



# Employee Policy Manual

## Employee Policy Manual

This Manual has been prepared for the benefit of all employees to understand the key employment related policies and procedures of Mason Bros Vegetable Farms (Mason Bros).

All employees are required to comply with Company policies and procedures at all times.

While Mason Bros Group will introduce employees and workers to this manual and referred documents, employees and workers are also responsible to review and understand this document, all its contents and referred documents.

If you have questions concerning any of the Company's policies and procedures, or your rights and responsibilities as defined by them, please feel free to discuss them with Company Management.

This manual is intended for employees and workers to keep as a reference.

Please sign your acknowledgement below signifying that the company has introduced and provided you with the Employee Policy Manual.

I, \_\_\_\_\_ (the Employee / Worker) have read and understood the Employee Policy Manual which includes Mason Bros procedures, guidelines, policies and any other company referenced documents. I acknowledge that if I do not comply with the procedures or policies and referred documents contained in this manual, I may be subjected to counselling or disciplinary action up to and including dismissal. However, nothing in these documents gives rise to a legal right or benefit enforceable by me.

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

\_\_\_\_\_  
Date:

## POLICY LIST

The table below is a list of Mason Bros Company policies (The Policy list shown in green are policy summaries contained in this Employee Manual i.e. employment related policies. The Policy list shown in Blue are additional operational policies & the details of these policies are contained in a separate operations policy manual). This Employee Manual is provided to the employee at commencement of employment or when policies are updated or introduced from time to time. Once the Employee has reviewed this manual please initial the list below signifying your understanding and compliance with each policy.

<b>Employee Initial</b>	<b>General Employment Policies</b>
	Code of Conduct
	Confidentiality Agreement
	Disciplinary & Performance Management Policy & Procedure
	Disclosure of Injury & Disease Policy
	Driveway Policy & Procedure
	Drug & Alcohol Policy
	EEO Complaints Resolutions Policy
	EEO Discrimination Harassment & Bullying Policy
	Expense Reimbursement & Training Policy
	Family & Domestic Violence Policy
	Fit for Work Policy
	Grievance and Complaints Policy
	IT & Computer Policy
	Leave Policy (All)
	Long Service Leave Policy
	Minimising Work Disruption Policy
	Personal Hygiene Policy
	Personal Leave Policy
	Portable Media Device Policy
	Public Holiday Policy
	Site Map - Entry & Exit Procedure
	Social Media & Phone Use Policy
	Termination of Employment Policy
	Time keeping & Work Breaks Policy
	Vehicle & Farm Machinery Policy
	Work Breaks
<b>Employee Initial</b>	<b>Operational Policies</b>
	Broccoli & Baby Fennel Harvesting Policy
	Broccoli Packing Line Procedure (OHS)
	Carton Shed Management Policy
	Chemical Management Policy
	Chlorine Safe Handling Policy
	Farm & Equipment Procedure (OHS)
	Forklift Operation Policy & Procedure (OHS)
	Lettuce & Fennel Harvest Procedure (OHS)
	Packing Shed Procedure - Induction
	Planting Procedure - Induction
	Risk Management Policy
	Troop Carrier Policy
	Visitor Safety Rules & Induction



## WELCOME FROM THE MANAGING DIRECTOR

Firstly I would like to welcome you to the Mason Bros team and congratulate you on your appointment.

Starting any new job involves a period of learning and familiarization, so we have prepared this guide to help you understand how we operate and the company rules.

This guide doesn't cover everything you need to know, but it does answer some of the key questions you may have about our policies and procedures that may be relevant to your employment with us.

I trust you will enjoy working with Mason Bros and that your time with us will be rewarding.

Yours Sincerely

A handwritten signature in black ink that reads "Marco Mason".

Marco Mason  
Director

## GENERAL INTRODUCTION

Mason Bros Vegetable Farms is committed to ensure all new employees have a proper start to their employment. All new employees are required to attend an induction and complete all the required documentation and you will be introduced to our policies, procedures and safety information.

During your employment you will also be required to attend internal workshops from time to time, to ensure you are kept up to date with any changes to our policies, procedures & standards.

### Worker Induction

The Induction contains information and details to register your employment with us. As an employee/worker of Mason Bros, whether full time, part time or casual, it is your responsibility to provide us with correct information and to complete all forms accurately and honestly as required by the Company. Employee information will be retained confidentially by the Company Access to employee files will only be granted to Company authorised staff namely (the Company's Director, Payroll, and the company's Human Resources representative). Should you require access to your employee file, you may do so by providing the Company with 5 work days' notice.

## INTRODUCTION TO POLICIES & PROCEDURES

You are required to review and understand Company's Policies developed, modified or introduced to you from time to time during the course of your employment.

It is a requirement that all employees comply with all Company policies and procedures at all times. Employees who do not comply with all Company policies and procedures may be subjected to counselling, disciplinary action or dismissal.

## OUR PEOPLE

### Management

Marco Mason	Managing Director	03 9742 1681
Amo Mason	Director	0402 127 120
Romano Mason	Workshop Manager	0402 127 527
John Conte	Project Administration Manager/ Payroll	0423 780 413
Abi Eastwood	Recruitment / HR Coordinator	0432 845 847
Giovanni Todaro	Farm Manager	0423 401 485
Bharat Khunt	Nursery & Planting Manager	0403 493 060
Narinder Sarkaria	Distribution/Dispatch Manager	0430 027 786
Joe Magnolia	Maintenance Manager	0412 136 960

### Office Location / Contact

1 Mason Lane Werribee South VIC 3030

PH: 03 9742 1681

Fax: 03 9742 1116

Email: [admin@masonbros.com.au](mailto:admin@masonbros.com.au)

ABN: 52 050 047 977

## INDUSTRIAL AWARDS & AGREEMENTS

Mason Bros engages employees in accordance with the relevant modern award applicable to the position you are employed. Most staff across Mason Bros Group are employed under one of the following awards:

- Horticulture Award (Farm Workers including Farm Field, Distribution Centre & Farm Nursery)
- Manufacturing & Associated Industries & Occupations Award (Workshop & Maintenance workers)
- Clerks Private Sector Award (Administration workers)

Copies of these awards are held at the administration office or these awards can also be found at [www.fairwork.gov.au](http://www.fairwork.gov.au)

### Award or NES Related Disputes

In the event an employee has a dispute about their personal employment agreement or conditions in relation to the award or NES, in the first instance the employee should direct any concerns to Company Management where both parties will make a genuine attempt to resolve any such dispute or concerns. It is unacceptable for an employee to involve other employees in personal agreement disputes or concerns where this may cause disruption to other workers, the workplace operations and the business.

If such a dispute is unable to be resolved between the employer and employee, and all appropriate steps as per the above have been taken, an independent mediator maybe appointed to resolve matters. Failing this a party to the dispute may refer the dispute to the Fair Work Commission. The parties may agree on the process to be utilised by the Fair Work Commission including mediation, conciliation and consent arbitration.

## **CODE OF CONDUCT**

Mason Bros Group (the Company) Code of Conduct sets out the minimum standards for the behavior and conduct for all staff. Overall, the Code exists to promote professionalism and excellence so that all staff are motivated 'to do the right thing'. It also recognizes respect for all and where employees work in an environment which is safe, positive, productive, healthy and enjoyable. This Code is binding to all those that it applies to including all employees, casuals and contractors.

### **Unacceptable Conduct**

The Company expects its employees to always treat others with respect and courtesy. It is expected that all employees carry out their duties with honesty and integrity. The following are acts of conduct that the Company considers unacceptable. Any employee found engaging in the following will be subject to disciplinary action including reprimand, warning, suspension or dismissal:

### **Respect for the Law and Lawful Instructions**

Examples include but are not limited to:

- a) Not complying with this Professional Code of Conduct;
- b) Not complying with any laws relating to work undertaken by the Company;
- c) Not complying with the Company policies and procedures;
- d) Refusing or failing to carry out any reasonable and lawful instructions of a Supervisor or Company Management;
- e) Violating or causing others to violate health and safety regulations;
- f) Possessing firearms or weapons of any kind on company property;
- g) Committing a fraudulent act or the engagement in any unlawful activity;
- h) Not complying with road rules and driving regulations while driving company vehicles or machinery or while driving undertaking company work;
- i) Driving a Company vehicle or machinery on public roads without a license or while under the influence of alcohol or illicit drugs;
- j) Falsifying company records;
- k) Not complying with company safety guidelines and policy when using equipment, Machinery and tools;
- l) Coming to work under the influence of alcohol or any illegal drug, consuming or bringing personal alcoholic beverages or illegal drugs to work;
- m) Stealing, theft, pilfering of company material, equipment, produce
- n) Willful damage of company owned property or property of other employees;
- o) Uncooperative and disruptive attitude or behavior;
- p) Failing to wear protective uniforms and equipment where they are supplied or clothing conforming to standards set by the Company where not supplied.

