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# Human Resources Policy Manual

## Temporary Employees

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# Human Resources Policy Manual

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Welcome to the Rarekind People Human Resources Policy Manual. We are very pleased to have you as part of our team. We understand that there is a lot of information to take in and remember, so we have developed this manual for your reference. In this manual you will find details of all of the company's human resources policies and procedures including:

- (a) general conditions of employment;
- (b) leave entitlements and benefits;
- (c) Equal Employment Opportunity (**EEO**) and harassment;
- (d) internal grievance resolution procedures;
- (e) performance, development and review procedures;
- (f) office forms; and
- (g) payroll.

The manual covers contractual employees (**Temporary Employees**) only. The detail included and overall effort in developing this package is aimed at assisting you to settle in quickly.

It is also to impress upon you the need for you to obtain information relevant to each temporary work assignment. Rarekind People will take all reasonable steps to ensure that the Host Employer you are assigned to provides relevant and accurate information about the role and the worksite. You must notify Rarekind People immediately if your work environment and/or the tasks to be performed change during the course of your assignment.

Here at Rarekind People, we are obliged to maintain a high level of professional conduct that is expected by both the business community and the general public. All employees should refrain from displaying any conduct that might be regarded as discreditable to both themselves and to Rarekind People.

Staff should be aware that our ethics are based on the following principles:

- (a) **Integrity** - we should be straightforward, honest and sincere in our approach to professional work;
- (b) **Objectivity** - we must be fair and must not allow prejudice or bias to override our objectivity. When reporting on financial statements, which come under our review, we should maintain an impartial attitude;
- (c) **Independence** - we should always be, and appear to be free from any interest such as financial or personal, which may be regarded as being incompatible with integrity and objectivity;
- (d) **Confidentiality** - we should respect the confidentiality of information acquired in the course of work and should not disclose any such information to a third party without specific authority or unless there is a legal or professional duty to do so;

(e) **Technical standards** - we should carry out our professional work in accordance with the technical and professional standards relevant to that work;

(f) **Professional competence** - throughout our professional careers, we have a duty to maintain our levels of competence through our work, therefore, we should only undertake work in which we believe and expect to complete with this professional competence; and

(g) **Ethical behaviour** - we should conduct ourselves in a manner consistent with the good reputation of our profession and refrain from any conduct, which might bring discredit to our profession.

The information contained in this manual is designed to supplement other key documents and information including:

(a) **Your *Letter of Offer (Casual Employment Agreement) Temporary Employees*** – which must be agreed by you as soon as practical with a record being retained by you and by Rarekind People; and

(b) **Rarekind People's Workplace Health and Safety Policy** – a document you must also read and acknowledge you have read on accepting a role with Rarekind People.

Please refer to this manual regularly.

## 1 General conditions of employment

### 1.1 Overview

<b>Terms and conditions of employment</b>	<p>The conditions of your employment are outlined in your <b>Letter of Offer (Casual Employment Agreement) Temporary Employees</b> and the Job Details section of the workforce management online portal.</p> <p>As a Temporary Employee, you should be aware that Temporary Employment occurs in a dynamic environment and as such, Rarekind People reserves the right to alter the terms and conditions of employment to reflect emerging issues, subject to law.</p>
<b>Policies and procedures</b>	<p>The policies and procedures are set out in the Rarekind People <i>Human Resources Policy Manual</i> and <i>Workplace Health and Safety Policy Manual</i>, both of which can be accessed via Rarekind People's website under the <i>Candidates/Resources</i> section. A breach of the policies and procedures may result in disciplinary action being taken.</p>
<b>Policies subject to change</b>	<p>Our policies and procedure are subject to change from time to time.</p>
<b>Code of conduct</b>	<p>All employees of Rarekind People are expected to observe the highest standards of ethics, integrity and behaviour during the course of their employment with Rarekind People.</p> <p>The standards expected of employees include:</p> <ul style="list-style-type: none"><li>(a) compliance with all Rarekind People policies, procedures, rules and regulations;</li><li>(b) compliance with all reasonable instructions of Rarekind People and Host Employer's managers;</li><li>(c) to be honest and fair in dealings with Host Employers, clients, co-workers and company management;</li><li>(d) to maintain punctuality and attendance;</li><li>(e) to abide by Workplace Health and Safety legislation and policy (Rarekind People and the Host Employer's);</li><li>(f) to dress in an appropriate manner and to ensure your appearance is presentable, clean, neat and tidy;</li><li>(g) no fighting in the workplace;</li><li>(h) no sexual or other unlawful harassment in the workplace;</li><li>(i) no drugs or alcohol in the workplace.</li></ul> <p>It is also expected that you will:</p> <ul style="list-style-type: none"><li>(a) maintain, during and after employment with the Host Employer, the confidentiality of any information, records, policies or other materials acquired during the course of the assignment;</li><li>(b) comply with all Host Employer policies, procedures, rules, regulations and contracts;</li><li>(c) while on assignment for Rarekind People, not accept any employment that is in conflict with your Rarekind People assignment.</li></ul> <p>Breaches are dealt with in accordance with the Disciplinary Policy and Procedure outlined in <b>Section 6, Page 18</b> of this policy.</p>

