

Workplace Policy

Rubicon Group Limited

Other related policies:

- Rubicon Equal Employment Opportunity Policy
- Rubicon Occupational Health & Safety Policy

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1. Introduction

Rubicor Group Limited and all its related bodies corporate (*Rubicor* or *Rubicor Business*), as the context permits) are committed to:

- (a) being an Equal Employment Opportunity (**EEO**) employer. This means that employees and contractors are treated fairly and equally and unlawful discrimination, harassment and bullying does not take place. EEO also means that each employee and contractor enjoys a work environment that is comfortable and non-threatening; and
- (b) the health, safety and welfare of the working environment for its employees, contractors and visitors. In fulfilling this responsibility, all Rubicor Businesses have a duty to provide and maintain, so far as is practicable, a working environment that is safe and without risks to health.

Each Rubicor Business is required to have its own employment related policy, and this Rubicor policy is to complement that existing documentation and serves as the policy for Rubicor's Head Office. With the assistance of Rubicor's Head Office, respective Business Principals are responsible for the implementation of this Policy within their respective businesses. To the extent that any aspect of this Rubicor policy imposes obligations in addition to the laws of the jurisdiction applicable to a particular Rubicor Business, then this Rubicor policy is to be read subject to those laws. This policy does not form part of an employee's contract of employment with any Rubicor Business, nor gives rise to contractual obligations. However, to the extent that the Policy requires an employee to do or refrain from doing something, this policy forms a direction of Rubicor with which an employee is expected to comply.

2. Equal Employment Opportunity

2.1 Rubicor's Commitment

To support its EEO commitment, the following rules (which are not exhaustive) apply in all Rubicor workplaces:

- all employees and contractors must be tolerant, work co-operatively and value differences in each other;
- employees and contractors must treat each other with respect and courtesy at all times;

- employees and contractors must not discriminate on the basis of irrelevant characteristics, such as sex, race, disability, pregnancy, age, marital status, sexual preference;
- employees and contractors must never participate in, tolerate, or ignore any harassment, unlawful discrimination or bullying; and
- managers and Business Principals must take all EEO complaints seriously and ensure they are thoroughly investigated.

This EEO policy applies to all aspects of employment including terms and conditions of employment, recruitment and selection, promotions, training and development activities, transfers and secondments, disciplinary action, supervision and termination of employment. This EEO policy applies equally to all aspects of the contract, with respect to contractors and consultants.

To further demonstrate its EEO commitment, the Board of Rubicor has adopted an Equal Employment Opportunity Policy, a copy of which is available on the Rubicor intranet.

2.2 Unlawful Discrimination

Unlawful discrimination means treating a person less favourably because of a personal attribute they have which is covered by equal opportunity laws. Equal opportunity laws include unlawful discrimination based on the following attributes:

- sex/gender;
- race, colour, nationality, descent and ethnic, ethno-religious or national origin;
- age;
- sexual preference;
- religion;
- disability;
- pregnancy;
- marital status; and
- personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.

It is Rubicor's policy to ensure that there is no unlawful discrimination when employment decisions are made. It is also Rubicor's policy that harassment because of any of the above or other attributes will not be tolerated.

2.3 Workplace Harassment

Rubicor has a moral and legal responsibility to provide work environments which are free from harassment (sexual or other) and unlawful discrimination. If harassment occurs in the workplace, it can create an unpleasant or even hostile work environment. It is Rubicor's policy that workplace harassment will not be tolerated.

Unlawful harassment is any behaviour which is based on one of the above unlawful discrimination attributes and which is unwanted or unwelcome behaviour that may offend, humiliate or intimidate the person being harassed. The fact that no offence was intended does not mean that the harassment is not unlawful.

Sexual Harassment

The most common form of harassment is sexual harassment. Examples of sexual harassment include: unwanted touching or advances; unwelcomed request for sexual favours; indecent or sexual assault; sexual propositions; nude pin-ups and posters; obscene telephone calls; persistent requests for outings or dates; leering or staring; wolf whistling; offensive or obscene language; crude jokes; possession and/or display of erotic or sexually graphic material including photographs, e-mails, internet sites visited, graffiti, messages left on boards, screen savers, calendars etc.

Other Forms of Harassment

Other forms of harassment include, but are not limited to: abusing a person loudly, usually when others are present; repeated threats of dismissal or other severe punishment for no reason; leaving offensive messages on email and/or the telephone; humiliating a person through sarcasm, criticism and insults; and spreading of gossip or false, malicious rumours about a person.

Certain forms of sexual harassment may constitute criminal offences. Criminal actions should be reported immediately to the relevant Business Principal or to the police.

2.4 Workplace Bullying

Workplace bullying is aggressive behaviour that intimidates, humiliates and/or undermines a person or group that creates a risk to health and safety. Bullying can be defined as the repeated less-favourable treatment of a person by another or others in the workplace, which is considered unreasonable and inappropriate workplace practice. It is Rubicor's policy that workplace bullying will not be tolerated.

Examples of bullying at work may include: verbal abuse; continually criticising someone; isolating or ignoring employees; psychological harassment; sabotaging someone's work or their ability to do their job by not providing them with vital information, appropriate training and/or resources. Bullying usually results from one person or a group needing to dominate or show superiority over another person.