### **Respect for Persons**

Examples include but are not limited to:

- a) Failing to treat employees and others with respect including using threatening, obscene, profane or aggressive abusive language or behaviour;
- b) Physical and/or verbal violence towards employees and others potentially causing mental &/or physical harm;
- c) Engaging in horseplay, initiations or disorderly conduct towards others;
- d) Deliberately undermining other employees
- e) Unlawful discrimination, harassment, sexual harassment or bullying of another employee or group of employees will not be tolerated;
- f) Victimising any individual or group of workers or employees who reports a breach of this Code of Conduct.

### **Work Integrity and Efficiency**

Examples include but are not limited to:

- a) Disclosing any confidential or official Company information;
- b) Disclosing your personal employment conditions and wages to other employees or attempt to elicit employment conditions and wages from other employees;
- c) Employed or engage with other organizations who undertake a similar business is seen as a Conflict of Interest;
- d) Failing to be punctual and regular work attendance without reasonable reason;

- e) Failure to be at the workplace, regularly ready to work at your contracted starting time;
- f) Taking unexcused absences from work;
- g) Failing to comply with correct notification and evidence process when late or absent from work;
- h) Smoking contrary to established policy;
- i) Laziness, ignoring work duties or wasting time during working hours;
- j) Failing to achieve expected consistent work and performance standards;
- k) Using hand-held electronic devices such as mobile phones, MP3 players, music headsets and handheld games during work;
- l) Any attempt of deceit or dishonesty;
- m) Using the Company equipment, property or consumables for private purposes without prior authorisation;
- n) Abusing personal leave entitlement is contrary to the conditions of your employment.
- o) Uncooperative attitude

### **Employment Suspension and Summary Dismissal**

It is fair for the Company to dismiss an employee without the procedure of warnings under certain serious circumstances. In all cases, the facts surrounding any incident will be obtained &/or investigated. The Company may, at its discretion suspend the employees employment when undertaking an investigation. The circumstances in which this may occur maybe for a serious or legal nature. Termination notice will not apply in the case of an instant (summary) dismissal. The Company may terminate your employment without notice if it is determined an employee has engaged in serious misconduct, including, but not limited to:

- a) a serious breach of any terms of your employment agreement;
- b) failure to comply with health and safety obligations conduct endangering others or that causes imminent or serious risk health and/or safety of a person or the reputation, viability or profitability of the Company's business;
- c) pilfering, theft, acts of fraud against the Company;
- d) being under the influence of alcohol or illegal drugs while performing work;
- e) breaching any EEO law or company EEO policy;
- f) refusing to carry out a lawful instruction;
- g) misappropriation of Company property or property of others;
- h) assault or other criminal behaviour impacting on the relationship between the Company and the employee;
- i) falsification of records.
- j) willful damage of company property including acts of gross negligence.

### **Setoff**

The Employee agrees that the Employer may deduct from any remuneration or termination payment to the Employee all monies owing to the Employer, including, but not limited to:

- a) compensation for any unreturned property belonging to the Company;
- b) debts owing to the Company on any account including an overpayment of salary or other benefits;
- c) compensation to the Company for any failure by the Employee to give the requisite notice off his or her intention to terminate the employment;
- d) any training or educational expenses paid by the Company for the Employee's benefit if that training or educational program was carried out in the 12 month period prior to the termination of the employment;
- e) traffic fines or tolls incurred using a Company vehicle.
- f) company property or any company owned items where the employee has through gross negligence or willfully damaging company property, in such cases the company will recoup damages from the employee.

### **Breach of Code of Conduct and Consequences**

If the employee violates the Company's Code of Conduct, this will result in disciplinary action taken against the employee and or termination of the employees' employment.

## QUALITY ASSURANCE

Mason Bros Vegetable Farms is committed to ensuring food safety quality standards are achieved throughout its business and maintains SQF Food Safety Code accreditation. Many of our customers require us to maintain Quality accreditation. The Company must participate in regular external audits and assessments by approved certification bodies demonstrating it meets the requirements of the Code. The Company will endeavour to enforce strict guidelines to ensure all employees follow the quality code.

It is the responsibility of all employees to apply the guidelines of the Quality Code as instructed by the Company. Employees will be introduced to these Quality practices during the course of their employment and workshops will be conducted from time to time. Employees who fail to comply with the Company's Quality practices and procedures will be personally counselled or may be subject to disciplinary action up to and including dismissal.

## PERSONAL HYGIENE

All workers involved in the production, harvesting, packing, storing, transporting of vegetable produce at Mason Bros. Vegetable Farms are to follow Personal Hygiene procedures to maintain product integrity at all levels. To prevent microbial contamination when handling fresh produce workers must wash your hands with soap and water and dry your hands on a single use disposable paper towel or use sanitisers where available:

- You must wash your hands after the following:
  - after using the toilet
  - after handling & eating food
  - after blowing your nose or using a tissue
  - after smoking
  - after handling waste / rubbish
  - after handling animals
- Use a nail brush to clean grime from under your finger nails.
- Not smoke, eat food, chew gum or spit in produce handling areas.
- Cuts and sores must be well covered with clean, waterproof dressing which is brightly coloured (so they are easily detected if they slip off) and changed frequently.
- Not wear jewellery - it harbours dirt and bacteria and pieces of jewellery may drop into the produce.
- Be aware of personal habits such as stroking your face, licking your fingers or picking your nose or ears.
- Always wear clean, washable protective clothing and appropriate footwear.
- If wearing gloves maintain them in a clean and sound condition.
- Place waste food and rubbish in the bins marked "waste".
- Do not sit on or place items on equipment and produce containers.
- If you are suffering from gastric illness, bad colds or infections, report the illness to management. Record all illnesses in the "Illness Register".
- You must wear hair nets and jackets or aprons while working in the packing line.
- Ensure you clean your clothes regularly and clean clothing is worn at all times.
- Perspiration and personal odours may result from physical work. To ensure appropriate hygiene practices are maintained particularly in area of fresh produce, workers must wear clean clothes and apply personal hygiene odour practices to limit the effects of personal odours. This is also required as a courtesy to your fellow workers.
- Allergens  
An Allergen is a reaction to a normally harmless substance. Food allergies are important to the food industry as they are becoming more common and is potentially life threatening. You must not mix other foods with fresh produce. Allergens of particular concern are:
  - (a) Cereals containing gluten and their products namely; wheat, rye, barley, oats
  - (b) Crustacea and their products
  - (c) Eggs and egg products
  - (d) Fish and fish products
  - (e) Peanuts and soybeans and their products
  - (f) Milk and milk products
  - (g) Tree nuts and sesame seeds and their products
  - (h) Added sulphites in concentrations of 10mg/kg or more

## **HOUSEKEEPING - COMPANY AMENITIES & FACILITIES**

Mason Bros provides facilities and amenities and a safe working environment, which aims to ensure the health, safety and productivity of all its employees and contractors. These amenities include toilets/washrooms, shelter, seating, kitchen facilities/lunch rooms, drinking water and personal storage. They also include work environment facilities such as workspace and work areas.

While the Company will maintain adequate amenities and safe work facilities, all employees are responsible to ensure good housekeeping of all amenities and work space. Take care by storing equipment in its proper place. Dispose of refuse appropriately, keep the kitchen, washrooms/toilet and storage areas clean and observe the simple rules of tidiness, ensuring you clean as you go.

Any employee or worker found carelessly or deliberately tardy will be personally counselled which can lead to disciplinary action.

## **ENVIRONMENTAL RESPONSIBILITIES**

Legislative requirements, both State and Federal, impose heavy fines and penalties for businesses not complying with environmental practices; it is the responsibility of all staff to be familiar with these requirements.

The Environmental standards to be followed include:

- Plant and equipment noise
- Discharging of dust, smoke and fumes
- No Dumping of waste into any water course, channels, dams, drains or storm water drainage
- Correct disposal of waste materials into appropriately identified containers and areas
- Obeying all signage relating to pollution
- Washing vehicles/machines in approved allocated wash areas
- Immediate actions to be taken in the case of a spillage of any dangerous material
- Comply with reporting procedures

## **WORK TRIALS**

Prior to the Company offering Casual or permanent employment the Company may offer a prospective worker a work trial. Work trials are paid employment and in accordance with the award.