### 1.2 Temporary Employment Assignments

<b>Initial engagement</b>	<p>When a suitable temporary assignment arises, you will be contacted with either details of an appointment for interview with the Host Employer or an offer of the assignment.</p>
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	<p>Rarekind People has no obligation to hold the position for you, or to provide you with any alternate or future work if you are unable to accept the position at that time.</p> <p>Once an assignment is confirmed, you will be issued with a <b>Letter of Offer (Casual Employment Agreement) Temporary Employees</b> and personalised access to our workforce management online portal. You must read the Letter of Offer and temporary assignment information outlined in the Job Details section of the workforce management online portal and provide formal acceptance of the assignment. This acceptance can be agreed by completion of the, or by email to your Consultant.</p>
<b>Timesheets</b>	<p>During the full period of any assignment, you are required to complete a weekly timesheet. You must arrange for it to be approved by the relevant supervisor and forwarded to our pay office.</p> <p>Please contact your Consultant with any questions about timesheets.</p> <p>It is your responsibility to ensure your timesheet is submitted on time. If you do not send through a timesheet there will be delays in getting paid. It is also important to notify us immediately of any changes to your bank account details.</p>

### 1.3 Attendance and punctuality

<b>Attendance and punctuality</b>	<p>Rarekind People expects a high standard of attendance and punctuality from its employees.</p> <p>If for any reason you are unable to attend work or are running late for work, you must advise your manager or supervisor as early as possible before your scheduled start time. Early notification of absence or lateness will minimise the disruption caused to your colleagues.</p>
<b>Continuing breach</b>	<p>If you disregard these basic principles on a continuing basis you may be subject to disciplinary action.</p>

### 1.4 Email, Internet and Intranet Usage

<b>Entitlements to use</b>	<p>Email facilities and internet access are considered assets of the Host Employer and are provided to Temporary Employees who can demonstrate a business need for their use.</p> <p>Temporary Employees with access to email, the internet and/or intranet are required to ensure that they make proper use of the facility consistent with their job function and within the context of this policy.</p>
<b>Email usage guidelines</b>	<p>Personal messages may be sent/received provided the incidence of such use is limited. Such personal use of email is a privilege, not a right.</p> <p>Unless the Host Employer's policy is more stringent, the following guidelines for the use of email must be adhered to:</p> <ul style="list-style-type: none"> <li>(a) never include in any email message anything that would be considered inappropriate in a letter, memo or other written communication;</li> <li>(b) never use another person's email address to send an email without their expressed permission;</li> <li>(c) an email received in error must be notified to the sender immediately and then deleted. This material must not be copied or forwarded to any other party;</li> <li>(d) while the Host Employers' systems will automatically scan for viruses, it is a possibility that an infected email may get through the scanning process. <b>Do not</b> open any files unless you are completely certain of the source;</li> <li>(e) Temporary Employees are not permitted to transmit or distribute: <ul style="list-style-type: none"> <li>(i) chain mail or any mail that may be interpreted as a form of harassment, as threatening, or being for personal gain;</li> <li>(ii) junk mail or random mail;</li> </ul> </li> </ul>

