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# The Beverage Food Group Pty Ltd

ABN: 33 079 121 529

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## Company Policies Document

(Effective 1<sup>st</sup> Jan 2011)

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Includes:-

**Home Make It Pty Ltd**

ABN: 36 324 385 967

**FB Propak Pty Ltd**

ABN: 31 445 283 101

**DT Pacific Pty Ltd**

ABN: 83 140 946 229

**Australian & New Zealand  
Winemakers Pty Ltd**

ABN: 74 231 833 913

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## **Our Business Purpose**

To satisfy our customers needs.

Broadly speaking a business exists only by pure virtue that a customer exists. The common element is that all customers have a ' need' which they need fulfilled.

It is necessary to Identify our genuine customer 'need' in order to establish our organisational purpose for existence.

It may be said the purposes of The Beverage Food Group is to supply equipment for production of food and beverages. Yet consider that 'supplying equipment' is very superficial as what really our customers are seeking to have satisfied is their need to make fantastic food and beverages, or make the highest quality food & beverages more cheaply, more speedily, more environmentally friendly etc. The ability to provide the best solution to achieve the 'genuine' 'need' of the customer is what perpetuates our sustainable business purpose. By employing our sustainable competitive advantage to the products and services we engage, Our suppliers, Customers and own people will be empowered to share knowledge, their collective experience which perpetuates the fostering of enduring relationships for future generations.

## **Our Sustainable Competitive Advantage**

Instil confidence in our customers and be consistently reliable in our actions and words.

achieved by :

- Product knowledge
- Be aware of the Industry environment
- Be flexible
- Work as a energised proactive team
- Innovate, invest.
- Leadership.
- Urgency.
- Dependability
- Systems development
- Care, be passionate and be proud,
- respect each other and your customer.

## **Our Products and Services**

- Focusing on the unique solution and added value our products and services provide our customers and communicate aggressively these advantages to the customer.
- Passionately maintaining a leadership position in the local and global industry trends and discourse.
- Seek to innovate and lead social and environment initiatives relative to your customer, their needs and their communities.
- Invest and develop
- Never be afraid of change.

## Sharing Knowledge & Experience, Building Relationships

**Customer** - Assist customers with the required product information :

- Difference between our machines and others on the market
- Be proficient with all features and benefits of our equipment
  - Quality differences, durability, reliability
  - Application, trends
- Quote Prices that are relevant and strategically appropriate
- Foster Third party recommendations
- History and product development
- Appropriate industry standards and regulations

**Supplier** – Seek to enhance the power and strength of our supply chains.

- Engage solutions that are win-win
- Develop effective communication flow between all business levels
- Keep supply chain informed of local market trends, in turn seek information and guidance from the supply chain as to how global trends are shifting and developing.
- Develop a pro-active engaged supplier base, we need a supply chain that is invested in our success.
- Develop on an ongoing basis system improvements.
- Ethical and professional business exchanges between the supply chain and company offices.

**Staff/personnel** – The Beverage Food Group P/L will strive to develop and educate the companies most valuable resource - its personnel. A commitment to -

- Recognise high performance
- Structure regular training and education into product, systems and personal skills.
- Evaluate performance and provide feedback
- Develop the social environment of the work place.
- Promote multi –skills
- Be an equal opportunity employer
- Establish structure and systems which ensure clear lines of communications amongst all staff
- Maintain a sense of strong family values, recognise the importance of building a social leadership role in our communities
- Aspire to lead an environmental position in our community
- Improve employee and their family's welfare
- Ensure a safe, healthy and fun work environment.

## Code of Business Conduct

### **Proud of what we have achieved, of what we are creating and how we make a real difference**

Our vision begins with a set of simple and clearly stated values. These form the basis of our policies and inspire the actions of everyone that works at The Beverage Food Group.

This revision of The Beverage Food Group's Code of Business Conduct we believe demonstrates our commitment to behaving as one of Australia and New Zealand's most trusted and respected companies operating in the industries we do business. At the core of the message is the way we decide to behave towards each other and towards those outside the company. This we believe impacts on the Beverage Food Groups reputation to existing customers, potential customers, potential new and exciting talent wanting to work in our industry, to potential new investors, overseas suppliers, the media, to everybody we interact with. Ultimately how we decide to behave effects our future!

Performing with integrity underpins our long held family values and has long sustained our strategic direction. On a daily basis we ask our customers to believe in our products, our brands and our expertise. We want to be proud that we deliver on our word and that the company is known for its reliability and consistency.

To drive success by embracing innovation and better business performance whilst seeking to improve the environmental and social footprint we inhabit within the industries we supply and service.

We want The Beverage Food Group to be recognised as a great place to work. Known for acting with integrity, demonstrating social responsibility and commitment to the communities in which we operate. We want a defining culture of respect to our peers, to our customers and suppliers. The Beverage Food Group is a company with soul and heart, a business that shows innovation, vision and leadership.