During trial periods the Company will give careful consideration to your work and attitude, your ability and your future value to the Company. You also have the opportunity during this time to consider whether or not this is the Company you wish to work for and whether the position is right for you. All trials are evaluated prior to the end of a trial period or earlier. It must be understood however that you may be dismissed during the trial period for any reason and that continued employment beyond the trial period is not a guarantee for future employment.

A trial period is typically a minimum of 2 weeks up to 4 weeks or in case the company extends a trial at its discretion, this will not exceed 12 weeks. There are no notice obligations by either party during trials.

## **PROBATION**

All new full-time or part-time employees typically complete a probationary period of six months at the commencement of their employment or a period otherwise stipulated in your employment agreement.

During this period Mason Bros will assess your capacity to fulfil the inherent duties of your position to the standard required by us. Mason Bros will also assess your performance, attitude, behaviour and conduct and cultural fit. The company has full discretion in determining your continued employment or terminating the employment at any time during probation for any reason.

During your probationary period, the company has discretion to undertake Probation Performance Reviews. Usually a Performance Review may be conducted prior to the end of the probation to assess whether you have been successfully or not.



Probation Performance Reviews help to:

- ensure you have been given adequate induction information & are familiar with key aspects of Mason Bros
- encourage you to critically appraise your own work and performance,
- give you constructive feedback on your work and performance and identify issues that may be impacting on your ability to perform your job
- clarify your duties (position description)
- determine any development needs
- determine behavioural and cultural alignment with the company
- set performance expectations, standards, conduct or goals
- Address any behavioural, conduct or performance concerns; and
- give both you and Mason Bros the opportunity to review your suitability for the position, and if employment should be continued.

## **WORK ATTENDANCE**

### **Attendance and Punctuality**

Regular on time attendance at work of all employees is critical to the effective functioning of the business. All employees are expected to make every effort to be **ON TIME** (on your scheduled start time) and be in attendance for work every day.

### **Late to Work**

It is essential that you are ready to commence work at your normal scheduled commencement time as other employees and the business depend upon you and your contribution.

If you expect to arrive late to work you must personally contact your supervisor by telephone call as soon as practicable i.e. (preferably within the hour before your scheduled starting time wherever possible) and provide reason for your lateness. If you cannot contact your supervisor then you must contact the office. You must keep your Supervisor informed of your expected arrival or if your absence extends beyond one single day. If this is the case you may be requested by the Company to provide a medical certificate or statutory declaration.

### **Leaving Work Early**

If you need to leave earlier than your scheduled finish time, you must inform / obtain approval from your immediate Manager / Supervisor. It is unacceptable to leave the work place early without the approval of your Manager / Supervisor.

### **Ordinary Hours of Work**

Your ordinary hours of work and times are stipulated in your employment contract. Your supervisor will work with you to establish your daily hours of work and break times. The Company adopts a common sense approach to managing work hours.

Due to the nature of the horticulture/farming business, it is necessary for field, distribution centre farm workers and Nursery workers to perform work on Weekends. Work on Saturdays are regular and included as an ordinary day of the week.

Ordinary hours will generally be worked between the hours of 5.00 am and 5.00 pm. Work performed during these hours may vary through seasons.

### **Additional Work Hours**

Additional work hours are inherent to the nature of this industry & business and employees are expected to work reasonable additional hours (RAH). RAH is work which is performed at the direction of a Supervisor or Management and which is in excess of your contracted hours of work. Generally, ordinary hours of work are 38 hours per week for full time employees. Unless otherwise stipulated in your employment contract it is agreed with the majority of workers that additional work hours are calculated at the standard rate of pay (absorbed rate) for RAH worked. Employee's standard rates of pay are typically paid above the minimum award rate for each classification. If at any time you cannot work RAH, you must notify your Supervisor or Company Management as soon as practicable providing reason.

## TIME CLOCKS

Each morning and afternoon you must clock on & off using the clocking machine. Clocking on should be made at your normal start time in accordance with your employment agreement or as otherwise authorised by your supervisor/manager. Unauthorized clock on times (i.e. earlier than you authorised start time) will not be accepted.

Employees must not make any manual entries or tamper with clock cards whatsoever. The company will not accepted any manual entries on clock cards made by employees. If you the window for clocking into the timekeeping system or an amendment to your clock card is required, you must advise your supervisor/manager who is authorized to make manual entries to clock cards on your behalf.

Prior to employees submitting their clock card, you & your supervisor/manager must both sign the back of the completed clock card to signify the entries are correct. (Unsigned clock cards will not be processed).

Each employee is responsible to submit their weekly clock cards to the Administration Office letter box by the end of the pay week each Wednesday. If you are not present on Wednesday, your manager may submit your clock card on your behalf.

### Prohibited Clock Card Actions

Employees will not be paid for time clocked on before their rostered start time.

Once the employee clocks on at their rostered start time, the employee must commence work immediately and not attend the kitchen/bathrooms/changing room immediately after starting your shift. Any personal tasks such as making a coffee, getting changed, putting lunch/bags away etc. should be done before your rostered start time and before you clock on to your shift. The same rules apply at the end of your day for clocking OFF. All personal tasks must be done after you clock off.

**Note:** Employees are strictly not permitted to clock on or off on behalf of another employee.

## WORK BREAKS

Employees are entitled to Meal and Rest breaks to ensure adequate rest periods have been taken during your day to reduce the risk of fatigue. The following breaks are implemented:

Hours Worked (0 to 5 Hours)	No Rest or Meal Break (No Deductions)
Hours Worked (5 to 10 Hours)	30min Meal Break (Unpaid Time) 1 <sup>st</sup> 10min Rest Break (Paid Time)
Hours Worked (10 Hours plus)	2 <sup>nd</sup> 10min Rest Break (Unpaid Time)

Note: A worker must not exceed 12 hours of work on any one single work day unless authorized by management.

## PAYROLL

The Company's pay Cycle is weekly. The pay week runs from Thursday to Wednesday and pays are processed on Thursday. Depending on which bank you use, some employees may be able to access their pay within 24 hours. Pays will be automatically deposited electronically into the bank account details you provided to us. Taxation payments are automatically deducted from your salary. Payslips are provided to you in electronic and written form.

## WAGE REVIEWS

The Company attempts to pay competitive wages and salaries as maybe dictated by our industry. Wages and salaries are classified by position as per the award based on qualification, experience, responsibility and position demands. The Company, at its full discretion, may review employee wages periodically or for those on award wage, adjustments are made when legislative wage changes occur as set by the Fair Work Commission. Amendments may also be determined on the basis of merit of each employee in the areas of:

- ability to perform work
- performance standards
- quality of work
- attitude and work ethic

- compliance
- punctuality/attendance/reliability
- disciplinary record
- the degree of responsibility connected with the position
- when a promotion has been awarded
- demonstration of accountability, responsibility, initiative, proactiveness
- development of management and leadership capabilities

## **SUPERANNUATION**

Under superannuation legislation employees have the opportunity to choose their own superannuation fund. If the employee does not choose a superannuation fund, the superannuation fund provided by the Company is **Care Super** as nominated in the award. You will receive superannuation in accordance with the Superannuation Guarantee Charge Act, as varied from time to time.

## **PERFORMANCE APPRAISAL**

Employees may be asked to take part in performance appraisals. This is a two-way process of recording feedback regarding your current level of performance in your job, planning and agreeing objectives and identifying training and development required to assist you to perform your role.

## **PERFORMANCE MANAGEMENT**

Mason Bros expects that all employees to carry out the duties of their position to the Company's expected standard. If an employee does not meet the required performance standards in the reasonable opinion of their Manager or the Director, the employee may be personally counselled or be required to participate in a performance improvement process. It is the discretion of the company to issue or not issue warnings during this process. Where no warnings are issued the employer may notify the employee that should they not improve, their employment maybe at risk.

The purpose of the performance management process is to provide the employee every opportunity to meet the required standard over an agreed time period. The process is undertaken fairly and in accordance with legislative guidelines.

If an employee fails to meet the required standard after undertaking a performance management process the employee's employment may be terminated.

## **DISCIPLINARY PROCESS**

All employees may be subject to dismissal or retrenchment. Should circumstances demand it, dismissal will involve a level of prior counselling.

If there is an event / incident requiring disciplinary action, the following basic procedures will apply:

- For minor breaches of discipline, conduct, unacceptable behaviour or failure to achieve satisfactory standards, a verbal or written warning maybe be given by company management. Recommendations for improvement may be offered for improvement. Any documents relating to this will be placed on your file.
- If there is no significant improvement or continued unsatisfactory conduct, behaviour or performance or for more serious offences or further transgression, you will be required to attend an interview with Company Management and you may be issued further written warnings.
- Should you maintain your unsatisfactory conduct, behaviour or performance following interviews with Company Management, a final written warning may be given to you. 'This is your final warning.'
- Failure to comply with the conditions of the written warnings will lead to dismissal.

