

B5

BLUE TRANSPORT SOLUTIONS

CHAIN OF RESPONSIBILITY (COR) POLICY



SEPTEMBER 2021



CONTENTS

BLUE TRANSPORT SOLUTIONS PTY LTD COR COMPLIANCE	3	APPENDICES	7
PURPOSE	3	CHAIN OF RESPONSIBILITY POLICY	8
SCOPE	3	ANTI-CORRUPTION POLICY	8
REFERENCES	3	PERSONAL HEALTH AND HYGIENE POLICY	8
DEFINITIONS	3	ANTI-DISCRIMINATION POLICY	9
GENERAL	4	FATIGUE IMPAIRMENT POLICY	9
WHO ARE THE MEMBERS IN THE CHAIN OF RESPONSIBILITY?	4	REHABILITATION AND RETURN TO WORK POLICY	10
HOW DOES BLUE TRANSPORT SOLUTIONS PTY LTD COMPLY WITH COR REQUIREMENTS?	4	COMPLIANCE EVALUATION POLICY	10
MASS	4	PERSONAL PROTECTIVE EQUIPMENT POLICY	11
DIMENSION	5	WORKPLACE BULLYING AND HARASSMENT POLICY	11
DIMENSION – SUB-CONTRACTORS	5	BUSINESS ETHICS POLICY	12
LOAD RESTRAINT	5	ABSENTEEISM POLICY	12
SPEED	6	FITNESS TO WORK POLICY	12
FATIGUE	6	COMPANY PROPERTY POLICY	13
COR SUMMARY	6	CONFIDENTIALITY OF INFORMATION POLICY	13
		CLOTHING AND UNIFORMS POLICY	14
		COMPLAINTS MANAGEMENT POLICY	14
		DRUGS AND ALCOHOL POLICY	15
		HEALTH, SAFETY AND ENVIRONMENTAL POLICY	15
		WORKPLACE DISCRIMINATION AND HARASSMENT POLICY	16

BLUE TRANSPORT SOLUTIONS PTY LTD CoR COMPLIANCE

Blue Transport Solutions Pty Ltd (BTS) has been in the transport industry for over twenty years. We have a fleet of vehicles with a wide variety of specifications to suit your transport requirements.

Our customer list has grown significantly to encompass vast cross sections of the industry with many different transport requirements. Because of these needs we have trucks and trailing units with different features and capabilities.

Compliance is mandatory in the transportation industry. In October 2018 the NHVR introduced Chain of Responsibility (CoR), and every day we are furthering our compliance with respect to driver management & fatigue so that our customers have peace of mind that they too are compliant when using BTS for your transportation needs.

- Our operators are appropriately licenced for the vehicle they drive.
- Our operators have attained their construction white card.
- Our office can provide you with SWMS, Plant Risk Assessments, Driver Pre-Starts and all the necessary insurances.
- Our vehicles are regularly serviced and maintained by our own mechanics and are inspected annually at RMS inspection stations before rego is due. Our maintenance records are recorded on 'Gearbox' so we can provide up-to-date service records in real time.
- We have real time vehicle tracking so you can stay in touch with your load at all times, and so that we can manage fatigue.
- We have access to Pallet Lifters, Pipe Lifters, Switchboard Lifting Bars, Road Plate Lifters and Pipe Racks is required.

With all of this in mind it should be reassuring to you that we have acknowledged, implemented and put in practice the new Chain of Responsibility rules and regulations.

PURPOSE

The purpose of this document is to guide employees, sub-contractors, customers and suppliers in relation to:

- controlling, managing, operating and auditing the Chain of Responsibility of Heavy Vehicle road transport freight movements; and
- complying with Chain of Responsibility legislation.

In addition, Chain of Responsibility legislation has been introduced across Australia through the:

- National Transport Commission - Road Transport Reform (Compliance and Enforcement) Bill 2003 Model Provisions;
- Occupational Health and Safety Amendment (Long Distance Truck Driver Fatigue) NSW Regulation 2005; and
- Emerging legislative developments in other states and territories.

The legislation imposes liability for Heavy Vehicle offences on all people and/or businesses whose actions, inactions or demands influence conduct on the road as well as on-road parties such as drivers and Carriers.

This Code is not designed to replace any obligations arising from Chain of Responsibility legislation.

The aim of this Code is to:

- minimise the risk along the Chain of Responsibility associated with freight movements;
- help BTS to comply with Chain of Responsibility legislation; and
- enhance Reasonable Steps Defence consistent with Chain of Responsibility legislation.

SCOPE

This Code encompasses practices in relation to:

- packing, loading, consigning, scheduling, carrying, driving and receiving activities along the Supply Chain;
- load restraint;
- Heavy Vehicle load mass;
- dimensions;
- driver fatigue; and
- speed compliance.

This Code applies to all BTS employees, contractors and their employees who have direct or indirect involvement in the Supply Chain and all sites under the control of BTS.

REFERENCES

Main reference sites:

- NSW Roads & Traffic Authority – Chain of Responsibility
- VicRoads – Chain of Responsibility
- WorkCover NSW – Long Distance Truck Driver Fatigue
- National Transport Commission (NTC) – Road Transport Reform (C&E) Bill 2003
- Occupational Health and Safety Amendment (Long Distance Truck Driver Fatigue) REgulation 2005
- NTC Load Restraint Guide (2018)

DEFINITIONS

Carrier means a person / business who transports freights for another person / business by means of a Heavy Vehicle, and includes Head Carriers, Self-employment Carriers, Subcontract Carriers and Customer Pickups.

Chain of Responsibility ("CoR") means the allocation of responsibility along the Supply Chain.

Consignee means a person who carries on business to whom a consignment of freight is to be delivered.

Consignor means a person who carries on a business from whom a consignment of freight originates.

CoR Guidelines means a document(s) on Chain of Responsibility requirements; including load restraint, heavy vehicle load mass and dimensions, driver fatigue and contractor safety practices.

Driver means a person who drives a Heavy Vehicle.

DFMP means a Drive Fatigue Management Plan setting out how the risk of Driver fatigue in the Transport of Freight Long Distance is to be managed.

Heavy Vehicle means a motor vehicle or combination with a Gross Vehicle Mass ("GVM") over 4.5 tonnes.

Incident means a risk or an outcome where harm or damage has been or could be done to people, plant, property or the environment by reason of a breach of the Chain of Responsibility legislation.

Key Criteria means those actions of behaviours that BTS need to demonstrate in order to comply with this Code.

Loader means a person who loads, manages or supervises the loading of freight or containers for transport by road onto a Heavy Vehicle.

NHVR means National Heavy Vehicle Regulator.

Parker means a person who places items in packages, containers or on pallets for consolidation or streamlining processes for later freight movement.

Reasonable Steps Defence means in relation to an allegation that BTS breached Chain of Responsibility legislation:

- that the person did not know and could not reasonably be expected to have known of the breach;

and either:

- that the person had taken all reasonable steps to prevent the breach; or
- there were no steps that the person could reasonably have taken to prevent the breach.