	<p>(iii) information that is restricted by law or regulation;</p> <p>(iv) material containing offensive, fraudulent or illegal content; and</p> <p>(v) material that is, or could be perceived by any other person as, discriminatory, defamatory, sexual or offensive;</p> <p>(f) a breach of paragraph (g) may be considered serious and wilful misconduct and may result in disciplinary action being taken;</p> <p>(g) if an email is received that appears to infringe the matters referred to in (g) above, the email and material must be deleted immediately.</p>
<b>Internet/Intranet usage guidelines</b>	<p>The following guidelines for use of the internet must be adhered to:</p> <p>(a) while you may be permitted to browse the internet for your own private, personal or social purposes, such use should be kept to a minimum and should be restricted to allocated break times only;</p> <p>(b) accessing inappropriate websites, pornographic websites, sexually explicit material or websites that may be considered to be offensive is strictly prohibited. This is considered serious and wilful misconduct and may result in disciplinary action;</p> <p>(c) you are not to download non-work-related material from the internet without direct authorisation from your manager;</p> <p>(d) you are not to attempt to access information or systems, whether internal or external, to which you do not have authorised access;</p> <p>(e) you must maintain security and confidentiality of user identifications and passwords which you have to access the Host Employers' systems; and</p> <p>(f) you must ensure that the Host Employers' electronic records are not destroyed before they are captured in the organisation's electronic archive system.</p>
<b>If in doubt</b>	<p>If you are uncertain about your use of the system or compliance with this policy, you should seek advice from your manager or supervisor. If there is material on your computer that may be in conflict with this policy, it must be removed immediately. If you receive material you consider inappropriate, or inconsistent with this policy, it must be reported immediately so that appropriate action can be taken.</p> <p>If you have questions about this policy, you should discuss these with your Rarekind People Consultant, and/or Host Employer Manager or Supervisor.</p>
<b>Misuse</b>	<p>If misuse of a computer, the internet or the Host Employers' email system occurs, Rarekind People may take action that may include disciplinary action. This can include, in instances of serious misuse or serious and wilful misconduct, termination of employment.</p>

## 1.5 Phone usage

<b>Making calls</b>	<p>Rarekind People understands that it is sometimes necessary for Temporary Employees to make personal calls during work hours. However, these calls should be kept to an absolute minimum. Unless a matter is extremely urgent we request that you make personal calls during your allocated breaks.</p> <p>You are not permitted, under any circumstances, to make long-distance personal calls without the specific authorisation of your immediate manager.</p>
<b>Receiving calls</b>	<p>We understand that it is sometimes necessary for you to receive personal calls during work hours. However, these calls should be kept to an absolute minimum. Unless the matter is extremely urgent we request that you terminate the call and make arrangements to speak outside work hours.</p>

## 1.6 Security access

<b>Security passes, keys and access codes</b>	Temporary Employees may be issued with a security pass, key or access code for the purpose of gaining access to Host Employers' premises or sites during or outside normal business hours.  Security access passes, keys or access codes are your responsibility and must only be used by you (the employee to whom they are issued).  These items must not be transferred to, loaned to, or used by other employee or non-employee under any circumstances.
<b>Breach</b>	Unauthorised use of security passes, keys or codes by you may result in disciplinary action.

## 1.7 Security in the office

<b>Policy</b>	Rarekind People encourages Temporary Employees to be alert and vigilant so that any potential security breaches are minimised or eliminated.  We also encourage you to be particularly careful with your own valuables in the workplace, and office equipment such as mobile phones and laptop computers. Keep valuable items out of sight, and preferably locked away.
<b>Guidelines to follow</b>	You should follow these guidelines to maintain a good level of site and office security. <ul style="list-style-type: none"><li>• Never disclose your access password or give your security card or key to any other person, including another employee.</li><li>• Doors should never be wedged open unless they are monitored at all times.</li><li>• Do not ever leave visitors (even those known to you) alone. Telephone to advise a colleague they have a visitor, and wait until they come to greet their visitor.</li><li>• Meetings should be held in meeting rooms, not individual work areas or offices.</li><li>• Report anything suspicious to your manager or supervisor. This includes unattended boxes, packages, or day packs, any unfamiliar substance released when opening mail, or unknown individuals behaving oddly in or near our office location.</li></ul>
<b>Breach</b>	Any security breach by you may result in disciplinary action.

## 1.8 Stationery and work areas

<b>Stationery</b>	Host Employer stationery is for business purposes only and not for private use.
<b>Unauthorised usage</b>	Unauthorised use of stationery by you may be considered misconduct conduct and may result in disciplinary action.
<b>Work areas</b>	Temporary Employees must keep their work area at a client site tidy and ensure that all files and papers are filed away at the end of each day. This is important for confidentiality and security, as well as Workplace Health and Safety (WHS).  <b>In the case of an industrial work site:</b> a tidy work area is critical to the safety of you and your co-workers. This applies during your shift and when you leave the work site for the day. All equipment, machinery and tools must be stowed away in a safe place. Failure to do so could put another worker's safety at risk. Please refer to the WHS Policy Manual for more information on this matter.