The Company will make every effort to ensure you are offered a fair process including the opportunity to respond, allow you a support person at disciplinary discussions or interviews and provide you with reasonable opportunity to rectify any concerning matters raised.

## **GRIEVANCE PROCEDURES**

Mason Bros is committed to providing a harmonious work environment and will listen seriously to complaints and resolve them in a reasonable time frame. The resolution procedures ensure that you are able to air legitimate complaints, knowing that ad-hoc, vindictive or arbitrary action will not be taken against you or the employees complained about.

Most routine complaints and grievances are best resolved informally in discussion with your Manager or Company Management. The Company may also suggest a mediation process to be undertaken. Dealing with grievances in this way can often lead to a speedy resolution of problems.

Where the grievance cannot be resolved informally, it should be dealt with under the formal grievance procedure in which case we refer you to the company's grievance policy.

If you have a question or complaint relating to your employment conditions, discuss this with Company management. It is inappropriate for employees to discuss personal employment conditions and related matters with other employees to avoid work disruption and gossip etc.

## **MINIMISING WORK DISRUPTIONS**

Workers must not congregate in any work areas for the purpose of non-work related discussions or general chit chat where work is in progress. Such places may include;

- the packing shed, or
- any other area where work is being undertaken

The effects of such disruptions may include:

- disturbing or distracting other workers while they are performing work
- causing unnecessary down time in work production
- potential safety risk to workers (particularly in areas where machinery is in use)

Workers who have clocked off must not re-enter any work areas or disturb any other worker(s) who remain working.

A failure to follow these guidelines will subject a worker to disciplinary action which can lead to dismissal for multiple breaches.

## **CONFIDENTIALITY**

In the course of the employee's employment, the employee may become privy to confidential information of the Company or its employees, customers, clients, suppliers or contractors. The Employee agrees and undertakes not to disclose any confidential information acquired as a direct or indirect result of their employment with the Company at any time to any person, without the specific written authority of the Company.

### **Confidentiality and Wages**

The Employee must not disclose or discuss with other company employees or contractors, your personal employment conditions including wages, salary, or any other monetary payments or benefits or attempt to directly or indirectly approach, induce or solicit employment conditions including salary/wages from other employees.

The company considers a breach of confidentiality as serious misconduct and therefore may dismiss the employee summarily

### **Insider Trading**

One of the most important responsibilities of all Mason Bros employees is to protect the company's reputation for ethical and honest dealing. Our reputation could be irreparably damaged if inside information is inappropriately disclosed or that of a customer or any other company with whom we have a relationship. Bearing this in mind, you are prohibited from sharing or disclosing company information in any way that could be deemed insider trading or give the appearance of such conduct. All company operations, procedures & systems, documentation, know how, techniques, produce, quantities, equipment, employees, third party agreements are the intellectual property of the Mason Bros Group and must not be shared.

You must avoid any interest, influence or relationship which might conflict or appear to conflict with the best interests of Mason Bros. You must avoid any situation in which your loyalty may be divided and promptly disclose any situation where an actual or potential conflict may exist.

### **Conflict of Interest**

Examples of potential conflict situations include:

- having a financial interest in any business transaction with Mason Bros,
- owning or having a significant financial interest in, or other relationship with, a Mason Bros competitor, customer or supplier, and;
- while employed with Mason Bros, working for a direct competitor, customer or supplier

If you have a conflict of interest, you must disclose it to the Company Director and remove yourself from negotiations, deliberations involving the conflict.

### **LIVE FARMER**

Managers, Supervisor and Team Leaders must ensure they complete daily data inputs into Farm Management Software systems including Live Farmer before leaving work each day. All Live Farmer entries must be inputted accurately and completely.

### **RESIGNATION OR TERMINATION AND NOTICE REQUIREMENTS**

The award provisions or contractual agreement regarding written notice of termination are an obligation for both the employer and employee.

#### **Employee Resignation - Notification Letter**

In the event the employee finds it necessary to voluntarily leave the employment Mason Bros (i.e. resign), the employee must provide the company with a written notification and present this to their Manager or the Administration/Payroll Office. The written notification must include:

- Date of the letter;
- addressed to your immediate manager;
- brief explanation of your intention to resign;
- date of your final day you intent to work too;
- your name and signature at the bottom of the letter

#### **Standard Notice Periods**

Unless stipulated differently in your personal employment agreement the normal notice period you must provide are as follows:

<b>Period of continuous service</b>	<b>Period of notice required</b>
1 year or less	1 week
Over 1 year and up to the completion of 3 years	2 weeks
Over 3 years and up to the completion of 5 years	3 weeks
Over 5 years of completed service	4 weeks

#### **Termination of Employment by the Employer (Company)**

Should the Company initiate termination of your employment this will be issued to the employee in writing. The Company may at its discretion:

1. provide the Employee the period of notice specified in the table above, or
2. make payment in lieu thereof.

Upon termination of employment, outstanding wages (where applicable) and any entitlements owed to the Employee shall be paid on the next payroll cycle.

Where notice has been given by the Company or by the Employee, and the Company requires the employee to work the notice period, the Employee shall continue in employment until such notice expires. If the employee fails

to work the notice period at the request of the Company, the employee will not be paid for the unworked notice period.

## **ABANDONMENT OF EMPLOYMENT**

Abandonment of employment occurs in cases where there is a clear act by the employee (other than a deliberate and intended resignation) that indicates the employment relationship is at an end. Failure by the employee to make contact without being excused or giving notification of the reason for any absence and failing the Company every attempt to contact you and or your next of kin in excess of ten (10) sequential working days without response from the employee will be considered to be abandonment of employment and the employment will be terminated.

## **PERSONAL PROPERTY (ALL WORKERS)**

Employee's Personal Property is your responsibility and the Company cannot accept liability for the loss of Personal Property left on the company's premises, any of its work sites or vehicles. It is therefore important that you keep your personal items in a secure place and arrange your own insurance against loss or damage.

## **PERSONNEL RECORDS**

Payroll is required to maintain all employees' records. It is your responsibility to notify Payroll of any change of address, telephone number or emergency contact details. Your personnel file is treated with the strictest confidentiality.

Employee information is retained confidentially by the Company unless otherwise required to be disclosed by law. Access to employee files is granted to Company authorised staff namely (the Company's Directors, Payroll, the Company's Human Resource Department).

Should you require access to your signed employee documents, you may do so by providing the Company with written notice (5 working days).

## **PRIVATE VEHICLES**

The Company accepts no liability for approved private vehicles left on Company property sites. This includes damage or theft of the private vehicle. If you use your private vehicle for work purpose travel during work times, you must obtain approval before using your private vehicle for work purposes. In such case your private vehicle must be fully comprehensively insured.

## **RECRUITMENT**

The Company aims to undertake all recruitment in a fair and equitable manner and every person will be afforded an equal opportunity to be employed with our Company. The Company recognises a professional approach to recruitment and selection helps us to attract and appoint individuals with the necessary skills and attributes to fulfil our aims and support our business goals. A request to recruit a prospective employee for the Company must be pre-approved by the Director. All appointments will be made on the Principle of Merit, compliance with all relevant Federal & State Legislation and adherence to this policy and related processes.

## **FLEXIBLE WORK ARRANGEMENTS**

Requests for flexible work arrangements (FWA) must be presented to the Director in writing and are subject to the following:

- a) you need to have completed at least 12 months continuous service with us before making a request.
- b) you need to make your request in writing, setting out the details of what you are asking for and the reasons for the change.
- c) the Company will respond to your request in writing with 21 days, letting you know if we agree or refuse your request. If the company refuses a FWA request this will be made on reasonable business grounds. If we refuse, we will include the reasons for our refusal.

## **(EEO POLICY) – ANTI DISCRIMINATION, SEXUAL HARASSMENT AND BULLYING**

Mason Bros is committed to providing a workplace free from discrimination, sexual harassment and bullying. Behaviour that constitutes discrimination, sexual harassment or bullying will not be tolerated.

*Note: "Sexual harassment and victimisation is unlawful under the Sex Discrimination Act 1984 (Cth) as well as anti-discrimination legislation operating in every State and Territory. Unless the company has taken all reasonable steps to prevent an employee from committing acts of sexual harassment or victimisation in connection with his or her employment, the company is vicariously liable for that conduct."*

## Discrimination

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

Indirect Discrimination occurs when **a rule seems neutral, but has a discriminatory impact on certain people.**

Discrimination in employment on any of the following grounds is forbidden under Federal and State anti-discrimination laws. Employees are protected from being discriminated against under the following protected attributes:

- \* sex & intersex status
- \* marital status
- \* pregnancy
- \* age
- \* impairment
- \* political belief and activity
- \* trade union activity
- \* lawful sexual activity
- \* sexual orientation
- \* gender identity
- \* parental status
- \* race
- \* religion
- \* criminal record
- \* social origin

## Sexual Harassment

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

Under the Federal Sex Discrimination Act, sexual harassment is against the law. Sexual harassment is **any form of sexual attention that is unwelcome**. If confronted by this type of harassment indicate to the offender that their actions are not welcome and to stop.