To aspire to creating a place of work with values that are so widely recognised, admired and so deeply ingrained that they endure long after each of us has moved on. We have it within our grasp to set ourselves apart by a long margin from our various competitors, and to provide the various industries and communities in which we serve something to be proud to be associated with. These are exciting times and together, with your full support can we make a real difference.

## Code of Conduct – Sales & Commercial Transactions

TO ENSURE THAT THE BEVERAGE FOOD GROUP, ITS STORES, SHOW ROOMS, WAREHOUSES & OFFICE ENVIRONMENTS ARE PRESENTED IN A PROFESSIONAL, COURTEOUS AND ORGANISED MANNER

All sales leads or supplier contacts whether by phone, fax, email or any other means are to be recorded in one central log, for sales personnel this document is the CRM pipe document. For supply chain correspondence, particularly by Business unit managers, correspondences should be detailed via copied email to Product and Supply chain managers.

All sales leads or suppliers enquiries must be attended to at the earliest opportunity and with appointments made. All enquiries must be responded to within the same day that the enquiry has been made, In this modern world of easily accessible communications the expectations are that a phone call or email can be effected very easily.

- Customers & suppliers do not accept lack of connectivity as a suitable excuse in today's modern high access communications environment.
- If mobile phones, email is not accessible, landlines in petrol stations, hotels, motels, restaurants, libraries, street side public phones are all available from which to update your status, location, email back log and to respond to your customers requirements.

The Beverage Food Group personnel are never to raise their voices, abuse, argue or criticise customers, peers or suppliers. A sales person's primary employed role is to act as a representative of the Company's mission statement, company shareholders values and to represent the conduit at every level the company's broader business interests. As a representative of The Beverage Food Group your actions, inactions, demeanour, tone, body language, attitude all impact on the potential success of the company and thus in turn your own and you're your peer's well being and personal success.

- Servicing, managing customers and suppliers needs to be conducted in a manner no less than the standard that you yourself expect to be serviced and dealt with by a world's best practicing company. This basis of conduct should act as a primary guide by which you should conduct yourself.
- Speaking negatively, spreading gossip, innuendo about customers, suppliers and the company staff and company you are employed by to either competitors, suppliers staff, company peers, members of the public is a very serious offence and company breach of policy and code of conduct. Any such action will not be tolerated. Slander and defamatory laws would apply in most instances.

- Common courtesies that yourself would expect from others should be enacted by you to your customers and peers.
  - Eg. In circumstances when an appointment cannot be kept by you, you should ensure that arrangements are made for another staff member to keep the appointment and/or to contact the customer.
  - Eg. If a staff member is running late for an appointment, the customer must be notified at the earliest opportunity, even if the delay is only 5-10 minutes.
  - Eg .It should be remembered that in many cases, customers have taken time off work to meet a sales representative.

All staff must be dressed in smart business attire. Appropriate wear for specific job activity may be required (eg: stocktake), if in doubt consult your immediate Manager. Staff must be clean and tidy. Male staff must be either clean shaven or beards and moustaches neatly trimmed. Personal hygiene is of the utmost importance and deodorant is recommended.

Sales, Warehouse and Managers driving a company vehicle, agree that vehicle must be clean with the interior kept tidy and all personal belongings kept in the car boot. (review Vehicle Policy)



## **Code of Conduct – The Public Arena & Duty of Care**

### Criminal Activity

Money laundering is a criminal practice of filtering ill – gotten gains or dirty money through a series of transactions which are fraudulent, clandestine or manipulative in origin.

All staff should conduct their daily work in a fair, transparent and non malicious manner.

Personnel who are confronted with offers to collude, conspire or manipulate the due legal sales or purchase process, should advise immediately their Senior Manager, Sales Director or General Manager.

Any staff member who is found to have acted or is suspected of acting contrary to the broader legal responsibilities of the community, leave no other option but for The Beverage Food Group to engage state and federal investigating authorities, which could result in criminal charges being made against the offending party or parties.

### Political Influence & Contributions

Australian and New Zealand laws restrict the encouragement of payment for political favour. No staff member shall offer company gifts or company monies to customers, charities, political parties, suppliers, service providers etc.

Similarly no staff member will accept offers of gifts, free travel financial payments from customers, charities, political parties, suppliers and or service providers. Any acceptance without formal written approval from the company Managing Director will be deemed an illegal bribe or a payment made with the intention to divert the course of justice, collude or conspire for personal gain.

The legal penalty for any such action is severe for the individual and potentially their families. If you have any suspicion that such activity has occurred or is occurring please seek advice from a Senior Manager or make the activity know to your Managing Director.

## Gifts, Entertainment

The Beverage Food Group only offer gifts and entertainment that are business courtesies, designed to build relationships and good will. They should not obligate the recipient. We do not want to create a conflict of interest, or the appearance of a conflict of interest for a recipient. We should only offer gifts of modest value, preferably promoting one of our brands. Any entertainment should be conducted in a moral and socially responsible manner. Suitable investigation of the recipient Company policy relating to gifts and entertainment should be well made in advance. Our objective is to foster long lasting and sustainable relationships with the customer. This means the 'company' who employs the person we are entertaining in most instances is the customer. Respecting the company we supply and service over the individual should be our overriding focus.

