

# CYGNETT

## Policy & Procedure Manual Australia

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HUMAN RESOURCES

| 858 LORIMER STREET, PORT MELBOURNE VIC 3207 AUSTRALIA

# Human Resources Policy and Procedure Manual

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# Welcome

Congratulations on your appointment and welcome to the team at Cygnett!

We are excited that you have decided to join us and look forward to a long, happy, and successful partnership together.

You have been employed because we believe you can be part of the team at Cygnett to continue to develop and deliver amazing products to our customers around the world.

The purpose of this Manual is to introduce you to Cygnett, give you some information about our history, our customers and what we do. You will also find information about your terms and conditions and employment, our expectations around your behavior and our policies and procedures.

This Manual does not create legally binding obligations on Cygnett and does not form a term of your Contract of Employment.

The requirements of the Manual do, however, amount to lawful and reasonable directions with which you are required to comply during your employment with Cygnett. Failure to do so may result in disciplinary action up to and including termination of employment or engagement (as relevant).

Where specified, certain policies and procedures contained in this Manual also apply to contractors and sub-contractors.

This Manual is by no means an exhaustive guide to your employment (or engagement as relevant) with us. It has been developed to act as a resource and reference for you. The policies within this Manual are easily listed and easily accessed via the contents page. This Manual will be updated as required as our business evolves and grows. You will be notified of any changes as they occur.

You are also required to read and comply with the General Occupational Health and Safety Guidelines manual.

## Our Story

### From Melbourne to the World

In 2003 Cygnett launched from a small share office in the back streets of Melbourne, selling cases for the very first iPod in Australia.

I am proud of the journey we have been on. It has not always been easy, and we have seen a lot of companies come and go. We pride ourselves on identifying what our customers want and bringing new design-driven products to market quickly.

Product evolution continues to be the story behind Cygnett's success, evolving with the ever-changing landscape of digital accessories, most of which has been driven by Apple.

Our journey includes the release of our speakers, FM transmitters, protective cases for smartphones and tablets and portable power.

Fast forward and I am excited about the future of consumer electronics. We are now looking at the next game changer - the connected home, which will change how we communicate and interact with technology around our homes.

As our appetite for digital devices continues to grow; so, does our reliance on high-level power banks and power stations, ensuring we always have the necessary power anytime, anywhere.

Cygnett customers come back again and again because we consistently deliver product experiences that are great quality and value for money.

Here is to the future and thank you for joining our amazing team!

Regards,

**Tim Swann**

Cygnett - Founder

## About Cygnett

At Cygnett we believe that digital technology should not create boundaries. It should inspire new ways of working, playing, and living.

## Our Heritage

Cygnett has grown from humble beginnings with a handful of local Melbourne retailers to a truly global business.

We love the digital world we make products for, and we've built a passionate team who feel the same way. After nearly two decades on this extraordinary journey, we're proud to be Australia's number one digital accessory brand.

## Trusted

We know you depend on our products, and we take this responsibility very seriously.

For 20 years, we have put the needs of our customers first and our expansive range is thoughtfully designed, meticulously engineered and rigorously tested for supreme reliability and quality you can count on.

## Design-driven

At Cygnett we believe great digital experiences are built on exceptional design.

As new technologies demand new accessories, our future-focused team of passionate creators never stops innovating to ensure our products don't just evolve but shape the future, delivering new and inspiring experiences that work for you.

## A Total Ecosystem

Ran out of battery on a hike? Laptop out of juice? Want to protect your phone while you're mountain biking?

The breadth, depth and consistent quality of Cygnett's range is designed to solve real-world problems at home, far from home or anywhere in between. We're committed to constantly evolving our line of products to keep up with your needs.

## Our Customers

At Cygnett we distribute products around the world from our manufacturing and warehousing facilities in China.

### Australia

Australia is Cygnett's biggest market with 70% of our revenue coming from customers such as JB HiFi, Big W, Harvey Norman, Officeworks, EB Games, Target, Costco, airport locations, Vodafone, Optus, Telstra, and many other retailers

### Europe and Africa

Cygnett sells into distributors throughout Europe, UK, and Africa. Our customers include, EE, Currys, Costco, FNAC, Apple Premium Resellers and Telcos to name a few

### Export

Cygnett has customers in Singapore, NZ, Philippines, Middle East, North/South America, Japan, Philippines and many other countries. This is managed by the Export sales team with products shipped directly to those countries from our distribution hub in China

### Ecom

Cygnett has a dedicated team focusing on Ecom sales in Australia, UK, Europe and USA through Amazon, eBay, Cygnett.com and Qantas.com

# Your Employment

## Working with Cygnett:

Employees of Cygnett will be employed on a full time, part time or casual basis. You are expected to devote your time and attention during working hours to the performance of your duties and achieving your accountabilities. You must at all times comply with all lawful and reasonable directions given by Cygnett.

Full Time employees are generally required to work 38 ordinary hours per week whilst Part Time employees are required to work less than 38 ordinary hours per week. Employees may be required to work reasonable additional hours in order to meet the requirements of their role. Employees should refer to their Contract of Employment for their hours of work.

Casual employees will have no guaranteed hours of work and no commitment to ongoing or regular work.

## Cygnett Team Culture

Cygnett is committed to creating a Culture of Teamwork.

For many of us, work is so much more than just a 9-5 job.

It is a place to interact with people who share similar values, interests and goals. It is a place to be social and connect with others whilst fulfilling work requirements.

The Cygnett culture is a combination of our corporate values, beliefs, behaviours and the attitudes of our employees. We expect all employees to comply with our policies and procedures.

We encourage cross communication across all our teams. This improves communication across the business, which helps keep our employees up to date and also gives a fresh perspective to ideas.

We encourage our employees to get to know each other. We know the workplace can sometimes be a stressful place but informal chats with your teammates can help defuse a situation and assist with ideas whilst working towards the same goal.

At Cygnett we know birthdays are special. We celebrate your birthday with your choice of either a sweet cake or savoury platter, your birthday you choose.

Team lunches are also a good occasion to celebrate successes and share beliefs and behaviours with your team members in a relaxed environment.

We also recognise and reward employees for a job well done.

## Our key Workplace Culture initiatives are:

Workplace Culture #1: Strong Leadership

Workplace Culture #2: Customer Service Excellence



Workplace Culture #3: Sales Focussed

Workplace Culture #4: Innovation

Workplace Culture #6: Empowerment

Workplace Culture #7: Power-Driven

Workplace Culture #8: Task-Oriented

### Here at Cygnett we encourage:

- Respect and fairness
- Trust and integrity
- Growth mindset
- Teamwork
- Employee engagement and opportunities for advancement
- Communication and transparency
- Diversity
- Results

At Cygnett we encourage the following values to foster our culture:

- Integrity – know and do what is right for both the organisation, customer and employee.
- Respect – treating others how you expect to be treated.
- Responsibility– embrace opportunity to contribute and make a change.
- Sportsmanship – bring your best to all competition.
- Leadership – serve the common good.

## Whistle-blower Policy

At Cygnett we encourage employees to speak up when they see activity or behaviour that they feel is wrong or does not match our values.

- Cygnett has a separate whistleblower policy in place which can be accessed via the Cygnett Sharepoint website

Complaints relating to discrimination or harassment are dealt with under our grievance and complaints policy.

## Mobile Phone & Landline Usage

Where required for the performance of an employee's role, Cygnett will provide employees with reasonable access to a telephone landline or equivalent whilst in the office and a mobile phone if it is deemed necessary to their position. These devices are provided primarily to allow contact between staff members, customers and suppliers for work purposes.

Therefore, private usage of any electronic device provided by Cygnett for business purposes must be kept to a minimum and must be lawful and appropriate. If it is found that an employee is using his or her Cygnett-provided device irresponsibly or inappropriately then the device may be removed. Employees are not to use any device provided by Cygnett to access or communicate inappropriate, illegal or offensive material or websites, including but not limited to accessing, downloading, viewing or sharing pornographic material, accessing or downloading inappropriate applications and so on.

## Staff Purchase Policy

All individuals employed with Cygnett on a permanent or casual basis are entitled to receive a staff discount when purchasing Cygnett products. The provision of a discount is a staff privilege therefore under no circumstance can this discount be provided or used by friends or family.

Staff purchase discounts apply to the majority of our products and can be purchased via email to our order fulfilment team.

Cygnett will determine the staff discount to be applied from time to time.

## Payroll

The following section provides general information regarding your pay, conditions, and our expectations of you, however please refer to your Contract of Employment for specific terms and conditions of your employment.

The pay cycle runs on a fortnightly basis. Our pay cycle runs from Monday to Sunday over a two-week period and pays are processed on the Monday following each fortnight. Depending on which bank you use, some people may be able to access their pay on Mondays because this is the day payroll is processed and paid.

Pays will be automatically deposited electronically into the bank account details provided to Cygnett.

Taxation payments are automatically deducted from your salary. Superannuation payments are paid into your nominated fund or your stapled fund on your behalf by Cygnett.

You will be given access to your own HR portal via XERO ME, log on information will be provided once you have been set up in our payroll system, XERO which can be found via the web site [www.xero.com](http://www.xero.com)

For further information please refer to the Cygnett Payroll Induction Manual, which will be included with your induction paperwork.

## Changing Pay Details

Please advise Payroll & HR Finance Manager - [kristad@cygnett.com](mailto:kristad@cygnett.com) should you wish to change any pay details such as changing or closing your bank account. Please ensure you notify us 5 business days prior to the date you wish for the change to be effective by.

## Hours of Work

Warehouse – hours of operation of the warehouse are generally between 6am to 10 pm Monday to Friday.

Office/Business hours are generally between 8am to 6pm Monday to Friday.

Your hours of work will depend on business needs and the requirements of the work you are assigned. Please refer to your Contract of Employment.

Your Manager will work with you to establish your break times.

## Overtime and Additional Hours

In addition to any minimum hours of work set out in your Contract of Employment, you may be required to perform reasonable additional hours if requested by your manager or otherwise requested by Cygnett. Please refer to your Contract of Employment for specific information.

## Lateness or unable to attend Work

Any absence or late arrival due to illness, injury or any other reason, and the expected duration of leave must be personally reported to your manager as soon as practicable (and prior to your normal starting time wherever possible). If you are unable to do this personally, you are required to ask someone to telephone on your behalf.

