health and safety regulations.
- Possessing firearms, weapons, illegal drugs or drug paraphernalia of any kind at the Clubhouse or at our events.

Failing to treat colleagues, members, guests and the public with respect, including behaviour such as:

- Failing to treat guests, members and team members with respect, including using threatening, obscene, profane or abusive language, gestures or behaviour
- Physical and/or verbal violence towards guests, members or team members
- Engaging in dangerous horseplay or disorderly conduct
- Unlawfully discriminating against a guest, member or team member
- Harassing or bullying guest, member or team member including behaviour that is racist, sexist or transphobic.
- Victimising any team member or client who reports a breach of this Code of Conduct.

Breaches of professional integrity include, but are not limited to:

- Failing to declare any real or perceived conflict of interest
- Failing to report any attempted bribery
- Disclosing any confidential or official information.

Lack of appropriate work-related diligence, including behaviour such as:

- Smoking contrary to established policy
- Failure to be in the workplace, ready to work at the regular starting time
- Ignoring work duties or wasting time during working hours
- Coming to work under the influence of alcohol or any illegal drug, or bringing personal alcoholic beverages or illegal drugs onto Tropical Fruits property
- Accessing or sharing hate websites or illegal websites using company equipment or ‘bring your own device’ (BYOD)
- Posting offensive, defamatory, threatening, discriminatory, bullying, inappropriate, false, racist, sexist, transphobic, derogatory or malicious comments or materials online or in social media
- Failure to advise the Club Manager of completion of jobs or delays
- Having an uncooperative attitude.

Failure to apply appropriate economy and efficiency to your position, including behaviour such as:

- Not taking proper care of, neglecting, or abusing Tropical Fruits equipment and tools
- Wilfully damaging, destroying, or stealing property belonging to fellow team members or Tropical Fruits
- Intentionally giving false or misleading information to obtain a leave of absence
- Taking unexcused absences from work
- Using Tropical Fruits equipment, property or consumables for private purposes, without prior authorisation.

Any staff found engaging in these will be subject to disciplinary actions including reprimand, warning, suspension or dismissal.

## 5.2 Anti-discrimination

Tropical Fruits is committed to the principles of Equal Employment Opportunity (EEO), based on the Anti-discrimination Act 1977 (NSW) and related Commonwealth (Cmlth) legislation, and supports the creation of working conditions to ensure that all staff have an equal chance to seek and obtain employment, promotion, training and the benefits of employment.

Tropical Fruits is an equal opportunity employer. All team members are treated on their merits, without regard to race, age, gender, sexuality, marital status, parenting status or any other factor not applicable to the position. Staff are valued according to how well they perform their duties and their ability and enthusiasm in maintaining the expected standards of service.

Tropical Fruits does not tolerate any form of discrimination. We believe all team members, volunteers, members, guests, contractors, stakeholders and visitors have the right to work in an environment free of discrimination and harassment. Discrimination undermines proper working relationships and may cause low morale, absenteeism and resignations.

### **What constitutes discrimination?**

Under Federal and State anti-discrimination laws, discrimination against staff, guests or suppliers on the following grounds is against the law:

- relationship or parental status
- race
- religious belief or activity
- political belief or activity
- impairment
- trade union activity
- lawful sexual activity
- pregnancy
- breastfeeding needs
- family responsibilities
- gender identity
- sexuality
- age.

It is also against the law to treat a team member or guest unfairly because they are linked to someone from one of these groups.

Tropical Fruits requires all workers comply with anti-discrimination legislation, including:

- Racial Discrimination Act 1975 (Cmlth)
- Sex Discrimination Act 1984 (Cmlth)
- Human Rights and Equal Opportunity Commission Act 1986 (Cmlth)
- Disability Discrimination Act 1992 (Cmlth)
- Anti-Discrimination Act 1977 (NSW).

Unlawful discrimination occurs when someone is treated less favorably because of one of their personal characteristics, as listed in legislation. Discrimination may involve, but is not limited to:

- Offensive "jokes" or comments about another team member's racial or ethnic background, sex, sexual preference, age, disability or physical appearance
- Display of pictures, computer graphics or posters which are offensive or derogatory
- Expressing negative stereotypes of particular groups, e.g., "married women shouldn't be working"
- Judging someone on their political beliefs rather than their work performance
- Using stereotypes or assumptions to guide decision-making about a person's career

- Undermining a person's authority or work performance because you dislike one of their personal characteristics.

Tropical Fruits will ensure that all guests and staff are treated equitably and are not subject to unlawful discrimination. The Club Manager will ensure that people who make complaints, or who are witnesses to discrimination, are not victimised in any way. Any reports of discrimination or harassment will be treated seriously and investigated promptly, confidentially and impartially.

Where internal incidents of discrimination are suspected and/or identified, the procedures outlined in Section 5 of this policy will be followed, and/or disciplinary action taken.

Where incidents of discrimination are suspected or identified from sources external to Tropical Fruits, the procedures outlined in Section 7 of the organisation's Communications policy will be followed.

### **5.3 Bullying and harassment**

Tropical Fruits is committed to ensuring a healthy and safe working environment, free from hostility, offensiveness, intimidation and harassment, and any form of unlawful discrimination. These forms of behaviour within the workplace are unacceptable and will not be tolerated.

As an employee of Tropical Fruits, you are responsible for your own behaviour. If you think your behaviour may offend others, then don't do it.

If you witness behaviour towards another Tropical Fruits employee, which may constitute workplace bullying or sexual harassment, you are encouraged to discuss the matter with your Manager.

#### **5.3.1 Definition of Workplace Bullying**

Bullying occurs when:

- a) a person or group of people repeatedly behaves unreasonably towards a team member or a group of team members at work, and
- b) the behaviour creates a risk to health and safety.

Bullying does not include reasonable management action taken in a reasonable way by Tropical Fruits in connection with your employment.