Receiver means a person who takes physical receipt of transported goods at the end of the Supply Chain.

Scheduler means a person who has the responsibility for allocation of freight task assignment times along the Supply Chain.

Site means an area of owned or leased property where BTS has overall management control.

Supply Chain means the transport logistics chain, encompassing packing, loading, consigning, scheduling, carrying, driving and receiving.

Transport of Freight Long Distance means the transport of freight by means of a Heavy Vehicle (whether by a single journey or a series of journeys) more than 500 kilometers, including empty load collection or return route, part of which is within New South Wales.

GENERAL

The primary reasons for Chain of Responsibility legislation are:

- to improve road safety for drivers of Heavy Vehicles and members of the general public;
- to limit the number and severity of Heavy Vehicle accidents/incidents and in doing so, reduce fatalities and the cost of damaged goods and equipment.
- to establish a uniform code against which compliance can be measured.

Legislation attempts to do this by:

- checking that load weights are accurate and comply with safe limits set by legislation (MASS);
- checking that loads are adequately restrained (LOAD RESTRAINT);
- ensuring that driver fatigue is managed and comply with the prescribed limits set down by legislation state by state (FATIGUE);
- checking that load dimension is within the prescribed limits (DIMENSION); and
- ensuring that speed compliance is enacted and monitored (SPEED).

WHO ARE THE MEMBERS IN THE CHAIN OF RESPONSIBILITY?

- Consignors – those who commission the carriage of a load by road;
- Packers – those who place goods in packages, containers or on pallets etc. transported by road;
- Loaders – those who place (or restrain) the load on a vehicle;
- Drivers – those who physically drive a regulated Heavy Vehicle
- Operators and schedulers – those who operate the business that controls the use of a Heavy Vehicle;
- Consignees – those who pay for the goods or take possession of the load; and
- Employers – managers of a business may also be personally liable for the breaches by an employee.

HOW DOES BLUE TRANSPORT SOLUTIONS PTY LTD COMPLY WITH COR REQUIREMENTS?

MASS

BTS and its Sub-Contractors will ensure that compliance with the requirements of Mass will be conducted in the following ways:

- a) BTS may elect to become a Mass Management accredited company – Mass Manual Policies and Procedures may be in place for further verification of compliance under CoR.
- b) Weight of item to be dispatched by consignor is verified by staff prior to dispatch of vehicle.
- c) Weight gauges may be used as a supplementary means of verifying axle & gross weights.
- d) Weighbridges on site may be in use to ensure maximum legal loading is achieved but not exceeded.
- e) Spot checks are conducted at depots for correct weights prior to dispatch.
- f) Active monitoring of mass by road authorities ensures legal loading.
- g) To put in place procedures to ensure fines are NOT imposed by authorities for breaches undermining profitability/viability.

- h) Drivers/sub-contractors are not offered any inducements to over-load.
- i) Contractual arrangements specify legal loading of BTS and its Sub-Contractors freight at all times.
- j) Both weighbridge attendant/owner and the driver are responsible for ensuring overloaded vehicles are not allowed on the public road network under HVNL.
- k) Drivers are to be aware of the axle group and gross weights of their vehicle. This can be verified by checking against the relevant NHVR Mass and Dimension Bulletins contained in this Manual under this Section which define what these weights are to be.

Sub-Contractors of BTS are required to fully comply with any request made by BTS with regard to Mass compliance for all loads they are transporting on behalf of BTS and all sub-Contractors:

- a) Are required to operate all vehicles within the limits of HVNL and Mass limits for each vehicle GVM/GCM at all time;
- b) May be asked to provide evidence from time to time to demonstrate Mass compliance including but not limited to run sheets, weighbridge dockets, air gauge calibrations and/ readings;
- c) May be asked to fill out various consignment information where required from time to time;
- d) Will be required to report any Mass breaches or infringements and supply full details of the incident; and
- e) Will be expected to report any risk of overload or where a hazard may be identified in relation to a load.

DIMENSION

Freight dimension is determined using the process flow that dimension and weight are intrinsically related in road transport. Dimension is determined and noted (e.g., via a run sheet, consignment note etc.) at time of Consignor making a booking (where applicable).

In the event that other types of configurations are used/ introduced e.g. tankers, tippers etc., all dimension and loading will be assessed for compliance with dimension regulations as they apply to those configurations.

In the event that over-dimensional cartage, is required;

- a) The appropriate permit is to be obtained and registered in this manual prior to loading the vehicle.
- b) The correct vehicle is to be selected for the load.
- c) For loads requiring piloting, the correct arrangements must be in place prior to the load departing.

Note: All vehicle permits are to be obtained through the NHVR access department.

Drivers are required to ensure all loading under their control complies with the requirements of dimension, and that the product is contained within the dimensions of the vehicle – e.g. no building curtains etc.

All forms for access permits can be found at:
www.nhvr.gov.au/road-access/access-management/applications-and-forms

DIMENSION – SUB-CONTRACTORS

All BTS Sub-Contractors are to supply all relevant documentation pertaining to over-dimensional loads to BTS prior to loading.

They are required to carry out the following where over-dimensional loading is to be conducted;

- a) The appropriate permit is to be obtained prior to loading the vehicle.
- b) The correct vehicle is to be selected for the load.
- c) For loads requiring piloting, the correct arrangements are in place prior to the load departing.
- d) Sub-Contractors are to report all breaches, incidents and/or infringements in relation to dimension.

LOAD RESTRAINT

BTS and its sub-contractors are responsible for the supply and up-keep of load restraint equipment appropriate to the task and nature of goods being carried as described in the NTC Load Restraint Guide (2018).

All vehicle operators are to ensure;

- a) That all trucks have appropriate load restraint/containment equipment fitted that is suitable to the task;
- b) Drivers and sub-contractors may receive ongoing training in “Load Restraint” as part of their participation in either specific RTO training, license qualifications or on-site training;
- c) A copy of the “Load Restraint Guide – 2018 Edition” has been provided and can be found in each of the vehicles and a copy is kept at the BTS depot for reference as required;
- d) Internal training will continually be undertaken by all drivers to enhance training already undertaken for restraint of general freight products;
- e) Load restraint/containment equipment is to be checked daily for wear/damage/operation – any failures are to be reported to a supervisor and rectified.
- f) Only certified load restraint equipment is used including chains, load binders, ropes etc;
- g) Packing is to be used under chains/straps to prevent damage and maintain integrity;
- h) Load restraints requiring periodic inspection are to be checked periodically;
- i) Safe working procedures are available and updated as required.

The driver is responsible for ensuring that all freight carried is secured in an appropriate manner. All loads must be loaded in accordance with the Load Restraint Guide – 2nd Edition 2018.