Any absence that exceeds two consecutive days, and before or after a weekend, requires supporting evidence such as a medical certificate. Cygnett may also, at its discretion, request that you provide reasonable supporting evidence for an absence on any other day.

If you are absent from work on personal or carer's leave, you are requested to keep your reasonably Manager informed of your expected return to work.

Wherever possible you should make dental, medical, business, or other appointments outside your normal working hours. It is essential that you are ready to commence work at your normal commencement time as other employees and the business depend upon you and your contribution.

## Reimbursement of Expenses

Cygnett will reimburse employees for pre-approved expenses properly incurred by employees in the proper performance of their duties. Reimbursement will be subject to employees providing the receipts or other evidence of payment and of the purpose of each expense, in a form reasonably required by the Cygnett.

Employees will also be required to complete the Expense Reimbursement Form, which is included in the Office Forms section of this Manual. Please forward the form and receipts to HR/Payroll and where reasonably practicable you will be reimbursed in the next pay cycle.

If a personal credit card is used for the purchase of items required for work and has been pre-approved by your manager. The receipt is to be submitted as proof of purchase alone with the Expense Form and given to your manager for approve before submitting to payroll.

## Travel Policy

Cygnett will reimburse employees for reasonable travel expenses incurred during the conduct of company business. The purpose of this policy is to establish consistent, reasonable, and accountable standards to record and control the cost of business travel, entertainment, and other business expenses.

Employees are expected to exercise prudent business judgement regarding travel expenses covered by this policy. Reimbursement for expenses that are outside the scope of this policy requires prior management approval.

The employee is responsible for retaining itemised receipts and reporting expenses incurred in a timely manner in accordance with the parameters of this policy.

When an expense is incurred by a group of employees (such as, a meal where multiple staff members are present), the most senior member of the group (e.g. the manager) should take responsibility for paying for the expense unless this is not reasonably practicable.

The following travel expenses incurred for company business may be reimbursable under this policy:

- Lodging
- Travel expenses, including economy/coach airfare, reasonable airline luggage fees, public transportation fares, such as train, bus, taxi, Uber/Lyft, and related gratuities/tips (only where it is customary to do so).
- Meals, including gratuities/tips (only where it is customary to do so)
- Business telephone calls
- Internet access fees
- Laundry and/or dry-cleaning expenses during trips in excess of 5 days
- Car rental
- Reasonable expenses associated with use of personal vehicle
- Tolls
- Conference and convention fees
- Business entertainment expenses

- Parking
- In-flight movies or refreshments for overseas flights
- Other reasonable and necessary business expenses not specifically excluded by this policy, subject to prior approval

The following expenses are generally not reimbursable under this policy:

- Childcare costs
- Airline club dues
- Barber/hairstylist
- Toiletries
- Traffic violation fines and/or penalties
- In-flight movies for domestic flights.
- Hotel mini-bar purchases.
- Hotel room movies or other forms of personal entertainment
- Excessive alcohol (determined at Cygnett's sole discretion)
- Airfare upgrades unless extenuating circumstances prevail.

Reasonable and necessary expenses not listed above may also be legitimate business expenses that will be reimbursable under this policy. When in doubt, an employee should seek prior approval before incurring an expense. Managers are responsible for using professional judgement to determine if an unlisted expense is reimbursable under the policy when giving prior approval for an expense.

## Travel Reservations

Reservations for business travel should be made as far in advance as possible to take advantage of the most economical costs. The choice of travel arrangements should be based on the most efficient use of the employee's time and at the least cost to Cygnett.

Pre-approval by the employee's manager and/or other designated manager is required for any air travel, prior to booking a flight.

Using the Serko/Zeno Tool via the [helloworldforbusiness.serko.travel](https://helloworldforbusiness.serko.travel) module will notify your manager of the booking and request authorization prior to the booking being confirmed.

Travel reservations for employees located in Australia may ONLY be made using the designated Cygnett online portal or website called Zeno (provided by Verve Travel).

For employees located in a country other than Australia, travel reservations may be made using:

- Airline/hotel/car rental websites.

- Online travel sites, such as Expedia, Orbitz, Travelocity.
- Travel agent provided that Cygnett does not incur travel agency fees.

Personal travel may be made in conjunction with business travel, at the employee's expense.

An employee may upgrade his/her airline seat if the upgrade is at no additional cost to Cygnett. Please advise Cygnett if you require reasonable adjustments to enable you to travel for work due to a disability and those adjustments require additional expenditure.

Travel programs, such as those which provide frequent flyer points may be retained by the traveling employee but cannot be used as the basis for selecting an airline, hotel or car rental vendor unless such choice is equal in cost to the lowest cost acceptable alternative.

Travel reservations needing to be cancelled or rescheduled should be taken care of as soon as practical to minimize fees that may be incurred.

## Accommodation

Whenever possible, accommodation reservations should be made using established Cygnett corporate rates at hotels local to the office/venue the employee is visiting.

Cygnett will pay room costs up to established per diem limits (outlined below) subject to these costs being supported by an itemized hotel bill for each day that lodging away from home is required for business reasons.

Personal expenses related to hotel amenities, such as spa services, in-room movies, or mini-bar snacks and beverages are not reimbursable by Cygnett.

An employee may upgrade his/her room selection if the upgrade is at no additional cost to Cygnett. Employees with a disability who require reasonable adjustments are requested to advise Cygnett so that it may consider whether these are possible, having regard to whether the adjustments requested would impose unjustifiable hardship on Cygnett.

Any additional hotel costs incurred due to extending one's stay for personal reasons will be at the employee's expense and subject to prior approval having regard to business requirements.

## Meals

When traveling on company business, the cost of meals should be reasonable to the city where the employee is conducting business up to the established per diem limits.

All itemized meal receipts need to be retained by the employee and inputted into the expense management system or submitted manually to accounting as soon as possible.

## Client Entertainment

Client entertainment expenses should be limited to a maximum of \$100 per person per day and be pre-approved by the employee's manager. Additional documentation is normally required by local taxation authorities for entertainment expenses and must be retained by the employee. It is the employee's responsibility to ensure that receipts for such expenses

make note of the name, title, and company affiliation of individuals present and the reason for the entertainment.

## Travel Insurance

Cygnett has a travel insurance policy that provides comprehensive cover for employees travelling for business purposes. Our insurance cover includes the normal items insurable under a travel insurance policy such as personal accident and illness coverage, emergency medical coverage, baggage and travel document loss, and rental vehicle excess.

If an insurable event occurs, the employee must inform their manager of the event as soon as possible so that the company can begin communicating with the insurance provider(s).

All supporting documents and policies can be viewed via the SharePoint Portal

## Expense Reporting & Reimbursement

Each employee is responsible for retaining invoices or itemized receipts of business-related expenses and reporting expenses incurred to the accounting department by the last day of the month.

Each employee is responsible for completing his/her own expense reimbursement forms and submitting claims in the Cygnett designated an online portal. Employees must attach or upload all invoices for expenses incurred for both expenses being applied to a company issued credit card and expenses incurred that are reimbursable to the employee.

Please note, receipts that do not appropriately disclose the item(s) of expenditure are not deemed as appropriate substantiation for reporting purposes. Where an online expense submission portal is not available to an employee, the relevant Expense Reimbursement Form in the employee's region must be used and management approval sought prior to forwarding the approved expense form to the local accounting department for processing.

## Per Diem Travel Expense Limits

The table below represents the maximum reimbursable travel expense that may be incurred each day. Exceptions to the per diem limits require approval from the employee's manager.

Location	Lodging	Meals & Incidentals
AUS / NZ	\$250 AUS	\$100 AUS
HK / China	\$200 USD	\$80 USD
UK / Europe	£175 / €200	£80 / €75
USA	\$200 USD	\$90 USD

## Professional standards of behaviour

This policy applies to all employees, contractors and sub-contractors of Cygnett.

Due to the nature of the business there will be circumstances where employees will be required to act as representatives of the business.



It is expected that all employees conduct themselves at all relevant times, including during work hours, while travelling for work and at work or business related of functions outside of usual hours, in a manner that is professional and appropriate and which promotes Cygnett's good reputation and business.

Where employees, contractors or sub-contractors attend business-related social functions that relate to their employment or engagement by Cygnett, they are expected to conduct themselves in a professional and appropriate manner.

## Delegation of Authority

Cygnett has established the limits of authority designated to specified positions of responsibility within the company and has established the types and maximum amount of obligations that may be approved by individuals in those specified positions. This can be found in the Company Authority Levels policy.

All employees should be aware that conduct that violates the Company Authority Levels policy is always considered outside the scope of their authority. Breaching the policy could significantly damage the Company and expose it to legal and commercial liabilities. In addition, individuals who violate the policy will be subject to appropriate disciplinary action, which may include termination of employment.

Persons who have employees reporting to them should take all reasonably necessary steps to ensure their direct reports follow the policy. Managers should periodically consult with their employees to determine that appropriate procedures for implementation of the policy have been developed and are being followed.

Ensuring compliance with the policy by each Division and Functional Department is the responsibility of the senior manager of each business area.

## Acceptance of Gifts or Samples

There may be times that an employee is offered gifts from suppliers or clients.

In the event this occurs, any offers of gifts must be disclosed to your Line Manager on all occasions.

It is the policy that at no time are gifts to be accepted, however this will be managed by exception with your Manager.

# Privacy Policy for Employee Information

To ensure compliance with its obligations under the *Privacy Act 1988 (Cth)* (**Privacy Act**), Cygnett has established a Privacy Policy regarding the use of personal information pertaining to employees.

This Privacy Policy describes how Cygnett collects, uses, discloses, stores, and handles the personal information of its employees.

## Objectives of this Policy

- To ensure all records containing personal information are kept secure.
- To ensure the rules relating to privacy are applied consistently across the business.
- The intent of the Privacy Act is to protect an individual's right to privacy in relation to the collection, use, access, retention, correction, and disclosure of personal information held by their employer.

## Responsibility and Governance

- Within the company responsibility for compliance with the privacy legislation rests primarily with Cygnett. In the first instance managers and employees should refer any privacy concerns or issues to Cygnett.
- It is important that managers and employees make all reasonable efforts to ensure that information on file is accurate, up to date, complete and not misleading before relying on the information.
- Employees have a responsibility to ensure that their personal details (e.g. address, contact numbers, emergency contact) remain up to date by advising their Manager when changes occur.