Detailed below are examples of behaviours that may be regarded as bullying if the behaviour is repeated and unreasonable, and which create a risk to health and safety.

Examples of bullying include, but are not limited to:

- Aggressive or intimidating conduct
- Belittling or humiliating comments
- Spreading malicious rumours
- Teasing, practical jokes or 'initiation ceremonies'
- Exclusion from work-related events

- Unreasonable work expectations, including too much or too little work, or work below or beyond a team member's skill level
- Displaying offensive material
- Pressure to behave inappropriately.

### 5.3.2 Definition of Sexual Harassment

Sexual harassment is any form of unwelcome sexual attention. It has nothing to do with mutual attraction or friendship between people, which is normal and positive. Sexual harassment involves humiliation or offence to the victim. It's not fun, flattering or flirting. Sexual harassment can happen to anyone, and it's against the law wherever and whenever it occurs.

Sexual harassment could be:

- Unwelcome physical touching, hugging, massaging or kissing
- Sexual or suggestive comments, jokes, taunts or name calling
- Unwelcome requests for sex
- Insinuations about a person's private or sex life, or sexual orientation
- Offensive gestures or staring
- Sending provocative SMS messages or emails
- Unwelcome or uncalled for remarks or insinuations about a person's appearance
- Posting of inappropriate comments, pictures, videos or blogs on websites
- The display or circulation of clearly sexual material (e.g., Photos, pin-ups, screensavers or pictures) or reading matter (e.g. Emails, faxes, social media links or letters).

Unlike bullying, sexual harassment does not have to be repeated or ongoing to be against the law. Some actions or remarks are so offensive that they clearly constitute sexual harassment, even if they're not repeated.

The harassment doesn't have to be deliberate. It can also occur in cases where a reasonable person would have expected that the behaviour in question was going to be offensive to others.

Some sexual harassment matters, such as sexual assault, indecent exposure and stalking are also criminal offences. Tropical Fruits refers all matters of this nature to the police.

### 5.3.3 Actions that are not bullying or harassment

Legitimate and reasonable management actions and business processes are not considered to be bullying or harassment by Tropical Fruits, provided these actions are conducted in a reasonable way.

Examples of this include, but are not limited to:

- Performance management processes
- Disciplinary action for misconduct
- Informing a team member about unsatisfactory work performance or inappropriate work behaviour

- Asking a team member to perform reasonable duties in keeping with their job
- Maintaining reasonable workplace goals and standards.

#### 5.3.4 Effects of bullying or harassment on people and Tropical Fruits

Bullying and/or harassment is harmful to the person who experiences it directly, as well as to those who witness it.

Individual reactions to bullying and/or harassment may include, but are not limited to:

- Distress, anxiety, panic attacks or sleep disturbance
- Physical illness, such as muscular tension, headaches and digestive problems
- Reduced work performance
- Loss of self-esteem and feelings of isolation
- Deteriorating relationships with colleagues, family and friends
- Depression and risk of suicide.

Witnesses to bullying and/or sexual harassment in the workplace may experience guilt and fear because they do not help or support the affected person in case they are also bullied. Witnesses may feel angry, unhappy or stressed with the workplace and may become unmotivated to work.

Bullying and/or harassment also creates an unsafe working environment and can damage the organisation as a whole, resulting in:

- Loss of trained and talented staff
- High staff turnover and associated recruitment and training costs
- Low morale and motivation
- Increased absenteeism, reduced efficiency and lost productivity.
- Reputational damage to the organisation.

#### 5.3.5 Vicarious Liability

Under the Anti-Discrimination Act 1977 (NSW) and other related legislation, Tropical Fruits can be held liable for the actions (including sexual harassment) of their staff or agents. This is called vicarious liability and Tropical Fruits will take reasonable steps to ensure that they protect their employees from sexual harassment and other types of discrimination and vilification, and to try to ensure their workplaces are free of this type of behaviour.

#### 5.3.6 Strategies to eliminate bullying and harassment

##### **Responsibilities of all staff**

Tropical Fruits requires all staff to contribute to maintaining a safe working environment by:

- Not tolerating unacceptable behaviour
- Promptly reporting incidents of workplace bullying or harassment to the Club Manager



- Maintaining privacy and confidentiality during investigations of alleged unacceptable behaviour.

#### **Responsibilities of the Club Manager**

The Club Manager must ensure that team members are not exposed to workplace bullying and/or harassment. The Club Manager is required to:

- Personally demonstrate appropriate behaviour
- Promote the organisation's bullying and harassment prevention policies and procedures
- Treat complaints of bullying and sexual harassment seriously and ensure they are investigated promptly, fairly and impartially
- Ensure that, where a person lodges or is witness to a complaint, this person is not victimised.

#### **Responsibilities of the organisation**

Tropical Fruits will take the following actions to prevent and control exposure to the risk of workplace bullying or harassment:

- Provide all team members with workplace bullying and harassment awareness information
- Develop a Code of Conduct for team members to follow
- Introduce a complaint handling system and inform all team members of how to make a complaint, what support systems available, the options for resolving grievances and the appeals process
- Treat any reports of workplace bullying or harassment at Tropical Fruits seriously and investigate them promptly, fairly and impartially
- Ensure that, where a person lodges or is witness to a complaint, this person is not victimised
- Regularly review the workplace bullying and harassment prevention policy, complaint handling system and training.

#### **5.3.7 Consequences of bullying and harassment**

Disciplinary action will be taken against any employee who harasses or bullies a co-worker, guest or supplier of Tropical Fruits or who victimises a person who has made or is a witness to a complaint. Complaints of alleged workplace bullying, or harassment found to be malicious, frivolous or vexatious may equally make the complainant liable for disciplinary action.

The Tropical Fruits disciplinary process may involve a warning, counselling or dismissal, depending on the circumstances.