## 2 Temporary Employee leave entitlements

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### 2.1 Compassionate leave

<b>Approved leave</b>	Compassionate or other leave may be required in special circumstances and should be applied for through your Rarekind People Consultant.
<b>Entitlement</b>	A Temporary Employee is entitled to up to two days of unpaid compassionate leave for each occasion where:  (a) a member of their immediate family or household contracts or develops a personal illness or sustains a personal injury that poses a serious threat to their life; or  (b) a member of their immediate family or household dies.
<b>Longer compassionate leave</b>	If you request a longer period of compassionate leave than two days, this may be granted by your Host Employer Manager or Supervisor as unpaid leave in consultation with Rarekind People.  The number of days that will be made available to you for longer compassionate leave will be established on a case-by-case basis.

### 2.2 Public holidays

<b>Entitlement</b>	All Temporary Employees of Rarekind People are entitled to take leave on all gazetted public holidays in the State or region of the State where you are employed. This leave will be unpaid.  If the Host Employer asks you to work on reasonable business grounds, you will be paid penalty rates in accordance with the relevant award.
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### 2.3 Volunteer fire fighters and emergency services leave

<b>Policy</b>	Rarekind People provides unpaid leave for Temporary Employees who are volunteer fire fighters or emergency services personnel and who need to attend declared community emergencies.  This policy also applies to other natural disasters that require the aid of volunteers.
<b>Approval</b>	All leave must be approved by your Rarekind People Consultant and Host Employer Manager or Supervisor. You will need to provide evidence from the emergency services unit of the need for you to attend an emergency.

## 3 Equal employment opportunity and harassment

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### 3.1 Equal employment opportunity and harassment policy

<b>Policy</b>	Rarekind People is committed to ensuring that business is conducted in a way that ensures fair, equitable and non-discriminatory employment and operational practices.  As Rarekind People is an organisation whose reputation and success is dependant upon the professionalism displayed by its employees (regardless of whether they are permanent or temporary), harassment is an unacceptable form of behaviour, which will not be tolerated under any circumstances.  Rarekind People does not tolerate discrimination, harassment or victimisation in the workplace and is committed to creating a work environment that promotes Equal Employment Opportunity ( <b>EEO</b> ) and that is free from such workplace conduct.
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	<p>Rarekind People is committed to ensuring that all employees enjoy EEO. This means that employees are treated fairly and equitably when employment decisions are made and that unlawful discrimination does not take place.</p> <p>It is against the law to discriminate against anyone for reasons such as sex, race, marital status, disability, pregnancy, age, family responsibilities, sexual preference, political views, religion or impairment.</p> <p>Under the <i>Commonwealth Sex Discrimination Act 1984</i> and the state legislation, sexual harassment is illegal.</p> <p>It is the responsibility of all managers and supervisors to provide a role model for appropriate behaviour and take responsible steps to resolve any complaint brought to them. However, it is the responsibility of individual employees to ensure that their own behaviour is consistent with Rarekind People EEO and harassment policies.</p> <p>Temporary Employees should be treated consistently, according to their skills, qualifications, abilities and achievements. You will be given every chance to compete for appointments, promotions, transfers, and career development opportunities.</p> <p>All provisions and practices associated with our commitment to non-discrimination are designed to meet or exceed any considerations flowing from EEO legislation.</p> <p>Temporary Employees engaged in any type of unlawful discrimination or harassment may be subject to disciplinary action.</p> <p>The workplace will be a congenial environment in which all employees are to be treated fairly and equitably and are not subject to harassment.</p> <p>Any reports of harassment will be treated seriously and sympathetically and will be investigated verily and confidentially.</p>
<b>What is EEO?</b>	<p>EEO means that each employee enjoys a harassment free work environment. Unlawful discrimination means treating a person less favourably because of a specific personal attribute they have which equal opportunity laws cover.</p> <p>EEO is a positive way of ensuring that people are not discriminated against on the basis of certain characteristics such as:</p> <ul style="list-style-type: none"> <li>(a) age;</li> <li>(b) breastfeeding;</li> <li>(c) family responsibilities;</li> <li>(d) irrelevant criminal records;</li> <li>(e) marital status;</li> <li>(f) medical history;</li> <li>(g) membership of any lawful organisations;</li> <li>(h) nationality;</li> <li>(i) parental status;</li> <li>(j) physical features;</li> <li>(k) physical or mental disability;</li> <li>(l) political opinion;</li> <li>(m) pregnancy;</li> <li>(n) race;</li> <li>(o) religion;</li> <li>(p) sex;</li> <li>(q) sexual preference;</li> <li>(r) social origin;</li> <li>(s) trade union or employer association activity; and</li> </ul>