SPEED

BTS complies with this requirement in the following ways:

- a) Speed limiters are fitted to company vehicles which limit maximum speed in compliance with applicable legal obligations and requirements, including Australian Design Rule (ADR) 65/00 2006. All BTS and sub-contracted heavy vehicles are fitted with this type of speed limiter;
- b) A Speed Compliance Policy is in place and can be found in the drivers manual;
- c) Speed limiters are checked for tampering at scheduled service times and are also checked by the RMS HVIS annually;
- d) Company vehicles are fitted with GPS monitoring devices; which notify the relevant operations manager if a vehicle is speeding.
- e) Company drivers and contractors are not required, nor are they offered any incentives, to speed in order to deliver in unreasonable timeframes;
- f) Consignors/consignees are not permitted to demand unreasonable pick-up/delivery windows; and
- g) Any reported incidence of speeding by company or sub-contractor drivers will be dealt with according to the Speed Compliance Policy which includes warning letters, suspension or termination.

FATIGUE

BTS complies with this requirement in the following ways:

- a) The company runs standard log book hours and has Teletrac Navman fitted to all heavy vehicles to safely manage driver fatigue;
- b) Company vehicles are fitted with GPS tracking which is regularly checked;
- c) Local and Long-Distance Company drivers operate under the Standard Hours option for fatigue management;
- d) Contractors are selected based on their ability to demonstrate compliance with the National regulations relating to fatigue management including membership of Accreditation Schemes;
- e) Drivers are encouraged to stop and rest when fatigued.
- f) BTS provides a rest room, showers, kitchen, and amenities for drivers at its St Marys, NSW depot;
- g) Schedules and rosters are reviewed regularly for suitability to the task;
- h) Drivers and Contractors must declare themselves fit to carry out a journey prior to accepting the load;
- i) Drivers and Contractors must declare that they can complete a journey in legal driving hours;
- j) Drivers and Contractors are not given unrealistic deadlines, and delivery times are reviewed regularly;
- k) Driver Fatigue Management Plans are in place for long distance deliveries;
- l) Drivers and Contractors are provided with a Driver Management Plan at the commencement of each journey that exceeds standard log book hours;

- m) Drivers and Contractors are required to verify the Driver Management Plan is achievable by reviewing before commencing the journey;
- n) Drivers are required to present themselves fit for duty and remain in a fit state throughout the course of their day; and
- o) Pre-employment medicals will be required for all new staff/drivers using the "Assessing Fitness to Drive" criteria as set by Austroads.

COR SUMMARY

This is a brief overview of the ways in which Blue Transport Solutions Pty Ltd complies with Chain of Responsibility requirements.

Blue Transport Solutions Pty Ltd places great emphasis on training its employees and to that end employees regularly undertake training programmes to improve skills and competence in the areas of management, fatigue management and the transport of over-dimensional loads, to name a few.

BTS recognises that it exercises influence over the transport task it is involved in and as such can be held legally liable for its actions, inactions or demands if they cause or contribute to a breach. BTS accepts that the law requires that it take all reasonable steps to prevent its conduct from causing or contributing to a breach.

Further, BTS will not –

- make demands that it knows, or ought to know, would cause a breach;
- coerce, induce or encourage breaches;
- pass on false or misleading information that could cause a breach.

This should be seen as a "work in progress" as the company seeks to improve its processes and practices to ensure that all in the Chain of Responsibility directly associated with Blue Transport Solutions Pty Ltd are fully aware of the commitment from the company to ensure a safe environment for staff, drivers, contractors and members of the public.



APPENDICES

CHAIN OF RESPONSIBILITY POLICY

POLICY STATEMENT

The company will, in keeping with our commitment to eliminate and minimise risks to workers and the public, do everything that is reasonably practicable to ensure transport-related operations and activities carried out by the company are safe and without risks to any person. As a party in the chain of responsibility, we commit to do all that is reasonably practicable to identify, assess and remove any public risk, and work to ensure that the operations and activities of all persons in the supply chain who have influence on how goods are delivered or received by heavy vehicle are carried out in accordance with all relevant chain of responsibility (CoR) and WHS laws so far as is reasonably practicable.

AIMS AND OBJECTIVES

We will, to the extent that we are reasonably able to do so,

- implement systems and processes to achieve compliance with and not contravene any CoR laws
- ensure, so far as is reasonably practicable, that the systems are maintained, including ensuring adequate supervision and auditing of the systems
- ensure that all managers, supervisors and workers are instructed in their CoR obligations and how they are to carry them out
- actively prevent breaches of laws and eliminate any arrangement that may cause or encourage another party to break the law.

RESPONSIBILITIES

The company has a responsibility to ensure that:

- heavy vehicles owned or operated by the company are supplied, operated and maintained in accordance with heavy vehicle standards
- all persons in the company are aware of their CoR obligations and duties to ensure compliance.
- Executive officers have 'due diligence' obligations to ensure that parties in the chain of responsibility comply with their requirements under the law.
- Workers have duties to ensure that:
 - vehicles are loaded in accordance with loading and mass limits and operated in a safe manner in compliance with all road rules, and
 - they comply with fatigue management guidelines and plans and to ensure their fitness for work at all times when operating heavy vehicles.

ANTI-CORRUPTION POLICY

POLICY STATEMENT

This company is committed to ensuring that all aspects of its business and operations are carried out in a fair, honest and ethical manner at all times, and will strive to ensure that all persons working for the company maintain highest standards of business practice by acting fairly and with integrity in all business dealings and relationships, and by not engaging in any practice that may be designed to influence persons to act dishonestly in the performance or discharge of their duty.

AIMS AND OBJECTIVES

We will ensure that all persons engaged by the company (including any consultants, contractors or service providers) are instructed in the company's position regarding bribery, corruption and malpractice in business dealings, and that the company will not:

- make contributions of any kind with the purpose of gaining any commercial advantage
- provide gifts or hospitality with the intention of persuading anyone to act improperly, or to influence a public official in the performance of their duties, or
- make or accept 'kickbacks' of any kind.
- This policy does not prohibit giving and receiving promotional gifts of low value, or normal or appropriate hospitality.

RESPONSIBILITIES

The company will:

- keep appropriate internal records that will evidence the business reason for making any payments to third parties
- encourage employees to raise concerns about any issue or suspicion of corruption or malpractice at the earliest possible stage, and
- ensure that anyone raising a concern about bribery or corruption does not suffer any detriment as a result (even if they turn out to be mistaken).
- Persons working for the company (in any capacity) must not:
 - accept any financial or other reward from any person in return for providing some favour
 - request a financial or other reward from any person in return for providing some favour
 - offer any financial or other reward from any person in return for providing some favour

PERSONAL HEALTH AND HYGIENE POLICY

POLICY STATEMENT

It is the expectation of this company that all workers will respect the rights of other persons in the workplace to work in surroundings that are conducive to their personal health and comfort. We expect that all workers will adhere to accepted community standards of hygiene (both bodily and clothing) while at work in a company workplace, and to adopt hygiene practices to reduce the risk of spreading illness and infections while at work.