### **5.4 Workplace violence**

Tropical Fruits does not tolerate violence in the workplace, including intentional damage to property, physical assault or the threat of physical assault. Tropical Fruits refers all matters of intentional property damage, physical assault or threats of violence to the police.

## 5.5 Dress code

Tropical Fruits workers are required to dress appropriately in all workplace situations to reflect the community expectations of the organisation.

## 5.6 Use of computers, mobile devices and social media

Tropical Fruits staff (and Committee members, students and volunteers, where relevant) are provided with computers, internet access, phones and/or electronic mobile devices for the primary purpose of undertaking the duties of their position. All materials produced, sent and kept by staff on organisational computers, internet, phones and/or electronic mobile devices remain the property of Tropical Fruits, including emails and browsing histories.

Social media has an increasing presence in the workplace, for both work-related activities and personal use. Social media may include, but is not limited to:

- Social networking sites (e.g. Facebook, Snapchat)
- Video and photo sharing sites (e.g., Instagram, YouTube)
- Blogs and micro-blogging (e.g. Twitter)
- Wikis (e.g., Wikipedia)
- Forums, discussion Committees and groups (e.g. Google groups, LinkedIn).

Incidental and limited personal use of computers, internet, phones, electronic mobile devices and social media is accepted, provided it does not:

- Interfere with the duties of the position and the performance of the employee
- Detrimentally affect network operations, security or other network users
- Create additional usage costs
- Imply organisational endorsement of personal views
- Compromise the organisation's reputation or the reputation of individual workers
- Include derogatory, shaming or other personal attacks towards or about workers, members or stakeholders
- Relate to bullying and harassment of any person within, or external to, the organisation
- Reflect staff dissatisfaction or conflict with specific workers, activities, events, systems, policies or privacy related to the organisation
- Disclose personal information relating to workers, members or stakeholders
- Include viewing, sending or downloading pornographic material for an unofficial purpose
- Include gambling
- Include purchasing and/or downloading software, games, movies or music for the purpose of providing these to a third party
- Violate copyright or licensing agreements
- Violate any State, Commonwealth or International Law.

For more information on social media activities regarding the organisation, refer to the Tropical Fruits Communications policy.

## 5.7 Privacy and confidentiality

Tropical Fruits employees and Committee members are required to be aware of and comply with State and Commonwealth privacy legislation. Workers maintain confidentiality of all Tropical

Fruits and personal information obtained during and after their time working with the organisation.

## **5.8 Intellectual property**

All work developed as a Tropical Fruits employee, Committee member, student or volunteer remains the property of the organisation.

## **5.9 Conflict of interest**

Employees must avoid any interest, influence or relationship which might conflict or appear to conflict with the best interests of Tropical Fruits.

Examples of potential conflicts of interest include:

- Having a financial interest in any business transaction with Tropical Fruits
- Being in a close personal relationship with another team member if you are, or are likely to be, in a Club Manager/subordinate relationship, or some other role where you can make decisions that materially affect the other team member
- Owning or having a significant financial interest in, or other relationship with, a Tropical Fruits competitor, customer or supplier
- Accepting gifts, entertainment or another benefit of more than a nominal value from a Tropical Fruits competitor, customer or supplier.

If you have a conflict of interest, you must disclose it to the Club Manager and remove yourself from negotiations, deliberations or votes involving the conflict.

## **5.10 Drug, alcohol and tobacco use**

Tropical Fruits has a responsibility to protect the health, safety and welfare of workers and clients in the workplace. Persons using alcohol and/or other drugs in the workplace can cause injury to themselves or others. Alcohol and other drug use can also detrimentally affect a person's ability to perform their required duties.

### **5.10.1 Illegal or non-prescription drugs**

While working, operating company property (including your personal car while working), on meal breaks or conducting company business, Tropical Fruits strictly prohibits its team members from:

- using or being under the influence of illegal or non-prescription drugs of any kind
- being in possession of illegal or non-prescription drugs or drug paraphernalia of any kind
- soliciting, selling, manufacturing or distributing illegal or non-prescription drugs.

Any illegal drugs or drug paraphernalia found on organisational premises will be turned over to the police and may result in criminal prosecution. Breaching these provisions can result in dismissal or disciplinary action.

### 5.10.2 Alcohol and prescription medicine

The consumption of alcohol during work hours (including meal breaks) is not permitted by employees of Tropical Fruits.

You will not be permitted to perform your work duties while you are taking prescription drugs that adversely affect your ability to safely and effectively perform your duties. If your medication impacts on safety, then you may be required to access your sick leave. Breaching these provisions can result in dismissal or disciplinary action.

### 5.10.3 Out-of-Work-Hour's consumption

If you arrive at work under the influence of alcohol and/or other drugs, you will be sent home for the day without pay. Repeated instances of arriving at work under the influence of alcohol and/or other drugs may result in termination.

### 5.10.4 Tobacco or e-cigarette smoking (or 'vaping')

Tropical Fruits has a non-smoking policy within the workplace. Smoking tobacco, e-cigarettes, or using other vapourisers is not permitted indoors at Tropical Fruits, including lunchrooms, storage areas, and restrooms, under marquee or within 4 metres of building entries. Smoking is only permitted in designated smoking areas.

Employees who need to take smoking breaks should do so in their allotted break times. Excessive smoking breaks will be regarded as absenteeism and performance improvement action may be taken.

Employees of Tropical Fruits are required to comply with the tobacco policies of other organisations and smoking-related laws in the course of their duties.

## 5.11 Work health and safety

Tropical Fruits provides a healthy and safe work environment which complies with the Work Health and Safety Act 2011 (NSW). Employees, Committee members, students and volunteers have specific health and safety rights and responsibilities in the workplace, as detailed in the organisation's Work Health and Safety policy.

