
Australian Graduate School of Leadership

HR Policy and Procedure Manual

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INTRODUCTION

The Australian Graduate School of Leadership (AGSL) Human Resources Policy and Procedure Manual provides the policies and procedures for managing and developing staff. It also provides guidelines AGSL will use to administer these policies.

In order to keep AGSL HR policies current and relevant, it will be necessary from time to time to modify and amend some sections of the policies and procedures, or to add new procedures.

Any suggestions, recommendations or feedback on the policies and procedures specified in this manual are welcome.

These policies and procedures apply to **all** employees. In this document, references to “employees” is to be taken to also include contractors, directors and any other person who is engaged by AGSL.

CODE OF ETHICS

The values and principles set out in this section are the foundation of AGSL's beliefs about the standards of corporate and individual practice to which we should aspire. We expect these values to be affirmed and shared by all who participate in the organisation. The values are the fabric of the Code of ethics that governs the way we do business and the way we regard our relationships.

This section contains three parts:

- **Our values:** describes the core values that are fundamental to the character and identity of AGSL and related organisations. AGSL expects individual members, whether they are directors, management or staff members, to accept the importance of these values and to endeavour to live them out in every aspect of their lives within the organisation.
- **Relationships Statement:** sets out the principles underlying the internal and external relationships that are the framework of AGSL's business activities. The principles carry the organisation's core values forward into the working environment and explain their importance to the interactions between stakeholders.
- **Code of Ethics:** a guide to the application in practice of AGSL's core values and relationship principles. The Code defines the standards of ethical practice, behaviours and business judgement expected in relation to customers, shareholders, staff, suppliers, competitors and the wider community. The governing concept off the Code is the AGSL will operate as an efficient organisation and will do this with integrity, honesty and concern for equitable outcomes.

Our Values

These values represent the principles that will guide all members of AGSL to the shared objective of deriving satisfaction from everything they do in the working environment.

Integrity

As individuals and an organisation, we will maintain the highest standards of integrity. We will apply, and encourage in others, honesty and reliability in all business dealings and relationships, including those with our competitors.

Respect

We will respect all members of the company and those with whom we do business. Respect recognises the fundamental value of all people and the distinctive contribution of each individual.

Professionalism

We will strive to attain the highest standards of professional excellence in our business dealing. Our industry knowledge, business competence and ethical conduct will be reflected in a corporate reputation for outstanding service. We will avoid the trap of arrogance and maintain a sense of humility. Whilst self confidence in our abilities is essential, gaining the trust and respect of our stakeholders demands that we deal with others as our equals.

Fairness and Equity

Our decisions and conduct, within and outside the company, will be seen as fair and equitable. They will be governed by recognition that people are entitled to equal opportunity and equal treatment.

Responsibility

We will encourage individual and organisational responsibility at all levels of the company. For individuals, responsible conduct means bringing to business decisions the integrity, honesty and professionalism that are our corporate values. For the organisation, it requires an awareness of our accountability to the wider community.

Rights

AGSL will respect the legal and moral rights and entitlements of its members, and those individuals will give the same consideration to their fellows.

Diligent use of Skills

Employees will diligently apply the skills, training and expertise to achieve outcomes that are in the best interests of the company and its stakeholders.

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Mutually Beneficial Outcomes

We will strive to ensure that the benefits of our business activities are distributed fairly, so that no stakeholder is unduly disadvantaged or unfairly compensated.

Relationships Statement

Good business practice and good business relationships go hand in hand. This statement describes the principles behind this connection and explains how it is promoted throughout the organisation.

Our Investment in our Staff

AGSL believes it is important to help staff maximise their abilities and skills. This investment in human capital returns dividends in the form of committed and satisfied staff equipped to perform at peak levels. We will continue to develop employment and training systems that identify individuals' potential and encourage them to use it fully.

Commitment to Ethical Standards in Business Relationships

This Relationships Statement expresses the principles by which AGSL sustains business relationships within and outside the company. The statement affirms our adherence to the highest ethical standards. There is an expectation that all members of the organisation will commit to and observe our principles and values. Staff are encouraged to seek clarification of any questions concerning conduct and ethics and to renew their commitment regularly.

Responsibility to Stakeholders

It is central to AGSL's culture that we have regard for all stakeholders. We acknowledge that conducting business entails a range of voluntary contracts with all parties who contribute to or are affected by the company's activities. Such an acknowledgement affirms our responsibilities not only to shareholders, but also to staff, customers, suppliers, governments and the communities in which we operate.

Alignment of Personal and Corporate Values

An individual's ethical identity results from establishing and living out personal values. As members of a team, we acknowledge that our personal values and principles must align with and contribute to the highest corporate and ethical standards.

Integrity and Honesty in Business

Integrity is one of AGSL's core values. Honesty is among the foundations of our reputation in the marketplace. These values are expected and relied upon on all our dealings. Where honest mistakes occur, they can be acknowledged and rectified in a decision-making system based on integrity. Open recognition of imperfections is part of a responsible culture of continuous improvement.