All personal hygiene management practices will reflect legislated health and safety standards for the workplace.

Failure to adhere to these standards may result in the offender not being allowed to start work until they have met these standards to the satisfaction of their supervisor and company management. Persons working in public interface areas are expected to maintain a suitable standard of bodily cleanliness at all times.

AIMS AND OBJECTIVES

All workers are expected to meet accepted standards or guidelines with respect to personal grooming and hygiene including bathing and oral hygiene, not using heavily-scented perfumes, colognes or lotions, and clean, well-groomed hair (including facial hair).

Clothing worn at work should be appropriately clean, and should be laundered regularly. Clothing must not be heavily soiled or smelly at the beginning of any shift, and workers are encouraged to change from work clothing to clean personal clothing for travel, especially if using public transport. Any clothing identified with company logos or name must be in a clean, tidy condition when worn outside company premises.

It is equally important that all workers adopt health hygiene practices that will reduce the risk of spreading of illness and infections by following rules to cover the nose and mouth when sneezing, covering the mouth when coughing, disposing of used tissues in bins, and washing hands frequently and especially before using kitchen utensils, crockery and cutlery. All persons must wash hands thoroughly after using the toilet and before eating.

RESPONSIBILITIES

The company will ensure that all workers are fully informed of the intent, aims and objectives of this policy and its implementation. The company will ensure that adequate facilities and consumables are available for hand washing at all times, including hygienic methods of drying hands (e.g., single use paper towels, air driers, etc.).

All persons are required to comply with this policy and procedures at all times. Any person failing to meet the requirements of this policy will be liable to action under company counselling and disciplinary procedures.

Blue Transport Solutions Pty Ltd provides a rest room, showers, kitchen, and amenities for drivers at its St Marys NSW depot

ANTI-DISCRIMINATION POLICY

POLICY STATEMENT

It is the intention of this company to provide a workplace that is fair and equitable for all employees, and where all individuals and groups will be treated with respect and dignity. We recognise that any distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation constitutes an offence under the Australian Human Rights Commission Act and, in certain circumstances, the Work Health and Safety Act.

AIMS AND OBJECTIVES

We will strive to ensure that no person is discriminated against on any of the grounds listed in this policy in regards to employment within the company, and ensure that this policy will also extend to persons providing or wishing to provide goods or services to the company.

RESPONSIBILITIES

We will adopt procedures to ensure that no person is discriminated against (either directly or indirectly) on the following grounds under the Australian Human Rights Commission Act:

- Age
- Disability (including intellectual, physical or psychiatric) whether actual or perceived, and either present or past
- Marital status
- Race, colour, nationality or ethnicity
- Sex, sexuality, sexual preference or pregnancy.
- We will ensure that no person is subjected to discriminatory, coercive or misleading conduct in relation to any rights, duties or powers under the Work Health and Safety Act.
- All workers are required to:
 - Assist and cooperate in ensuring that all provisions of this policy is followed, and
 - Actively participate in the adherence of this company to the achievement of the aims and objectives of this policy.

FATIGUE IMPAIRMENT POLICY

POLICY STATEMENT

It is the policy of this company to ensure that workers do not place their own health and safety or the health and safety of others at risk. To achieve this, we are committed to providing and maintaining a working environment in which workers are not exposed to hazards arising from the impairment from fatigue resulting from excessive or unreasonable working hours.

AIMS AND OBJECTIVES

We will strive to ensure that all workers engaged by this company either as employees or contractors, are in a fit condition to safely carry out their work, and that workers are not impaired in any way by the effects of fatigue or stress. To achieve this, no person will be allowed to enter a workplace or carry out work while suspected of being impaired by or suffering adverse effects of fatigue or stress.

RESPONSIBILITIES

We will take all reasonable precautions in the placement of workers to ensure that hours of work, shifts, rosters and workplace conditions do not create an unacceptable risk of fatigue. Workers will not be required to work more than 12 hours per day wherever possible, and work in excess of these hours will be subject to a risk assessment to ensure the safety and well-being of workers. Rosters will be designed to ensure that workers are provided with reasonable rest periods between shifts.

All workers must ensure that they report to work in a physical, mental and behavioural condition that will allow them to perform their duties competently and in a manner that does not place themselves or others at the workplace at risk. This will require that workers ensure that they obtain sufficient rest before commencing work to ensure that they can carry out work during their shift in a safe and effective manner, and to observe any other relevant fatigue management strategies that they have been instructed in and are required to carry out.

REHABILITATION AND RETURN TO WORK POLICY

POLICY STATEMENT

This company encourages all workers who suffer a work-related injury, illness or disability to return to work through the process of occupational rehabilitation, and, as part of this commitment, will expedite this process by adopting appropriate rehabilitation and return to work procedures.

AIMS AND OBJECTIVES

We will strive to assist workers to return to their pre-injury or illness occupation as early as possible, or alternatively, to access the services of an approved rehabilitation provider to consider options for a return to other gainful employment either with this company or another employer.

Our objectives are:

- to establish a systematic approach to occupational rehabilitation services for all workers
- to develop and encourage the expectation that it is normal practice following work-related injury, illness or disability for people to return to meaningful, productive employment at the earliest possible time
- to establish that rehabilitation is the usual course of action, and, when appropriate, the managed, safe and early return to meaningful, productive employment should begin at the earliest possible time, and
- to appoint a case manager from within the organisation or obtain the services of an approved rehabilitation provider to oversee the workplace rehabilitation process.

RESPONSIBILITIES

We, as a company will:

- commence all actions to assist workers to stay at or return to work as soon as possible in a manner consistent with medical advice
- assist any worker who is injured or made ill because of their work to return to work in the shortest possible time provided that it is safe and practicable to do so, and
- provide suitable alternative work which will not jeopardise the well-being of the worker where practicable.
- Workers are expected to:
- assist and cooperate in ensuring that this policy is followed, and
- actively participate in the rehabilitation and return to work process as agreed between the company, themselves, their treatment provider, and their rehabilitation coordinator or case manager.

COMPLIANCE EVALUATION POLICY

POLICY STATEMENT

As part of our commitment to achieving the principles of health and safety in our workplace, we recognise our moral and legal responsibility to provide a safe and healthy work environment for workers, contractors, customers and visitors. This commitment also extends to ensuring that our operations and activities are carried out in compliance with relevant work health and safety laws, regulations, codes of practice and standards.

AIMS AND OBJECTIVES

We will ensure that the company's health and safety activities (including policies, procedures, and other documentation) are carried out regularly, and reviewed at least annually. These reviews will be designed to identify non-conformances with statutory duties under an Act, and to assess not only the degree of compliance with those duties, but those areas where improvements are necessary to ensure compliance.