## SECTION 6 SUCCESSION PLANNING

The focus of succession planning by Tropical Fruits, as part of broader workforce planning, is required for all leadership positions, such as the Club Manager, which are critical to driving the achievement of organisational outcomes. Consideration is also given to positions where the incumbent is well regarded and fosters critical team dynamics, carries significant corporate knowledge, and is highly competent and consistently achieves well above the position requirements.

Succession planning identifies organisational capabilities, ensures organisational systems are current and documented, and guides employee transition and handover processes.

The Tropical Fruits Club Manager is responsible for developing succession plans in partnership with the Committee and other staff members, if appropriate.

### 6.1 Identifying organisational capabilities

Tropical Fruits identifies current and future organisational capabilities and requirements to ensure planned recruitment to leadership and critical operation positions.

When developing succession plans, the following questions may be considered and used to inform actions:

- What significant functions need to be undertaken now and in the foreseeable future?
- What are the characteristics of the leadership and critical operation positions?
- Which positions may need to be filled in the foreseeable future?
- What is the potential of existing staff or volunteers to fill positions, considering aspirations, capability, engagement, experience and achievements?
- Is the range of skills required for specific positions common or scarce in the wider network or market?
- What are the greatest risks related to recruiting to this position?
- What are the likely scenarios and impacts in the event of a current employee vacating a leadership and critical operation position?

### 6.2 Organisational systems

Tropical Fruits maintains current and documented organisational systems to ensure a strong framework of operations in the event of any leadership and critical operation position change.

Effective systems include:

- Established policies and procedures
- Recruitment to leadership and critical operation positions is current
- Leadership and critical operation positions have current position descriptions
- Recruitment documents are current to allow for responsive recruitment action
- Governance and management roles and responsibilities are defined and understood by the Committee and leadership positions
- Understanding and capacity of the Committee Chair to lead the recruitment and transition of a new Club Manager

- Current strategic plan
- Risk management is current and includes a risk register with risk response strategies in place
- Financial delegations are current and documented.

### 6.3 Transition and handover processes

All Tropical Fruits employees contribute to supporting the transition of staff members leaving and commencing positions.

Where a planned exit from leadership and critical operation positions is to occur, the Committee and Club Manager identify the critical functions and activities that must continue, and work with the Tropical Fruits team to allocate temporary responsibility.

Departing employees are responsible for preparing a handover to the Club Manager and/or the Management Committee that identifies the status of issues, such as events/projects, key relationships, finances, operations, and human resources.

## SECTION 7 CEASING EMPLOYMENT

Cessation of employment by either Tropical Fruits or the employee is guided by the National Employment Standards and the Fair Work Act 2009 (Cmlth).

Employment with Tropical Fruits may end under the following circumstances:

- An employee resigns
- An employee's contracted employment period ends without any renewal
- Casual and temporary employees provide notice of termination or the organisation provides casual and temporary employees notice of termination (generally two (2) weeks)
- During the first six (6) months of initial employment for permanent and contract-based employees, either party can give a minimum of one (1) weeks' notice of termination
- The organisation terminates employment due to repeated poor performance and/or misconduct
- The organisation initiated redundancy.

Exit procedures are followed for all departing employees and ensure both the organisation and the employee understand the reason for discontinuing employment. Tropical Fruits seeks feedback from the departing employee on their experience with the organisation and potential areas for development as a valuable source of quality improvement.

### 7.1 Notice periods

In line with the Fair Work Act 2009 (Cmlth), notice of employment termination is to be provided in writing in accordance with the table below:

Length of continuous service with Tropical Fruits	Period of notice
Not more than 1 year	1 week

More than 1 year but less than 3 years	2 weeks
More than 3 years but less than 5 years	3 weeks
More than 5 years	4 weeks

The notice period:

- starts the day after the organisation or the employee give written advice that they want to end the employment
- ends on the last day of employment.

Employees who are over 45 years old and have completed at least two (2) years of continuous service with Tropical Fruits on the day the notice of termination is given, are entitled to an additional one weeks' notice from the organisation.

Within the first twelve (12) months of permanent and contract-based employment, the organisation or the employee may terminate employment by providing one (1) week's written notice.

The organisation may terminate employment at any time without notice if employees are guilty of repeated or serious misconduct.

If an employee has been dismissed and wants to leave before the last day of the notice period, Tropical Fruits can agree to reduce the employee's notice period.

If Tropical Fruits doesn't agree to reduce the notice period, the employee can choose to resign and give their own minimum notice. Any time the employee has already worked during the original notice period doesn't count towards the new notice period.

An employee can take annual leave during a notice period if Tropical Fruits agrees to the leave.

An employee can take sick leave during a notice period if they give:

- notice of the leave as soon as possible
- evidence to support the leave if the employer asks for it (e.g., a medical certificate).

Employees are not forced to take leave as part of the notice period.

## 7.2 Resignation

Employees resigning from their Tropical Fruits employment must provide notice in writing within the required notice period to the Club Manager, detailing their planned final day of work.

## 7.3 Tropical Fruits terminated employment

Procedural fairness is applied in all instances of terminated employment. Written notice is provided by Tropical Fruits within the required notice period, detailing the final date of

employment and the reasons for termination. A formal termination letter should explain this process for the terminated employee.

Where employment with Tropical Fruits is terminated due to serious misconduct, the employee ceases attendance at work immediately. Payment in lieu of the notice may be approved by the Club Manager and Management Committee.

Employees provided with notice of employment termination have the right to consult and seek representation from a union, lawyer, and/or support person. Employees also have a legal right to seek recourse via Unfair Dismissal provisions with the Fair Work Ombudsman (within 21 days after the dismissal), if they believe they have been discriminated against or their dismissal was harsh, unjust or conducted in an unreasonable manner.