Ethical Best Practice

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AGSL operates in an industry subject to legislation and regulation with which we comply. Achieving ethical best practice requires another dimension of compliance in which we look beyond strict legal requirements to a set of principles that recognise the value of our relationships with customers and other stakeholders. These principles incorporate a commitment to fairness and honesty in our dealings with competitors.

Creative Alternatives in Decision-Making

AGSL adds value to its services by considering alternative ways of meeting students' and clients' needs. We must therefore foster innovation by creating an environment that is flexible and conducive to quick decision-making and effective implementation. Employees are encouraged to think creatively in proposing solutions that will satisfy student and client objectives and enhance our business strategies.

Code of Ethics

The Code extends the beliefs expressed in the statement of Our Values to a set of practical guidelines and explanation. They define the way AGSL and its employees carry out their duties in the best interests of the company and its stakeholders. The code is not designed to be exhaustive; rather, it represents a framework within which all decisions and practices can be measured.

The Code in Relation to Customers

Our customers are a precious asset and a pillar of our business. Our dealings with them will be distinguished by fairness, respect, cooperation and support.

Ethical promotion

- Measurable facts will not be exaggerated in advertising.
- Tasteless or discriminatory references will not be used in advertising or the promotion of products or services.
- Information about products or services must be truthful and must not conceal details likely to influence customer choices.

Ethical negotiation

- No customer will be coerced into purchasing products or services where the purchase is against the customer's best interests.
- We must be fully conversant with the products and services we are offering to customers and must explain fully any obligations, risks and other implications.
- Customers will be given the opportunity to read and understand the conditions of entering into agreements with AGSL.

Fit for the purpose

- Goods or services provided by AGSL must be fit for the purpose for which they are to be used and, where applicable, be safe and of acceptable quality and durability.

Value for money

- Prices of goods and services will not incorporate unreasonable margins for profit. Customers should be satisfied they are receiving value for money.

Serving customers

- Each customer has the right to individual service.
- Attending to the needs of a customer will always take precedence over an internal matter.
- All customer complaints must be taken seriously, acknowledged and remedied promptly.
- Disclaimers and notices must not mislead customers into thinking they have surrendered rights to which they are properly entitled.

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- No customer will be discriminated against on the basis of age, gender, race, religious affiliation, marital status, pregnancy, sexual orientation or disability.
- Threats and intimidation will not be used in any dealings with customers.

Confidentiality

- Except where client information is available publicly or where law requires its disclosure, it is to be regarded as confidential information and is not to be discussed or disclosed to a third party.

The Code in Relation to Shareholders

Our commercial focus recognises a prime responsibility for the interests of the shareholder. This entails diligent stewardship of the company's assets, including its reputation.

Generating income

- Our shareholder is entitled to the optimum return on its investment.
- Performing our duties in efficient and ethical ways that contribute to generating the highest possible income is the responsibility of every person employed by AGSL.

Managing costs

- Reducing costs and working efficiently, equitably and effectively are responsibilities of every person in the company.

Reducing risk to the shareholder

- All employees must act diligently on behalf of the shareholder in their stewardship of the company and its assets.
- Financial information must be prepared using accepted accounting standards to reflect accurately the true financial position of the organisation.
- All processes and systems must ensure timely and accurate reporting with full disclosure.

Shareholder's right to information

- Information that may affect the shareholder's stake in the company must be disclosed in a timely and accurate fashion.

Board members and executive performance

- Board members will keep themselves well informed about the company, its business activities and its marketplace.
- Board members and executives must act in good faith and make decisions based solely on their own judgment of the available facts, at all times acting in the best interests of AGSL.

Protecting the organisation's reputation

- Directors, officers and staff attending functions as AGSL representatives will conduct themselves with dignity and decorum.
- Standards of dress and grooming must support an image of professionalism, integrity and conscientiousness.
- Directors and staff must not engage in conduct likely to have an adverse effect on the company's business or on its relationships with employees, customers or suppliers.

The Code in Relation to Employees

The relationship between the company and its employees reflects pride in the workforce, pride in the workplace and integrity in the pursuit of business excellence.

This section of the Code reflects the two-way relationship existing between AGSL and its employees. The acceptance of employment is an implicit commitment to observe the company's standards of conduct and performance. In return, the company acknowledges obligations and undertakings to every individual on the staff.

A fair day's work

- No staff member will be expected to do more than is reasonable within the agreed working hours.
- All staff will be punctual.
- The company will not require staff to perform any tasks involving physical danger.

A fair day's pay

- Remuneration will be determined by the skills and experience required to do the job, taking into account the relevant award and the market rate.
- There will be no distinction in remuneration between male and female employees performing the same job.

Performance evaluation

- Performance contracts must be fair and achievable within the capabilities of the employees.
- All employees will receive feedback on their performance at regular intervals.

Promotion policies

- Preference will be given to promoting existing employees when filling positions, rather than recruiting from outside the company.
- Employees are encouraged to undertake relevant studies to qualify for promotion within the organisation.