RESPONSIBILITIES

Management of the company (including officers) will be responsible for assessing compliance with WHS duties. This will include assessments of workplaces and systems of work, and ensuring that all workers (including supervisory personnel) are aware of and are fulfilling their WHS duties. Officers must ensure that information regarding WHS is up to date and accurate, and ensure compliance in the workplace with relevant sections of the Act and Regulations.

Workers must ensure that they are aware of and follow duties imposed on them by an Act, and ensure that WHS provisions of Regulations and approved Codes of Practice are followed to the extent required under the Act. Workers must not deviate from or alter standard work procedures, and follow all precautions specified to ensure that the company or its officers are not placed at risk of prosecution under WHS laws due to a failure to carry out their WHS duties under the Act.

The person(s) selected to carry out the compliance evaluation will have the skills and knowledge necessary to evaluate the company's systems and activities, and be required to prepare and submit a report detailing deficiencies and non-conformances, and recommendations on how these can be rectified. Where necessary, a third party may be engaged to carry out the compliance evaluation to ensure an impartial appraisal of compliance. Officers of the company will ensure that these recommendations are implemented, and monitor the workplace to ensure that the implemented controls achieve the compliance with duties required under the Act.

PERSONAL PROTECTIVE EQUIPMENT POLICY

POLICY STATEMENT

As part of our commitment to achieving the principles of health and safety in our workplace, we recognise our moral and legal responsibility to provide a safe and healthy work environment for workers, contractors, customers and visitors. This commitment also extends to ensuring that workers and other persons at a workplace are not exposed to risk of injury, illness or disease from hazards in the workplace through the correct selection and use of appropriate items of personal protective equipment where it is impracticable to completely control risks from hazards by other means.

AIMS AND OBJECTIVES

We will strive to apply the hierarchy of risk controls to all workplace hazards, and implement the use of personal protective clothing and equipment only where it is not reasonably practicable to eliminate or completely control risks by other means. Where PPE is to be used, we will ensure that correct selection criteria are used in the selection process; and that the item selected is approved for use in that application.

RESPONSIBILITIES

We will ensure the health and safety of all persons at a company workplace through the effective control of hazards as specified in the hierarchy of risk control measures, including the provision of appropriate personal protective equipment to any person at risk of exposure to risk from a hazard which cannot be completely controlled by other measures.

Supervisors must ensure that all persons entering or working in an area where personal protective equipment is required have, or are issued or provided with, are instructed in the need for and correct use of, and correctly use the necessary protective equipment.

Workers and other persons to whom personal protective equipment is issued to control risks must use, maintain and care for the protective equipment in the manner in which they have been instructed.

Persons failing to use protective equipment where required will be immediately instructed to use the equipment, and, if necessary, be retrained in the need for and use of the equipment. Continued breaches may require the person to be counselled, and, if necessary, disciplined. Persons found deliberately misusing or damaging protective equipment will be warned against the misuse, and, if necessary, counselled and disciplined.

WORKPLACE BULLYING AND HARASSMENT POLICY

POLICY STATEMENT

As part of our commitment to achieving the principles of health and safety in our workplace, we recognise our moral and legal responsibility to provide a safe and healthy work environment for workers, contractors, customers and visitors. This commitment also extends to ensuring that no person is placed at risk to their health and safety from bullying or harassment in the workplace.

AIMS AND OBJECTIVES

We will ensure the provision of a safe and healthy work environment that is without risks to the well-being of workers by controlling workplace bullying and occupational violence, and ensure that workers are not subjected to harassment in any way while at their place of work.

RESPONSIBILITIES

We will develop and implement a workplace culture where bullying and violence is not tolerated, and that counselling and disciplinary procedures are in place to deal with instances of bullying and occupational violence that may occur. We will also ensure, so far as is reasonably practicable, that no person within the workplace causes any harassment to another person, and that no harassment of any person occurs in a company workplace.

Line management and supervisors will identify and take appropriate action in any cases of bullying and occupational violence that may occur in areas under their control, and ensure that all parties involved receive appropriate counselling.

We adopt a policy of zero tolerance of all forms of bullying and harassment. This policy will be clearly communicated to all workers, customers and clients, and be supported by regular training and information sessions in workplaces where bullying and occupational violence exists (or has the potential to exist). A range of administrative elements to assist in controlling the risks (including vulnerability audits, reporting systems, and appropriate interventions accompanied by formal evaluation procedures) will be adopted.

A single incident of harassing type behaviour is not considered to be workplace bullying, however, single incidents should not be ignored or allowed. Well-managed intervention in response to single incidents will assist in preventing a potential situation from escalating.

All incidents are to be reported and recorded, and investigative procedures implemented. Any reported cases of harassment must be taken seriously, and immediate action taken to investigate and deal with the issue. Both sides of the case must be listened to, and if verified, acted on to prevent the harassment. Workplaces where a history of violence exists will be monitored to assess the effectiveness of strategies adopted, or whether a need for further intervention exists.

BUSINESS ETHICS POLICY

POLICY STATEMENT

This company is committed to ensuring that all aspects of its business and operations are carried out in a fair, honest and ethical manner at all times, and will strive to ensure that all persons working for the company maintain highest standards of business practice by acting fairly and with integrity in all business dealings and relationships, and by not engaging in any practice that may be designed to influence persons to act dishonestly in the performance or discharge of their duty.

AIMS AND OBJECTIVES

We will ensure that all persons engaged by the company (including any consultants, contractors or service providers) are instructed in the company's position regarding bribery and malpractice in business dealings, and that the company will not:

- make contributions of any kind with the purpose of gaining any commercial advantage
- provide gifts or hospitality with the intention of persuading anyone to act improperly, or to influence a public official in the performance of their duties, or
- make or accept 'kickbacks' of any kind.
- This policy does not prohibit giving and receiving promotional gifts of low value, or normal or appropriate hospitality.

RESPONSIBILITIES

The company will:

- keep appropriate internal records that will evidence the business reason for making any payments to third parties
- encourage employees to raise concerns about any issue or suspicion of malpractice at the earliest possible stage, and
- ensure that anyone raising a concern about bribery does not suffer any detriment as a result (even if they turn out to be mistaken).
- Persons working for the company (in any capacity) must not:
- accept any financial or other reward from any person in return for providing some favour
- request a financial or other reward from any person in return for providing some favour
- offer any financial or other reward from any person in return for providing some favour.

ABSENTEEISM POLICY

POLICY STATEMENT

The company will ensure fairness and equity in dealing with absenteeism of workers. This will be implemented through educating workers in the attendance standards expected of them, and the procedures to be followed in those cases where a worker is unable to present for work due to legitimate reasons.

AIMS AND OBJECTIVES

The company expects that all workers will be available for work at every time that they are expected or rostered to be. Absenteeism is the situation where a worker is not at work, including late arrival and/or early finishing, taking extended breaks or other temporary absence, or failing to come to work at all. Absenteeism can disrupt or adversely affect our operations, and our aim is the minimisation of these occurrences.