	(t) association or connection with another person in an otherwise protected category.
<b>What is harassment?</b>	<p>Harassment is when you feel you are putting up with any kind of behaviour that is unwelcome, demeaning, unreciprocated, intimidating, and/or offensive. This includes a person harassing you simply because they don't like you. Harassment can involve:</p> <ul style="list-style-type: none"> <li>(a) <b>sex based harassment</b> - this means: <ul style="list-style-type: none"> <li>(i) unwanted sexual behaviour whether physical or verbal;</li> <li>(ii) sex role stereotyping because of ideas about being male or female, or because of marital status, pregnancy and family responsibilities;</li> <li>(iii) unfairly treating people because they are, or are seen to be, homosexual;</li> </ul> </li> <li>(b) <b>racial harassment</b> this involves negative references to a person's race, nationality, accent and ethnic or religious background;</li> <li>(c) <b>harassment of the basis of disability</b> this may involve harassing a person because they have a real or presumed disability.</li> </ul> <p>Harassment may be obvious or subtle and can include your being:</p> <ul style="list-style-type: none"> <li>(a) victimised – the feeling that you are being 'picked on';</li> <li>(b) intimidated or abused, either verbally or physically;</li> <li>(c) exposed to displays of offensive material; or</li> <li>(d) unfairly stopped or discouraged from complaining.</li> </ul> <p>Unlawful harassment is any behaviour which is based on one of the above attributes and which is unwelcome and unreciprocated.</p> <p>Harassment is the act of persistently irritating or tormenting a person with annoyances, threats or demands. It is found in many forms including sexual harassment, racial harassment, disability harassment and victimisation of a person.</p> <p>Harassment is any act which offends, humiliates or intimidates that person being harassed. The fact that no offence was intended does not mean that the harassment is not unlawful. If you are a Temporary Employee and feel that you have been discriminated against or harassed you should bring the issue to the attention of your Rarekind People Consultant or Host Employer Manager or Supervisor as soon as possible.</p> <p>Any complaint raised will be dealt with seriously and sympathetically. Confidentiality will be respected at all times.</p>
<b>What is sexual harassment?</b>	<p>Sexual harassment is any deliberate verbal or physical sexual conduct that could be construed by the person the actions are directed towards as unwelcome or unwanted.</p> <p>It has nothing to do with mutual attraction or genuine affection between people. Such friendships, whether sexual or not, are a private concern.</p> <p>Sexual harassment may include some or all of the following actions:</p> <ul style="list-style-type: none"> <li>(a) physical contact such as patting, pinching, touching or unnecessary familiarity;</li> <li>(b) unwanted advances, propositions or demands;</li> <li>(c) distribution or display of offensive posters or pictures;</li> <li>(d) dirty jokes, derogatory comments about physical features, offensive written materials, or offensive telephone calls;</li> <li>(e) sexual innuendos;</li> <li>(f) ogling;</li> <li>(g) displaying pornographic literature in the workplace;</li> <li>(h) offensive gestures;</li> </ul>