It is expected that all expenditures are fully reported to the Finance Dept, with the appropriate descriptions against each spend item ( what, why, where and who) . claims should be submitted in a timely manner, with the appropriate documentation attached. (familiarise yourself with the local travel and entertainment policy applicable)

## Competitive Environment, Intellectual Property and Company Assets

Trademark and related laws protect our brands, intellectual property and business assets from counterfeit, decoding and other attempts to unlawfully extract benefit from the goodwill of our business relationships.

Copyrights protect our communications, advertising message, design, domain names and websites. Our trade secrets, including industry unique knowledge, product knowledge, processing knowledge, pricing, overseas supplier relationships and their pricing and product knowledge make up our company's asset value. Attempts to defraud, conspire theft, manipulate or distort this value will result in prosecution of any offending parties.

Competition laws prohibit any agreements with competitors to collude terms of trade, pricing, discounts, credit terms etc. All agreements even discussions between agents or representatives of The Beverage Food Group and competing industry suppliers could be construed as anti competitive and could implicate The Beverage Food Group in anti competitive activity. Consider very carefully your discussions with competitors. It is critical that you do not create even the appearance of collaboration by discussing pricing or business activity with competitors. Such communication with competitors through intermediaries (customers, suppliers or consultants) is also dangerous activity which is forbidden.

## Confidentiality

You may have access to confidential information, including trade secrets, business plans or outlook discussion papers, marketing or sales programmes, customer lists, brand formulations, new products, technical research, price advices, foreign exchange contract information, company financial documents, human resource plans etc You should not share The Beverage Food P/L confidential information outside The Beverage Food Group.

This obligation applies to you even after you leave The Beverage Food Group for as long as the information remains confidential and is not generally available to the public. You should consider when to restrict your disclosure of confidential information within The Beverage Food Group on a 'need to know' basis so as to prevent inadvertent disclosures outside the company.

## **Acting on The Behalf of The Company**

### Agents & Sales Representative

Where The Beverage Food Group instructs third parties to act as agents on The Beverage Food Groups behalf in any representative capacity, The Beverage Food Group Manager responsible for giving the instruction must draw attention to the third party, the Beverage Food Groups Code of Conduct and policy statements. Compliance to the conduct and policies will be requested on behalf of The Beverage Food Group.

Independent Contractors, consultants or employees of third parties or temp agencies that perform services, on behalf of The Beverage Food Group, particularly if working on the premises and or accessing the computers, work environment (this includes customer sites) of The Beverage Food Group should be presented a copy of our conduct and policy documents and provided a signature of acknowledgement prior to any works being commenced.

### Managers. Business Unit Heads and Senior Officers

Lead by example. Make sure that all commercial activity reflects The Beverage Food Groups values and aspirations and goals. We cannot succeed without earning the trust of consumers and other stakeholders in the communities we engage.

- Establish the right environment. Make sure that your staff get the training and resources they need to protect the business and themselves. Encourage them to seek prompt advice from support functions and product managers.
- Ensure that all staff feel able to report suspected violations of the conduct and company policies without fear of reprisal

## Conflict of Interest

You owe a duty of undivided business loyalty to The Beverage Food Group. The duty is violated if you engage in activities that cause, or may reasonably be thought likely to cause conflict with the interests of the company you are employed by.

All potential for conflict of interest should be disclosed to a Senior Manager or Managing Director. A conflict of interest may arise when you are influenced by consideration of gain or benefit for yourself or your family members that may conflict with your obligation to serve the best interests of The Beverage Food Group. Conflict of interest can take many forms which cannot all be specifically detailed in the Code of conduct and policy documents, yet common sense should prevail, if any staff members are unsure, the best course of action is to report any concern or inclination that potentially a conflict of interest is being breached to your Senior Manager or Managing Director.

The legal duty of care rests with the employee to volunteer any information that is known by them to be occurring or potentially occurring,

Some examples of a conflict of interest are provided below.

- Engaging in activity that competes with The Beverage Food Group
- Taking personal advantage of an opportunity that belongs to The Beverage Food Group or using property of the company without authorisation.
- Offers of employment discussions with a competing firm.
- Personally receiving cash, benefits or gifts of more than a modest value from any customer, supplier, service provider, competitor. This includes discounts, merchandise, acceptance of loans, offers of employment or investment opportunities.
- Acquiring or maintaining ownership interests in a customer, supplier, service provider competitor.
- Having a Family member who works for a competitor, customer or supplier.