## What is personal information?

- In this Privacy Policy, 'personal information' has the meaning set out in the Privacy Act. In general terms, personal information is information (whether fact or opinion) about an individual who is identified or reasonably identifiable.
- Some types of personal information are designated as 'sensitive information', which are subject to additional protection under the Privacy Act. For example, these can include information about an employee's health.

## Types of personal information

The types of personal information Cygnett collects will depend on the purpose for which the personal information is collected. This can include:

- in the case of prospective employees – information contained in their application or résumé, recorded during any interview, or obtained through any

pre-employment checks, government-issued identifiers such as tax file numbers, and health information such as vaccination status; and

- in the case of employees – information relevant to their performance of their role, and the management and administration of their employment with Cygnett.

Cygnett may collect sensitive information about an employee in certain circumstances. For example, an employee may disclose details of disabilities or medical conditions to Cygnett in the course of their employment, or Cygnett may receive details of an employee's criminal records as a result of a police check that forms part of the recruitment and onboarding process.

## Collection of personal information

- Cygnett collects an employee's personal information directly from them, including when they apply to work with Cygnett. Where it is reasonable and practicable to do so, Cygnett will only collect personal information about an employee from them directly and not from third parties.
- In limited circumstances, Cygnett may collect personal information about an employee from publicly available sources (such as the internet) and from third parties (such as mutual contacts, or the employee's referees provided during the recruitment process).

## Use and disclosure of personal information

- Cygnett will use an employee's personal information for purposes connected with the company. Some specific purposes for which Cygnett will use an employee's personal information include to verify the employee's identity; to consider a prospective employee or contractor for a job at Cygnett, and to communicate with an employee and to address any issues or complaints that the employee or Cygnett may have regarding their relationship. Cygnett may also use or disclose an employee's personal information for other purposes to which the employee has consented, or otherwise permitted or required by law.
- Cygnett may disclose an employee's personal information to third parties in connection with the purposes described above. This may include disclosing personal information to the following types of third parties:
- Cygnett's related companies;
- any potential third party acquirer of Cygnett's business or assets, and advisors to that third party;
- Cygnett's professional advisers (such as lawyers, accountants or auditors) and insurers;
- Cygnett's contractors and third party service providers who assist Cygnett in performing their functions and activities e.g. payment systems operators, payroll consultants, and financial institutions, cloud service providers, data

storage providers, shipping companies, telecommunications providers and IT support services providers;

- third parties to whom an employee has authorised us to disclose their information (e.g. referees); and
- any other person as required or permitted by law.

## Security

- Cygnett will take commercially reasonable precautions to ensure employees' personal files are protected against loss, unauthorised access or disclosure or other misuse.
- Personal files being held by managers in local area offices or in Payroll will be secured in locked cabinets, and where possible in a locked office. Access to files will only be available to delegated authorities, for example direct report managers and Payroll Employees.
- Electronic files (such as personal records and payroll records) are only accessible to authorised users with passwords.
- Cygnett stores personal information in servers located in Australia.

## Access & Correction of Personal Information

- Employees have the right to access, and request correction of, any personal information held about them by Cygnett at any time.
- Employees seeking access to their personal information must request access in writing at least 24 hours in advance. The relevant Manager should review the file and remove any evaluative material which has been compiled solely for the purpose of determining candidate suitability or eligibility for an appointment, promotion, removal or benefits where such information has been provided subject to a promise of confidentiality e.g. reference checks. Information relating to other employees should be removed or deleted from the information provided to the employee.
- A Manager or team leader should supervise an employee's review of the file to ensure no information is removed. Photocopies may be taken by the employee of the information contained in their file.
- If an employee believes that personal information Cygnett holds about them is incorrect, incomplete or inaccurate, then the employee may request Cygnett to amend it by contacting their Manager.

## Retention of Personal Information

Generally, Cygnett will retain an employee's personal information for the period necessary for the purposes for which their personal information was collected (as outlined in this Privacy Policy) unless a longer retention period is required by law or if it is reasonably necessary for Cygnett to comply with our legal obligations, resolve a dispute or maintain security.

## Local exemptions and inconsistency with law

Where local laws allow for an exemption to compliance with certain legal obligations (for example, the employee records exemption in Australia), Cygnett may rely on such an exemption.

This Privacy Policy will not apply to the extent that it is inconsistent with any applicable law.

## Further Information

Any employee requiring further information about this Privacy Policy or any concern or complaint about the manner in which their personal information has been collected or handled by Cygnett should contact any member of the Management Team.

Following a complaint by an employee, Cygnett will make appropriate inquiries and assess the complaint with the aim of resolving it in a timely and efficient manner. In the event that the employee is not satisfied with the outcome of their complaint we will provide the employee with details of how they can request a review by the Privacy Commissioner within the Office of the Australian Information Commissioner.

## Business Environment Policy

This policy applies to all employees, contractors and sub-contractors of Cygnett.

### Work Areas

As many employees and contractors work in an open plan area, it is important that your workstation and or desk remains clean and tidy and free of boxes, papers, and magazines. Our expectation is that your workstation will be cleared and tidied at the end of every day.

Any items that require storage should be put away, hard copy paper files should be kept to a minimum, with soft copies of files stored on the relevant shared drive electronically.

Laptops should not be left on desks overnight unless you have your own lockable office.

### Security

Entry to the Cygnett premises during and / or outside of normal business hours will be by way of keys/security pass/alarm code.

It is the responsibility of every Cygnett employee and contractor to ensure that this key/security pass is kept in safe custody.

It must be returned on demand or upon the employee's departure from the Business or at the end of a contractor's engagement.

If building access devices are lost or misplaced, employees must notify their Manager immediately so that they can be cancelled. Contractors should notify their relevant contact at Cygnett.

Employees and contractors must ensure that all confidential/sensitive documents are locked away at night. You should make sure that your personal belongings and valuables are locked away and secured. Personal property is not covered by Company insurance.

## Kitchen & Bathrooms

Please keep the kitchen and bathroom areas clean at all times, cleaning up after use. You should be mindful that these are public areas and you should be respectful to others by always cleaning up after yourself. If you use dishes, then wash them immediately after use.

If there are any issues with these facilities, you should notify your Manager immediately.

## Meeting Rooms

If you need to book or use a meeting room, please ensure that you book via outlook calendar and email booking system.

Please tidy up after meetings, take away your dirty cups, files papers etc. Place chairs back in position and clean all work away.

## Printing

Save costs on printing wherever possible by printing on both sides of paper. Please pick up all printed matter off the printer and ensure that the printer is stocked with paper at all times. Colour printing should be kept to a minimum.

## Waste Bins

Most individuals will have these under their desk. These bins should be used for any items which are not recyclable e.g., plastics, metal, a pen, food scraps etc.

Please use your discretion and be mindful of disposing food scraps in the office. Liquids should not be poured/ placed into bins.

## Recycling Bins

Please recycle where you can use the appropriate bins. Only paper and cardboard with NO company, customer or candidate information is to be placed into these bins. NO general rubbish is to be placed in these bins.

## Security Disposal/Shredders

Paperwork with any sensitive or confidential Cygnett information needs to be disposed of by either being shredded or placed into the locked security disposal bin. Documents to be placed in the security bins include but are not limited to:

- Company Information
- Customer information
- Forms

- Terms and conditions
- Policies

## The Noise Factor

Try to avoid shouting at each other across the office or on site at a customer and respect people's busy periods or meeting times.

Or if someone is engrossed in something at their computer or there are more than two people meeting with someone, it usually means they are busy.

Try to talk quietly when you are on the telephone and respect others around you.

## Use of Surveillance Technology

Cygnett may utilise closed circuit television and / or other surveillance technology in company premises from time to time. You must not interfere with this equipment under any circumstance. You acknowledge that while you are on Cygnett premises Cygnett may make audio-visual recordings and you consent to such recording.

Cygnett may also monitor, on an ongoing basis, employees' use of internet, websites visited, emails and telephone calls where employees are using Cygnett's hardware, software and/or systems.

## Code of Conduct Policy

### Purpose

Cygnett expects employees to demonstrate responsible social and ethical behaviour in the workplace and in all work-related settings. This policy provides information about the standards of behaviour that Cygnett expects of all employees.

### Principles

Cygnett's employees contribute to the success of our organisation and our customers. Cygnett's employees are expected and required to observe high standards of integrity and fair dealing. Unlawful and unethical practices undermine employee and customer trust and may lead to disciplinary action up to and including termination.

### Policy

Our Code of Conduct policy applies to all employees and provides the framework of principles for conducting business, dealing with other employees, customers and suppliers. The Code of Conduct does not replace legislation and if any part of it is in conflict, then legislation takes precedence. This policy is based on the following principles:

- Maintain a high standard of integrity and professionalism at all times

- Be responsible and scrupulous in the proper use of Company information, funds, equipment and facilities
- Be considerate and respectful of the environment and others
- Exercise fairness, equality, courtesy, consideration and sensitivity in dealing with other employees, customers and suppliers
- Avoid conflicts of interest, and promptly disclose to a Cygnett senior manager any interest which may constitute or may appear to constitute a conflict of interest
- Promote the interests of Cygnett
- Perform duties with skill, honesty, care and diligence
- Abide by policies, procedures and lawful directions that relate to your employment with Cygnett and/or our Customers
- Avoid the perception that any business transaction may be influenced by offering or accepting gifts
- Under no circumstances may employees offer or accept money as an inducement to influence your judgement
- Any employee, who in good faith, raises a complaint or discloses an alleged breach of the Code, whilst following correct reporting procedures, will not be victimised or treated adversely as a result of making such complaint. All reports will be dealt with in a timely and confidential manner to the extent that is reasonably practicable.

Any employee in breach of this policy may be subject to disciplinary action, up to and including termination.

Should an employee have doubts about any aspect of the Code of Conduct, they must seek clarification from their Manager.

This policy will be regularly reviewed by Cygnett and any necessary changes will be circulated.



## Dress Code Policy

This policy applies to all employees, contractors and sub-contractors of Cygnett as specified below.

Cygnett's objective in establishing a safe and comfortable environment includes setting standards for workplace dress code and personal hygiene. This is to enable all employees to project a professional image that contributes to Cygnett's good reputation and customer relationships.