Equal opportunity

- In interviewing applicants for new positions or promotions, the company will only consider the requirements of the job and the skills and experience of the applicant in meeting the job requirements. In decision about employment condition or continued employment of an individual, the company will not discriminate on the grounds of age, gender, race, religious or political affiliation, marital status, pregnancy, sexual orientation or disability.

Employee training

- The company has an obligation to train and develop staff.
- There is an expectation that employees accepting financial and other assistance to acquire qualifications will make a commitment to the company in return.
- Employees undertaking further study and training will receive recognition and support for their achievements.

Using company time and assets responsibly

- Personal use or consumption of company property is not acceptable except where properly authorised.
- Company-owned assets must be maintained in safe working conditions at all times.
- Entertainment of clients or any form of hospitality at the company's expense should be offered only where there is an existing relationship or where there is the potential for one that contributes significantly to AGSL's business.

Conflicts of interest, bribery and inducements

- Staff must avoid situations where a conflict of interest could arise or be seen as a possibility.
- Staff must not accept expensive or inappropriate gifts or gratuities.
- Employees should avoid attending "entertainment" events as guests of suppliers where attendance could raise expectations of a benefit to the suppliers.

Occupational health and safety (OHS)

- A clean, comfortable and safe working environment will be provided for all employees.

Drugs and alcohol in the workplace

- Employees will be sober and free from the influence of drugs impairing his or her ability to work.
- An employee whose performance may be affected by a legally prescribed medication should inform a supervisor.
- The consumption of alcohol on the company's premises is not permitted without the express permission of an authorised member of management.

Personal relationships between employees

- Personal relationships between employees are private. However, the parties involved should acknowledge that they cannot allow the relationship to impinge on the effectiveness with which they perform their work.

The Code in Relation to Suppliers

We select our suppliers on objective criteria, acknowledging the expectations of other stakeholders. We will deal with our suppliers fairly, prudently and promptly.

Payment policies

- Payment terms will be honoured and accounts payable processed in terms of agreed arrangements.

Ethical use of others' intellectual property

- All staff will abide by the copyright provisions covering materials, publications and software used in the workplace.

Tendering processes

- No prospective supplier's designs, specifications or ideas, submitted in the tendering process, will be used without due permission and remuneration.
- No tenderer will be given information about any other tenderer's offer.
- The tendering process will be open to all tenderers, with each having equal access to information and people from AGSL.

Dealings with banks and lenders

- All financial information submitted to banks and lenders should be true and fair.
- All financial projections should reflect the organisation's prudent, honest opinion of future performance.

Selection of suppliers

- The criteria used in the selection of suppliers will be price, quality and reliability.
- AGSL staff are not permitted to seek personal favours from suppliers.

The Code in Relation to Competitors

Competitors are entitled to a place in the market. We will maintain and improve our relative position through best market practice and honest competition.

Misleading and aggressive advertising

- Advertisements, which compare AGSL products with those of competitors, will not use false information, or omit material facts, to artificially inflate our claims to superiority. Misleading comparisons are unethical.
- Brochures, advertisements and other communications will not disparage competitors or their products and services, either directly or by implication. Such aspersions can belittle the industry as a whole and so reflect poorly on our own standards.

Privileged information

- AGSL staff will not attempt to acquire competitors' trade secrets or confidential information by improper means. Improper means include commercial espionage, hiring competitors' employees to exploit their confidential knowledge and any other practice that is not entirely honest.
- We will respect a competitor's right to protect the value of its investment in developing skills and products, even in the absence of formal copyrights, licences or patents. The creation of better ideas is encouraged; the theft of others' creativity is not acceptable.

Bribes and improper inducements

- The giving of money or gifts of substantial value to gain a business advantage over a competitor is unacceptable and in some cases is a criminal act. Where it deprives a rival company of an opportunity to compete fairly, it is morally reprehensible.

*The Code in Relation to the Wider Community***Environmental practices**

- We have a firm commitment to environmentally acceptable practices; not only to standards required by legislation, but also to the highest level the company can achieve without incurring unreasonable financial and administrative costs.

Supporting the local economy

- As far as is practicable in terms of cost and availability, AGSL will buy products and services produced in Australia.

Charities and sponsorships

- Sponsorship proposals should demonstrate a beneficial correlation between the recipients and our target markets.
- Sponsorship packages should contain elements that directly benefit the company, rather than particular individuals in our organisation.
- Donations and gifts to charities can only be assessed on their individual merits. The personal interests of the officer making the assessment or decision must not influence them.

PERSONAL CONDUCT

General policy on personal conduct

AGSL expects its employees to maintain a high standard of conduct and work performance to make sure the business maintains its good reputation with all its stakeholders. Appropriate personal conduct contributes to a work environment that supports professional excellence.

This involves all employees:

- observing all policies and procedures
- treating colleagues with courtesy and respect
- treating students and clients in a professional manner at all times
- working safely at all times

Dress code policy

As a minimum standard, dress should be clean, neat and professional.