**POLICY – Signature Acknowledgment**

**COMPANY POLICY DOCUMENTS**

**NEW EMPLOYEES**

*As you have just been employed at The Beverage Food Group P/L, you are now asked to read the following company policies and sign that you have understood these policies and agree to abide by them.*

**Employees Name:** .....

Please print

**Date:**.....

**CODE OF CONDUCT & CONFIDENTIALITY POLICY**

I have read & understood the above policy & agree to abide by this policy.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**ANNUAL, SICK & LONG SERVICE POLICY**

I have read & understood the above policy & agree to abide by this policy.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**DRUGS & ALCOHOL IN THE WORK PLACE POLICY**

I have read & understood the above policy & agree to abide by this policy.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**MOTOR VEHICLE POLICY**

I have read & understood the above policy & agree to abide by this policy.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**HARRASSMENT & DISCRIMINATION POLICY**

I have read & understood the above policy & agree to abide by this policy.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**EQUAL EMPLOYMENT OPPORTUNITY POLICY**

I have read & understood the above policy & agree to abide by this policy.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**EMAIL POLICY**

I have read & understood the above policy & agree to abide by this policy.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**INTERNET ACCESS POLICY**

I have read & understood the above policy & agree to abide by this policy.

Signed \_\_\_\_\_ Date \_\_\_\_\_

## Policy - Confidentiality Statement

This policy of The Beverage Food Group P/L is to be kept in strict confidence all matters relating to the company.

The Beverage Food Group incorporates the businesses of Australian & New Zealand Winemakers Pty Ltd, Home Make It Pty Ltd, FB Propak Pty Ltd and DT Pacific Pty Ltd.

### **Includes:-**

- All matters relating to the working of the company in any capacity
- All matters relating to technical data pertaining to our products, work Performance internal or for customers and third party contractors.
- All matters relating to staff members of the company.
- Personal or financial matters relating to the company, its staff and officers.
- Personal or financial matters relating to any stakeholders of the company.

**This responsibility is shared by every person employed in any capacity at The Beverage Food Group.**

Failure to observe this responsibility is not only a breach of company policy but may result in termination of your employment.

This confidentiality agreement will permanently continue after an employee has left the company and precludes an ex-employee from removing/downloading any of the above information. Any breach of this confidentiality clause could result in the instigation of criminal proceedings

To focus your attention on this essential obligation, you are asked to sign this confidentiality agreement, which will be filed with your personal record.

I..... **[Print name]** have read and understood the above confidentiality statement. I understand that breaches of this policy may result in the termination of my employment.

Signed: .....Date:.....

For The Beverage Food Group Pty Ltd:

Signed:.....Date:.....

Printed Name:.....

## Policy – Annual, Personal/Sick & Long Service Leave

### ANNUAL LEAVE:

- All staff members are entitled to four (4) weeks annual leave per year.
- Subject to management approval, staff may take accrued leave. Leave may not be approved by management if during seasonal peaks, or for other business reasons.
- Staff will be asked to take annual leave.
- Applications for leave should be made no later than one month in advance.
- The company may require Staff to take leave during quiet or festive holiday periods.
- Staff must take all accrued annual leave no later than six (6) months after the year in which it was accrued.
- Accruing two years of annual leave is not permitted.
- Annual leave form must be completed and signed by your Manager prior to leave being approved and paid.



## PERSONAL/SICK LEAVE:

- All staff are entitled to 10 days per annum personal/sick leave
- Staff are permitted three single sick days per year without a doctors certificate.
- Sick leave of two or more days concurrent require a doctors certificate.
- Sick leave either side of a public holiday requires a doctors certificate
- A single sick leave day taken on a Friday and or Monday will require a doctors certificate.
- Personal/Sick leave can be used for other family purposes e.g. caring for a sick child etc.
- Personal/Sick leave cannot be claimed for other purposes, e.g. going to a solicitor. Annual leave should be used in this instance.
- Taking a "sickie" is not acceptable. If no doctors certificates are presented when required annual leave days will be counted in lieu.
- Your Manager must be notified by 9.00 am where a sick day is required. The Manager is to then advise payroll and email all staff of the absence. A sick leave form is to be completed on the day of return to work. If no form is completed by the next pay period, then an annual leave day will be counted in lieu.

## LONG SERVICE LEAVE

- All staff are entitled to long service leave after 15 years of continuous employment by the company.
- After 10 years, subject to agreement by the company, pro-rata long service leave can be taken.

## **Policy : Drugs & Alcohol in the Work Place**

The Beverage Food Group and its subsidiary companies has a zero tolerance policy to drugs, and excessive alcohol consumption in the work place.

- All staff are expected to present themselves fit for work and unaffected by illegal or legal drugs and/or alcohol.
- Drug or alcohol effected staff are a danger to themselves and other members of staff and public, and will be sent home and not paid for the day if considered unfit for work by the Managing Director or senior member of staff.
- Repeat instances of attending for work effected by drugs and or alcohol could result in the staff member employment contract being terminated.
- Staff members are not permitted to consume drugs or alcohol during lunch or other breaks. Celebratory drinks can occur with the prior express approval of a Senior Manager authorising the event or celebration.
- Staff members driving company vehicles are expected to ensure that their level of blood alcohol remains below .05 at all times when driving company vehicles including forklifts.
- Any staff member who is charged with consuming drugs or driving with an alcohol level over .05, must advise their Manager of the situation and not drive any company vehicle.
- The above policy relates to prescription drugs also.
- Any staff member who feels they need help with any drug or alcohol problem, should speak with their Senior Manager or company Director.