The Small Business Fair Dismissal Code may be used by Tropical Fruits to ensure that a dismissal is fair.<sup>4</sup>

#### **7.4 Tropical Fruits initiated redundancy**

The Fair Work Act 2009 (Cmlth) defines redundancy as occurring when an employer:

- decides they no longer want an employee's job to be done by anyone and terminates their employment; or
- becomes insolvent or bankrupt.

Redundancy may happen when:

- the job someone has been doing is replaced due to the employer introducing new technology (i.e., the job/work can be done by a machine)
- business slows down due to lower sales or production
- the business relocates
- a merger or takeover happens
- the business restructures or re-organises.

Any redundancy action by Tropical Fruits is to be authorised by the Committee with notice periods in line with the Fair Work Act 2009 (Cmlth).

A letter of redundancy is sent to the employee explaining the process, the reason(s) for redundancy and their entitlements.

The Fair Work 'Notice and Redundancy Calculator' is used to determine correct notice and redundancy pay.

Employees provided with a redundancy notice have the right to consult and seek representation from a union, lawyer, and/or support person. Employees also have a legal right to seek recourse via Unfair Dismissal provisions with the Fair Work Ombudsman (within 21 days), if they believe

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<sup>4</sup> A 'small business' is defined as organisation with 15 or fewer employees.



they have been discriminated against or the decision was harsh, unjust or conducted in an unreasonable manner.

### **7.5 Exit interview**

All employees ceasing employment with Tropical Fruits, except those being terminated due to misconduct, are offered an exit interview with the Club Manager. The employee may request another staff member to attend the interview.

The purpose of the exit interview is to seek information from the employee about their employment experience with the organisation and how they consider the organisation could improve. The interview is a confidential discussion, though may lead to investigation of certain issues raised.

Tropical Fruits' Employee exit interview is used to guide discussion and document key points raised. Information provided during the exit interview is reviewed and incorporated into the organisation's ongoing quality improvement activities where relevant.

### **7.6 Written reference and certificate of employment**

Employees with more than three (3) months' service may, upon request, be provided with a written reference on performance and service details, unless their employment was terminated due to misconduct.

Employees with less than three (3) months' service, or those who are terminated due to misconduct may, upon request, be provided with a written statement of service containing the length and nature of the employment.

### **7.7 Security and return of organisational property**

On or before the employee's final date of employment, the employee is to:

- Return all Tropical Fruits property, including keys, phones, electronic devices and computers, documents, etc.
- Return or be reimbursed with outstanding petty cash
- Remove hard copy and electronic personal files
- Inform the Club Manager of any passwords or codes that may prevent the organisation access to Tropical Fruits operations.

### **7.8 Administration**

Before the employee's final date of employment, Tropical Fruits is to:

- Calculate remaining leave entitlements and final payments
- Ensure forwarding contact details are provided by the employee
- Inform the employee's superannuation fund of the employee leaving the organisation.

On or before the employee's final date of employment, Tropical Fruits is to:

- Restrict computer network access – both in-office and remote
- Remove authorisation as a signatory to financial and other transactions.

The employee's resignation letter or a copy of the Tropical Fruits Employment termination letter is filed in the employee's personnel file, along with the Employee exit interview discussion notes.

## SECTION 8 PERSONNEL RECORDS

Tropical Fruits maintains individual personnel files for employees where information on recruitment, position details, employment contracts, leave records, financial records, performance and development records, and formal communication is kept.

### 8.1 Security

Personnel files are stored in a locked cabinet accessible by the Tropical Fruits Club Manager only and governed by the Australian Privacy Principles<sup>5</sup> (APPs).

Other employees may access relevant sections only of relevant personnel files only, as required, with the agreement of the Club Manager.

However, in limited circumstances (under a lawful request), Tropical Fruits may disclose employee records to a third party. For example:

- A Fair Work Inspector can request information about employees in order to establish that Tropical Fruits is meeting its employment obligations.
- Some government agencies, such as the Australian Tax Office, have powers to request information from employers. In this case, Tropical Fruits should first satisfy themselves that the agency requesting the information has the power to do so.
- There may be occasions where a permit holder (generally a union official) will wish to enter an employer's premises to investigate a suspected contravention of the Fair Work Act, award or enterprise agreement. While on the premises, the permit holder may also ask to inspect or copy documents.

Tropical Fruits maintains an electronic filing system for human resources management accessible on the organisation drive by the Accounts Officer only. The secure integrity of the electronic filing system is maintained by a password protected, back-up system.

Following employee recruitment processes, unsuccessful applicants' details are stored in a locked cabinet for a period of twelve (12) months from the date of finalisation of the position appointment. After 12 months, the documents are securely destroyed.

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<sup>5</sup> For more information on the Australian Privacy Principles (AAPPs), visit the Office of the Australian Information Commissioner website.

Personnel files of previous employees are stored in a locked cabinet accessible by the Club Manager only, for a period of six (6) years. After 6 years, the documents are securely destroyed.

Employee's time and wages records must be retained for a minimum of seven (7) years. The records must be in plain English, easy to read and not altered in any way (unless correcting an error), and readily accessible for inspection.

## **8.2 Employee access**

Employees are entitled to access their own personnel files when accompanied by a senior Tropical Fruits staff member responsible for human resources; however, employees cannot make changes to the file or remove file content.

## **SECTION 9 STUDENT PLACEMENT<sup>6</sup>**

### **9.1 Introduction**

A student is "an unpaid person who is required to undertake workplace experience as part of an approved course of academic or practical study or is a participant in a recognised student internship program". A student is not a volunteer or a substitute for paid employees.

Tropical Fruits is committed to supporting student placements. The organisation provides an environment for students that is conducive to learning, ensures students undertake policy and/or sector development work which provides them with relevant workplace training and experience, and values the contribution of the student. The student's workplace manager has relevant and adequate skills.