AGSL reserves the right to request an employee to dress to an appropriate standard as a condition of employment.

Personal communications policy

It is expected private phone calls will be kept to reasonable levels.

Email policy

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

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

1. No material is to be sent as email that is defamatory, in breach of copyright or business confidentiality, or prejudicial to the good standing of AGSL in the community or to its relationship with staff, students, clients and any other person or business with whom it has a relationship.
2. Email must not contain material that amounts to gossip about colleagues or that could be offensive, demeaning, persistently irritating, threatening, discriminatory, involves the harassment of others or concerns personal relationships.
3. The email records of other persons are not to be accessed except by management (or persons authorised by management) ensuring compliance with this policy, or by authorised staff who have been requested to attend to a fault, upgrade or similar situation. Access in each case will be limited to the minimum needed for the task.
4. When using email a person must not pretend to be another person or use another person's computer without permission.
5. Excessive private use, including mass mailing, "reply to all" etc. that are not part of the person's duties, is not permitted.
6. Failure to comply with these instructions is a performance improvement offence and will be investigated. In serious cases, the penalty for breach of policy, or repetition of an offence, may include dismissal.

Internet use policy

The internet is provided by AGSL for business use. Limited private use is permitted if the private use does not interfere with a person's work and that inappropriate sites are not accessed. AGSL considers sites of the following nature to be inappropriate: pornography, obscenity, hate speech, illegal drugs, or any site that considers illegal material or material that could be considered offensive by an ordinary person. When accessing the internet, employees are to be mindful of varying standards of what could be considered offensive and moderate their use of the internet accordingly. Management has the right to access the system to check if private use is excessive or inappropriate.

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

Social Media Policy

AGSL expects its employees to maintain a certain standard of behaviour when using Social Media for work or personal purposes.

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

- maintaining a profile page for AGSL on any social or business networking site (including, but not limited to LinkedIn, Facebook, MySpace, Bebo, Friendster or Twitter);
- making comments on such networking sites for and on behalf of AGSL;
- writing or contributing to a blog and/or commenting on other people's or business' blog posts for and on behalf of AGSL; and/or
- posting comments for and on behalf of AGSL on any public and/or private web-based forums or message boards or other internet sites.

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

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

PROFESSIONAL USE OF SOCIAL MEDIA

Procedure

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

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

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

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

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Confidential Information includes any information in any form relating to AGSL and related bodies, students, clients or businesses, which is not in the public domain. This includes, but is not limited to any documentation or information marked as confidential and all scientific, technical, manufacturing, performance, sales, financial, commercial, contractual or marketing Information.

PRIVATE/PERSONAL USE OF SOCIAL MEDIA

Procedure Guidelines

AGSL acknowledges its employees, contractors and sub-contractors have the right to contribute content to public communications on websites, blogs and business or social networking sites not operated by AGSL. However, inappropriate behaviour on such sites has the potential to cause damage to AGSL, as well as its employees, students, clients, business partners and/or suppliers.

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

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

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

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

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

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

Social Media includes all internet-based publishing technologies. Most forms of Social Media are interactive, allowing authors, readers and publishers to connect and interact with one another. The published material can often be accessed by anyone. Forms of Social Media include, but are not limited to, social or business networking sites (e.g. Facebook, LinkedIn), video and/or photo

sharing websites (e.g. YouTube, Flickr), business/corporate and personal blogs, micro-blogs (e.g. Twitter), chat rooms and forums and/or Social Media.

RECRUITMENT

Policy

AGSL always aims to employ the best candidates based on merit and competence.

Procedure Guidelines

1. If the position being filled is a new academic appointment, the academic requirements of the position must be approved by the Academic Board or its delegate. Positions that are academic appointments that must have their academic requirements approved by the Academic Board or its delegate include:
 - a. Courseware writers and reviewers
 - b. Subject lecturers and supervisors
 - c. Examination panel members
 - d. Academic Board members
2. Create a simple position description for the job covering key activities, tasks, skills required, expectations, deliverables and safety considerations. When advertising, avoid discriminatory language e.g. young person. Target the requirements of the job e.g. we seek an energetic person. Position descriptions for new positions must be approved by the CEO for academic appointments or the COO for non-academic appointments.
3. The recruitment process may include some or all of these: an application form, interviews, practical testing, reference checks, and right to work in Australia checks. If undertaking an interview, ensure there are no possible discriminatory requests for information, for example *“Do you plan to have a family in the near future?”*
4. Recommendations regarding potential candidates are to be forwarded to the following officers for final approval:
 - a. Academic appointments: CEO
 - b. Non-academic appointments: COO
5. Give the successful candidate a letter of appointment setting out clear terms and conditions. This includes the nature of employment e.g. permanent part time, casual. The letter should include a welcome note and start details.
6. Once the candidate has accepted, contact the unsuccessful candidates as a matter of courtesy.

INDUCTION

Policy

AGSL will make sure all new employees feel welcome and are ready to start work safely and competently.