## Policy – Motor Vehicle

Company cars are provided to certain employees in order for them to be able to perform their expected duties on their job description.

Employees provided with a company car, are obliged to follow the following requirements and conditions:

- Ensure the vehicle is not to be driven by other staff members without the authority of the Company Director
- Non-staff members are not permitted to drive company vehicles unless special permission has been obtained from the Company Director.
- Under no circumstances are unlicensed drivers permitted to drive company vehicles. Licenses must be valid in the state in which the licensee drives;
- Not to fit any accessories to the car without prior written approval and authorisation from Company Director;
- Ensure that the car is securely locked when left unattended and that an alarm system fitted to the car is turned on
- Company Vehicles are to be washed regularly, serviced regularly and kept in first class order and condition;
- All servicing and repair requirements must be detailed and approved in writing and in advance of any works conducted. Failure to present written approval and detail will result in the cost of works being deducted from wage/salary.
- Parking fines, will not be paid by the company. Fines imposed as a result of a court hearing will not be paid by the company, Traffic Fines will not be paid under any circumstances
- Company vehicles are not for exclusive individuals use. They are to be made available when not in use to nominated drivers
- No employee is permitted to drive whilst under the influence of alcohol or drugs
- The employee, or authorised driver, shall comply with the laws relating to the use of a motor vehicle while on the roads and the provisions of the company's motor vehicle insurance policy. Any costs incurred by the company as a result of non-compliance with road laws or the invalidation of the company's motor vehicle insurance policy by the employee or authorised driver shall be paid for in full by the employee. Such action may also give rise to disciplinary procedures, which may result in termination of employment. It is expected that drivers of company vehicles will take every precaution to avoid penalties of this nature

- The employee must report to the employer at the earliest opportunity any damage to a company vehicle, regardless of how small or insignificant. The Employee will be required to pay the insurance excess for any claim that occurs out of normal working hours, unless in the course of conducting company business or on direct route to the office. Regardless of who is at fault, damage by persons unknown or whatever, no repairs are to be undertaken prior to approval
- Our insurers have the legal right to make recovery of all costs from a driver who is found under the influence of intoxicating liquor or drugs or driving with an expired licence
- The employee may retain the use of a company vehicle outside hours of work and during periods of authorised leave. However, private travel requires company approval beyond a radius of 100 kilometres. All private usage should be kept within reasonable limits.
- The employee may be required to reimburse the company for the fuel costs associated with private travel outside the 100-kilometre limit. During holiday periods employees are expected to pay their own running costs.
- It is expected that if an employee re-fuels the company car on a Friday, it will not be filled again on the following Monday on the company account.
- Employees are required to forward copies of any notice from government authorities regarding demerit points accumulated, Suspension or Cancellation of licence to the Office Manager, Senior manager and if not available company Director.
- Employees must forward their current driving licence for copying and filing prior to driving a company motor vehicle
- Copies of all drink driving offences must be forwarded to the office
- Employees who do not have a valid driver's licence, may have their employment terminated, if no viable work is available for them.
- The Beverage Food Group Pty Ltd will perform a demerit point check on all company car drivers from time to time.
- Anybody who drives a company car must have a valid driver's licence. Each employee must notify the company of any change in status to their licence where it becomes invalid. Employees allocated company cars will be required annually to sign and confirm the validity of their licence. Any costs or loss of insurance due to unlicensed driving of the vehicle will be charged to the employee in control of that car at that time.

## **Policy – Sexual Harassment**

The Beverage Food Group considers sexual harassment an unacceptable form of behaviour which will not be tolerated under any circumstances.

The company believes that all people have the right to work in an environment which is free of sexual harassment.

Under the Victorian Equal Opportunity Act (1984) and the Commonwealth Sex Discrimination Act (1984) sexual harassment is illegal.

Managers and other supervisors of staff are required to ensure that all employees are treated fairly and equitably and are not subject to harassment. They will also ensure that complaints and witnesses are not victimised in any way.

Any reports of sexual harassment will be treated seriously and sympathetically by this company, and will be investigated thoroughly and confidentially. Appropriate disciplinary action will be taken against anyone found to be guilty of sexually harassing a co-worker.

Support from all departments is sought in monitoring and avoiding practices, attitudes and traditions which lead to harassment.

### **What is Sexual Harassment?**

Sexual harassment is any deliberate verbal or physical conduct that is unwelcome and unwanted. It has nothing to do with mutual attraction or genuine affection between people. Such friendships, whether sexual or not, are a private concern.

Sexual harassment may include such action as :-

- Leering, patting, pinching, touching or unnecessary familiarity.
- Persistent demands for sexual favours or outings.
- Displays of offensive posters, pictures or graffiti.
- Dirty jokes, derogatory comments, offensive written messages, or offensive telephone calls.