## Bullying

Workplace bullying is **'repeated unreasonable behaviour directed towards a worker, or group of workers, which creates a risk to a worker's mental or physical health and safety'**.

Unreasonable behaviour is that which a reasonable person, having regard to all the circumstances would expect to victimise, humiliate or threaten its recipient. It includes actions of individuals or a group and may involve a system of work as a means of victimising, humiliating, undermining or threatening.

## Reporting of Unacceptable Behaviour

The company considers all the above categories to be unacceptable forms of behaviour that will not be tolerated under any circumstance. Employees are encouraged to report incidences of Discrimination, Sexual Harassment and Bullying.

If you have been subjected to any of the above let the perpetrator know that their conduct is offensive and ask them to stop. If the conduct continues you should report it to company management and provide a written statement requesting the Company to take action.

We also refer you the Company's 'EEO Complaints Resolution Policy'

## Consequences of breach of EEO Policy

The Company will act on a person or persons who has been proven to discriminate, harass or bully a co-worker, customer or supplier or who victimises a person who has made a complaint or is a witness to a complaint. Company action may include issuing perpetrators order to stop, disciplinary warnings or dismissal.

Complaints of alleged workplace harassment found to be malicious, frivolous or vexatious by a complainant may subject the complainant to disciplinary action.

Perpetrators maybe subject to disciplinary action which may involve a warning, counselling, dismissal or any other action the company believes reasonably appropriate depending on the circumstances. Once the Company has made a decision on the course of action the victim must accept the Company's decision. If the employee (victim) is not satisfied with the company's decision or outcome, the employee has the right to seek further advice with the relevant statutory authorities.

**A warning to perpetrators that you may be subject to:**

- being investigated by the company, or,
- by an authority such as Worksafe Victoria, or,
- by the police
- You may be subject to civil proceeding and prosecution
- Prosecution maybe in the form of fines/penalties or jail

For further information in relation to EEO we refer employees and contractors to the Company's EEO Policy and EEO Complaints & Resolution Policy

## **LEAVE POLICIES & PROCEDURES**

### **Personal Leave**

A full time Employee is entitled the following personal leave on a pro-rata basis for each completed year of continuous service, subject to your employment structure (refer to your personal employment contract)

- 10 days personal leave (contracted ordinary work week Monday-Friday, normal hours 7.6 hours per day); or
- 12 days personal leave (contracted ordinary work week Monday-Saturday normal hours 6.33 hours per day).

Personal Leave includes:

**Sick Leave:** when the employee has a personal illness or injury; or

**Carer's Leave:** to care for a member of your immediate family who is ill or injured or has an unexpected emergency and requires the Employee's care and support

### **Procedure when taking Personal Leave**

#### **Notification:**

If it is necessary for you to be absent from work (including Personal Illness or to care for an immediate family member), you are required to *notify your supervisor by telephone call or text message* and *send an email to the Administration office* to [admin@masonbros.com.au](mailto:admin@masonbros.com.au) advising the reason for your absence.

Notification must be on the day the leave is taken and no later than the employees normal commencement time, unless there are exceptional circumstances. This notification is required so that arrangements can be made to cover your work for the time you will be absent. If you are absent for more than one day you are required to keep in touch with your manager and advise your progress and estimated return to work.

Note: Contacting and notifying a fellow worker is not acceptable.

### **Evidence – when taking Personal Leave**

#### **Carers Leave**

On each occasion the Employee takes carer's leave, upon return to work the Employee must produce a medical carer's certificate stating the ill person needing care; and the need for that person requiring care and support.

#### **Personal Illness**

If the Employee takes Personal Leave for reasons of personal illness or injury you are required to present a *medical certificate or statutory declaration* in the following circumstances:

- Absence on a Monday or Friday
- Absence directly before or after a (i) public holiday (ii) scheduled annual leave period



- (2) two or more consecutive days of absence
- 4 or more personal leave days taken within a 12 month period (i.e. for days a certificate was not required)

**Note:**

- a statutory declaration must be obtained on the same day the absence is taken & is only valid for that one day.
- a medical certificate must be issued on the same day a single day of Personal Leave taken; or,
- in the case of consecutive personal days taken, a medical certificate must be issued within the days of the personal leave taken and clearly indicating the (period) of Personal Leave dates.
- medical certificates that are back dated will not be accepted.

Wage payments will be withheld in instances when a certificate or statutory declaration is not produced in instances described above and unpaid leave will apply.

**Personal Leave Use Policy Statement**

Personal leave is unplanned leave due to the employee’s personal illness or injury or when the employee has family caring responsibilities or for an unexpected family emergency. Requesting personal leave for personal time off is prohibited and contrary to Section 97 of the *Fairwork Act 2009*. The employee may request annual leave or use accrued TOIL hours for personal time off, by approval from Company Management.

**Excessive Absenteeism**

Excessive absences for which there is no satisfactory explanation, raises the question of your commitment to your job and to the company. If excessive absenteeism is determined, the employee will be issued a written notification to provide a medical certificate or statutory declaration on every occasion the employee is absent from work for the next 12 month period.

Excessive absenteeism is defined as:

Absenteeism on regular occasions where there is no satisfactory explanation provided for being absent;

- when absences have been taken regularly on days when certificates are not required & a systematic pattern is obvious as assessed and determined by the company;
- regular absenteeism taken systematically over a period (e.g. one day each month over a 6-month period);
- when an employee exhausts their personal leave entitlements and there have been times during this course that no reasonable explanations have been given or certificates not provided when required; and
- the employee regularly fails to provide notification or does not provide evidence when required

**General information relating to Personal Leave**

- Personal leave accrues on a pro-rata basis and is credited each pay period and accumulates without limit.
- Personal leave cannot be cashed out.
- Personal leave is unplanned leave and must not be used for planned leave purposes. The employee may make application for planned leave by utilising Annual Leave or available Time off in Lieu. Requests to utilise Personal Leave substituting for Annual Leave without reasonable and valid reason is prohibited.
- There is no entitlement to be paid any unused personal leave upon termination of the Employee’s employment.
- Personal leave does not accrue during periods of unpaid leave or when on worker’s compensation payments.
- If the Employee has no personal leave left the employee will use available annual leave or accrued Time In Lieu
- Wherever possible you should make dental, medical, business or other appointments outside your normal working hours.

**Breach of Personal Leave**

In the event an employee repeatedly (i.e. more than once) fails to provide notification & evidence as required and does not comply with the conditions of the Personal Leave Policy, the employee maybe disciplined up to and including dismissal in the case of multiple breaches.

**Compassionate Leave**

- A permanent employee is entitled to two (2) days of compassionate leave (with ordinary pay, but unpaid for casual employees) for each permissible occasion when a member of the employee's immediate family:
- contracts or develops a personal illness that poses a serious threat to his or her life; or
- sustains a personal injury that poses a serious threat to his or her life; or
- dies.

### Annual Leave

Full time permanent employees are entitled to 4 weeks paid annual leave (Paid on ordinary time) accrued for each year worked except for part-time employees where annual leave accrues pro-rata based on the part-time hours worked. For all permanent employees, annual leave accrues and accumulates from year to year. Casual employees are not entitled to annual leave pay.

### Application for Annual Leave

- application for taking leave requires submission the Company's annual leave application form and must be handed to the employees direct Supervisor and then handed to the Administration office. The application will be assessed and is subject to final approval by the Director.
- The Employer may refuse granting Annual Leave if the Employee fails to comply with the notice requirements
- The employer may refuse to grant any period of annual leave based on reasonable business grounds. This includes employees in the same department taking concurrent leave or long periods of leave requests during high & peak seasonal periods.




**Notice when requesting to take annual leave** (unless approved otherwise by the Director as follows):

- request less than 1 week requires a minimum of 2 weeks' notice
- requests of more than 1 week and up to 4 weeks requires a minimum of 4 weeks' notice
- requests exceeding 4 weeks annual leave requires a minimum of 8 weeks' notice and special approval is required from the Director.
- requests for annual leave should not exceed a maximum 6 weeks.