Certain contractors and sub-contractors may be required to wear certain clothing and/or equipment for health and safety reasons, or otherwise where requested in the course of their engagement by Cygnett.

### Office Employees

Office employees are expected to dress neat business casual during work hours. Bottoms may include neat jeans, slacks or skirts.

### Warehouse/Factory Employees/Drivers

All factory employees must wear high visibility clothing at all times.

Cygnett will supply employees with options for high visibility uniform where required.

Steel capped boots are to be worn and provided by employees.

Wearing high visibility clothing and steel capped boots in the factory is a safety requirement.

### General

Sales/Management or other employees who attend meetings with customers or potential customers (valid only on meeting days) should consist of a neat business attire.

## IT, Internet, Email & Social Media Policy

This policy applies to all employees, contractors and sub-contractors of Cygnett.

### Internet Use

The internet is provided by Cygnett for business use. Limited private use is permitted if the private use does not interfere with a person's work and that inappropriate sites such as social media networking sites, pornographic sites and any other site which contains unlawful or offensive materials are not accessed. Cygnett may monitor, on an ongoing basis, employees' internet use at work and management has the right to access the system to check if private use is excessive or inappropriate.

Failure by an employee to comply with this policy will be a disciplinary matter and will lead to disciplinary action which may include dismissal. Employees and contractors need to be

aware that some forms of internet conduct may also constitute breaches of the law including criminal offences, and may lead to criminal prosecution.

## Email Use

1. Email facilities are provided for formal business correspondence and business use only. Emails of a private nature should not be sent from, or received by, your Cygnett email account. However, management has the right to monitor and access incoming and outgoing email messages to check if an employee's usage is excessive or inappropriate.
2. Take care to maintain the confidentiality of sensitive information. If emails need to be preserved, they should be backed up and stored offsite.
3. Limited private use of your personal email by employees during work hours is allowed if it does not interfere with or distract from an employee's work.
4. Non-essential emails should be deleted regularly from the 'Sent Items', 'Inbox' and 'Deleted Items' folders to avoid congestion.

To protect Cygnett from the potential effects of the misuse and abuse of email, the following instructions are for all users of Cygnett's email facilities:

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

This policy does not form part of an employee's contract of employment. Nor does it form part of any contractor or sub-contractor's contract for service.

## Professional use of Social Media

Cygnett expects its employees to maintain a certain standard of behaviour when using Social Media for both professional and private purposes.

This policy applies to all employees of Cygnett, and it also applies to all contractors and sub-contractors of Cygnett who are authorised by Cygnett and required to contribute to or perform duties such as:

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

## Procedure

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

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

All employees, contractors and sub-contractors of Cygnett must ensure they do not:

- disclose Confidential Information relating to Cygnett or its customers, business partners or suppliers.
- post or comment on any material that violates the privacy or publicity rights of another party; and/or
- disclose any information, (regardless of whether it is confidential or public knowledge), about customers, business partners or suppliers of Cygnett without their prior authorisation or approval to do so; or
- make any other posts, comments or engage in any other online activity that causes damage or could be reasonably expected to cause damage to, Cygnett's business, goodwill or reputation,
- on any social or business networking sites, web-based forums or message boards, or other internet sites.

Confidential Information include (but is not limited to) any information in any form relating to Cygnett and related bodies, customers or businesses, which is not in the public domain.

## Private / Personal use of Social Media

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

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

## Procedure

Cygnett acknowledges that its employees, contractors and sub-contractors may wish to contribute content to public communications on websites, blogs and business or social networking sites that are not operated by Cygnett. However, inappropriate behaviour on such sites may have the potential to cause damage to Cygnett's reputation and business, as well as the potential to cause damage or harm to its employees, customers, business partners and/or suppliers.

For this reason, all employees, contractors and sub-contractors of Cygnett are required to refrain from publishing or posting any material, in any form, which identifies themselves as being associated with Cygnett or its customers, business partners or suppliers, with the exception that current employees of Cygnett may identify themselves on LinkedIn (or any similar business websites that Cygnett expressly approves from time to time) as being employed by Cygnett. Employees, contractors and sub-contractors should be aware that where a post on social media is able to be linked to or identified as being made by an employee, contractor or sub-contractor of Cygnett, this could have the potential to affect Cygnett's reputation and good standing. If offensive, intimidating, bullying, harassing or otherwise unlawful social media conduct by an employee is linked to Cygnett by association, this may lead to disciplinary action up to and including dismissal.

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

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

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

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

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

"Social Media" includes all internet-based publishing technologies. Most forms of Social Media are interactive, allowing authors, readers and publishers to connect and interact with one another. Forms of Social Media include, but are not limited to, social or business networking sites (i.e. Facebook, Instagram, LinkedIn), video and/or photo sharing websites (i.e. YouTube, Flickr, TikTok), business/corporate and personal blogs, micro-blogs (i.e. Twitter), chat rooms and forums and/or Social Media.

## Induction Policy

### Policy

The Induction and Onboarding process will be conducted over your initial period of employment, with mandatory compliance training requirements to be refreshed annually thereafter. The Human Resources Manager will arrange the Induction and Onboarding process upon commencement. You are required to participate in the Induction and Onboarding process.

The Human Resources Manager or a delegate will explain Cygnett's expectations and run you through the workplace history, policies and practices. It is a good opportunity for you to ask any questions.

Cygnett aims to ensure all new employees feel welcome and are ready to start work safely and competently through the use of a proper formal Induction process, which this manual form part of.

### IT System Orientation Training & Development

Cygnett will give employees reasonable training to enable employees to use Cygnett's IT systems and to perform their job safely and competently. Our business believes training is a two-way process. We encourage employees to participate and to highlight any gaps in their own skills or knowledge they believe they have.

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

## Occupational Health & Safety Policy

### Policy

This policy applies to all employees, contractors and sub-contractors of Cygnett.

Cygnett will, as far as reasonably practicable, provide a safe work environment for our employees, contractors, visitors and members of the public who may enter Cygnett's workplace.

Steps that Cygnett may take in order to provide a safe work environment may include (but are not limited to):

- Developing and maintain safe systems of work;
- Where Cygnett considers appropriate, consulting with employees and health and safety reps on safety
- Where required, providing protective clothing and equipment, and enforce its use
- Providing information and training for employees in relation to safety
- Providing avenues for employees and other persons report potential safety hazards and incidents in the workplace
- Conducting risk assessments on new areas of operation, for example, buying new equipment and setting up new work methods, and reviewing potential risks as appropriate
- Promptly addressing unacceptable risks to safety
- Providing employees and contractors with adequate facilities (such as clean toilets, cool and clean drinking water, and hygienic eating areas)

Ultimately, everyone at the workplace is responsible for ensuring health and safety. Employees and other persons who control or enter the workplace also have duties under occupational health and safety legislation and are expected to take reasonable care for their own safety and that of others at all times, and to promptly report any potential risks identified and incidents or injuries that occur in the workplace.

Management personnel have a key role in:

- identifying practices and conditions that could injure employees, customers, members of the public or the environment;
- addressing identified safety risks and reporting these to their manager;
- ensuring that workers use appropriate personal protective equipment (PPE), and providing training workers to use PPE correctly; and
- making sure PPE is maintained and working properly.

Cygnett requires all employees, contractors and sub-contractors to demonstrate a proactive attitude and behaviour with respect to protecting health, safety and the environment.

## Workers' obligations

Here at Cygnett it is important that all employees, contractors and sub-contractors contribute to safety by following all WHS procedures implemented by Cygnett from time to time which

outline the requirements for complying with both external and internal compliance requirements.

Safety starts with you.

Our safety management processes include:

- Emergency evacuation plan
- Policies and procedures relating to health, safety and welfare
- Ongoing training and information
- Monitoring, supervision, and reporting of hazards and risks.

Cygnett expects employees, contractors and sub-contractors to help themselves and team members by:

- respecting and following workplace policies and procedures
- participating in and requesting appropriate training
- reporting all incidents
- not taking shortcuts
- not responding reactively
- planning work time
- asking for help or advice when needed
- supporting colleagues
- being a team player
- taking allotted breaks
- not bringing personal matters or conflicts into the workplace

## Manual handling policy

This policy applies to all employees, contractors and sub-contractors.

Where reasonably practicable, Cygnett will identify, assess and control manual handling risks.

While management is responsible for the health, safety and welfare of all staff, all employees, contractors and sub-contractors must report potential and actual manual handling hazards as soon as possible once these are identified.

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

## Injury Management Policy

Cygnett supports employees to return to work as quickly and as safely as possible following a work-related injury or illness and has implemented this injury management plan to achieve this. Where an employee makes a workers' compensation claim and that claim is accepted by Cygnett's insurer, Cygnett will comply with its obligations under the relevant legislation.

Cygnett's injury management plan deals with matters including treatment of the injury, returning to work, reasonable adjustments, management of workers compensation claims.

The Human Resources Manager will liaise the injured worker to assist the worker to return to work (if possible) in a safe manner.

## Workers' compensation

Certain workers, including employees, may be eligible for workers' compensation benefits if injured while at work, subject to applicable legislation.

## Injury procedure

If a worker is injured in the workplace, the following procedure should be followed:

1. The first priority is medical attention. The injured worker or nearest colleague should contact one of Cygnett's first aiders. For a serious injury also call an ambulance.
2. Any worker who is injured on the job, or who experiences a safety incident or a near miss, must report the incident to their manager as soon as reasonably practicable. Other workers may also report the incident or near miss.
3. The manager who is notified of the incident must write a report using the Cygnett Incident Report and Investigation form which can be found on the Cygnett Team Site on Sharepoint. Once completed the form should be given to the HR Manager who will insert a record of the incident in the Register of Injuries, Incidents and Near Misses. This standard report completed by the manager must include:
  - worker's name and, if they are an employee, their position details
  - time and date of injury
  - workplace location where the injury/incident occurred
  - how the injury/incident happened
  - details of the injury/illness and the part/s of the body injured
  - names of any witnesses
  - name of the person entering details in the Register
  - date Cygnett was notified
4. Where practicable, Cygnett will advise the injured worker in writing that we have received notification of any injury or illness reported in the Register.



Where applicable, the relevant manager must comply with all reporting requirements to WorkSafe within the required timeframes.