Such behaviour is against the law if it makes an employee feel:

- Offended and humiliated
- Intimidated and frightened
- Uncomfortable at work

NOTE: Sexual harassment and rape are criminal offences and the victim will be advised to report such offences to the police.

## **What can an Employee do if he or she believes that they have been Sexually Harassed?**

Employees should keep notes of incidents - date, time, place witnesses, what was said or done. This will be valuable information if employees decide to take the matter further.

If an employee experiences sexual harassment there are a number of alternative approaches that they may take.

- Tell the alleged offender that they object to the behaviour and do not want it repeated.

### **OR**

- Write to the alleged offender outlining the cause for complaint and requesting that the behaviour stop.

If this does not resolve the situation, or the employee does not feel able to do this, they may:-

- Report to their Manager or Managing Director.

### **OR**

- Contact the Office of the Commissioner for Equal Opportunity for advice.

**Commissioner for Equal Opportunity**

**4<sup>th</sup> Floor**

**356 Collins Street**

**MELBOURNE VIC 3000**

**Tel: (03)9602 3222**

All written complaints to the Equal Opportunity Commission are handled through what is known as the "conciliation process". This process is confidential. It does not mean going to court. The aim of conciliation is to settle the complaint as informally as possible.

However, if conciliation is not successful the employers can request that the case be referred to the Equal Opportunity Board which can hand down a legally enforceable decision.

Complaints to the Commissioner for Equal Opportunity must be made within twelve months of the alleged act of sexual harassment. The Commissioner can investigate a complaint, and has the power to order both parties to attend a conciliation conference.

## Policy – Equal Employment Opportunity

### **Statement:**

The Beverage Food Group is an equal opportunity employer.

Anti-discrimination law in Australia has been proclaimed and may be summarised as follows:-

### **Application:**

#### Unlawful Discrimination

Unlawful discrimination occurs when someone is treated “less favourably” than someone else in the same or similar circumstances. It is against the law in Australia to discriminate against another person on the following grounds in employment:

- \* **Race**
- \* **Racial Harassment**
- \* **Disability**
- \* **Disability Harassment**
- \* **Sex**
- \* **Sexual Harassment**
- \* **Pregnancy**
- \* **Marital Status**
- \* **Parental Status**
- \* **Family Responsibilities (dismissal)**
- \* **Religious beliefs & activities**
- \* **Political beliefs & activities**

It is also unlawful to discriminate against a person in other areas besides employment:

- \* **Goods & Services**
- \* **Advertising**
- \* **Accommodation**
- \* **Education**
- \* **Clubs & Sport**

### **Unlawful discrimination can be either direct or indirect:**

Indirect discrimination refers to treating someone fairly on the surface, but the effect or result is unfair treatment, eg. having weight or height requirements for a job may tend to discriminate against women or people from some ethnic groups. If these requirements can't be shown to be reasonable, they could be indirectly discriminatory.

## **Who It Covers:**

Anti-discrimination law applies to all employers and all employees: companies, employment agencies, partners, contractors, potential employees, full-time, part-time, and casual.

Which employment situations are covered:

Discrimination could possibly occur in the following situations:

- Advertising for employees
- Determining who should be offered employment
- Offering employment on certain terms
- Negotiating an employment contract
- Refusing or deliberately omitting to offer employment
- Denying access to a guidance program, an apprenticeship training program, or other occupational training or retraining program.
- Denying or limiting access to opportunities for promotion, transfer or training or to any other benefits connected with employment
- Dismissal or retrenchment
- Subjecting the employee to any other detriment, including harassment

Anti-Discrimination Laws Discrimination in Victoria & South Australia are covered by:

- \* Victorian Equal Opportunity Act 1984
- \* Racial Discrimination Act 1975
- \* Sex Discrimination Act 1984
- \* Disability Discrimination Act 1992
- \* Human Rights and Equal Opportunity Act 1986



## Policy – Email

Policy with regard to use, retention and disclosure of electronic mail (e-mail) messages sent or received by the company's employees (or authorised individuals) using any electronic mail system made available or accessible by the company. This policy and its requirements are extremely important and protect vital company assets and interests.

This policy applies to all company employees and all other authorized users of the global electronic mail and messaging infrastructure made available by the company, including Internet, Intranet and on-line access provider systems. Users are responsible for complying fully with this policy as stated, but the company reserves the right to modify this policy at any time, with or without prior notification. Violations could be the basis for employee discipline or termination.

Electronic mail, including Internet and Intranet access, is provided to employees as a business communication tool for appropriate internal and external business uses. The e-mail system (the "System") is owned solely by the company and information in the System will be treated just like other company business records, files, electronic records, documents, materials and equipment. Users must take particular care not to disseminate confidential company information to unauthorised users. Use of the system for the communication of personal, private or confidential information is not appropriate. If incidental or occasional personal use of the system is made, such use is still subject to the same policies and procedures set out in this policy. Management retains the right to scrutinise such use.