Procedure Guidelines

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

- introductions
- OH&S procedures and evacuation
- business overview
- who's who
- a working safely plan
- training plan
- IT system orientation
- copy of the Fair Work Information Statement (see <http://fairwork.gov.au>)
- policy and procedural requirements, e.g. equal employment opportunity

TRAINING

Policy

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

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

PROBATION

Policy

Probation is a period of review and appraisal to make sure both AGSL and the employee are satisfied the role is as advertised and is being performed satisfactorily. Ongoing employment is given only when the employee satisfactorily completes their probation. In most cases, AGSL applies a probation period of six months.

Procedure Guidelines

1. Give informal and formal appraisal during the probation period.
2. Give at least one formal appraisal four weeks before the end of probation.
3. At the end of the probation period, complete a final probation appraisal and advise the employee of the result.

REMUNERATION

Intent and objectives

As an innovative, global provider of education, training and consulting services, AGSL has an international reputation for excellence and engagement with the needs of industry and community and in work-relevant education and high quality research. AGSL will support staff to maintain these levels of excellence and reach the organisation's strategic goals by having a remuneration policy and procedures that attract the right people, motivates them to stay and rewards them fairly and consistently.

Objectives

- To attract and retain the best staff
- To be competitive within the employment market
- To improve the performance of AGSL against agreed targets, including continuing financial viability
- To be fair and consistent
- To ensure gender pay equity

Scope

This policy applies to all full-time and part-time employees of AGSL.

Principles

AGSL's remuneration principles include:

- Remuneration negotiations will be conducted in good faith and with appropriate levels of confidentiality.
- Staff on executive contracts will have their remuneration reviewed on an annual basis.
- Remuneration will be aimed at a competitive point of the appropriate market comparator.
- Remuneration and reward offerings will be sufficiently flexible to meet the needs of the individual staff member and the organisation.

In deciding appropriate remuneration for a role, consideration will be given to the following factors:

- the position, including job size and internal relativities
- the competencies that the person brings to the role
- the organisation's capacity to pay
- the relevant market comparisons.

Bonuses

At the discretion of the Board of Directors and considering the organisation's profitability and other performance factors, AGSL may, from time to time, activate a bonus payment scheme for employees. To be eligible to receive a bonus payment, employees usually will have provided at least 12 months' continuous service to the organisation (this requirement may be waived for a particular employee or for a particular round of bonus payments at the discretion of the Board of Directors on the advice of the CEO or COO). Full-time and part-time employees are eligible to participate in all bonus schemes and the Board of Directors may, from time to time, determine that other classes of people who undertake work for AGSL may be included in the bonus scheme (for example, independent contractors who are permanent faculty members).

AGSL employees' direct managers will provide performance information that results from annual reviews and other feedback and reporting sessions on each employee to the COO to allow the COO to propose a distribution strategy for the bonus pool that will be reviewed by the Board of Directors, who may approve the COO's recommendation or change the distribution of the bonus pool before approving it.

Where an employee is granted an entitlement to a bonus that exceeds \$20,000, 50% of the bonus shall vest in the year that it is allocated, with a further 25% vesting 12 months after the first tranche and the final 25% vesting 24 months after the first tranche. Employees with 10 or more years' continuous service with the organisation, including related entities, are exempt from this bonus withholding requirement.

OCCUPATIONAL HEALTH AND SAFETY (OH&S)

Policy Guidelines

AGSL will, as far as practicable, provide a safe work environment for the health, safety and welfare of our students, employees, contractors and visitors.

To do this, AGSL will:

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

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

All persons responsible for the work activities of other employees are accountable for:

- identifying practices and conditions that could injure employees, students, members of the public or the environment
- controlling such situations or removing the risk to safety. If unable to control such practices and conditions, report these to AGSL's COO

AGSL requires a positive, proactive attitude and performance with respect to protecting health, safety and the environment by all employees, irrespective of their position.

Manual handling policy

It is AGSL's policy to provide all employees with a safe and healthy workplace by identifying, assessing and controlling manual handling risks.

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

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

Workers' compensation policy

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

Injury procedure

If there is an injury:

1. The first priority is medical attention. For a serious injury also call an ambulance.
2. Any employee who is injured on the job, experiences a safety incident or a near miss, must report the incident to AGSL's COO.
3. The COO must write a report in the Register of Injuries, Incidents and Near Misses. This standard report must include:
 - employee's name and job details
 - time and date of injury
 - exact location the injury/incident occurred
 - how the injury/incident happened
 - details of the injury/illness and the part/s of the body injured
 - names of any witnesses

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

Smoking policy

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

Smokers who need to take breaks should do so in their allotted breaks (no more than 3 per day in addition to their lunch break). These breaks must be limited to 10 minutes from leaving the workplace to recommencing work. These breaks must be taken in the designated areas. Excessive smoking breaks will be regarded as absenteeism and performance improvement action may be taken.