## Coronavirus – Covid-19

This policy applies to all employees, contractors and sub-contractors as specified below.

Cygnett is committed to providing a safe and healthy workplace for all our employees, contractors, sub-contractors and visitors therefore the following measures to protect against the spread of COVID-19 have been implemented. We note that these requirements are subject to change as government and other guidance around the spread of COVID-19 in Australia is updated. Employees are required to stay informed of, and comply with, government public health orders and guidelines in relation to COVID-19 including when employees are required to test for COVID-19 and to isolate. Currently, the requirements can be accessed here:

<b>Victoria</b>	<a href="https://www.coronavirus.vic.gov.au/coronavirus-covidsafe-settings">https://www.coronavirus.vic.gov.au/coronavirus-covidsafe-settings</a>
<b>New South Wales</b>	<a href="https://www.nsw.gov.au/covid-19">https://www.nsw.gov.au/covid-19</a>

### Procedure:

Cygnett expects all employees, contractors and sub-contractors to follow the health guidelines and any laws, public health orders or regulations that are in force in the state or territory in which the worker resides and/or is located at any relevant time, to the extent that this is relevant to the person's employment or engagement by Cygnett.

If you are experiencing symptoms of COVID-19, or if you live with a person who has tested positive for COVID-19, you are requested to notify Cygnett and not to attend the workplace. In the case of employees, you are requested to work remotely until your symptoms resolve or until the member of your household has completed their period of COVID-19 isolation. If contractors or sub-contractors can perform their services remotely, then they should do so, subject to the terms and conditions of their engagement by Cygnett.

Where possible, hand sanitiser will be provided by Cygnett and is to be used regularly in the workplace and employees must ensure appropriate hygiene and hand washing is performed on a regular basis.

## Smoking and vaping policy

This policy applies to all employees, contractors and sub-contractors of Cygnett as specified below.

Cygnett has a non-smoking and vaping policy. Smoking and vaping by employees, contractors and sub-contractors is not permitted on Cygnett property, at the entrance to Cygnett's offices or in our offices at any time.

Employees who need to take smoke breaks should do so in their allotted breaks (no more than 3 per day in addition to their lunch break). Smoking breaks for employees must be limited to 5 minutes from leaving the workplace to recommencing work, unless it is during

your lunch break. Excessive smoking and vaping breaks by employees may be regarded as absenteeism and if repeated may result in disciplinary action.

## Alcohol & drugs policy

This policy applies to all employees, contractors and sub-contractors of Cygnett as specified below.

Cygnett recognises that alcohol or other drug abuse can impair short-term or long-term work performance and is an occupational health and safety risk.

Cygnett has a zero-tolerance policy regarding the use of illicit drugs by employees, contractors or sub-contractors during hours where employees are working or contractors are performing services, or attending our premises or other business-related premises (e.g. customers' premises) while under the influence of illicit drugs. Contravention of either of these requirements by an employee may lead to instant dismissal.

Cygnett has a zero tolerance policy for employees, contractors or sub-contractors attending work while under the influence of alcohol.

Cygnett, at times, may make alcohol available to employees, contractors or sub-contractors over the age of 18 for consumption at work-related social functions. all persons in attendance at such events are required to ensure that they consume alcohol in a responsible manner during these events.

Breach of this policy by an employee may lead to disciplinary action up to and including dismissal.

## Equal Employment Opportunity (EEO) & Anti Bullying Policy

This policy applies to employees, potential employees, contractors, suppliers, work experience students, volunteers and customers of Cygnett and other persons attending the workplace or work-related events or meetings from time to time (**Workplace Participants**) and applies:

- in all work related contexts, including at work-related functions and activities including external training courses sponsored by Cygnett, conferences and work conducted off-site;
- both inside and outside of working hours; and
- to conduct or communications including via mobile phone, email and other electronic communications including social media.

This policy also applies to recruitment, selection and promotion decisions.

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

- making decisions based on merit;

- attracting and retaining the best possible employees;
- providing a safe, respectful and flexible work environment; and
- promoting a safe, respectful and reasonably flexible workplace.

All Workplace Participants must comply with this policy and treat others with dignity, courtesy and respect at all times.

Workplace Participants are required to:

- familiarise themselves with and comply with this policy;
- treat everyone they come into contact with during the course of work in a professional, fair and dignified manner;
- report behaviour that breaches this policy.

Failure to comply with this policy may result in disciplinary action, up to and including termination of employment or engagement (as relevant).

In addition to their responsibilities as Workplace Participants, managers are required to:

- lead by example and model appropriate behaviour in the workplace;
- ensure that all employees are aware of and understand this policy;
- ensure that their decision making is fair, non-discriminatory and based on merit;
- help Workplace Participants to resolve complaints informally where this is possible and appropriate, and escalate complaints appropriately where required; and
- as far as reasonably practicable, ensure that no Workplace Participant who raises a complaint is victimised.

## Discrimination, Harassment and Bullying

Cygnett is committed to providing a workplace free from discrimination, harassment, sexual harassment and bullying. Discrimination, harassment, sexual harassment, bullying and vilification will not be tolerated and where Cygnett is reasonably satisfied that such behaviour has occurred, in the case of an employee it will lead to disciplinary action being taken, which may include dismissal.

Such behaviour may also be unlawful under legislation including (but not limited to):

- *Age Discrimination Act 2004 (Cth)*;
- *Australian Human Rights Commission Act 1986 (Cth)*;
- *Disability Discrimination Act 1992 (Cth)*;

- *Fair Work Act 2009* (Cth) ("**Fair Work Act**");
- *Racial Discrimination Act 1975* (Cth);
- *Sex Discrimination Act 1984* (Cth);
- *Equal Opportunity Act 2010* (Vic);
- *Racial and Religious Tolerance Act 2001* (Vic); and
- *Anti-Discrimination Act 1977* (NSW).

Employees must report any behaviour that constitutes sexual harassment, bullying or discrimination to their manager. Complaints will be dealt with in accordance with Cygnett's grievance policy and procedure. In certain circumstances, employees (and in some cases other workers) may be eligible lodge a complaint with the Victorian Equal Opportunity and Human Rights Commission, the Australian Human Rights Commission, or the Fair Work Commission in relation to breaches of this policy.

Employees, contractors and sub-contractors will not be victimised or treated unfairly for raising an issue or making a complaint.

## Discrimination

Discrimination involves treating someone less favourably or negatively on the basis of a protected attribute. Discrimination can be direct or indirect.

"Direct discrimination "occurs when someone is treated unfavourably because of a personal characteristic that is protected by law. For example, direct discrimination would occur where:

- a manager decided to give training opportunities only to employees under the age of 50 – this is direct age discrimination;
- an employer decided to employ only men to do certain types of jobs – this is direct sex discrimination.

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

Protected attributes under Federal discrimination law include:

- age;
- sex;
- disability, disease or injury;
- parental status or status as a carer;
- race, colour, descent, national origin or ethnic background;
- religion;

- pregnancy and breastfeeding;
- sexual orientation, intersex status and gender identity;
- industrial activity, including being a member or an industrial organisation or deciding not to join a union;
- political opinion;
- social origin;
- marital status;
- medical record; or
- association with someone who has, or is assumed to have, one of these attributes.

It is also unlawful to treat a person unfavourably because you assume that they have a protected attribute or may have one in the future.

State and Territory legislation may specify additional protected attributes.

## Harassment, sexual harassment and harassment on the ground of sex

Harassment is a form of discrimination, and is behaviour that is uninvited or unwanted, based on a personal characteristic that is protected by law, where it is likely that the person harassed would be offended, humiliated or intimidated.

Sexual harassment is a specific form of harassment. Sexual harassment occurs where a person:

- makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person; or
- engages in any other unwelcome conduct of a sexual nature in relation to the other person,

in circumstances in where a reasonable person having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated a reasonable person.

Sexual harassment can take many different forms including (but not limited to):

- physical contact;
- gestures;
- verbal comments;
- displaying offensive materials;
- uninvited intimacy; and

- behaviour or practices that create a sexually hostile or sexually intimidating environment.

Sexual harassment can be perpetrated by a person of any gender to another person of any gender. Gender, sexual orientation and the motive or intent of the person perpetrating the behaviour are irrelevant at law. It is the nature of the behaviour and its impact that are objectively assessed.

Examples of sexual harassment include (but are not limited to):

- unwelcome comments about a person's sex life or physical appearance;
- taking or displaying inappropriate photographs;
- uninvited intimacy or physical contact such as brushing up against a person, kissing or cuddling;
- suggestive behaviour such as staring, leering or inappropriate gestures;
- sexually offensive comments, jokes, innuendo or anecdotes;
- continued requests for dates;
- indecent exposure, sexual assault or rape.

Sexual harassment is not consenting adult behaviour resulting from mutual attraction or respectful friendship. If an interaction is consensual, welcome and reciprocated it is not sexual harassment.

Workplace Participants who are involved in consensual relationships must always ensure that their behaviour is appropriate and professional at work and in work-related environments.

Workplace Participants must be aware that comments and behaviour that do not offend one person may offend another. Sexual harassment is a valid reason for dismissal. Sexual harassment may constitute serious misconduct and may lead to dismissal from employment including dismissal without notice.

Harassment on the ground of sex (also known as "sex-based harassment") is a specific form of harassment that occurs where a person engages in unwelcome conduct of a seriously demeaning nature towards another person because of:

- the sex of the person being harassed; or
- a characteristic that is generally associated with persons of the sex of the person being harassed; or
- a characteristic that is generally attributed to persons of the sex of the person being harassed; and

the first person harasses the second person in circumstances where a reasonable person having regard to all of the circumstances would have anticipated the possibility that the person being harassed would be offended, humiliated or intimidated.

Examples of sex-based harassment could include (but are not limited to):

- an employee telling a male worker that he does not deliver as good a customer experience as his female colleagues because he is not as attractive as them;
- a manager mocking an intern for having a high pitched voice that "sounds like a girl";
- a supervisor telling his female direct report that she "should be at home taking care of her husband and children" and that she is a "bad mother" for working.

## Bullying

Bullying may be unlawful under State/Territory based occupational health and safety laws and criminal laws, and will not be tolerated by Cygnett. A contravention of this policy may result in disciplinary action up to and including termination of employment or engagement (as relevant).

Bullying is repeated, unreasonable behaviour directed towards a person or a group, that creates a risk to health and safety.