The company reserves the right to review all company electronic records, including e-mail messages. Therefore, employees should have no personal expectation that their electronic mail messages are private.

Because e-mail messages deleted by the user may still be present, either in another person's mailbox, or on a file server or back-up file of a user, care must be taken to ensure the accuracy and professionalism of all e-mail communications. E-mail messages must be able to withstand scrutiny without causing embarrassment to the company, its employees or customers. Furthermore, users must take care not to transmit or place material, which could diminish the reputation of any person.

All company policies – including but not limited to policies concerning copyright, confidentiality, harassment and compliance with equal employment laws – apply to the use of electronic mail.

## Procedures and Guidelines

### A. Authorised Users of Electronic Mail

All company employees with a legitimate business purpose may use e-mail, maintaining a personal business "mailbox" address for the sending and receipt of company related messages.

#### Security of e-mail Confidential Messages and User Passwords

1. Employees must ensure that internal messages meant only for company employees are not sent to outsiders.
2. System users should secure access to their mailboxes through the use of passwords and other security devices and should not leave the System on and available to unauthorised users.
3. Internet, Intranet and/or on-line access provider address may be used solely for business purposes.
4. Employees may not reveal any confidential internal e-mail names and passwords of company e-mail users to anyone outside the company, including people who request such information over the telephone and seem to have a legitimate reason for asking. All such requests must be referred to a Director for a response.
5. Extreme care must be taken in both configuration of the system and content of communications not to expose the company to risk of a security breach.
6. All passwords are to be forwarded to head office in a sealed envelope. If passwords are changed, head office is to be informed.

## B. Prohibited Uses of E-mail System

1. Sending copies of documents in violation of copyright laws or licensing agreements.
2. Sending messages prohibited or restricted by government security laws or regulations.
3. Sending Confidential or proprietary information or data to persons not authorised to receive it, either within or outside the company.
4. Content that may be considered discriminatory, obscene, derogatory or excessively personal, whether intended to be serious or humorous.
5. Content that may constitute sexual harassment, including remarks as to appearance, unwelcome, sexual advances, or unwelcome requests for social contact.
6. Forwarding personal communications without the author's prior consent.
7. Sending large quantities of unwanted or unsolicited e-mail to individual accounts.
8. Making unauthorised attempts to gain access to any e-mail account not belonging to the user.
9. Illegal activity.
10. Harassment.
11. Exchanging sensitive information related to possible or actual litigation.
12. Personal commercial activities.
13. Promotion of political positions or actions.
14. Solicitation of any type, except for company-sanctioned activities.

***Employees cannot disclaim responsibility for failure to adhere to these restrictions. If you need clarification on any of these prohibited uses, contact the Office Manager.***

### C. Privacy/Access to Electronic Mail

The company does not intend to routinely monitor the contents of electronic mail messages. However, users should expect that electronic mail messages may be accessed by authorised Directors with or without the permission of the employee. However, no other employees may monitor or access e-mail messages of another user.

Any requests for access to the contents of e-mail in order to respond to legal process, such as subpoenas, or for purposes of representing the company in connection with any actual or threatened litigation, investigation or claim must be brought to the attention of the company secretary.

Unauthorised access of e-mail is a serious violation of company policy and grounds for dismissal.

#### **Responsibilities**

All employees must ensure that they have management authorisation to use the system and are responsible for adhering to this policy.

All employees who discover a violation of the policy must notify a Departmental Manager as soon as practical.

Business Managers and Department Heads are responsible for (a) ensuring that their employees understand this policy and for monitoring usage within their department; (b) ensuring that access privileges are terminated when appropriate in cases of transfer, termination or changes of assignment; and (c) cooperating with and providing resources for investigations of system use and misuse.

The Company Secretary will be responsible for communicating, updating and interpreting this policy.

Agreement to the Signatory declaration will bind you to having agreed that you have read the company's e-mail policy statement and that you agree to abide by it as consideration for continued employment by the company. That you understand that violation may result in your termination. Indemnifying the company from any loss and damage or liability to third parties from any breaches to the company email protocol is a fundamental priority of all employees of The Beverage Food Group.

## Policy – Internet Access & Electronic Media

As part of The Beverage Food Group Pty Ltd (the company's) commitment to the utilisation of new technologies, nominated employees will be granted access to the Internet. This document and its requirements define the company's policy with regard to use, retention and disclosure of information obtained via the Internet. As such these guidelines are extremely important and protect vital company assets and interests.

This policy applies to all company employees and all other authorized users of the global electronic and messaging infrastructure made available by the company, including Internet, Intranet and on-line access provider systems. Users are responsible for complying fully with this policy as stated, but the company reserves the right to modify this policy at any time, with or without prior notification. Violations could be the basis for employee discipline or discharge.