	<p>(i) persistent or intrusive enquiries into someone's private life, sexuality, or physical appearance;</p> <p>(j) requests for sexual favours;</p> <p>(k) sexually offensive phone calls, messages on email, voicemail or in writing;</p> <p>(l) staring or leering at a person or particular parts of their body;</p> <p>(m) unwanted physical contact, touching, brushing against another person; and</p> <p>(n) verbal comments or abuse (e.g. persistent jokes or innuendos of a sexual nature).</p> <p>Sexual harassment does not necessarily involve sexual suggestions or favours. It could be as simple as a practical joke (e.g. putting obscene/offensive material in someone's work tray.)</p> <p>Sexual harassment can occur between colleagues when one person is subordinate to the other or between people of equal status. It can occur at work or outside the workplace. It may be an isolated incident or a series of events and can be intentional or unintentional.</p> <p>Courtesy and common sense should prevail. What some people accept as reasonable, others may find offensive. Rarekind People encourages employees to treat each other with respect in a congenial, professional and productive environment.</p> <p>Sexual harassment is found in many forms, from relatively mild sexual banter to actual physical violence.</p> <p>Sexual harassment does not necessarily occur in the office or during office hours. It can extend to off-site work-related events and functions.</p> <p>It is important to remember that it is the way the victim perceives the behaviour that is important in determining whether or not harassment has taken place, not the intent of a particular individual.</p> <p>It is not considered sexual harassment when a person welcomes another person's attention.</p>
<b>Our policy</b>	<p>We deplore all forms of harassment, including sexual and racial harassment. We are committed to providing a work environment that is based on mutual respect and is free from harassment.</p> <p>Harassment is not acceptable in any circumstances and is strictly prohibited. Complainants or witnesses will not be victimised and their employment conditions or opportunities will not be jeopardised as a result of lodging or attesting to a complaint.</p> <p>Disciplinary action will be taken against anyone found guilty of harassing another employee.</p>
<b>Breach</b>	<p>If you engage in any type of unlawful discrimination or harassment you may be subject to disciplinary action including termination of your employment.</p>
<b>Rarekind People's responsibilities</b>	<ul style="list-style-type: none"> <li>• To ensure that Temporary Employees are aware of Rarekind People's policy on harassment and are aware of the appropriate and professional standards of behaviour in their work life;</li> <li>• To ensure that all Temporary Employees are treated fairly and equitably and are not subject to harassment;</li> <li>• To ensure that effective procedures are in place should any incident of harassment occur;</li> <li>• To investigate thoroughly and without prejudice any allegations of harassment (this will be done sympathetically and confidentially);</li> <li>• To ensure that any incidence of harassment is dealt with quickly and fairly; and</li> <li>• To take disciplinary action against any person found guilty of harassing a co-worker.</li> </ul>

<b>Temporary Employees' responsibilities</b>	<ul style="list-style-type: none"> <li>To treat colleagues, subordinates and external contacts equitably and with respect; and</li> <li>To report any incidence of harassment from another employee or from an external person with whom you have had contact through work.</li> </ul>
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## 3.2 Procedure

<b>Procedure if you are discriminated or harassed</b>	If you feel you have been subject to discrimination or harassment you should escalate the incident using these steps:	
	<b>Step</b>	<b>Action</b>
	1	Tell the offender directly and courteously how their behaviour is causing distress or discrimination and ask that they stop doing it.
	2	Diarise the incident, noting: <ul style="list-style-type: none"> <li>(a) the type of offence;</li> <li>(b) when it occurred (date and time);</li> <li>(c) whether there were witnesses;</li> <li>(d) if witnesses are available to provide a report; and</li> <li>(e) what occurred in the discussion.</li> </ul>
	3	If the behaviour does not cease or you feel uncomfortable confronting the alleged harasser, you should immediately inform your Host Employer Manager and/or Rarekind People Consultant and note this in a diary.
	4	Your Manager or Supervisor will ask you for full details of the alleged behaviour and compile a written report, which will include the names and contact details of witnesses, if available. You will be asked to sign this report to ensure accuracy of the complaint.
	5	Your Manager or Supervisor will interview the alleged harasser in the company of another person. The Manager or Supervisor will explain the nature of the complaint which has been made against them, and give them the opportunity to respond. This interview will be documented and the record signed for accuracy by both the Manager or Supervisor and person interviewed.
	6	The Manager or Supervisor will interview any witness and obtain a written statement of their version of events.
	7	If the investigation concludes that the incident did take place the manager or supervisor must: <ul style="list-style-type: none"> <li>(a) inform the offender of the action which will be taken;</li> <li>(b) advise both parties of the reasons for the decision;</li> <li>(c) record the incident on both employee files; and</li> <li>(d) revisit the situation in six to eight weeks to ensure that the behaviour has stopped.</li> </ul>
	8	If the investigation concludes that the incident did not take place, both parties will be advised that there is insufficient evidence to support the complaint.
	9	All parts of this procedure will be documented to ensure accuracy and fairness to both parties.