### **9.2 Student selection**

Student placement applications are considered on an individual basis, based on competencies and relevant experience which demonstrate a capacity to achieve agreed outcomes. Student placement candidates participate in an interview with the Club Manager or other staff as determined by the Club Manager. The relevant staff member is to communicate with the student's academic liaison regarding the student's capacity to undertake the placement.

To encourage and promote optimal outcomes for the Tropical Fruit and the student, Tropical Fruits:

- Ensures mutually agreed objectives are achievable
- Only agrees to placements that undertake tasks which provide relevant training for the student's course of study and are consistent with the organisation's strategic objectives
- Make realistic commitments about the number and length of student placements that can be offered at any one time and over the course of a calendar year.

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<sup>6</sup> Student placement is an area of focus by Fair Work Australia. Visit the 'unpaid work' section of the Fair Work Australia website for more information on student placements within your organisation.

### **9.3 Legal responsibilities**

The organisation requires workers to abide by its workplace conduct policy outlined in Section 2 of this policy. Contact details of the student and their emergency contacts are documented on the Student placement contact details form so that Tropical Fruits may contact relevant people if required.

### **9.4 Remuneration**

There is no remuneration or reimbursement of expenses for student placements unless through duties undertaken at the request of the organisation. Special care must be taken in these circumstances to ensure the paid work and unpaid (workplace experience) work are clearly defined and unambiguous, so that confusion over remuneration or otherwise may not arise and expectations are managed. Travel expenses to and from the Tropical Fruits office and home are not reimbursable.

### **9.5 Insurance**

Tropical Fruits accepts students from academic institutions that provide relevant insurance cover for students on placement. Whilst on work placement, students are covered by the Public Liability Insurance held by the organisation, provided they are acting at the direction, and within scope, of Tropical Fruits duties. Students are not covered by the Workers Compensation Act 1987 (NSW) and therefore are not covered by Safe Work NSW.

### **9.6 Role of academic liaison**

A liaison from the student's academic institution is identified to provide a bridge between students and the organisation. Tropical Fruits utilises this position to assist with a range of issues, including:

- Development of the student learning agreement
- Clarification of issues in relation to evaluation, assessment and supervision of the student
- Resolving workplace difficulties that may occur during placement
- General problem solving on matters related to the student's placement.

### **9.7 Supporting students**

Tropical Fruits employees with responsibility for supervising students ensure:

- Students are eligible to undertake placement
- Students are aware of and understand Tropical Fruits policies and procedures relevant to their placement
- Mechanisms are in place to enable tailored learning goals for the student
- Students undergo an orientation and induction
- Suitable resources and equipment/office space is available for the student
- A Student placement agreement is established
- Environmental adjustments are implemented as required
- Student progress is monitored during placement and regular supervision is provided
- Students are encouraged and supported to be part of the Tropical Fruits team, e.g., by participating in staff meetings.

## **9.8 Orientation and induction**

All student placements are provided with an orientation and induction to Tropical Fruits, facilitated by the Club Manager. The organisation's Student placement induction and orientation checklist provides guidance and is to be completed by both the Club Manager and student.

## **9.9 Resolving difficulties during student placement**

Problems arising from a student's performance or behaviour are addressed directly with the student by the Club Manager. If the issue is not resolved, or either the student or Tropical Fruits believes it necessary, the academic liaison is consulted.

Where the student experiences difficulties or issues at Tropical Fruits, it is recommended that the student discuss this with the Club Manager in an attempt to resolve the issue. If the issue is not resolved or either the student or the organisation believes it is necessary, the academic liaison is to be consulted.

## **9.10 Variation or cancellation of student placement**

A student's placement with the organisation may be altered or cancelled at any time by the student, the academic institution or Tropical Fruits.

Variations to the placement are discussed between relevant parties and documented on the Student placement agreement.

Where Tropical Fruits is cancelling the student placement, the Club Manager informs the student and the academic liaison as soon as possible and provides written notice that details the reasons for cancellation. Where the student or academic liaison is cancelling the student placement, notice is provided as soon as possible, with Tropical Fruits seeking a meeting with the academic liaison to discuss the matters.

## **9.11 Completion of placement**

Students are offered an end-of-placement interview with the Club Manager. Upon request, students are provided a written reference detailing their role and contribution to the organisation (e.g., length of hours, range of activities, and achievements during the placement).

## SECTION 10 VOLUNTEER MANAGEMENT<sup>78</sup>

Tropical Fruits is committed to supporting volunteers and recognises the benefit volunteers bring to the organisation.

The purpose of this section is to ensure Tropical Fruits volunteers are guided by fair and consistent principles and sound administration that ensures a positive experience and outcome for both the volunteer and the organisation.

This section includes but is not limited to:

- Legal and regulatory responsibilities
- Recruitment and selection of volunteers
- Supervision and management of volunteers
- Termination and resignation of volunteers.

Volunteer work at Tropical Fruits is:

- Unpaid and can significantly benefit and contribute to the development of both the organisation, the volunteer and out communities
- Always a matter of choice and is not **compulsorily** undertaken to receive government allowances
- Not used as a substitute for paid work at the organisation<sup>9</sup>: Volunteers do not replace paid staff, nor do they constitute a threat to the job security of paid employees.

By implementing this policy, the organisation ensures that:

- Volunteers add value to the work of the organisation
- Employees welcome and support the use of volunteers to contribute to the organisation's work
- Volunteer time and expertise is valued, applied effectively, and appreciated.

Tropical Fruits plays a role in ensuring a safe and supportive environment for volunteers, members and community by:

- Completing relevant screening checks, such as criminal records, and working with children checks prior to commencement of volunteer work (where required)
- Ensuring volunteers undertake activities which align with their expertise, knowledge, experience and interests
- Ensuring volunteers are adequately supervised by an experienced staff member or volunteer
- Providing an environment for volunteers that values their contribution and is in line with current strategic objectives and organisational priorities

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<sup>7</sup> <https://www.nfplaw.org.au/volunteers> for extensive volunteer support information

<sup>8</sup> <https://www.volunteeringaustralia.org/resources/#/> for volunteer support information

<sup>9</sup> A definition of a volunteer and the work they may perform is available from the Fair Work Australia website.

