

## WORKPLACE SAFETY AND COMPLAINT HANDLING

### Equal Employment Opportunity

There are many State<sup>iv</sup> and Federal laws<sup>v</sup> in Australia that promote equity and fairness in the workplace. For example, the aim to ensure people are not treated less favourably because of certain traits.

At AAG, we know the key to success is our people and culture. We are an equal employment opportunity employer and employ staff based on merit. Being a multicultural organisation, we are committed to treating all employees fairly and equally.

This means we have rules and policies in our workplaces that govern how managers and staff, work together. No staff are permitted to treat another person less favourably because of an unlawful reason. This includes a person's:

- Gender (including pregnancy)
- Race
- Colour
- Ethnic or ethno-religious background
- Descent or nationality
- Marital status
- Carers' responsibilities
- Disability (including physical, intellectual or psychiatric disability)
- Sexual preference, actual or presumed
- Age and/or transgender



### What can you expect from your manager?

- ✓ An objective assessment and conclusion
- ✓ The procedure that will be carried out to investigate the complaint
- ✓ What will happen if there is not enough evidence to support the complaint
- ✓ What will happen if there is enough evidence to support the complaint
- ✓ Where the employee can go if he/she is not happy with the way that the company is dealing with the complaint
- ✓ Additional places that he/she can go to obtain further information; and
- ✓ A progress update every 72 hours

If the evidence does not substantiate the complaint, the employer could elect to take the following action:

- To train all staff on the relevant issue: e.g. sexual harassment laws or discrimination; or
- To keep a closer watch on the behaviour of all employees

### Action to be taken where evidence is substantiated

- Written apology
- Official warning
- Counselling
- Demotion
- Summary dismissal

#### DO's

- ✓ Report any instances of suspected breaches to your manager.
- ✓ Respect all staff.
- ✓ Speak to your manager if you have any problems with the way this policy operates.

#### DON'T's

- ✗ Forget it is illegal in Australia to treat another person less favourably because of a reason listed above.
- ✗ Turn a blind eye to these issues. If you see this occurring, report it or you may be subject to disciplinary action.

## WORKPLACE SAFETY AND COMPLAINT HANDLING

### Making a Complaint

AAG relies on its staff including managers, suppliers, and its clients to report any breaches of our employment guide. This also includes situations where you have a reasonable suspicion that this code has been and/or is about to be breached.

AAG respects everyone's right to privacy and will deal with any discussion on this point with utmost discretion. Where appropriate, we will make all efforts to keep complaints anonymous.

If you have a grievance with another colleague, you should first talk to your colleague and explore an amicable resolution. Often issues arise because of simple miscommunications.

- Identify whether the issue is just a simple miscommunication
- Report the matter to your manager - if you do not feel this is appropriate, then report the matter to the Human Resources Department
- The matter will be investigated in accordance with the relevant grievance handling procedures and will involve interviewing the parties and reviewing systems and procedures
- A second investigation will be conducted if required
- A determination will be made regarding the outcome
- A meeting will be conducted with all relevant parties regarding the outcome



If staff feel they have been treated unfairly based on the above, they are encouraged to follow the grievance handling procedure located in this employment guide.

Treating a person less favourably because of one of the listed trails is illegal in Australia and AAG would consider this as an act of serious and wilful misconduct.

Under absolutely no circumstances will AAG tolerate any form of discrimination and any staff member who turns a blind eye to this issue would also be considered as being in breach of this policy.

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## WORKPLACE SAFETY AND COMPLAINT HANDLING

### Work Health & Safety

#### AAG's EXPECTATIONS:

Australian Laws<sup>vi</sup> impose an absolute obligation on businesses and employers to ensure that staff, contractors, visitors and others are provided with a safe working environment. This is a non-delegable duty and everyone (including employees) has responsibilities under existing Work, Health and Safety (WHS) laws to promote health and safety.

AAG have many systems and processes relating to (WHS) that are site specific. This is because of our diverse footprint within the Sydney CBD area. Because of this, some of our policies and procedures differ from site to site. For example, who our First Aid Officer is, and reporting systems.

As such, each AAG site has a tailor-made induction program for new staff that must be completed upon commencing employment. Additionally, as a general rule, the following applies to every site within AAG.

Managers are required to ensure that this policy, including all WH&S Programs and systems, are effectively implemented. Senior Management are required to support middle management and supervisors, and hold them accountable for their specific responsibilities.