Unreasonable behaviour means behaviour that a reasonable person, having regard to all of the circumstances, would expect to intimidate, offend, degrade, humiliate, undermine, isolate or threaten a person or group.

Repeated unreasonable behaviour does not have to be the same behaviour on each occasion. A one-off instance of unreasonable behaviour that creates a risk to health and safety may not constitute bullying, however it may otherwise be inappropriate conduct in breach of this policy and may lead to disciplinary action up to and including termination of employment or engagement (as relevant).

Bullying behaviour may include (but is not limited to):

- verbal abuse, using obscene language or making gestures;
- intimidation or belittling;
- excluding or isolating a person or persons from conversations or social gatherings;
- spreading rumours;
- assigning meaningless or impossible tasks, or an unreasonable workload;
- threatening or taunting.

Bullying is not reasonable management action carried out in a reasonable manner, such as:

- setting performance standards or deadlines;
- allocating work in a reasonable manner;
- performance management;
- requiring compliance with Cygnett policies or procedures; or

- disciplining a worker for inappropriate behaviour.

Cyber-bullying and stalking can constitute bullying and may otherwise breach this policy. Cyber-bullying utilises technology including computers and phones, and can occur via text messages, social media sites, emails, and other websites. Examples may include abusive text messages, sending rumours by email or posting these on social media, uploading videos or establishing fake online profiles.

Stalking and cyber-bullying can be criminal offences and result in fines or even jail terms.

Workplace Participants must not engage in cyber-bullying or stalking behaviour.

## Vilification

Vilification is unacceptable behaviour that incites hatred against, serious contempt or ridicule towards, or physical harm against, a person or a group of people on the basis of race or religious belief or activity.

Vilification can take many forms and may include hate-speech, graffiti, social media posts, offensive clothing or badges and distribution of propaganda.

Vilification will not be tolerated by Cygnett.

## Victimisation

A person must not victimise another person or subject them to any detriment for making a complaint under this policy or being involved as a support person or witness or planning to do so.

If a Workplace Participant feels they are being victimised this should be immediately raised with the relevant manager or contact at Cygnett.

## Vicarious Liability

Workplace Participants who engage in behaviours prohibited by this policy may be held personally liable for such conduct. Further, pursuant to State and Federal legislation Cygnett may be vicariously liable for conduct that breaches this policy.

Cygnett will not be vicariously liable if it can establish that it took all reasonable steps to prevent the Workplace Participant from engaging in conduct that breaches this policy, which includes the implementation of this policy.

## Reasonable adjustments

Under the *Disability Discrimination Act 1992* (Cth), a person who has a disability may request reasonable adjustments to accommodate the person's disability if they are eligible to make such a request in accordance with that legislation.

Where a reasonable adjustment is requested by an eligible person, Cygnett will consider whether it is able to make reasonable adjustments and will make those adjustments unless it determines that making the adjustments would cause unjustifiable hardship to the business.



In some cases, discrimination on the basis of disability will not be unlawful, if:

- the adjustments requested are not reasonable, or
- the person with the disability could not perform the inherent requirements of the job even if the adjustments were made.

## Pregnancy at Work

### Advising of pregnancy

Cygnett encourages employees to inform their manager of their pregnancy if and when they are comfortable to do so, but are advised that they must comply with the minimum notice periods set out in the Fair Work Act in respect of any entitlement to take unpaid parental leave or other related forms of leave.

See the Parental leave policy on page 48 and the relevant legislation, in relation to requirements for taking unpaid parental leave, including notice periods.

### Transfer to a safe job and no safe job leave

The below policy briefly summarises certain entitlements under the Fair Work Act but does not vary those entitlements or reproduce the relevant sections of the Act in full. This policy is to be read in conjunction with the relevant sections of the Fair Work Act.

Where an eligible pregnant employee provides evidence that would satisfy a reasonable person that the employee is fit for work but that it is not advisable for the employee to continue in their present position during a stated period because of:

- illness, or risks, arising out of the employee's pregnancy; or
- hazards connected with the employee's position,

then the employee will be transferred to an appropriate safe job if one is available. If there is no appropriate safe job available then the employee may be entitled to paid no safe job leave, or unpaid no safe job leave.

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

The employee needs to provide Cygnett with reasonable evidence that she is fit for work, but it would be inadvisable to continue in the employee's present position. Cygnett may insist on a medical certificate and may request such further information as is necessary to satisfy the evidence requirement.

'No safe job' leave is not personal leave – it is a separate type of leave.

Paid no safe job leave will be paid at the employee's full rate of pay for the position the employee was in before the transfer, for the ordinary hours that the employee works during the relevant period.

An employee who is pregnant and who is not entitled to unpaid parental leave, and with respect to whom no appropriate safe job is available, will be entitled to unpaid no safe job leave. This entitlement is subject to the employee providing evidence to the employer on request that would satisfy a reasonable person of the pregnancy.

## Working until the birth

A pregnant employee may work until the expected date of birth of her child, subject to the employee remaining fit for work during this period. If a pregnant employee wishes to continue working in the last six weeks of the pregnancy, the employer may request that the employee provides a medical certificate within seven days containing the following statements (as applicable):

- a statement of whether the employee is fit for work;
- if the employee is fit for work – a statement of whether it is inadvisable for the employee to continue in their present position during a stated period because of:
  - illness, or risks, arising out of the employee's pregnancy; or
  - hazards connected with the position.

Cygnett may require such an employee to take unpaid parental leave as soon as practicable in certain circumstances in accordance with section 73 of the Fair Work Act, including (but not limited to) if:

- the employee does not give Cygnett the requested certificate within 7 days after the request; or
- within 7 days after the request the employee provides a medical certificate stating that the employee is not fit for work.

## Return to work after parental leave

Towards the end of an employee's period of unpaid parental leave, the employee is required to contact their manager in relation to their intention to return to work at the previously agreed date to make arrangements.

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

An employee who is entitled to unpaid parental leave under the Fair Work Act is entitled to return to the job they held prior to going on leave, including any promotion, at the end of the period of 12 months of unpaid parental leave. If that position no longer exists, the employee will be entitled to return to an available position that is nearest in status and remuneration to the position they held prior to going on leave.

## Breastfeeding and expressing at work

Cygnett aims to understand and support mothers in the workplace, including accommodating breastfeeding where possible.

Employees should discuss their needs with their manager and Cygnett will endeavour to make a private space available for breastfeeding/expressing or another suitable arrangement as agreed.

## Flexible Working Arrangements Policy

Under the Fair Work Act, certain eligible employees may request flexible working arrangements based on attributes including:

- parental status or responsibility for the care of a child who is of school age or younger;
- carer's status;
- disability;
- if the employee is 55 years or older;
- if the employee is experiencing violence from a member of the employee's family; or
- if the employee provides care or support to a member of their immediate family or household who requires care or support because the member is experiencing violence from the member's family.

If an employee who is entitled to make a request for flexible working arrangements under the relevant legislation wishes to do so, the employee must set out their request in writing and set out the details of the change sought and the reasons for the change.

- Cygnett will consider requests for flexible working arrangements in line with its obligations under applicable legislation.

Cygnett will provide a written response granting or refusing the request within 21 days and will only refuse such requests on reasonable business grounds. If a request is refused, Cygnett's reasons will be detailed in the written response.

## Options for flexible work practices

Some of the flexible work options which may be considered by Cygnett include:

- permanent, part-time work
- graduated return to work (for employees returning from parental leave), e.g. the employee returns part time and then builds up to full-time work
- flexible start and finish times for staff to accommodate childcare and school pick-up requirements
- flexible rostering
- job-sharing - where two or more employees share one full-time position, each working on a part-time basis

- work from home arrangements
- purchased leave (48/52 leave) – where employees take an additional four weeks leave per year by adjusting their salary to 48 weeks paid over the full 52 weeks
- compressed hours – where the employee works additional daily hours to provide for a shorter working week or fortnight

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

Employees who are entitled to flexible work arrangements will be treated no less favourably than any other employee. Flexible working is not a barrier to promotion or manager responsibilities.

## Mental Health and Wellbeing Policy

### About this policy

#### Purpose

The purpose of this policy is for Cygnett to protect, support and promote the mental health and wellbeing of all staff through workplace practices, and encourage staff to take responsibility for their own mental health and wellbeing.

Cygnett is committed to promoting positive mental health and wellbeing and believes that the mental health and wellbeing of our staff is key to organisational success and sustainability.

#### Scope

This policy applies to all employees of Cygnet including contractors, casual and volunteer team members (where applicable).

#### Goals

Cygnett aims

- To build and promote a workplace environment and culture that supports mental health and wellbeing and prevents discrimination (including bullying and harassment)
- To increase team member knowledge and awareness of mental health and wellbeing issues and behaviour
- To encourage team members to talk openly about mental health and reduce stigma around depression, anxiety and suicide
- To support team members with a mental health condition regardless of cause
- To actively identify, assess and minimise risks related to mental health and wellbeing
- To promote positive mental health and wellbeing

- To facilitate and encourage employees' access and active participation in a range of initiatives that support mental health and wellbeing.

## Responsibilities

Both employers and employees have a role to play in building a safe and healthy environment and culture. All employees are encouraged to:

- review/read this policy and seek clarification from management where required
- consider this policy while completing work-related duties and at any time while representing Cygnett
- support colleagues in their awareness of this policy
- support and contribute to Cygnett aim of providing a mentally healthy and supportive environment for all team members.

All team members have a responsibility to:

- take reasonable care of their own mental health and wellbeing, including physical health
- take reasonable care that their actions do not affect the health and safety of other people in the workplace.

Managers have a responsibility to:

- ensure that all workers are made aware of this policy
- actively support and contribute to the implementation of this policy, including its goals
- manage the implementation and review of this policy.

## Communication

Cygnett will ensure that:

- all employees receive a copy of this policy during the induction/onboarding process
- this policy is easily accessible by all members of the organisation
- employees are informed when an activity aligns with this policy
- employees are empowered to actively contribute and provide feedback to this policy
- employees are notified of all changes to this policy.

## Monitoring and review

Cygnett will review this policy twelve (12) months after implementation and annually thereafter.

- Effectiveness of the policy will be assessed through:
- feedback from team members and management
- review of the policy by management to determine if objectives have been met and to identify barriers and enablers to ongoing policy implementation.