## 4 Internal Grievance Resolution Procedures

### 4.1 Internal grievance resolution policy

<b>Purpose</b>	<p>The purpose of Rarekind People's Internal Grievance Resolution Procedure is to establish a consistent approach in dealing with conflicts in the workplace, internal complaints about the work environment and issues of misconduct or poor performance.</p> <p>This procedure is designed to allow Temporary Employees to air their legitimate complaints knowing that ad hoc, vindictive or arbitrary action will not be taken against them or the person to whom the complaint is directed.</p> <p>By providing a clear set of guidelines it should be possible to deal with grievances quickly and promptly. This should prevent a minor grievance turning into a major problem.</p> <p>All grievances, disputes or issues shall be dealt with in accordance with the procedure set out in this policy.</p> <p>Work must continue without any form of stoppages, strikes, lockouts and/or other bans or limitations on the performance of work whilst the grievance is processed and resolved in accordance with the steps for the resolution set out below.</p>
<b>What is a grievance?</b>	<p>A grievance is a statement by you about a work-related problem, concern or complaint. A grievance can be defined as any type of prolonged, concern or complaint, related to work or a work situation. It can be an act, behaviour or a decision that an employee perceives to be unfair. It may be a grievance relating to an individual employee or a dispute between the employee and our organisation.</p> <p>All employees have a right to express their concerns in the workplace, and lodge a complaint without the fear of being victimised in their work environment. This procedure has been developed to restore and promote a safe working environment, free from victimisation and encourage positive relationships between all employees and management.</p>
<b>Grievance resolution</b>	<p>If you have a grievance you are entitled to use the following processes to have it resolved. The grievance resolution procedure is designed to deal with employee grievances. The best way of resolving a grievance will depend on the circumstances. However, you are encouraged to act promptly once a grievance situation arises. This should avoid unnecessary escalation of the problem.</p>
<b>Step 1 – speak to the person concerned</b>	<p>The employee and/or their representative must first discuss any grievance with Rarekind People's appointed representative for the assignment.</p>
<b>Step 2 – escalate the matter</b>	<p>If the matter is unable to be resolved, the employee and/or their representative will discuss any grievance with Rarekind People's senior representative. If the matter remains unresolved, then it will be brought to the attention of Rarekind People's representative who is responsible for industrial relations, who shall attempt to resolve the matter.</p>
<b>Step 3 – meeting with manager</b>	<p>In the event of such discussions not resolving the grievance, the employee or their representative may meet with Rarekind People's nominated manager and participate in direct discussions in an attempt to resolve the matter.</p>
<b>Step 4 – Fair Work Australia</b>	<p>Emphasis will be placed on an agreed settlement of the matter; however, if the grievance remains unresolved, the parties may jointly or individually refer the matter to Fair Work Australia in accordance with the <i>Fair Work Act 2009</i>, as varied or replaced for conciliation and arbitration if unresolved through conciliation.</p>
<b>Commitments to grievance resolution process</b>	<p>Rarekind People representatives will make themselves available upon the request of their employee or their representative so as to quickly deal with the grievance. However, all parties need to understand that the process of discussion and implementation takes time.</p>

	<p>Rarekind People will ensure that all activities during operation of the procedure are in accordance with safe work and practices and are consistent with the process for continuous improvement.</p> <p>Sensible time limits will be allowed for the trainer of all on site steps in this procedure; however, this will not prevent Rarekind People and/or the employee(s) concerned from notifying the matter to the Fair Work Australia.</p>
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## 4.2 Investigating complaints