We may require workers to provide reasonable evidence to support the reasons for their absence, including the requirement to provide a legitimate medical certificate signed by a medical practitioner. We will monitor worker absences to detect those which are becoming frequent absences or forming a pattern. We will discuss these with the worker and offer assistance as part of the standard disciplinary process if there is a valid reason for absences.

RESPONSIBILITIES

Management of the company will develop and communicate behavioral standards for workers and implement procedures for dealing with worker absenteeism. Procedures will be developed for managerial intervention to deal with absenteeism caused by work-related factors, and workers will be encouraged to seek suitable assistance and counselling where personal matters are a causative factor.

Workers will be encouraged to limit absenteeism to instances of genuine need and will be required to advise any absenteeism at the earliest opportunity to minimise workplace disruption caused by their absence. Where applicable, workers will be required to provide valid documentary evidence to support their absence from work.

FITNESS TO WORK POLICY

POLICY STATEMENT

It is the policy of this company to ensure that we fulfil our duties under health and safety legislation by ensuring that workers do not place their own health and safety or the health and safety of others at risk. To achieve this, we are committed to providing and maintaining a working environment in which workers are not exposed to hazards arising from the adverse effects of alcohol or drugs use, or impairment from fatigue, stress, or other medical or physical conditions.

AIMS AND OBJECTIVES

We will strive to ensure that all workers engaged by this company, either as employees or contractors, are in a fit condition to safely carry out their work, or that workers are not impaired in any way by the effects of alcohol or drugs use, or fatigue or stress. To achieve this, no person will be allowed to enter a workplace or carry out work while impaired by alcohol or drugs, or suffering adverse effects of fatigue or stress, illness, injury or other medical or physical impairment.

RESPONSIBILITIES

All workers must ensure that they report to work in a physical, mental and behavioural condition that will allow them to perform their duties competently and in a manner that does not place themselves or others at the workplace at risk. This will require them to ensure that they are able to comply with company or organisation requirements for alcohol and drugs impairment and that workers ensure that they obtain sufficient rest before commencing work to ensure that they can carry out work during their shift in a safe and effective manner.

Any workers who are suffering a medical or physical illness, injury or other condition must inform their supervisor prior to commencing work to enable an assessment of their ability to carry out their work in a manner that will not affect their work health and safety and the health and safety of others to be carried out. In cases where an assessment by a medical practitioner is necessary to assess whether a worker is unable to carry out their duties, the costs of the medical appointment will be borne by the company.

COMPANY PROPERTY POLICY

POLICY STATEMENT

The company requires all personnel engaged by the company to ensure that they conduct themselves and carry out their duties in a manner that will not endanger the health, safety, or well-being of themselves, others, property or the environment, protect company property from loss or damage, and report any risks which cannot be immediately controlled or managed.

AIMS AND OBJECTIVES

All work is to be carried out in a manner which reduces to the lowest practicable level, risks to property from fire, explosion, accidental damage, undue deterioration and wear and tear due to misuse or improper operation.

All practicable steps should be taken to ensure that all property is protected from theft, malicious damage or unauthorised use when property is left unattended for any period. Worksites where members of the public may be put at risk if they enter must be protected with appropriate guarding, barricading or fencing, dependent on the class and numbers of persons who may access the site. Where unauthorised entry may place a person at immediate risk to life, health or safety, the site must be made as secure as possible at all times when unattended, and measures taken to prevent unauthorised entry at all other times.

Persons operating plant, vehicles or equipment must be authorised to do so, and must have received appropriate instruction and training necessary before doing so. Where it is necessary, the appropriate certificate or licence must be held by the person who will be operating the plant vehicle or equipment.

Unauthorised use of company property may result in disciplinary action. Unauthorised removal of company property from a workplace for private use may result in counselling and appropriate disciplinary action being taken. Damage to company property due to negligence will result in counselling and, if necessary, disciplinary action. Malicious, willful or deliberate damage to or theft of company property may result in dismissal.

RESPONSIBILITIES

Management and supervisors must ensure that company property is used correctly, and is not misused or exposed to risk of undue loss or damage. All workers are required to care for company property, and to report any loss or damage immediately.

Employees are to ensure that any property of the company entrusted to them as part of their work is properly cared for and protected from loss or damage as much as is practicable. This will include ensuring property is secured or locked when a site is unattended, and protecting susceptible items and material from loss or damage due to weather or climate.

CONFIDENTIALITY OF INFORMATION POLICY

POLICY STATEMENT

The company will implement procedures to ensure that the intellectual property of the company and confidential information regarding the company and its business (including sensitive and confidential information relating to customers and clients) is not disclosed without the authority of the company.

AIMS AND OBJECTIVES

The company will develop and implement guidelines and procedures necessary to protect the intellectual property of the company, and to ensure that all persons who have access to sensitive information and/or trade secrets have provided a written non-disclosure undertaking. These procedures will include that only those persons who are authorised to do so are given access to information of a sensitive nature or trade secrets (including technological knowledge, propriety knowledge, confidential information and other forms of intellectual property).

RESPONSIBILITIES

We may require a job applicant to provide additional background information over that which may be required for a less sensitive position in cases where highly sensitive or critical information may be at risk of disclosure. The types of information gathered and the method of collection will be carefully chosen to ensure that privacy and discrimination laws are not broken, and any information sought will be commensurate with the inherent requirements of the position.

Persons who have access to the intellectual property of a company during the course of their employment or contract with the company may be required to sign a confidentiality agreement binding them to not disclose or reveal intellectual property or trade secrets of the company that they have been provided with or have gained a knowledge of by any other means.

CLOTHING AND UNIFORMS POLICY

POLICY STATEMENT

The provision of work clothing by the company is subject to award conditions or workplace agreements. Clothing and uniforms provided by the company to workers are to be worn when required, and are to be properly maintained and cared for.

AIMS AND OBJECTIVES

The company will, in consultation with workers, develop and implement guidelines for the issue of and wearing of protective clothing, uniforms and items of a corporate wardrobe nature. Work clothing which is visibly marked with the name of the company may be provided free of charge.

The company will issue and monitor the use of protective clothing to workers whose work would cause excessive wear and tear to normal work clothing where the company has agreed to such issue. Protective clothing that is provided for protection against specific hazards must be worn whenever an exposure to the specific hazard is likely, or where the clothing is required for hygiene purposes, or where the nature of the task determines the need for such clothing.

RESPONSIBILITIES

Workers who deal with the public and who are supplied with uniforms should wear the uniform at all times when they are carrying out their normal duties. Issue of replacement items will be at the discretion of the employer, but is generally carried out annually unless urgent replacement of damaged items is necessary. Workers wearing uniforms must ensure that they are clean, ironed (where necessary) and serviceable (i.e., no buttons missing, etc.). Unless otherwise agreed, workers are responsible for the care and maintenance of uniforms.