- Expectations from both the volunteer and the organisation regarding the volunteer activities are made clear at the outset, as should the process by which a volunteer may withdraw from the organization
- Recruitment and selection processes that support and minimise the need to terminate volunteers due to inappropriate appointments.

### **10.1 Identify volunteer placement opportunity**

The Club Manager and staff members or volunteer are to discuss the possible recruitment of a volunteer.

### **10.2 Recruitment and selection of volunteers**

All human resource duties will be the responsibility of the Club Manager and will be primarily responsible for the recruitment and selection of volunteers, with other staff involved and/or interested in providing supervision for the volunteer's positions.

The Club Manager has the responsibility to:

- Ensure there is a position description for the volunteer opportunity and selection criteria if appropriate
- Identify appropriate methods of advertising
- Provide an Information Package to all potential volunteers. This could include information about:
  - activities and roles
  - the organisation
  - the application process
  - other relevant information.

All applications for volunteering are considered on an individual basis, based on personal competencies, relevant experience which demonstrates ability to achieve agreed outcomes and capacity to attend rostered volunteer shifts at agreed times.

All successful applicants will need to complete the following formalities prior to commencing a volunteer position at the organisation:

- Relevant screening checks, such as criminal record and working with children checks
- Sign a Volunteer agreement
- Complete and sign the Volunteer induction and orientation checklist
- Complete and sign the Volunteer contact details form
- Sign the organisation's Code of Conduct.

Following the recruitment of volunteers, copies of all relevant documents are given to the appointed volunteers for their records.

Feedback from the orientation and induction will inform future volunteer induction and orientation processes and the review of the policy, checklist and procedure.

Tropical Fruits requires all workers including volunteers to abide by the organisation's workplace conduct policy outlined in Section 5 of this policy.

### **10.3 Remuneration**

There is no remuneration or reimbursements of personal expenses for volunteers unless through duties undertaken at the request of Tropical Fruits. Special care must be taken in these circumstances to ensure the paid work and volunteer duties (unpaid) are clearly defined and unambiguous, so that confusion over remuneration or otherwise may not arise and expectations are managed. Travel expenses to and from the office and home are not reimbursable.

### **10.4 Insurance**

Volunteers will be covered by the Public Liability Insurance held by the organisation. Volunteers are not covered by the Workers Compensation Act 1987 (NSW) and therefore are not covered by SafeWork NSW.

### **10.5 Supervision and support**

A primary consideration for managing and supervising volunteers at Tropical Fruits is that staff should have experience in supervising other staff members, or volunteers. If they do not have this experience or expertise, they should approach the Club Manager with the aim of gaining support for their activities.

The volunteer and any activities undertaken should be considered under the Tropical Fruits' Work Health and Safety policy and procedures.

The Club Manager will ensure the volunteer receives regular supervision and will monitor work progress of the volunteer. The Club Manager will also provide the volunteer with an alternative contact at the organisation, for supervision and support if they are unavailable.

The volunteer may be encouraged to participate in Tropical Fruits meetings and organisational events.

Tropical Fruits staff responsible for supporting volunteers should ensure that volunteers are:

- Aware of relevant organisational policy and procedures
- Complete an orientation and induction to the organisation
- Provided with suitable resources and equipment on commencement
- Implement environmental adjustments as required
- Provided with regular supervision and support
- Training needs of volunteers are identified and addressed where practicable
- Encouraged and supported to be part of the Tropical Fruits team.

Additional information about volunteer support will be noted in the Volunteer agreement.



## **10.6 Orientation and induction**

The Club Manager will refer to the volunteer induction and orientation checklist and ensure it is followed and completed by both the Club Manager and volunteer.

## **10.7 Resolving difficulties**

Problems arising from a volunteer's performance or behaviour are addressed directly with the volunteer by the Club Manager in an attempt to resolve the issue. If the issue is not resolved, or either the volunteer or Tropical Fruits believes it necessary, these should be discussed as per the Grievance management section of this policy.

Where the volunteer experiences difficulties or issues at Tropical Fruits, it is recommended that the volunteer discuss this with the Club Manager in an effort to resolve the issue.

## **10.8 Resignation and termination of volunteers**

Volunteers may end their volunteering activities at Tropical Fruits at any time by providing notice in writing to the Club Manager.

A final supervision session should be held between the Club Manager and volunteer, with volunteers asked to provide feedback on their experience as a volunteer in the organisation. Any anecdotal or other feedback supplied from the volunteer should be noted by the Club Manager.

This feedback will be used to review the volunteer policy documents and the volunteer program at the organisation.

Upon request, volunteers will be given an appropriate reference detailing their contribution to the organisation, such as the number of hours worked, range of activities and achievements.

Volunteers who fail to attend volunteer activities three (3) sessions without notifying the Club Manager in advance will be considered to have resigned from the position. The Club Manager will write a letter to the volunteer that it has accepted such a resignation, with the letter signed by the Club Manager.

Termination of Tropical Fruits volunteers will be necessary when the focus of the services provided by the organisation changes, and/or a volunteer:

- fails to adhere to the Code of Conduct
- lacks the necessary skills for the activity/role
- breaches safety or confidentiality guidelines
- breaks the law.

The volunteer will return all confidential information, keys and any other Tropical Fruits property upon completion of the placement.

## **10.9 Documentation**

All Tropical Fruits human resources documentation will be filed in the appropriate volunteer file on the human resources drive and/or filing cabinet. Such information includes:

- Position description, promotional material
- Applications, volunteer interview details, agreement
- Code of conduct
- Orientation and induction checklist
- Grievance documents (if applicable).