Each supervisor is responsible and will be held accountable for taking all practical measures to ensure employees are adequately supervised and trained in WHS practices; employees are consulted in accordance with our policies and tool box concerns and outcomes are actioned and addressed.

All employees are required to abide with the WH&S Policy and Programs to ensure their own health and safety and the health and safety of others in the workplace.

Contractors and sub-contractors working for AAG are expected to do so in accordance with their safe work procedures and WHS regulations. A failure to do so will constitute grounds for termination of the contract.

The work health and safety (WHS) of all persons employed by, and those visiting AAG is considered to be of the utmost importance.

Management will ensure that resources and the importance attached to work health and safety be communicated and made available to comply with all relevant Acts and Regulation and to ensure that the workplace is safe and without risk to health.

Management will also ensure all health and safety objectives and targets will be complied with and regularly reviewed to promote continued improvement of business practices aimed at the elimination of work related injury and illness.

*"AAG's formal policy in relation to consultation is informal consultation. This means if you spot a risk, you must bring this up with your manager ASAP and not wait until a tool box talk or morning briefing. Every employee and manager in AAG has a WHS responsibility."*



#### REMBER

- ✓ Our consultation policy is informal. If you spot what you consider a risk, you are required to report it to your manager ASAP.
- ✓ You have a legal responsibility under work health and safety to cooperate with management.

#### NEVER FORGET

- ✗ Bullying and harassment is illegal and you can be terminated for misconduct if you engage in it.
- ✗ Failure to follow safe work practices and procedures may very well be considered serious and wilful misconduct and lead to your dismissal.

## WORKPLACE SAFETY AND COMPLAINT HANDLING

### Emergency Procedures

Australian Laws<sup>vii</sup> require businesses to prepare, maintain and implement emergency plans that clearly explain how to respond in various types of emergencies.

These emergencies include personal threats, bomb threats, fire, biological and chemical incidents.

These procedures and policies need to be clearly written, simple to understand and address the following types of matters:

- Roles, responsibilities and communication channels for specific actions in an emergency.
- The activation and identification of alarms, how staff and others are alerted and associated information.
- Distribution and display of a site plan that illustrates the location of fire protection equipment, emergency exits and assembly points.
- Regular evacuation practice drills.
- The use and maintenance of equipment required to deal with specific types of emergencies (for example, spill kits and fire extinguishers).
- Regular reviews of procedures and training.

Because AAG operate from various sites, we have different assembly points in the event of an emergency evacuation. Conduct drills are at different times throughout the year, and have different wardens and key staff allocated to implement procedures.

As a general rule, the following is companywide:

**Safe Work Procedures (SWP):** for individual sites are in place and address key information regarding the site's emergency evacuation plan. All staff at a particular sites are required to read the relevant safe work procedures allocated for that site.

**Wardens and a Chief Warden:** are situated at each AAG site and are trained in emergency evacuation procedures, the use of alarms and fire equipment as associated administrative duties.

**Emergency Evacuation Drills:** are conducted at regular intervals at least once every 12 months.

**Evacuation Drill Reports (HR Form 48):** will be compiled by the Chief Warden and given to the Human Resources Manager at the conclusion of the drill. These reports will assess which areas can be improved upon, why and how.

**Site Locations:** will have an emergency evacuation plan that is clear to read, in English and available in key locations. Staff are required to familiarise themselves with them.

**Fire Extinguishers:** are placed throughout each site location. Staff are required to know the locations of the fire extinguishers and understand different types are required for different flammables. Wardens are trained in the use of fire extinguishers.

**In The Event of Fire:** Staff should remember to:

- R** = Remove people from immediate danger if safe to do so
- A** = Alert people nearby – raise an alarm
- C** = Contain smoke and fire if safe to do so
- E** = Evacuate the building to the assembly point



#### REMBER

- ✓ You must ensure you are up to date with your assembly location at your workplace.
- ✓ All staff are required to follow the Warden's instructions during an emergency evacuation.
- ✓ Staff moving to the assembly point must do so in an orderly fashion and not run or cause risks to others.

#### NEVER FORGET

- ✗ Staff who do not cooperate with management regarding the emergency evacuation and drill process will be subject to disciplinary action.
- ✗ In the event of a fire evacuation, you must (under the direction of the Warden), ensure you remain in the assembly point and ensure your name is marked off a role to avoid fire and rescue officers having to search the premises for you.