Alcohol & drugs policy

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

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

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

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

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

Policy

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

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

The objective of AGSL's Equal Opportunity Policy is to improve business success by:

- attracting and retaining the best possible employees
- providing a safe, respectful and flexible work environment
- delivering our services in a safe, respectful and reasonably flexible way.

Discrimination, Sexual Harassment and Bullying

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

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

Discrimination:

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

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

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

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

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

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Please refer to the latest online version at <http://imia.edu.au/reference>.

These characteristics include:

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

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

Employees must report any behaviour that constitutes sexual harassment, bullying or discrimination to AGSL's COO.

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

Reasonable adjustments

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

AGSL will make reasonable adjustments for a person with a disability who:

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

Examples of reasonable adjustments can include:

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

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

Procedure: To make a complaint

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

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

Employees should feel confident that any complaint they make is to be treated as confidential as far as possible.

Procedure: To receive a complaint

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

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

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

Procedure: To investigate a complaint

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

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

Possible outcomes

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

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

PREGNANCY AT WORK

Advising of pregnancy

AGSL encourages employees to inform the COO of their pregnancy as soon as possible. However, we respect that an employee may not wish to advise us of her pregnancy earlier than the minimum notice period.

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

See the Parental leave policy on page 38 about requirements for taking unpaid parental leave, including notice periods.

Harassment while pregnant

AGSL is committed to ensuring the safety of pregnant employees and considers harassment, bullying and discrimination to be unacceptable behaviour.

(See the Equal Employment Opportunity policy on page 28 for our general policy and procedure on harassment, bullying and discrimination.)

Safety at work

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

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

Transfer to a safe job

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

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

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If AGSL can't transfer the employee to a safe job, she may take (or be required by AGSL to take) paid 'no safe job' leave for the time stated in the medical certificate or until the pregnancy ends (either by giving birth or otherwise).

'No safe job' leave is not sick leave – it is a separate paid leave type (pregnancy- no safe job). This leave will be paid at the rate specified in the award or agreement which, at a minimum, can be no lower than the employee's base rate of pay for her ordinary hours of work. In the six weeks prior to the expected date of the birth of the child, an employer may ask an employee on safe job leave for medical certificates stating that she would be fit to perform a safe job, if one were available to her.

An employee may be required to take unpaid parental leave (instead of paid no safe job leave) if she does not provide a medical certificate within seven days or if she provides a medical certificate stating she is not fit for any work.

Working until the birth

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

If the medical certificate indicates the employee is not fit for work, she may be required to start parental leave or take a period of unpaid leave as soon as practicable. (See the Parental leave policy on page 38.)

Return to work

If the employee has agreed to contact during leave, then towards the end of the leave period, the manager should confirm the employee's intention to return on the agreed date. The employee also may want to discuss any requests for flexible work arrangements at this time (see Flexible Working Arrangements policy on page 35).

An employee must provide four weeks notice if they want to extend their leave beyond the return date that was initially advised (see the Parental leave policy on page 38.)

The employee on parental leave has the right to return to the job they held prior to going on leave, including any promotion. If that position no longer exists, the employee will be given whichever other available position is nearest in status and remuneration to the position they held prior to going on leave.

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

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

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Breastfeeding at work

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

An employee should discuss her needs with the COO and AGSL will endeavour to make a private space available or other arrangements by agreement. Depending on the employee's duties this may include cover while she is away from her work environment.

FLEXIBLE WORKING ARRANGEMENTS

Employees may request flexible working arrangements based on parental and carer responsibilities. Employees are encouraged to put the request in writing.

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

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

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

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

- when the arrangements are to commence
- how long the arrangements will last
- information that has been provided by the employee about their situation
- the accrued entitlements of the employee, such as personal, carer's or annual leave
- whether any legal or other constraints affect the feasibility of the employer accommodating the responsibilities, such as occupational health and safety laws or award penalty rates.

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

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

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

Employees must put such a request in writing.

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

Options for flexible work practices

Flexible work options which may be considered by AGSL include:

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

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

Employees utilising flexible work practices will be treated no less favourably than any other employee. Flexible working is not a barrier to promotion or supervisory responsibilities.

LEAVE POLICY

General leave policy

Unless specified otherwise, employees referred to in this policy mean 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.

All planned leave has to be mutually agreed, 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.

Annual leave policy

Each employee is entitled to a minimum of 20 days annual leave a year (pro-rata for part-time). Leave entitlements are calculated from the date the employee started work and accrue in accordance with workplace relations legislation or industrial instruments. Annual leave counts towards continuous service (used when calculating long service leave). Applications for annual leave need to be lodged 6 weeks in advance.

An employee is expected to take accrued annual leave for AGSL business close down periods. If insufficient leave is accrued, AGSL may direct an employee to take unpaid leave.

AGSL 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. 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.

Personal (sick) leave policy

An employee is entitled to a minimum of 10 days of personal/carer's leave every 12 months which can all be taken as carer's leave if required.

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

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Carer's leave policy

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 typically part of personal (sick) leave and is dealt with similarly to 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.