**Use of the internet is strictly limited to the purpose of company business. The use of chat lines, non related work web sites, social networking sites or pornography sites are strictly prohibited.**

**All use of the company's Internet access services shall be intended to facilitate the exchange of information and otherwise be consistent with the broad objectives of the company. The smooth operation of the network relies on the proper conduct of those that use it. In general this requires efficient, legal and ethical utilisation of the network as well as adherence to the company's codes of conduct**

### **Guidelines:**

#### Authorised Uses of the Internet

1. It is the company's policy to limit Internet access to official business. Employees are not authorised to access the Internet for personal business, either during the normal business day or after-hours.
2. Employees using the company's accounts are acting as representatives of the company. As such, employees should act accordingly so as not to damage the reputation of the company.
3. Whilst every endeavour will be made to allow unrestricted access to the Internet for business purposes, access to any website, particularly restricted websites, will be recorded and audited.
4. Employees are not authorised to access any service that attracts a charge unless prior authorisation is obtained. Where unauthorised charges are incurred, the employee will be responsible for them, and they shall be recoverable from the employee.

## Security of Information

5. Downloaded files from the Internet will be scanned with virus detection software before installation or execution. All appropriate precautions will be taken to detect a virus and, if necessary, to prevent its spread.
6. The truth or accuracy of information of the Internet and in e-mail should be considered suspect until confirmed by a separate or other reliable source.
7. The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred over the Internet is always at risk of detection by a third party. Employees must exercise caution and care when transferring such material in any form.
8. Employees shall not place company material including copyrighted software, internal correspondence, confidential or proprietary information in any form on any publicly accessible Internet computer without prior permission.
9. Internet services may not be used for the purpose of transmitting or storing of information, which is obscene, libellous or defamatory. Downloading and storing certain obscene material can constitute possession of prohibited matter, and is a serious criminal offence.
10. Unless otherwise noted, all software on the Internet should be considered copyrighted work. Therefore, employees are prohibited from downloading software and/or modifying and such files without permission from the copyright holder.

## Privacy/Access to Internet

11. Internet services shall not be used in a manner which would violate any law or infringe any copyright, trademark, trade secret, right of publicity, privacy right of any other right of any person or entity.
12. The introduction of viruses, or malicious tampering with any computer system, is expressly prohibited. Any such activity will immediately result in termination of employment.
13. Alternate Internet Service Provider connections to the company's internal networks are not permitted unless expressly authorised and properly protected by a firewall or other appropriate security device(s).
14. The company reserves the right to inspect an employee's computer system for violations of this policy.

Any infringing activity by an employee may be the responsibility of the company. Therefore, the company may choose to hold the employee liable for their actions.

Every attempt has been made to limit distribution of information, which would violate any applicable law or regulation or would be highly offensive to the recipient or recipients, however, the nature of the Internet or Intranet precludes total control of information access. The company will not be responsible for any damages suffered, including but not limited to loss of data, resulting from delays, non-deliveries, service interruptions, inaccurate information or an employee's failure to adhere to these guidelines.

**Employees cannot disclaim responsibility for failure to adhere to these restrictions. If you need clarification on any of these prohibited uses, contact the company's Office Manager.**

I have read the company's Internet access policy statement and agree to abide by it as consideration for my continued employment by the company. I understand that violation of any above policies may result in my termination and I hereby agree to indemnify and keep indemnified the company for any loss and damage or liability to third parties arising out of any breach by me of this Policy.

Signed: .....Date:.....

For The Beverage Food Group Pty Ltd:

Signed:.....Date:.....

Printed Name:.....

## Policy – Maternity Leave

1. An employee must provide notice to the employer in advance of the expected date of commencement of parental leave. The notice requirements are:
  - (a) of the expected date of confinement (included in the certificate from a registered medical practitioner stating that the employee is pregnant) – at least ten weeks;
  - (b) of the date on which the employee proposes to commence maternity leave and the period of leave to be taken – at least four weeks.
2. When the employee gives notice under 1(a) hereof the employee must also provide a statutory declaration stating particulars of any period of paternity leave sought or taken by her spouse and that for the period of maternity leave she will not engage in any conduct inconsistent with her contract of employment.
3. An employee will not be in breach of this clause if failure to give the stipulated notice is occasioned by confinement occurring earlier than the presumed date.
4. Subject to M.L.1 hereof and unless agreed otherwise between the employer and employee, an employee may commence parental leave at any time within six weeks immediately prior to the expected date of birth.
5. Where an employee continues to work within the six week period immediately prior to the expected date of birth, or where the employee elects to return to work within six weeks after the birth of the child, an employer may require the employee to provide a medical certificate stating that she is fit to work on her normal duties.
6. An Employee that returns from Maternity Leave is required to work in the same position and hours prior to going on Maternity Leave.
7. If applicable company vehicle, mobile phone and fuel card are to be returned to the company during the period of maternity leave.

Annotation:

### Sub clause 4

- Allows an employee to commence maternity leave at any time within the six weeks of the expected birth date. However, by agreement with the employer,
- The employee may commence maternity leave before this time, provided she has 12 months' service before proceeding on the leave. Maternity Leave can be taken for a maximum of 12 month and is unpaid leave.