## WORKPLACE SAFETY AND COMPLAINT HANDLING

### Workers Compensation

AAG values staff and invests a significant amount of resources into the way we work with our staff. As part of our commitment to best practice, we have in place detailed systems to deal with workplace injuries and illnesses.

As a general rule of thumb and accordance with laws surrounding workers compensation and injury management in NSW<sup>viii</sup>, we review all systems and processes when an injury occurs to identify how we can ensure better and safer work practices in the future.

All staff who are injured in the course of employment (due to a work-related injury) are heavily encouraged to consult with our Return to Work Coordinator and nominated treating doctor to create and action, a suitable return to work plan.

**IMPORTANT: Managers are required to fill in an Incident Form (Form 62) for any work related injury, illness or near miss.**

#### What is a Return to Work Coordinator (RTWC)?

A RTWC is a person (often an HR manager in a business) who discusses your injury with your manager and doctor, and writes up a formal return to work plan that is submitted to all parties. This plan is aimed at ensuring your prompt return to the workplace.

#### What is a Return to Work Plan (RTWP)?

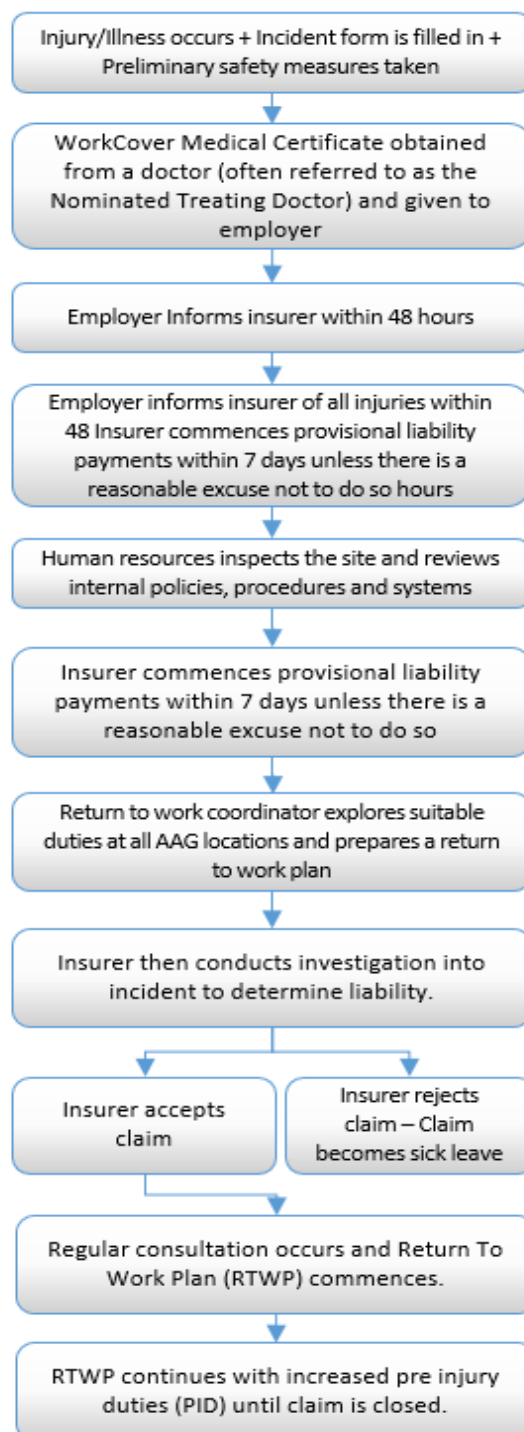
A RTWP is a document often setup by the RTWC that outlines what duties you can do and what you cannot. The purpose is to slowly increase their duties until the injured person is able to perform their pre injury duties. At AAG, we use a **Form 63**.

#### What is a Rehabilitation Provider (RP)?

A RP is an external person or business that has been requested by either the insurance company, or business you work at. Typically they are qualified occupational therapists or physiotherapists. Often they are called in when there is conflicting evidence as to an injury or return to work plan. It is common for a RP to work closely with your doctor and insurance company to ensure you get back to your pre-injury duties ASAP.



#### What happens if an injury occurs? (there are typos below but I can't change them)







## WORKPLACE SAFETY AND COMPLAINT HANDLING

### Bullying, Harassment and Discrimination

**Harassment** involves unwelcome behaviour that intimidates, offends or humiliates someone because of a particular personal characteristic, such as age, race or gender. Unlike bullying, discrimination and harassment do not have to be repeated. It can be very subtle, direct and/or indirect. Examples of harassment of a sexual nature includes:

Unwelcome comments about a person's sex life, sexual jokes, behaviour such as staring at a person's body, sexual propositions or continual requests for dates, physical contact such as touching, displays of erotic or sexually graphic material, requests of sexual favours, gesture or body movements of a sexual nature.