### Seasons

- The horticulture industry specific to the business's geographical location is dictated by seasonal periods i.e. Low Season (June to September)
- High Season (September to November & April to May)
- Peak Season (December to March)

The company's operations is significantly impacted when employees are absent during high & in particular peak seasonal periods (i.e. high activity busy period). Therefore the company's policies for leave taken during seasonal periods are as follows:

- 
**Low Season:** Employees are encouraged to take annual leave during the low season (typically when operations are at lower to moderate level)
- 
**High Season:** Employees are limited to requesting a maximum of (1) one week annual leave during the high season period (typically when operations are at a moderate to high level)
- 
**Peak Season:** Employees are limited to requesting only single annual leave day up to a maximum of 3 single days during the Peak season (typically when operations are at the highest level), unless for special circumstances is otherwise authorised by the Director.

### Excessive Accrual of Annual Leave

Employees must not accrue more than 8 weeks of annual leave. Where this case exists, the employer or the employee may seek to confer with the other and genuinely try to reach agreement on how to reduce or eliminate the excessive leave accrual. The employee may elect to cash out annual leave.

## **Cashing out of annual leave**

Cashing out of annual leave shall be in accordance with the award. The employee may cash out a maximum of 2 weeks per 12-month period. If cashing out leave, the employee must have a minimum of 4 weeks of annual leave remaining.

On termination of your employment with the Company, you will be paid out the remainder of your accrued annual leave entitlement at the base rate of pay, ordinary time earnings.

## **Conversion of Leave**

Should a legitimate circumstance arise while you are on annual leave that substantiates the reason for converting to personal/carer's leave or compassionate leave, you must provide the Company with notice (by telephone call to your supervisor or the Company's Management) and evidence (medical certificate or statutory declaration). Notice and evidence must be given to the employer as soon as practicable (which may be a time after the leave but no later than 2 days the personal has commenced). The original or copy of evidence must be submitted to the employers' office by the notice period. Immediately on the day of your return to work you must complete the company personal leave form and submit the original evidence documents. A failure to either provide the required notice or evidence means the employee is not entitled to the personal leave or conversion to personal leave.

## **Public Holiday**

Public holidays are as gazetted by the State of Victoria (Melbourne region).

If a permanent employee is absent from their employment on a day or part day that is a public holiday, the employer will pay the employee at the employee's base rate of pay for the employee's ordinary hours of work on the day or part day. Casual employees absent from work on a public holiday are not entitled to public holiday pay.

If the Company requests an employee to work on a public holiday the employee will be paid at the applicable award penalty rate (refer to your personal contract); or the employer and the employee may agree on the substitution of a day or part day for a day or part day that would otherwise be a public holiday.

## **Long Service Leave**

All entitlements to Long Service Leave (LSL) are in accordance with the Victorian Long Service Leave Act 2018.

The entitlement to long service leave for full-time employees is:

- 13 weeks paid long service leave after 15 years continuous employment with one employer. Part-time employees are entitled to pro-rata long service leave after 15 years employment.
- After 7 Years employment employees will be entitled to take 6.07 weeks of long service leave
- Employees whose employment is ended after 7 years' continuous employment will be entitled to a pro-rata payment of the accrued long service leave entitlement upon termination.

### **Note:**

- There is no entitlement to payment of accrued long service leave unless there are at least seven years of continuous employment except in the case of redundancy.
- All requests to take Long Service Leave should be submitted (completing a leave form), where possible to the Company at least 3 months prior to the commencement of the LSL (unless otherwise authorised by the Director).
- LSL can be taken in one period except where and employer and employee agree on separate periods (up to a maximum of 3 separate periods).
- Employees are encouraged to plan to take LSL during the low seasonal period (typically June to September). Note: restrictions apply for requests to take LSL during High and Peak seasons.

## **Family Domestic Violence Leave**

Permanent Employees are entitled to Family Domestic Violence Leave. This includes up to 5 days of special *unpaid* leave per annum, non-cumulative. Where an employee has taken the initial 5 days of special unpaid leave in a calendar year and requires further leave, they can request to take approved annual leave.

## **Community Service Leave**

An Employee is entitled to be absent from work on unpaid leave where the Employee is engaged in an eligible community service activity pursuant to Part 2-2 Division 8 of the *Fair Work Act 2009*

### **Jury Service**

An employee maybe absent from his or her employment for a required period because of jury service.

The employee must provide the employer evidence of the Jury Service.

Upon providing evidence, the employee is entitled to be paid at their base rate of pay for the employee's ordinary hours of work in the period they attend Jury service less the total amount of jury service pay that has been paid, or is payable, to the employee, as disclosed in the evidence. The employer is only required to pay the employee up to a maximum of 10 days jury service

### **Parental Leave**

Permanent employees will become eligible for Parental Leave in accordance with the National Employment Standards once the employee has completed 12 months of service.

### **Redundancy**

Redundancy guidelines are stipulated in the relevant industry award. In the absence of an industry specific redundancy scheme the National Employment Standards guidelines shall prevail.

### **Time Off In Lieu (TOIL)**

The Company may grant Time Off In Lieu (TOIL) to an employee who is required to work outside their normal hours. Time worked towards TOIL will be agreed between the parties and must be approved in advance unless exceptional circumstances exist, in which case management will consider granting approval after the time is worked.

The Company will record TOIL credits and debits. Generally, the employee should take the TOIL in the same financial year within which they accrue it. The Company's Management must approve TOIL leave. An employee should not accrue excessive hours of TOIL (Maximum 150 hours)

Where an employee has accrued excessive hours of TOIL the company may at its discretion pay down a portion of the excess accrued TOIL hours to the employee.

## **ALCOHOL AND ILLICIT DRUGS**

Mason Bros strictly prohibits the use of illicit/illegal drugs or alcohol in the workplace and will take disciplinary action against you if you are found using, are in possession of or under the influence of illegal drugs or alcohol while conducting work for the Company.

Mason Bros does not support the use of alcohol or drugs outside working hours where the effects of these substances may result in impaired work performance. If the company suspects that you arrive to work under the influence of illicit drugs or alcohol, you may pose a safety risk to yourself and others, in which case the company may order you to stop work and to undertake an alcohol and/or drug test by an approved agency or you may be sent home without pay and only return when you are assessed to be fit for work. (further information regarding alcohol or drug testing can be found in the Company's comprehensive 'Drug & Alcohol Policy' & 'Fit for Work Policy')

You may be subject to disciplinary action up to and including dismissal for non-compliance in relation to alcohol or illicit drugs at the workplace.

## **FIT FOR WORK**

With relation to the effects of Alcohol, Illicit drugs, prescribed drugs or other physical or mental health conditions, the company must ensure employees are in a satisfactory physical, mental and emotional state to perform work and in a manner which does not compromise or threaten the safety of themselves and others. The company will therefore take necessary reasonable action in relation to employee's fitness for work. In such cases the Company expects employees to co-operate with any reasonable instructions or requests.

## **Disclosure of Pre Existing Injury or Diseases**

You must, before commencing employment with Mason Bros Vegetable Farms, disclose to us all pre-existing injuries and diseases suffered by you of which you are aware and which could reasonably be expected to impact your capacity to perform the duties of your position or could impact on your own health and safety or the health and safety of your fellow employees.

If you fail to disclose such pre-existing injuries and diseases or you make a false or misleading disclosure then you maybe disentitled to receive workers compensation payments despite any recurrence, aggravation, acceleration, exacerbation or deterioration of the pre-existing injury or disease as a result of your employment. (Workplace Injury Rehabilitation and Compensation Act 2013 (Vic) (WIRC Act) will apply). By accepting employment with Mason Bros you agree to complete the 'Pre Existing Injury or Disease Disclosure' form.

## **SMOKING**

Smoking is not permitted in any part of Mason Bros building facilities, including lunchrooms, storage areas, and restrooms or within 4 meters of facility entries. Smoking is also prohibited in any vehicle or machinery owned, leased or operated by Mason Bros. Smoking is strictly prohibited in any areas cultivating or storing fresh produce.

Casual smoking breaks are not provided during working hours. You may smoke during scheduled rest breaks and meal break and before your start time or after your finish time in designated smoking areas only.

## **COMPUTERS & PORTABLE MEDIA DEVICES**

E-mail, the internet, computers, company portable media devices are company assets and critical components of our communication systems. E-mail and Internet access is provided by Mason Bros for employees to facilitate the performance of company work. Ownership of the equipment, software, programs and files remains with Mason Bros.

E-mail and other computer based tools or files provided by Mason Bros are to be used for business purposes only. The use of computer or portable media devices for personal reasons is prohibited (unless, prior approval has been given by the Director). If you are found to be using email for private use, the company will screen email activity.

You are responsible for maintaining the security of your passwords on any company computer or media device. You should take precautions to prevent unauthorised access to computer or devices by logging off when possible when not in use.