2.5 Employees' Responsibilities

Employees should not ignore a breach of this Policy and hope it will go away – silence gives the impression that unlawful discrimination, harassment or bullying is acceptable. It is in everyone's best interests that actual or suspected breaches of this Policy are reported to the relevant Business Principal or Rubicor's Chief Operating Officer.

2.6 Management's Responsibilities

Managers and Business Principals must all set an example with respect to this Policy, having an important role in the prevention of unlawful discrimination and harassment in the workplace. Management must ensure that all allegations made under this Policy will be treated seriously and investigated fairly, impartially, confidentially and thoroughly.

2.7 Disciplinary Procedures and Investigation

Any incident of unlawful discrimination or harassment is regarded as a serious issue. Substantial cases may result in the following:

- counselling on unacceptable behaviour;
- issue of a warning or final warning;
- transfer of one of the parties;
- termination of employment or contract;
- (in instances of alleged criminal behaviour) prosecution in court; and/or
- fines and other penalties.

3 Workplace facilities and systems

3.1 Rubicon's Commitment

Managers and Business Principals are accountable for their areas of control and must ensure that they maintain a safe operation of the workplace in accordance with this Policy as well as the policy of the applicable Rubicon Business.

Employees are required to work in a safe manner and adhere to prescribed safe working procedures. They have a legal duty to take care to protect their own health and safety and to avoid adversely affecting the health and safety of any other person.

Contractors and visitors are required to comply with the occupational health and safety policies, procedures and programs established by the applicable Rubicon Business and observe directions on occupational health and safety from designated officers. Rubicon and each Rubicon Business must nominate one or more staff members as the designated officers for this purpose.

To demonstrate its commitment to workplace facilities and systems, the Board of Rubicon has adopted an Occupational Health & Safety Policy, a copy of which is available on the Rubicon intranet.

3.2 Provision of Health and Safety Information

Employees and contractors, whether permanent, part-time or casual should familiarise themselves with any health and safety information provided by Rubicor or the applicable Rubicor Business from time to time.

3.3 Endorsement of Return to Work

In instances when employees are affected by work-related injury or illness, Rubicor or the applicable Rubicor Business (as the case may be) recognises the importance of occupational rehabilitation to facilitate recovery and a safe return to work. Occupational rehabilitation is a managed process aimed at maximising an employee's work opportunities during the recovery period. It requires early intervention and the provision of appropriate, adequate and timely services based on an assessed need. Where appropriate, an external rehabilitation provider accredited by the relevant government authority will assess these needs and develop a rehabilitation program appropriate for the individual employee.

To ensure the effectiveness of rehabilitation programs Rubicor or the applicable Rubicor Business (as the case may be) is committed to:

- modifying work practices and/or duties, where appropriate, to enable an employee to remain at work or to return to work while recovering;
- providing suitable work if the employee's normal role cannot be appropriately modified while they recover; and
- returning an injured or ill employee to their normal duties in the shortest possible time provided it is safe and practicable to do so.

3.4 Alcohol and Drugs

The misuse or abuse of alcohol and other drugs represents a significant problem to both Rubicor or the applicable Rubicor Business (as the case may be) and the employee. Employees have a responsibility to ensure they are not affected by alcohol or other drugs (except where the drug is prescribed by a medical practitioner or the purposes of treating a medical condition), which may endanger their own or any other person's health and safety.

Rubicor will ensure that employees who are dependent upon alcohol or other drugs are not discriminated against for seeking assistance to overcome their dependency and that requests for assistance or subsequent support will be provided with confidentiality maintained.

3.5 Emergency Procedures

3.5.1 First Aid Officer

Rubicor and each Rubicor Business must nominate from among its staff a qualified First Aid Officer. Designated First Aid Officers are to undertake the initial treatment of people suffering injury and illness at work. A First Aid Officer should:

- be able to undertake the initial treatment of injuries and illness occurring at the workplace;
- apply standard precautions for infection control;
- be able to record details of first aid given;
- maintain first aid kits, a first aid room or other equipment; and
- ensure first aid skills are maintained at an acceptable level.

3.5.2 Fire Warden

Rubicor and each Rubicor Business must nominate from among its staff a qualified Fire Warden. Designated Fire Wardens are required to immediately respond to any emergency and determine the appropriate procedures that should be implemented to ensure the safety of his/her fellow staff. A Fire Warden should:

- familiarise themselves thoroughly with their floor;
- note all exits and alternative escape routes;
- be familiar with all obscure areas where people could be located;
- know the location of all fire fighting equipment;
- be familiar with the operation of equipment installed to assist in the safe evacuation of personnel from the building;
- be aware of any mobility impaired, sight or hearing impaired persons on their floors; and
- attend appropriate training as directed by Rubicor Head Office or the applicable Rubicor Business (as the case may be).

All employees have an obligation to familiarise themselves with the emergency procedures pertaining to their workplace.

3.6 Liaison with Workcover

Rubicor Head Office and the appropriate Business Principals are responsible for all communications with WorkCover or equivalent authority (as applicable for each Rubicor Business in the jurisdiction in which it operates). These managers may require assistance from other Rubicor departments (such as the Chief Operating Officer) and any employee from time to time.