Compassionate leave policy

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

Each employee is entitled to a period of two 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 management discretion.

Casual employees are entitled to two days unpaid compassionate leave for each occasion.

Long service leave policy

Employees are entitled to long service leave in line with long service leave laws.

Parental leave policy

Unpaid parental leave

Employees (including a de facto or same sex partner, or single person) 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 12 months service prior to the expected date of birth or adoption placement
- casual with 12 months regular and systemic service who have a reasonable expectation of continuing regular and systematic work

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

Employees may request to extend their leave by a further 12 months (for a total of 24 months maximum), to be submitted in writing at least four weeks before the end of the original 12 months unpaid parental leave.

AGSL 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.

Parental leave for partners

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 manager agrees to other arrangements).

Applying for leave

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

Leave dates or any changes of dates must be confirmed at least four weeks before the leave starts. The manager will confirm the leave and any affected entitlements such as continuous service in writing.

Adoption

Because AGSL recognises that the timing of placement for an adopted child may be uncertain, employees should keep the COO informed of any changes to the likely placement date and commencement of leave.

Paid leave

Annual leave

If the employee has paid annual leave available, he or she may, in agreement with the manager, take some or all of that leave at the same time as the unpaid 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 manager.

An employee may take up to two days unpaid pre-adoption leave. Employees must provide notice of the leave 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 their manager.

Leave for pregnancy related illness

If an employee is ill during her pregnancy, she may access her ordinary sick leave entitlements, including any accrued leave.

If an employee experiences extended illness due to pregnancy, she can access unpaid 'special maternity leave' for the period her treating doctor certifies is necessary. Special maternity leave is included in the 52 weeks available unpaid parental leave period.

The employee must make a special maternity leave application as soon as practicable which details the period of leave required. The manager may request a medical certificate and if so, this must be provided by the employee.

Loss of a child while pregnant

If the pregnancy ends within 28 weeks before the due date without a live birth, the employee may take unpaid 'special maternity leave' for the period her treating doctor certifies is necessary. Unpaid parental leave is not available in this situation, instead special maternity leave applies.

The employee must make a special maternity leave application as soon as practicable, specifying the expected leave period and providing a medical certificate, if this is requested by the manager.

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

During parental leave

Even though the employee is on leave, they will continue to be protected against discrimination as an employee. See the Equal Employment Opportunity policy on page 28.

AGSL respects that some employees do not want any contact while on leave, and others do. The 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, AGSL 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, the AGSL 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 AGSL and the employee.

An employee can resign while on parental leave but they must give the required notice of resignation.

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. AGSL 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.

Time in lieu policy

AGSL 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 management will consider granting approval after the time is worked.

Time in lieu will be added to the employee's annual leave. AGSL will record time-in-lieu credits and debits. Generally, employee should take time in lieu in the same financial year within which they accrue it. The COO must approve time-in-lieu leave. An employee cannot accrue more than 38 hours of time in lieu.

Leave without pay policy

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

Jury duty policy

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. AGSL 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 10 days in total, the employer is only required to pay the employee for the first ten days of absence.

Emergency services leave policy

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

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

AGSL may require evidence of these activities at its discretion.

PERFORMANCE MANAGEMENT

Policy

The purpose of performance management is to improve performance. It is an ongoing process. It includes informal and formal review. We encourage a two-way process, that is, employees can also give management feedback on performance.

All employees will undergo a formal performance review with their immediate manager or the COO at least once a year.

Procedure

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

PERFORMANCE IMPROVEMENT

Policy

Where warranted, AGSL will use improvement processes to improve performance. Should such improvement processes be unsuccessful in improving an employee's performance, AGSL may decide to end an employee's employment. Depending on the circumstances, performance improvement action may include verbal or written warnings, counselling or retraining.

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

If an employee deliberately breaches business policy or procedure, or engages in misconduct, AGSL may start improvement procedures, or, in cases of serious misconduct or breach of policy, may dismiss an employee.

Each employee must understand their responsibilities, be counselled and given the opportunity to reach the standards expected of them. AGSL will give an employee the opportunity to defend themselves before management takes further action.

Note: If employees have a disability that requires reasonable adjustments to be made to the workplace or job to allow you to work safely and productively, they should raise this with their manager. AGSL will only refuse such requests on reasonable business grounds.