You are not permitted to download or add unauthorised or pirated software or any such files to any computers or media devices owned by Mason Bros. You may not use disks, USB's, external hard drives or software brought from home or other sources on Mason Bros computers (to avoid viruses and violating intellectual property rights). You are not authorised to make changes to software or hardware without Company Management Authorisation. Software or other business information on the computer should not be copied and taken from Mason Bros premises without first obtaining permission from the Director.

Employees must not engage in pornographic activity using company computer or portable media devices.

Mason Bros reserves the right to enter, search and monitor company computer files, e-mail, media devices without advance notice such as investigating theft, disclosure of confidential business or proprietary information, or personal abuse of the system or monitoring work flow or productivity.

Employees found violating the computer policy maybe subject to disciplinary action up to and including dismissal.

## **SOCIAL MEDIA**

With the rise of new media, the ways Mason Bros employees can communicate across its business are continually evolving. While this creates new opportunities, it also creates new responsibilities. This policy applies to all Mason Bros employees and contractors who use the following social media:

- Social Networking sites (e.g.: Facebook, LinkedIn, Bebo, and others)
- Micro-blogging sites (e.g.: Twitter)
- Mobile applications (Apps)

- Video & photo sharing sites (e.g.: Flickr, YouTube, Instagram & Pinterest)
- Weblogs – including Mason Bros blogs, personal blogs, and blogs hosted by the media
- Search tools, forums & discussion boards such as Google, Yahoo, Blog sites etc.
- Online encyclopaedias such as Wikipedia

Remember, anything you post is accessible to anyone with a browser and is there forever. Our first and foremost rule is, "*Think Before You Post*".

Under this policy, you agree that Mason Bros shall not be liable, under any circumstances, for any errors, omissions, loss or damages claimed or incurred due to any of your social media postings. Please be aware that violation of this policy may result in disciplinary action up to and including termination.

### **What Can You Disclose?**

You can disclose anything already in the public domain – which means that if you've read it in the annual report, strategic plan or in a press release, you can talk about it. Everything you talk about must be truthful, accurate and able to be substantiated.

### **What Can't You Disclose?**

Generally common sense but here are a few specifics. You can't disclose:

- Non-public financial information.
- Non-public technical information.
- Personal or workplace related information about employees and individuals.
- Confidential information of our customers or suppliers.
- Wages or employment conditions
- Company intellectual property, trade secrets, pricing, marketing, strategies
- Work related or legal proceedings or controversies.
- Company internal or external disciplinary information, investigations, incidences & related reports

Other things you can't do:

- Make defamatory or disparaging remarks against the company or any of its employee, clients or suppliers
- Discriminate, harass, bully the company's employees, clients or suppliers
- Mason Bros employees should not circulate postings they know are written by other Mason Bros employees without informing the recipient that the author of the posting is a Mason Bros employee.
- Suggest or imply you are speaking on behalf of Mason Bros unless you are authorised to do so.
- Work on your personal blog or social media during work hours.
- Online shopping (unless its work related).

You can't use:

- Our trademark or copyrighted logos in your post unless authorised to do so.
- Other's materials without their express permission.

Employees found violating the social media policy maybe subject to disciplinary action including termination.

## **EMAILS**

When you commence work with Mason Bros, you may be given a Company email address and computer access codes if warranted for your position.

### **Responding to Emails**

Emails are an instant form of communication with a higher expectation for a speedy response. Emails should be checked regularly throughout the day. The person checking the emails needs to determine whether the issue can be responded to immediately or whether it needs to be printed and actioned at a later time. Wherever possible, every endeavour should be made to action emails promptly, or advise the relevant person when they can expect a response.

### **Misuse of Email**

The following examples of email misuse are prohibited and include:

- Obscene, profane or offensive material being transmitted over any company communication system. This includes, for example, accessing erotic materials, messages, jokes or forms that violate our harassment policy or create an intimidating or hostile work environment.

- Use of company communications systems to set up personal businesses or to send chain letters, jokes or get-rich-quick emails.
- Distributing company confidential messages to outside locations or to non-employee of Mason Bros.
- Accessing copyrighted information in a way that violates the copyright.
- Breaking into the system or unauthorised use of passwords/mailboxes.
- Broadcasting unsolicited personal views on social, political, religious or other non-business related matters.
- Solicitation to buy or sell goods or services.

Misuse of Email can result in disciplinary action up to and including termination.

## **MOBILE PHONES, INSTANT MESSAGING, PERSONAL CALLS & PERSONAL EMAIL**

We appreciate that people have lives outside work and we require people to be fully present and focused while at work. This balance can be achieved with some simple rules around the use of mobile phones, instant messaging & personal calls.

No private calls are to be received at work during working hours unless it is an emergency or is required for a family responsibility matter (e.g. a quick check in call when the children come home from school). Please use your breaks to check any personal messages and return any calls in your own time.

Using a hand-held phone while operating company machinery or driving a vehicle during work time is illegal and strictly prohibited by the company. A hand-held use of a mobile phone while driving is a recognised safety risk, and is against the law.

If you are supplied with a company mobile phone, private use is minimal. Excess private use will be charged to the employee. Instant Messaging (e.g.: MSN/ Facebook / Skype Chat or similar) are only to be used for work-related purposes.

All mail delivered to the company is presumed to be related to company business.

## **MP3, MUSIC HEADSETS**

Mini hand-held electronic devices such as MP3 players, music headsets are prohibited during work-time.

The reason for this ban is that it affects yours and other employees' safety, efficiency and concentration. If you are found using one of these devices you will be asked to remove it from the company site. Any repeated offences will be dealt with as a disciplinary offence, up to and including termination for repeated violations.

## **COMPANY VEHICLES & MACHINERY**

Your safety and the safety of other drivers and road users is important to us. The following obligations and responsibilities apply with regard to the use of any Mason Bros vehicles including but not limited to utes, SUVs, troop carriers, tractors, sprayers, harvest machines.

### **General Conditions**

- Lock all vehicles when left unattended.
- Vehicles are to be kept in a clean and tidy state at all times.
- Vehicles are not to be used for private purposes unless prior consent has been granted by Company Management.
- Vehicles are to be driven only by you and not by family members or friends.
- You must demonstrate care, courtesy and common sense when in control of a company vehicle.

### **Licensing**

- The driver of the vehicle must hold a current and valid driver's licence appropriate to the vehicle being driven (e.g. manual, automatic etc.).
- A photocopy of your driver's licence is to be forwarded to the Administration office and kept on your personnel file. If your licence is renewed, you are to provide the Administration office with a photocopy of your renewed licence.
- Your authority to drive lapses if you no longer hold a current driver's licence or have your licence cancelled or suspended for any reason.

- If you are required to drive a company vehicle, you are responsible for any costs incurred to renew your driver's licence.
- The loss of your licence if you are required to drive a company vehicle as part of your employment can result in disciplinary action up to and including termination.

### **Traffic Infringements**

- You are expected to observe all Australian road rules and traffic laws. Failure to observe these provisions will result in you being personally responsible for penalties or payment of fines including speed cameras, red light cameras or parking infringements.
- You must inform your Manager of any traffic or parking infringements (e.g. speeding, drink driving, red light camera, and parking) incurred in a Company vehicle.

### **Speed**

- Employees must observe speed limits on all Company sites as may be displayed
- Speed close to facilities such as DC shed, nursery, workshop, storage sheds should be limited to 10km/hr
- Speed on farm tracks / roads should not exceed 40Km/hr
- Excessive speeding, hooning activities endangering others or property is strictly prohibited
- Employees found driving recklessly (speeding, hooning) on company property will be subject to disciplinary action up to and including dismissal

### **Fuel Cards/Credit Cards**

- Where a fuel card or company credit card is issued, it is not to be used for any other purpose other than as indicated on the card (e.g. fuel, oil, workshop, car wash) or as approved Company Management. Personal or miscellaneous items (e.g. food, beverages, fuel for private cars) are not to be charged to the card and if they are, will be treated as theft unless previously approved Company Management.
- It is your responsibility to provide the service station attendant with the vehicle's odometer reading at the time of purchasing fuel if a fuel card is used.
- You must ensure that the appropriate fuel is used for the vehicle. Do not use fuel other than that recommended by the manufacturer.
- You are encouraged to purchase fuel at a competitive rate, where possible.

### **Vehicle Maintenance**

- Employees are responsible for the proper maintenance of assigned vehicles including weekly maintenance checks of fluid levels, tyre pressure and cleaning of the vehicle both inside and out.
- If you are approved to garage a Mason Bros vehicle, you must ensure the vehicle is secured to avoid the possibility of theft, storm damage or vandalism.
- You must advise Company Management of any defects, breakdowns or other vehicle problems immediately upon return of the vehicle.