Laundering of protective clothing will generally be a worker responsibility, unless other arrangements are made in awards, agreements or contracts. Where protective clothing is required to comply with health or hygiene requirements, or is heavily soiled, or has been exposed to infectious or hazardous substances, the laundry of protective clothing provided by the company will be arranged or carried out by the company.

Workers must advise their supervisor promptly if protective clothing issued to them is damaged or otherwise not fit for its intended purpose to allow replacement of the clothing to be carried out.

COMPLAINTS MANAGEMENT POLICY

POLICY STATEMENT

The company will implement a complaints management process to ensure that any complaints are handled in a fair and effective manner. The company will allocate the resources necessary to receive, respond and investigate complaints quickly and at no cost to the complainant. The process will be visible and accessible to all and ensure that complaints are treated with courtesy and respect. Assistance will be provided to persons who may have difficulty in accessing the complaints process in any way.

AIMS AND OBJECTIVES

Customer complaints provide an opportunity to gauge feedback regarding service quality and levels, and to allow improvements to be initiated in these areas. Handling customer's complaints is a part of everyday business life, and all complaints will be taken seriously. Staff will be trained in handling complaints and identifying the reasons why the complaint has occurred in the first place. To achieve these aims, we will implement an effective complaint handling system that will –

- improve the satisfaction level of all parties
- recognise and protect a person's right to complain
- be accessible, fair and efficient, and
- enable the organisation to improve its services and systems to reduce future sources of complaints.

RESPONSIBILITIES

Handling a customer's complaint efficiently and professionally will assist in retaining their custom. We will train staff in handling customer complaints, and will strive to ensure that enquiries are dealt with promptly, and within a time frame agreed to with the customer to resolve the issue, and to eliminate or minimise common causes of customer dissatisfaction including –

- unsatisfactory or unacceptable level of service
- unrealistic promises or claims made to the customer
- customer frustration with their treatment by the company or staff, and
- a perception that the company does not care about them.

Staff will be required to obtain detailed facts before taking action. These must be documented to avoid having to require the customer to repeat their complaint. Apologies will only be made for matters when the company is clearly in the wrong (such as delays in responding to a query or complaint). An apology (other than for a delay) will not be made on behalf of the company by a person who is not fully conversant with the matter in question, or who is not authorised to speak on behalf of the company.

DRUGS AND ALCOHOL POLICY

POLICY STATEMENT

It is the policy of this company to ensure that we fulfil our obligations as an employer under health and safety legislation by ensuring that workers do not place their own health and safety or the health and safety of others at risk. To achieve this, we are committed to providing and maintaining a working environment in which workers are not exposed to hazards arising from the use or abuse of drugs or alcohol either in the workplace or in other circumstances which may adversely affect the health and safety of themselves or others at work.

AIMS AND OBJECTIVES

We will strive to ensure that all workers engaged by this company, either as employees or contractors, are in a fit condition to safely carry out their work, and that workers are not impaired in any way by the effects of drugs or alcohol use or abuse. To achieve this, no person will be allowed to enter a workplace or carry out work while suspected of being under the influence of or suffering from adverse effects of alcohol or drugs.

Instances of wilful abuse of substances, whether legal or illegal, or trafficking of substances that are illegal and/or detrimental to the safe conduct of work are prohibited, and are cause for immediate termination of employment and removal from the workplace of the person or persons involved.

RESPONSIBILITIES

All workers must comply with this drugs and alcohol policy when in a workplace covered by this policy. Workers must not exceed the blood alcohol content (BAC) limits set by the company when on or in company workplaces. Random alcohol screening may be carried out to enforce this policy, as will testing of any person reasonably suspected to be affected in any way by alcohol use, and offenders subject to immediate appropriate disciplinary action. Workers must advise their supervisor if they are using any medication, and whether taking (or failing to take) the medication is likely to affect their safety or the safety of others at the workplace.

The consumption of alcohol while at work is not permitted, except for authorised work functions when consumption of alcohol is sanctioned by senior management of the company, who will ensure that adequate supplies of low alcohol and non-alcoholic beverages (including water) are available. All persons attending such functions are expected to consume any alcohol in a responsible and socially-acceptable manner.

Any use of illicit drugs or misuse of legal drugs will be considered as rendering a person unfit for work. Random drugs screening and/or testing may be carried out of any person reasonably suspected to be adversely affected in any way by drug use to enforce this policy, and offenders subject to immediate appropriate disciplinary action. Possession or trafficking of illicit drugs will result in immediate dismissal and removal from company workplaces.

HEALTH, SAFETY AND ENVIRONMENTAL POLICY

POLICY STATEMENT

As part of our commitment to achieving the principles of health, safety and environmental sustainability, we recognise our moral and legal responsibility to provide a safe and healthy work environment for workers, contractors, customers and visitors, and to ensuring that our operations or activities do not place the local community or environment at risk of injury, illness, harm or damage.

AIMS AND OBJECTIVES

We will adopt procedures to –

- provide and maintain healthy and safe workplaces, safe plant and systems of work;
- provide written procedures and instructions to ensure safe work practices;
- ensure compliance with legislative duties and current industry standards;
- provide such information, instruction, training and supervision to workers, contractors and customers as is necessary to ensure their continued health and safety
- provide support and assistance to workers and involve them in consultation on health, safety and environmental issues, and
- minimise environmental impacts through waste reduction, recycling and reduction of pollutants.

RESPONSIBILITIES

We recognise that the overall responsibility to provide a safe and environmentally sustainable workplace rests with management, who will be accountable for the implementation of this policy. These responsibilities include –

- ensuring that all WHS and environmental policies and procedures are implemented;
- establishing measurable objectives and targets to ensure continued improvement aimed at the elimination of work-related injuries and illnesses; and
- providing adequate resources to meet these WHSE commitments, including training and education;
- consulting with employees and other parties to improve decision-making on WHSE matters; and
- ensure that effective injury management and rehabilitation is provided for all injured employees.

Workers also have responsibilities, which include –

- following all WHSE policies and procedures; and
- recognising hazards which may affect the health and safety of themselves, others, or the environment.

We are committed to encouraging consultation and co-operation between management and workers, and will formally involve workers and elected health and safety representatives in any workplace change or any matters that may affect the health and safety of workers.

WORKPLACE DISCRIMINATION AND HARASSMENT POLICY

SCOPE

This policy applies to:

- all staff, including managers and supervisors; full-time, part-time or casual, temporary or permanent staff; job candidates; student placements, apprentices, contractors, sub-contractors and volunteers
- how Blue Transport Solutions provides services to clients and how it interacts with other members of the public
- all aspects of employment, recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; leave arrangements; workload; equipment and transport
- on-site, off-site or after-hours work; work-related social functions; conferences – wherever and whenever staff may be as a result of their Blue Transport Solutions duties
- staff treatment of other staff, of clients, and of other members of the public encountered in the course of their Blue Transport Solutions duties.