## SECTION 11 INTERNAL REFERENCES

### 11.1 Supporting documents

- Code of Conduct

#### Recruitment and interview

- Induction and orientation checklist template
- Position description template
- Employment contract template
- Applicant reference check template
- Interview questions template
- Interview – individual applicant rating form template

#### Employee forms and templates

- Application for Leave template
- Employee bank account details template
- Employee contact details template
- Employee exit checklist template
- Employee exit interview template

#### Performance and development

- Employee work plan template
- Performance and development plan and review template

#### Grievances and complaints

- Grievance register template

#### Student placement

- Student placement contact details form template
- Student placement induction and orientation checklist template

#### Volunteers

- Volunteer agreement template
- Volunteer contact details form template
- Volunteer induction and orientation checklist template

#### Part of the WHS Policy

- Working from home WHS report and agreement\_template

## SECTION 12 EXTERNAL REFERENCES

### 12.1 Legislation

- **Annual Holidays Act 1944 (NSW)**  
(<https://legislation.nsw.gov.au/inforce/e553d4fb-eb00-6d2b-c3f1-ff94fa94dd1e/1944-31.pdf>)
- **Anti-Discrimination Act 1977 (NSW)**  
([www6.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol\\_act/aa1977204/](http://www6.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_act/aa1977204/))
- **Child Protection (Working with Children) Act 2012 (NSW)**  
([www.legislation.nsw.gov.au/#/view/act/2012/51](http://www.legislation.nsw.gov.au/#/view/act/2012/51))
- **Child Protection (Working with Children) Regulation 2013 (NSW)**  
([www.legislation.nsw.gov.au/#/view/regulation/2013/156](http://www.legislation.nsw.gov.au/#/view/regulation/2013/156))
- **Children and Young Persons (Care and Protection) Act 1998 (NSW)**  
([www.legislation.nsw.gov.au/#/view/act/1998/157](http://www.legislation.nsw.gov.au/#/view/act/1998/157))
- **Disability Discrimination Act 1992 (Cmlth)**  
([www.legislation.gov.au/Details/C2016C00763](http://www.legislation.gov.au/Details/C2016C00763))
- **Fair Work Act 2009 (Cmlth)**  
([www.legislation.gov.au/Details/C2018C00512](http://www.legislation.gov.au/Details/C2018C00512))
- **Human Rights and Equal Opportunity Commission Act 1986 (Cmlth)**  
([www.legislation.gov.au/Details/C2006C00094](http://www.legislation.gov.au/Details/C2006C00094))
- **Industrial Relations Act 1996 (NSW)**  
([www.legislation.nsw.gov.au/#/view/act/1996/17](http://www.legislation.nsw.gov.au/#/view/act/1996/17))
- **Long Service Leave Act 1955 (NSW)**  
([www8.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol\\_act/lsla1955179/](http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_act/lsla1955179/))
- **Racial Discrimination Act 1975 (Cmlth)**  
([www.legislation.gov.au/Details/C2014C00014](http://www.legislation.gov.au/Details/C2014C00014))
- **Sex Discrimination Act 1984 (Cmlth)**  
([www.legislation.gov.au/Details/C2014C00002](http://www.legislation.gov.au/Details/C2014C00002))
- **Superannuation Guarantee (Administration) Act 1992 (Cmlth)**  
([www.legislation.gov.au/Details/C2017C00230](http://www.legislation.gov.au/Details/C2017C00230))
- **Workers Compensation Act 1987 (NSW)**  
([www.legislation.nsw.gov.au/#/view/act/1987/70/whole](http://www.legislation.nsw.gov.au/#/view/act/1987/70/whole))

- **Work Health and Safety Act 2011 (NSW)**  
([www.legislation.nsw.gov.au/#/view/act/2011/10](http://www.legislation.nsw.gov.au/#/view/act/2011/10))

## 12.2 Resources

These resources are cited within the Human resources policy:

- **Anti-discrimination Committee of NSW – Sexual harassment**  
([www.antidiscrimination.justice.nsw.gov.au/Pages/adb1\\_antidiscriminationlaw/sexualharassment.aspx](http://www.antidiscrimination.justice.nsw.gov.au/Pages/adb1_antidiscriminationlaw/sexualharassment.aspx))

- **Fair Work Australia (Fair Work Ombudsman)**

### Dispute resolution

([www.fairwork.gov.au/how-we-will-help/templates-and-guides/best-practice-guides/effective-dispute-resolution](http://www.fairwork.gov.au/how-we-will-help/templates-and-guides/best-practice-guides/effective-dispute-resolution))

### National Employment Standards

([www.fairwork.gov.au/employee-entitlements/national-employment-standards](http://www.fairwork.gov.au/employee-entitlements/national-employment-standards))

### Paid Parental Leave

([www.fairwork.gov.au/leave/maternity-and-parental-leave/paid-parental-leave](http://www.fairwork.gov.au/leave/maternity-and-parental-leave/paid-parental-leave))

- **Fair Work Commission – Small Business Fair Dismissal Code**  
([www.fwc.gov.au/about-us/legislation-regulations/small-business-fair-dismissal-code](http://www.fwc.gov.au/about-us/legislation-regulations/small-business-fair-dismissal-code))
- **National Police Checks**  
([www.service.nsw.gov.au/transaction/apply-national-police-certificate](http://www.service.nsw.gov.au/transaction/apply-national-police-certificate))
- **Office of the Australian Information Commissioner – Australian Privacy Principles (APPs)**  
([www.oaic.gov.au/privacy/australian-privacy-principles-guidelines/](http://www.oaic.gov.au/privacy/australian-privacy-principles-guidelines/))

## 12.3 Useful websites

- **Fair Work Australia - [www.fairwork.gov.au](http://www.fairwork.gov.au)**
- **NSW Office of the Children’s Guardian**  
([www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check](http://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check))