### **Insurance Policy**

- All company vehicles are insured with the company's insurer.
- The company's insurance policy does not protect you against any claims if you operate the vehicle while:
  - under the influence of drugs or alcohol;
  - not currently licensed to operate the vehicle; or
  - driving without proper authority, or
  - if you are not in control of the vehicle i.e. driving while using a mobile device, eating or drinking
- Should you be involved in an accident or damage a vehicle or machinery, you will be responsible for costs or insurance excess.
- You must complete a Company incident form for vehicle or machinery damage for which you are involved.

### **Safety and Security**

- Alcohol and illegal drug use are prohibited while operating a Mason Bros vehicle or machinery, or a personal vehicle on company business.
- Smoking is prohibited in all Mason Bros vehicles & machinery.
- All occupants travelling in Mason Bros vehicles or machinery are required to wear properly adjusted and fastened safety belts at all times.
- You are not authorised to deactivate vehicle airbags or perform any substantial mechanical maintenance to a company vehicle.



- All valuables are to be kept out of sight to avoid the risk of theft or damage when the vehicle is unattended.
- If you break down with a Company vehicle and you find yourself in unsafe situation, in this instance you may contact a road assist or towing company. Please retain receipts of road side assistance or towing cost.

### **Accidents**

Even the most careful drivers, with the best defensive-driving skills, have accidents. If you are involved in a motor vehicle accident:

- Don't panic, stop or move the vehicle to a clear, safe and legal place.
- You must not drive away from the accident in an un-roadworthy vehicle.
- Activate emergency hazard lights (if necessary).
- Ensure your safety, the safety of others, the vehicle(s) and any belongings.
- Do not admit liability for the accident.
- If an accident with a third party, obtain the other drivers name, licence details, insurer, vehicle registration, take photos for evidence etc.
- If an accident involves a person that has been injured you must contact 000 (the police &/or an ambulance or fire brigade) to the scene.

### **Notification Immediately After an Accident**

Contact the Company Administration office and report the incident. Upon return to work, you will be required to complete the *Motor Vehicle Accident Report Form* if other vehicles or property is damaged.

### **Specified Vehicles or Machinery**

For policies relating to specific vehicles/machinery refer to the Company's comprehensive policies including:

- Vehicle & Farm Machinery Policy
- Troop Carrier Policy
- Forklift Operation Policy

## **SECURITY - RIGHT TO SEARCH**

Mason Bros reserves the right at all times to request any employee entering or leaving the premises to disclose to their Manager or Company Management in the presence of a third party, the contents of any parcel, bag or container, including any article of clothing carried or worn by them. You may also have to disclose the contents of any vehicle in your charge on Company property. The Company reserves the right to surveillance and search of company owned media devices, mobile phones, computers, company emails & documents.

## **WORKRIGHTS – VISA CHECK**

Civil liability offences exists against employers who employ workers who do not hold a correct migration status, visa or work right status in Australia. It is therefore a requirement by the Company for all new workers to provide evidence of their immigration status by producing original documents when requested. It is also a requirement of the Company to verify a foreign national's visa status and work rights. In these cases the Company reserves the right to undertake a Visa check and the employee consents to such check.

## **COMPANY KEYS**

The security of our premises is of the utmost importance. Only Authorised Personnel will be allocated keys to the premises. These keys must be registered with the Company Management. The keys are part of a security system and are the personal responsibility of persons to whom they are issued. They are not transferable and must not be loaned to any other person or must not be copied. The loss of a key must be reported immediately to the Administration Office. Company Keys include Company building and office facilities, machinery and vehicles.

## **WORKPLACE HEALTH AND SAFETY**

Mason Bros believe that a safe and secure workplace is important, and that we need to comply with workplace health and safety laws. You need to report to your Manager any accidents, incidents or hazards arising during the course of your employment. If you have any concerns in relation to your safety or the safety of others in the workplace, you are to report them to your Manager or the Administration office who will take practicable steps to provide and maintain a safe work environment.

## **Managers and Supervisors Responsibilities**

Managers and Supervisors are responsible for all aspects of workplace health and safety including the following duties:

- Compliance with appropriate legislation, codes of practice and Mason Bros policies.
- Implementing Mason Bros workplace health and safety procedures and insisting on safe and environmentally responsible work practices at all times.
- Assisting in the identification and preparation of work procedures.
- Providing and adopting a safe system of work while ensuring safe equipment are used.
- Ensuring anyone on Mason Bros sites are not exposed to risks to their health and safety.
- Monitoring and reviewing compliance with procedures and working conditions on a continuing basis.
- Preparing and participating in workplace health and safety meetings and workplace health and safety programs.
- Ensuring the workplace health and safety of each of Mason Bros employees.
- Ensuring sufficient employees are assigned to safely carry out tasks.
- Assist with induction of new employees in relation to safe work methods and practices.
- Ensuring employees are competent to carry out the tasks requested of them and training workers in safe operating procedures.
- Ensure the maintenance of adequate safety equipment.
- Assisting with investigation of near misses, hazards, accidents and injuries to ensure identification of hazards and correction of unsafe practices and methods.
- Reviewing and actioning workplace health and safety reports and inspections and initiating rectification where necessary.
- Monitoring compliance with safe work procedures.
- Assist with co-ordinating rehabilitation for injured employees
- Assist with delivering safety training
- Insisting on correct and safe practices at all times
- Assist with conducting accident & incident investigations
- Participating in regular workplace inspections and audits and ensure that any improvements resulting from such an inspection / audits are actioned in the required time frame

### **Employees Responsibilities**

- Working safely and observing all health and safety instructions from Managers, Mason Bros policies and procedures.
- Disclose to Company Management any pre-existing condition(s) that may risk the performance of your duties or your safety and/or the safety of others.
- Using safety devices and personal protective equipment as directed by the Company.
- Maintaining safety devices and personal protective equipment in an operational and hygienic condition at all times.
- Promptly reporting to your Manager any work accident, injury or occupational health and safety problem.
- Reporting to your Manager any situation you believe is a work hazard or an unsafe practice.
- Contributing to the health and safety of fellow employees and non-employees at the workplace.
- Not wilfully or recklessly interfering with, or misusing anything provided for workplace health and safety at the workplace.
- Not wilfully placing at risk the workplace health and safety of any person at the workplace.
- Not wilfully injuring yourself.
  - If you have an accident, you are required to notify your Manager and then complete an *Accident Incident Register Form* when requested.
  - If you are injured at work, you must notify your Manager as soon as possible. If there are medical expenses involved due to the injury or time lost from work, these costs may be recovered by Work Cover upon lodging a claim form. A doctor's certificate, specifically a 'certificate of capacity' is required when Workers Compensation is claimed.

### **PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Employees will be provided with adequate training and instruction on the use and maintenance of PPE. Where the company has provided PPE, the use of supplied PPE is not optional but mandatory. Therefore the following company directive must be complied with:

- Employees must wear PPE if it is required for specific task

- Employees must ensure PPE is maintained and kept in good order
- Employees who have damaged or lost any item of PPE are to report it to the administration office
- High Visible tops must be worn at all times when attending work at all Mason Bros work sites

### **Sunglasses**

If an employee elects to wear sunglasses to undertake work outdoors, sunglasses should be close fitted wrap around. Dark tinted sunglasses are not to be worn in any farm indoor facility or while operating machinery at night.

## **INJURY MANAGEMENT & RETURN TO WORK**

Should one of our employees incur a work related injury that means they are unable to continue their normal work, the Company will provide the necessary assistance for them to remain at work, or return to work as soon as it is safely possible.

### **Return to Work Coordinators**

John Conte

03 9742 1681 / 0423 780 413

and

Abi Eastwood

03 9742 1681 / 0432 845 847

### **Work Cover Insurer**

EML

Level 6 385 Bourke Melbourne Vic 3000

Phone: 1800 365 842

## **FIRST AID**

In a medical emergency the employee with the most senior First Aid training should take responsibility for any treatment necessary at the scene. Mason Bros is equipped with a First Aid kits and has registered First Aid staff. First Aid Kits are located in the DC Shed / Administration Office / & select Machinery & Vehicles.

Mason Bros members with current First Aid Certificates are typically company supervisors/managers:

- Marco Mason
- Amo Mason
- Giovanni Todaro
- Bharat Khunt
- Narinder Sakaria
- Joe Magnolia

## **OPERATIONAL POLICIES**

Please contact the Administration office for information relating to specific operational policies. These operational policies are listed on page 2 of this manual colored in blue.

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END of MANUAL

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