**Bullying** is sometimes defined as repeated, unreasonable behaviour directed towards a worker (or a group of workers), that creates a risk to their health and safety.

-  Repeated behaviour refers to the persistent nature of the behaviour and can include a range of behaviours over time.
-  Unreasonable behaviour means behaviour that a reasonable person (having a regard for the circumstances) would see as victimising, humiliating, undermining or distressing.

#### Verbal Examples of Harassment Include:

- ✗ Sexual or suggestive remarks
- ✗ Making fun of someone (e.g. their accent)
- ✗ Spreading rumours and offensive jokes
- ✗ Obscene telephone calls/unsolicited letters, texts or email message(s)
- ✗ Name calling, threats or insults

#### Non-verbal examples of harassment Include:

- ✗ Unwelcome or unwanted touching
- ✗ Unwelcome practical jokes
- ✗ Displaying or circulating racist, sexist and offensive cartoons or literature
- ✗ Mimicking someone with a disability
- ✗ Withholding information
- ✗ Offensive hand or body gestures
- ✗ Sending offensive material through computer, fax, phone or email

All employees have both the right to work without bullying, harassment, and/or discrimination and the responsibility to help prevent it. At AAG, it is considered misconduct to not report matters of this nature if you become aware of it. Whether intended or not, bullying is a health and safety risk.

#### Typical examples of Bullying

- Abusive, insulting or offensive language
- Spreading misinformation or malicious rumours
- Excluding, isolating or marginalising a person from work activities
- Withholding information that is vital for effective work performance
- Setting tasks that are unreasonably below or beyond a person's skill level
- Denying access to information, supervision, consultation or resources, resulting in detrimental effects to the worker

#### DO's

- ✓ Report any instances of suspected breaches to your manager
- ✓ Respect all staff
- ✓ Speak to your manager if you have any problems with the way this policy operates

#### DONT's

- ✗ Treat another person less favourably because of an unlawful reason
- ✗ Look the other way. If you see this occurring, report it to your manager – Otherwise you may be viewed as condoning the issue

## WORKPLACE SAFETY AND COMPLAINT HANDLING

### Employee Assistance Programs (EAP)

AAG understands that you spend a good part of your life in the workplace and having a good work life balance is a benefit to our business, our clients and yourself.

We are committed to proactively supporting your health, safety and wellbeing. We acknowledge employees may experience challenging times in their personal lives including matters pertaining to:

- Anger, stress and depression
- Suicidal thoughts
- Family and marriage issues
- Financial issues
- Drug, alcohol and gambling issues
- Grief, loss, and carers issues

We do this by having in place an informal Employee Assistance Program (EAP) that outlines our expectations on how our business will work with you to provide support, and what you can expect from us as an organisation.







AAG can provide any staff requesting assistance, with a confidential set of tools and policies which can assist you with short term personal issues which are affecting your personal and working life.

This includes Information, assistance and referrals to various confidential counselling services, and government bodies for example

- Relationships Australia
- Beyond Blue (for anxiety and depression)
- Life Line (for suicidal thoughts)
- 1800 Respect (for domestic violence and sexual assault)
- Department of Human Services

AAG also have a key set of senior and middle management directives that managers must adhere to.

These are designed to support the needs of those within an EAP and includes giving the employee:

-  Preferential treatment with respect to rostering and hours of work (e.g. to attend counselling sessions).
-  Access to any accrued leave without meeting the strict formalities AAG normally require.
-  Granting unpaid authorised leave for a period of time if your accrued leave has expired.
-  Allowing you to take leave in advance in certain situations.
-  The ability to create individual flexibility arrangements within the workplace
-  Access to the workplace resources to assist with your EAP, for example, telephone and internet access.



#### DO's

- ✓ Openly talk about these issues with your colleagues
- ✓ Remember your privacy will be respected if you feel you need assistance.
- ✓ Email [hr@aag.com.au](mailto:hr@aag.com.au) for more information

#### DON'T's

- ✗ Don't forget, this EAP is designed for staff in need and this policy is a guide for managers in regards to their obligations are accommodating your needs.