## Psychological Safety Policy

Cygnett recognises that a mentally healthy workplace is a key driver for organisational success and sustainability.

Cygnett is committed to:

- Eliminating or minimising risks to psychological health with integrated systems, policies and processes that are monitored regularly.
- Building and maintaining a positive and supportive environment and culture that protects from psychological injury.
- Increasing team members' knowledge, skills, and capabilities to be resilient and thrive at work
- Reducing stigma and discrimination in the workplace.
- Facilitating team member's participation in a range of initiatives that contribute to a mentally healthy workplace.

All team members are encouraged to:

- Understand this policy and seek clarification from management where required.
- Identify and report on hazards and factors that may impact on team members' psychological health and safety .
- Consider this policy while completing work-related duties and at any time while representing Cygnett.
- Support fellow team members in their awareness of this policy.

Support and contribute to Cygnett's aim of providing a mentally healthy workplace for all team members.

# Leave Policy

## General leave policy

Unless specified otherwise, employees referred to in this policy mean permanent full-time or part-time employees.

Employees may be entitled to different types leave depending on the type of employment, in accordance with relevant legislation and, where applicable, a relevant modern award. This policy provides an overview only, and employees should refer to their employment contracts and to the relevant legislation with respect to their leave entitlements.

All planned annual leave must be mutually agreed and take into account workloads and the employee's needs. Leave must be approved in advance, except when the employee cannot anticipate the absence such as in the case of personal leave. Any documents regarding leave will be kept on the employee's personnel file.

## Annual leave policy

Under the Fair Work Act permanent full time employees who are not shift workers are entitled to 4 weeks' annual leave for each year of service (pro-rata for part-time). Absence on paid annual leave counts towards continuous service (used when calculating long service leave). Applications for annual leave need to be lodged 12 weeks in advance where it is reasonably practicable to do so.

Cygnett may direct employees to take accrued annual leave during business close down periods. If insufficient leave is accrued, such an employee may be required to take unpaid leave during a period of close down.

In some circumstances, annual leave in advance of what may be approved. This is conditional on the employee entering into a written agreement consenting to Cygnett deducting the cost of the leave in advance in the event of termination.

## Personal (sick) leave policy

A full-time permanent employee (excluding casuals) will be entitled to 10 days of personal/carer's leave for each year of service which can be utilised where an employee is not fit for work because of a personal illness or injury affecting the employee, or to provide care and support to a member of the employee's immediate family or a member of the employee's household who requires care or support because of a personal illness or injury or because of an unexpected emergency. Paid personal leave accrues progressively and is cumulative. Accrued but unused personal leave is not paid out at the end of your employment with Cygnett.

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

Employees including casual employees are entitled to take up to two days of unpaid carer's leave for each occasion of family or household member illness or unexpected emergency. An employee cannot take unpaid carer's leave if they could instead take paid carer's leave.

Employees should ensure that a personal/carer's leave request is submitted into XERO as soon as practical, preferably on the day of leave being taken.

## Compassionate leave policy

Compassionate leave is leave that can be taken by an employee if a member of the employee's immediate family or a member of the employee's household, contracts a personal illness or sustains a personal injury, that poses a serious threat to his/her life, or after the death of a family member/member of the employee's household. Compassionate leave can also be accessed where a child is stillborn who would have been a member of the employee's immediate family or household, or when an employee or their spouse or de facto partner has a miscarriage.

Permanent employees are entitled to two days paid compassionate leave for each relevant occasion. Additional unpaid leave may be granted at management discretion.

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

## Long service leave policy

Employees are entitled to long service leave pursuant to relevant legislation.

## Parental Leave Policy

### Unpaid parental leave

Employees (including a de facto or same sex partner, or single person) who are expecting a child or adopting a child under 16 years of age (subject to other requirements in the Fair Work Act) will be eligible for 52 weeks of unpaid parental leave if they are:

- a permanent full-time or part-time employee who has completed at least 12 months' continuous service immediately prior to the expected date of birth or adoption placement; or
- a regular casual employee who has been employed on that basis for a sequence of periods of employment during a period of at least 12 months and who but for the birth or placement of the child, would have a reasonable expectation of continuing employment with Cygnett on a regular and systematic basis.

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

If an employee has applied for less than 12 months unpaid parental leave, they can extend the period of leave once to take the total leave up to a maximum of 12 months. The employee must give at least four weeks' notice prior to the end date of the original leave period. A period of unpaid parental leave may be reduced by agreement between Cygnett and the employee.

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



Cygnett will respond in writing to such a request within 21 days and may refuse only on reasonable business grounds. The written response will include details of the reasons for refusal if the request is refused.

### Parental Leave types:

Under the Fair Work Act eligible employees may be able to access:

- unpaid parental leave
- concurrent leave
- unpaid special maternity leave

### Parental Leave

If you are the primary caregiver of the child and you meet the other eligibility requirements in the Fair Work Act, you can access up to 52 weeks of Parental Leave. Parental leave is unpaid except in the instances where an employee is eligible for government parental leave pay in line with relevant legislation.

An eligible employee who experiences a stillbirth may be entitled to unpaid parental leave, subject to the requirements in the Fair Work Act.

### Concurrent Leave

Both members of an employee couple may take unpaid parental leave at the same time (concurrent leave) for a maximum period of 8 weeks. This leave must be taken within 12 months of the birth or adoption of a child. The concurrent leave may be taken in separate periods. Each period must be no shorter than 2 weeks unless Cygnett agrees otherwise.

### Unpaid Special Maternity Leave

Unpaid special maternity leave is available to eligible pregnant employees if the employee is not fit for work due to a pregnancy related illness or because the employee has been pregnant and the pregnancy ends after a period of gestation of at least 12 weeks, otherwise than by the birth of a living child. An eligible employee should give notice of the taking of unpaid special maternity leave to their manager as soon as is practically possible.

### Parental leave for partners

Generally, only the parent with responsibility for the care and welfare of the child is entitled to take unpaid parental leave. However, a period or periods of concurrent leave may be available in accordance with the Fair Work Act.

### Applying for leave

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

Leave dates or any changes of dates must be confirmed at least four weeks before the leave starts where practicable.

### Adoption

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

### Other Paid leave

#### Annual leave

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

#### Time off for antenatal appointments, adoption interviews or examinations

Personal leave may be available for attendance at medical appointments. Appointment times and the availability of leave should be discussed with the manager.

An employee may take up to two days unpaid pre-adoption leave. Employees must provide notice of the leave including expected leave period as soon as practicable (which may be after the leave has started).

If an employee requires more than two days pre-adoption leave, they should discuss their requirements with their manager.

#### Leave for pregnancy related illness

If an employee is ill during her pregnancy, the employee may access accrued personal leave entitlements.

In some cases employees may be eligible for unpaid 'special maternity leave', as set out elsewhere in this Manual.

Cygnett respects that some employees do not want to be contacted while on parental leave, and others do. The manager should discuss with the employee what sort of communication the employee would like while on leave and record this agreement.

While an employee is on unpaid parental leave, Cygnett will ensure that the employee is considered and kept informed of significant changes that may occur in the business.

Where a decision will have a significant effect on the status, pay or location of the pre-parental leave position, the Cygnett will take all reasonable steps to inform the employee and discuss the effect of the decision.

An employee can resign while on parental leave, but they must give the required notice of resignation as set out in their employment contract.

Employees should not undertake any activity during leave which is inconsistent with the employment contract, including other employment.

The employee's position may be filled on a temporary basis while they are on leave. Cygnett will notify the replacement employee that their employment in this role is temporary and is intended to cover the absence of the employee on parental leave.

## Time in lieu policy

Cygnett may grant time in lieu to an employee who is required to work outside their normal hours, subject to the terms and conditions of the relevant employee's employment contract and any applicable modern award. Time worked towards time in lieu must be approved in advance unless exceptional circumstances exist, in which case management will consider granting approval after the time is worked. A manager must approve time-in-lieu leave. Subject to applicable legislation and/or any applicable modern award, an employee cannot accrue more than 15.2 hours of time in lieu.

## Leave without pay policy

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

## Community service leave

Under the Fair Work Act an employee will be entitled to be absent from their employment to engage in an eligible community service activity (such as jury service or a voluntary emergency management activity) for a period, subject to legislative requirements. Employees are required to give Cygnett notice as soon as practicable of such absence and to advise of the period or expected period of such absence. Employees are required to provide Cygnett with evidence that would satisfy a reasonable person that the absence is because the employee will be engaging in an eligible community service activity.

# Performance Management Policy

## Policy

The purpose of performance appraisals and reviews is to provide employees with feedback on their performance. It is an ongoing process. Performance appraisal may include informal and formal review.

All employees will undergo a formal performance review with their immediate managers at least annually.

## Suggested procedure

1. The manager and the employee should agree on the date for a performance appraisal meeting to allow time to prepare.
2. The manager and employee will meet and openly and constructively discuss performance over the period.
3. The manager and the employee will discuss any objectives and outcomes for the next appraisal period.
4. Training and development may be considered as part of the process.
5. Notes should be taken of the meeting by the manager and copies kept.

# Performance Improvement Policy

## Policy

Where warranted Cygnett will use performance management and improvement processes to address performance issues and/or underperformance with employees. Failure to improve performance over a reasonable period may result in disciplinary action up to and including termination of employment.

If an employee does not meet Cygnett's required standards of performance, Cygnett will take appropriate action, such as training or formal performance management.

If an employee deliberately breaches business policy or procedure, or engages in misconduct or serious misconduct this will be a disciplinary matter and will be dealt with as such. Outcomes in relation to disciplinary issues may include termination of employment.

## Recommended procedure

This is a guide only and is not binding on Cygnett:

1. Cygnett will advise an employee of any performance issues and discuss these with the employee.
2. The employee's manager will consider any matters raised by the employee and decide whether formal performance improvement action needs to be taken. Cygnett will consider what support may be appropriate.
3. The manager will advise the employee in clear terms what the performance issues are and what improvements are required to reach the expected standard of performance.
4. Where a formal performance improvement plan is implemented, the manager responsible for overseeing the plan will regularly check in with the employee and will hold regular meetings to discuss the employee's performance against the objectives of the plan.
5. If the employee's performance does not improve over a reasonable period of time, this may result in disciplinary action which may include a warning or termination of employment.