Procedure

1. AGSL will advise the employee of any shortfall in their performance, and give them an opportunity to respond.
2. Once they respond, the manager will consider their response and decide if performance improvement action should be taken. AGSL will provide support such as training where appropriate.
3. If the employee is given a verbal warning, the manager should make a note of it, date it and sign it.
4. The manager will advise the employee in clear terms what they see as the performance problem or the unacceptable conduct. To highlight the deficiency they should use specific examples, and refer to the correct policy or procedure.
5. The manager will allow the employee to respond before making a decision and consider the employee's responses. The employee may have a support person present at such meetings.
6. The manager will decide if more action is needed.
7. If a written warning is to follow, the manager is to:

- document it and give the employee a copy
 - give the employee the opportunity (and their support person the opportunity) to sign the warning
 - keep a copy on file
8. The warning must clearly define:
- the deficiency
 - a clear explanation of the expected standard
 - by when the employee needs to achieve it
 - how the business will help the employee achieve the improvement required
 - consequences of failing to improve
9. The manager concerned will keep a record of all meetings, training and/or coaching given and a summary of discussions, and put a copy on the employee's personnel file. This should include date, location and time of discussion.
10. They will continue to support the employee and note the support they give, for example, training or counselling.
11. If the employee's performance or conduct doesn't improve, the manager will give the employee a final written warning and follow steps 4–10 above. The document prepared in step 8 needs to warn the employee in clear terms AGSL will terminate their employment if there is not enough improvement, and a sustained improvement in, their performance.

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

Gross or serious misconduct policy

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

Procedure

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

5. AGSL will send the employee a letter of termination noting brief details.

GRIEVANCES

Policy

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

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

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

Procedure

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

CONFLICT OF INTEREST

Policy

Conflict of interest arises whenever the personal, professional or business interests of an employee are potentially at odds with the best interests of AGSL.

All employees are required to act in good faith towards AGSL. Employees need to be aware of the potential for a conflict of interest to arise and should always act in the best interests of AGSL.

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

AGSL considers it a conflict of interest for any staff or faculty member involved in the teaching or delivery of an AGSL course to enrol in any AGSL course. Accordingly, staff or faculty involved in the teaching or delivery of AGSL courses may not enrol in any AGSL courses.

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

Procedure

Employees must:

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

If an employee declares such an interest, AGSL will review the potential areas of conflict with the employee and mutually agree on practical arrangements to resolve the situation.

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

Employees must not set up or engage in private business or undertake other employment in direct or indirect competition with AGSL using knowledge and/or materials gained during the course of employment with AGSL.

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

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

INTELLECTUAL PROPERTY AND SECURITY

In addition to the concepts outlined below, employees should be familiar with ASGL's policy on Intellectual Property, which forms part of AGSL's terms of employment. The policy can be accessed from <http://imia.edu.au/reference> or contact the COO for a copy.

All intellectual property developed by employees during their employment with AGSL, including discoveries or inventions made in the performance of their duties related in any way to the business of AGSL, will remain the property of AGSL.

Employees may be given access to confidential information, data, business property, keys to premises or any other business related property/information in the performance of their duties. This must be protected and used only in the interests of AGSL.

Employees must not:

- disclose or use any part of any confidential information outside of the performance of their duties and in the interests of AGSL; or
- authorise or be involved in the improper use or disclosure of confidential information;

during or after their employment without the Employer's written consent, other than as required by law.

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

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

ENVIRONMENTAL BEST PRACTICE

Policy

AGSL will comply with all applicable local, state and federal laws and regulations on:

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

Procedure

AGSL will set targets each year to increase energy and water efficiency, and seek opportunities for reducing and recycling waste. To do this, we will:

General

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

Energy

- buy electrical and lighting systems rated as energy efficient

Water

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

Waste

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

SPEAK UP - WHISTLEBLOWING

AGSL encourages a culture of openness and accountability. Immediately report to your manager any instances where you:

- think that you or anyone else at AGSL may have violated any applicable law, regulation or policy;
- are aware of any attempted, suspected or actual fraud being committed;
- have any well-founded concerns about the integrity of your colleagues; or
- detect a deficiency in AGSL's processes or controls that would allow any of the above circumstances to occur or remain undetected.

You are encouraged report any of the above situations immediately to your manager so that the matter can be investigated promptly and as fully as possible. If your manager is the subject of the suspected behaviour, or if you are uncomfortable discussing the issue with your manager, report the situation to the CEO or COO. Your manager (or the CEO or COO, whoever received the notification) must then report this notification to the Audit Committee Chairperson as soon as reasonably practicable, but no later than the close of business on the day after notification.

Anonymous reporting may be requested, in which case the issue will be investigated without making your identity known to the individual(s) being investigated.

The Audit Committee Chairperson may involve other senior members of staff in the investigation as deemed appropriate and necessary. Following the investigation, the Audit Committee Chairperson will communicate the findings of the investigation to you and, where necessary, report the investigation and the findings to the CEO and/or the Audit Committee. They may also be communicated to any individuals who have been investigated, to management and to any external authority as appropriate.

If you make any such disclosures in good faith, or if you simply provide information or assistance to an investigation, AGSL will ensure that you will not suffer any discrimination or victimization, and that you will be protected from retaliation. However, if you deliberately make false allegations, then this will be regarded as extremely serious and may result in disciplinary action, including dismissal.

If your violation disclosure is in connection with something you did, the fact that you reported it would be a mitigating factor when considering disciplinary action, if any, particularly if by reporting it you have helped reduce adverse consequences to yourself, AGSL and any other third party.

None of the above affects any advantage, obligation, condition or requirement of any other AGSL policy or procedure on whistleblowing that may be applicable to you.