AIMS

Blue Transport Solutions is committed to providing a safe, flexible and respectful environment for staff and clients free from all forms of discrimination, bullying and sexual harassment.

All Blue Transport Solutions staff are required to treat others with dignity, courtesy and respect.

By effectively implementing our Workplace discrimination and harassment policy we will attract and retain staff and create a positive environment for staff.

STAFF RIGHTS AND RESPONSIBILITIES

All staff are entitled to:

- recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics
- work free from discrimination, bullying and sexual harassment
- the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised
- reasonable flexibility in working arrangements, especially where needed to accommodate their family responsibilities, disability, religious beliefs or culture.

All staff must:

- follow the standards of behaviour outlined in this policy
- offer support to people who experience discrimination, bullying or sexual harassment, including providing information about how to make a complaint
- avoid gossip and respect the confidentiality of complaint resolution procedures
- treat everyone with dignity, courtesy and respect.

Additional responsibilities of managers and supervisors Managers and supervisors must also:

- model appropriate standards of behaviour
- take steps to educate and make staff aware of their obligations under this policy and the law
- intervene quickly and appropriately when they become aware of inappropriate behaviour
- act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard
- help staff resolve complaints informally
- refer formal complaints about breaches of this policy to the appropriate complaint handling officer for investigation
- ensure staff who raise an issue or make a complaint are not victimised
- ensure that recruitment decisions are based on merit and that no discriminatory requests for information are made
- seriously consider requests for flexible work arrangements.

UNACCEPTABLE WORKPLACE CONDUCT

Discrimination, bullying and sexual harassment are unacceptable at Blue Transport Solutions and are unlawful under the following legislation:

- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Australian Human Rights Commission Act 1986 (Cth).

Staff (including managers) found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal discipline up to and including dismissal.

Discrimination

Discrimination is treating, or proposing to treat, someone unfavorably because of a personal characteristic protected by the law, such as sex, age, race or disability.

Discrimination can occur:

Directly, when a person or group is treated less favorably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

For example, a worker is harassed and humiliated because of their race or

A worker is refused promotion because they are 'too old'

Indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law (see list below).

For example, redundancy is decided based on people who have had a worker's compensation claim rather than on merit.

Protected personal characteristics under Federal discrimination law include:

- a disability, disease or injury, including work-related injury
- parental status or status as a carer, for example, because they are responsible for caring for children or other family members
- race, colour, descent, national origin, or ethnic background
- age, whether young or old, or because of age in general
- sex
- industrial activity, including being a member of an industrial organisation like a trade union or taking part in industrial activity, or deciding not to join a union
- religion
- pregnancy and breastfeeding
- sexual orientation, intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, queer and heterosexual
- marital status, whether married, divorced, unmarried or in a de facto relationship or same sex relationship
- political opinion
- social origin
- medical record
- an association with someone who has, or is assumed to have, one of these characteristics, such as being the parent of a child with a disability.
- It is also against the law to treat someone unfavorably because you assume, they have a personal characteristic or may have it at some time in the future.

Bullying

If someone is being bullied because of a personal characteristic protected by equal opportunity law, it is a form of discrimination.

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices.

Under Federal law, this behavior does not have to be repeated to be discrimination – it may be a one-off event.

Behaviors that may constitute bullying include:

- sarcasm and other forms of demeaning language
- threats, abuse or shouting
- coercion
- isolation
- inappropriate blaming
- ganging up
- constant unconstructive criticism
- deliberately withholding information or equipment that a person needs to do their job or access their entitlements
- unreasonable refusal of requests for leave, training or other workplace benefits.

Bullying is unacceptable in Blue Transport Solutions and may also be against occupational health and safety law.

Sexual harassment

Sexual harassment is a specific and serious form of harassment. It is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written. It can include:

- comments about a person's private life or the way they look
- sexually suggestive behaviour, such as leering or staring
- brushing up against someone, touching, fondling or hugging
- sexually suggestive comments or jokes
- displaying offensive screen savers, photos, calendars or objects
- repeated unwanted requests to go out
- requests for sex
- sexually explicit posts on social networking sites
- insults or taunts of a sexual nature
- intrusive questions or statements about a person's private life
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Just because someone does not object to inappropriate behaviour in the workplace at the time, it does not mean that they are consenting to the behaviour.

Sexual harassment is covered in the workplace when it happens at work, at work-related events, between people sharing the same workplace, or between colleagues outside of work.

All staff and volunteers have the same rights and responsibilities in relation to sexual harassment.

A single incident is enough to constitute sexual harassment – it doesn't have to be repeated.

All incidents of sexual harassment – no matter how large or small or who is involved – require employers and managers to respond quickly and appropriately.

Blue Transport Solutions recognises that comments and behaviour that do not offend one person can offend another. This policy requires all staff and volunteers to respect other people's limits.

Victimisation

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating an equal opportunity concern or complaint.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator.

Blue Transport Solutions has a zero- tolerance approach to victimisation.

Gossip

It is unacceptable for staff at Blue Transport Solutions to talk with other staff members, clients or suppliers about any complaint of discrimination or harassment.

Breaching the confidentiality of a formal complaint investigation or inappropriately disclosing personal information obtained in a professional role (for example, as a manager) is a serious breach of this policy and may lead to formal discipline.

MERIT AT BLUE TRANSPORT SOLUTIONS

All recruitment and job selection decisions at Blue Transport Solutions will be based on merit – the skills and abilities of the candidate as measured against the inherent requirements of the position – regardless of personal characteristics.

Additional discretionary benefits are able to be provided to Employees who have worked for a minimum of 12 months with Blue Transport Solutions (subject to management approval). Such a benefit shall also reflect the profitability of the employee's vehicle and the employee's professionalism throughout the year.

It is unacceptable and may be against the law to ask job candidates questions, or to in any other way seek information, about their personal characteristics, unless this can be shown to be directly relevant to a genuine requirement of the position.

RESOLVING ISSUES AT BLUE TRANSPORT SOLUTIONS

Blue Transport Solutions strongly encourages any staff member who believes they have been discriminated against, bullied, sexually harassed or victimised to take appropriate action by reporting their concerns to either Mr Jason Kvisle, Mr Brett Kvisle or Mr Shane Woods.

Staff who do not feel safe or confident to take such action may seek assistance from Rocket Rehab (02 9475 1134) for advice and support or action their behalf.

SICK, ANNUAL LEAVE AND MORE INFORMATION

A medical certificate issued by a General Practitioner is now required for an absence on Mondays, Fridays or any period exceeding 2 consecutive business days. When requesting annual leave with no leave entitlements remaining, leave can be taken as Leave Without Pay, subject to Management approval.

If you have a query about this policy or need more information, please contact Mr Jason Kvisle or Mr Brett Kvisle

REVIEW DETAILS

This policy was adopted by Blue Transport Solutions on 2nd October 2020 and this policy was last updated on 23rd November 2020.