# Grievances and Complaints Policy

## Policy

Cygnett supports employees to lodge a grievance if they are concerned about a matter affecting their employment or affecting the workplace including but not limited to a breach of policy. Contractors and sub-contractors may also, subject to the terms and conditions of their engagement with Cygnett, lodge a grievance with Cygnett in relation to a policy in this Handbook that expressly covers contractors or sub-contractors.

This policy should be read in conjunction with Cygnett's policies relating to investigations. Complaints in relation to alleged breaches of Cygnett's equal opportunity, bullying, discrimination and harassment policies are some of the types of complaints that can be dealt with under this policy.

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

Managers will seek to investigate and address grievances appropriately, objectively, discreetly and promptly. Employees should be aware that grievances or complaints that are found to be vexatious, may result in disciplinary action being taken against the employee lodging the grievance.

## Procedure

1. Where possible, employees are encouraged to try to resolve the grievance as close to the source as possible – for example by addressing the issue with the person whose behaviour is unwelcome or of concern, if the employee feels comfortable to do so. This can be informal and verbal. Where appropriate, Cygnett encourages all reasonable efforts to resolve a grievance without a formal grievance process. However, Cygnett acknowledges that this will not be appropriate in every instance.
2. Where an employee does not feel comfortable to address the behaviour with the person responsible, but does not want to lodge a formal grievance, the employee should speak to their manager or another manager to seek support and assistance.
3. To submit a formal grievance a complainant should submit their grievance in writing to the HR Manager, with appropriate detail including dates and locations wherever possible and any actions they have already taken to try to resolve the grievance.
4. Cygnett will determine whether an investigation is required in relation to the grievance or complaint.
5. The person(s) about whom the grievance/complaint should be given appropriate details of the allegation(s) against them in order to enable them to properly respond. They should have the opportunity and a reasonable time to respond before the process continues.
6. Cygnett will determine what the appropriate process is to resolve the grievance or complaint, which may differ depending on the circumstances.

Employee complaints will be treated as confidential as far as possible. However please be aware that in order to investigate complaints it may be necessary to disclose the details to relevant managers and to put allegations to the person whose behaviour is the subject of a complaint.

## Process

Where a manager receives a complaint or becomes aware of conduct that may contravene a policy (including but not limited to Cygnett's policies in relation to discrimination, bullying and harassment), the manager may if appropriate:

1. Request further details from the complainant, including what happened, step by step.
2. Take notes, using the complainant's own words.
3. Check with the complainant that the manager's understanding and record of the conversation is accurate.

Any or all of the above steps may alternatively form part of an investigation process.

When a manager receives a complaint or becomes aware of an incident that may contravene a policy, the manager will determine whether they are the appropriate person to handle the process. The manager is encouraged to seek advice regarding the handling of the complaint (including whether they are the appropriate person to do so) from the HR Manager.

In certain circumstances where the subject matter of the complaint raises issues of serious misconduct (e.g. sexual harassment, criminal activity or suspected fraud) the complaint may be escalated directly to the HR Manager.

Cygnett will seek to address all grievances in a discreet and confidential manner (to the extent possible), respecting the privacy of any persons involved. Anonymity cannot be assured and complainants must understand that in order to afford natural justice and procedural fairness to all parties, the person about whom the grievance is raised, must be provided with sufficient specifics pertaining to a grievance, in order to be provided with the adequate opportunity to respond. All participants in any investigation will be directed to keep the matter confidential.

Breaching confidentiality or inappropriately disclosing personal information obtained in a professional role (for example, as a manager) is a serious breach of this policy. A contravention of this policy may result in disciplinary action up to and including termination of employment or engagement (as relevant).

### Procedure: To investigate a complaint

Cygnett will investigate complaints and alleged or suspected breaches of policy where it considers that an investigation is necessary. There is no requirement that Cygnett needs to receive a formal complaint in order to initiate an investigation.

An investigation may be conducted internally by an appropriate manager or managers, or externally by an external investigator. The investigator appointed will not be the decision maker in relation to any disciplinary outcome flowing from the findings of the investigation.

Participants in an investigation will be advised of the process by the investigator.

In general, investigations will be guided by the following principles:

- investigations will be conducted confidentially (to the extent possible) and in a timely manner;
- the complainant will be asked to provide detail of the complaint, ideally in writing, including who, what, when and where;
- the person(s) about whom the complaint relates will be given full details of the complaint/allegations as it relates to them, and the opportunity to respond;

- the investigator will interview relevant witnesses (if any);
- where required by the circumstances, interim adjustments may be made pending the outcome of the investigation – for example, requiring the parties not to attend work or that the parties are not required to work together.

All parties are required to conduct themselves professionally and respectfully. Victimisation will not be tolerated.

Once the investigation has concluded, findings will be made based on the information available to the investigator and in accordance with natural justice and procedural fairness.

The findings of the investigation will be communicated to the decision maker, who will decide on appropriate outcomes. All parties will be advised of the outcome and any outcomes will be implemented as applicable.

Where a complaint is withdrawn by a team member, Cygnett may nonetheless continue to investigate the complaint if it deems this necessary.

Where issues impacting health and safety are brought to Cygnett's attention, Cygnett may be compelled to take appropriate action regardless of whether the complainant wishes it to do so, in order to comply with its obligations under applicable occupational health and safety law.

## Possible outcomes

Where an investigation is deemed necessary, outcomes will only be decided after the investigation process has concluded and findings (if any) have been made.

Options to resolve a complaint, or the outcome of an investigation, may include the following depending on the subject matter of the complaint and the findings of the investigation:

- no further action required;
- performance coaching, counselling or training;
- mediation or another workplace conflict resolution process;
- disciplinary action, such as a warning; and/or
- termination of employment or engagement (as relevant).

Where Cygnett determines that there has been a contravention of Cygnett's policies, this may result in disciplinary action up to and including termination of employment or engagement (as relevant).

# Conflict of Interest Policy

## Policy

Conflict of interest arises whenever the personal, professional or business interests of an employee are in actual or potential conflict with the best interests of Cygnett.

All employees are required to act in good faith towards Cygnett. Employees need to be aware of the potential for a conflict of interest to arise and should always act in the best interests of Cygnett and advise Cygnett as soon as reasonably practicable after the employee becomes aware of an actual or potential conflict of interest.

Except where expressly authorised by Cygnett, employees should aim to avoid situations where there may be an actual or perceived conflict between the interests of Cygnett and their own personal or professional interests, or those of relatives or friends. Where such a conflict occurs (or is perceived to occur), the interests of Cygnett will be balanced against the interests of the staff member and, unless exceptional circumstances exist, resolved in favour of Cygnett.

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

## Procedure

Employees must:

- declare any potential, actual or perceived conflicts of interest that exist on becoming employed by Cygnett to management, and must continuously disclose such actual or potential conflicts as and when they arise during employment.
- declare any potential, actual or perceived conflicts of interest that arise or are likely to arise during employment by Cygnett to management
- avoid being placed in a situation where there is potential, actual or perceived conflict of interest if at all possible

Where an employee discloses such an interest, Cygnett will review the potential areas of conflict with the employee and will discuss with the employee any appropriate and reasonable practical arrangements to resolve the conflict.

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

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

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



Failure to declare a potential, actual or perceived conflict of interest or to take remedial action agreed with Cygnett, in a timely manner, may result in disciplinary action being taken up to and including dismissal.

## Intellectual Property & Security Policy

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

Subject to the specific terms and conditions of engagement between Cygnett and any contractor or sub-contractor, all intellectual property developed by contractors and sub-contractors during their engagement by Cygnett, will remain the property of Cygnett.

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

Employees must not:

- disclose or use any part of any confidential information outside of the performance of their duties and in the interests of Cygnett; or
- authorise or be involved in the improper use or disclosure of confidential information.
- during or after their employment without the Employer's written consent, other than as required by law.

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

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

## Environmental Best Practice Policy

### Policy

Cygnett will comply with all local, state, and federal laws and regulations in relation to:

- disposing of hazardous waste (including EPA's list of prescribed industrial waste), trade waste (i.e. waste added to the sewer) and wastewater
- safe handling, storage and transport of hazardous waste and dangerous goods

- noise
- land use
- air pollution and carbon emissions

## Procedure

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

## General

- investigate ways to reduce consumption or recycle waste
- publish monthly energy and water use on the staff notice board including savings made, and report on greenhouse gas emissions
- give preference to maintenance and other contractors using green products

## Energy

- where possible, buy electrical and lighting systems rated as energy efficient
- where possible, use accredited GreenPower, either in part or whole

## Water

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

## Cygnett - Policies and Declaration

You must read all the policies contained in this document and listed below. Company policies are lawful and reasonable directions issued by the Company and therefore must be read and understood to ensure you are fully aware of your responsibilities as an employee of Cygnett. Company policies do not form part of your employment contract, and do not create binding obligations on the Company.

Please read each of the policies listed below and tick to confirm that you have read and understood the policies and are aware of the responsibilities you have whilst employed by Cygnett.

- ☐ 1. Whistle-blower Policy
- ☐ 2. Travel Policy
- ☐ 3. Privacy Policy
- ☐ 4. Business Environment Policy
- ☐ 5. Code of Conduct Policy
- ☐ 6. Dress Code Policy
- ☐ 7. IT, Internet, Email, and Social Media Policy
- ☐ 8. Induction Policy
- ☐ 9. Occupational Health & Safety Policy
- ☐ 10. Manual Handling Policy
- ☐ 11. Injury Management Policy
- ☐ 12. Smoking, Vaping, Alcohol and Drugs Policy's
- ☐ 13. EEO and Anti-Bullying Policy
- ☐ 14. Pregnancy at Work Policy
- ☐ 15. Flexible Work Arrangements Policy
- ☐ 16. Mental Health and Wellbeing Policy
- ☐ 17. Psychological Safety Policy
- ☐ 18. Leave Policy
- ☐ 19. Performance Management Policy
- ☐ 20. Performance Improvement Policy
- ☐ 21. Grievance and Complaint Policy
- ☐ 22. Conflict of interest Policy
- ☐ 23. Intellectual Property & Security Policy
- ☐ 24. Environmental Best Practice Policy

## Employee Declaration:

I have read and understand the contents of this manual along with the above policies and I agree to the terms of conditions of these documents.

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_