<b>Policy</b>	<p>The following are guidelines for investigating and resolving complaints, to be considered by the person nominated to be the investigator. In addition to the following guidelines, managers should be aware of signs which could indicate that harassment may be occurring in the work area. For example, unexplained deterioration in work performance, change in attitude/personality, sudden or unexplained requests for transfers or shift changes, increase in sick leave, and apparent avoidance of particular individuals.</p>
<b>Receiving a complaint</b>	<p>Listen to complaint seriously and sympathetically.</p> <p>Allow the complainant to bring another person to the interview if they want.</p> <p>Get a broad outline of the grievance, then a step-by-step account. Two interviews may be necessary.</p> <p>Take accurate notes, using the complainant's own words where possible.</p> <p>Take all details with the complainant.</p> <p>Get the complainant's agreement, allowing you to proceed with the matter.</p> <p>Promise to make a full investigation, promptly and confidentially.</p> <p>Consult the Staff partner about the case, discuss the proposed course of action and seek the partner's approval.</p>
<b>Investigating a complaint</b>	<p>Interview the alleged harasser, separately and impartially.</p> <p>State exactly what the alleged harasser is accused of, and say that you intend to make a full enquiry.</p> <p>Give the opportunity to respond fully to the allegations.</p> <p>Try to find witnesses to the incident(s). Keep their involvement to the minimum necessary to establish the facts.</p> <p>Check the work record of the complainant to see if alleged employment disadvantages show up in overtime patterns or any adverse comment on work performance.</p>
<b>Internal resolution</b>	<p>The person conducting the investigation is known as the investigator. The person appointed to this role may vary depending on the nature of the grievance and the identity of the person against whom the complaint has been made. The investigator will deal with your grievance on the facts presented and contact you if they require any additional information.</p> <p>Based on the available information the investigator may:</p> <ul style="list-style-type: none"> <li>(a) request a face-to-face meeting with the relevant parties and attempt to achieve resolution through discussion;</li> <li>(b) reject the grievance and provide reasons for this rejection; and</li> <li>(c) accept the grievance and suggest an appropriate remedy.</li> </ul>
<b>Normal work must continue</b>	<p>During the investigation and resolution process normal work must continue.</p>
<b>Discipline</b>	<p>The harasser could be disciplined by:</p> <ul style="list-style-type: none"> <li>(a) downgrading of job status and responsibilities;</li> <li>(b) transfer to another position but with no job advantage;</li> <li>(c) withholding bonus payments or other job benefits;</li> <li>(d) warning and counselling on misconduct;</li> </ul>



	<p>(e) closer supervision of conduct;</p> <p>(f) suspension;</p> <p>(g) dismissal.</p>
<b>Outcome – complaint not sustained</b>	<p>If you conclude that the complaint is not sustained:</p> <p>(a) explain the reason for your finding to both parties, for example that there is no evidence to support the complaint or that the conduct does not amount to harassment;</p> <p>(b) tell the complainant of their right to take their case to the Human Rights and Equal Opportunity Commission, or the Anti-Discrimination Board if they are not satisfied.</p>

## 5 Drug and alcohol policy

<b>Introduction</b>	Rarekind People recognises its responsibility to provide a safe and healthy environment for all persons entering its workplace and Host Employer workplaces. This includes a responsibility to provide a work environment that is free from potential hazards that are caused by the abuse of legal substances and the use of illegal substances.
<b>Scope</b>	This policy applies to all employees and contractors who enter Rarekind People's premises or a client's premises on behalf of Rarekind People.
<b>Temporary Employees</b>	For Temporary Employees, this policy is to be read <b><u>in conjunction</u></b> with the Host Employer's Drug and Alcohol Policy. To the extent of any inconsistency, this policy will prevail, unless the Host Employer's policy includes more stringent standards. In such cases, the Host Employer's standards will apply to Temporary Employees under this policy.
<b>Purpose and acknowledgement</b>	<p>Rarekind People recognises that:</p> <p>(a) the company, its employees and all other persons entering the company's premises or its clients' places of work have a responsibility for their own safety, as well as the safety of all other persons and property;</p> <p>(b) all persons are entitled to a safe working environment and the company has a duty of care to ensure that safety;</p> <p>(c) any person using alcohol while working, using prohibited drugs or exceeding the prescribed limit for prescription drugs may pose a substantial risk to themselves and other persons; and</p> <p>(d) all employees and contractors have a right to privacy.</p>
<b>Responsibilities</b>	<p>Temporary Employees must take responsibility for ensuring the health and safety of themselves and others. In particular, they must:</p> <p>(a) ensure they do not, by the consumption of alcohol or other substances, endanger their own safety or the safety of others, including customers or visitors to the workplace;</p> <p>(b) ensure that at all times they attend to work without exceeding the prescribed limits for alcohol and other substances;</p> <p>(c) ensure that they do not consume alcohol or prohibited drugs during working hours without, in the case of alcohol only, the express permission of their manager/supervisor;</p> <p>(d) ensure that they do not bring alcohol or illegal drugs into the company's premises. This includes meal breaks and rest breaks;</p> <p>(e) notify their manager/supervisor before they commence work if they are aware that their work performance or behaviour could be adversely affected or if there may be a risk to the safety of themselves or others as a result of taking a prescribed or non-prescribed substance or drinking alcohol. If the employees' work may be affected by taking a prescribed drug,</p>



	<p>if appropriate, alternative duties may be found for the employee. If no alternative duties are available, the employee may be requested to take unpaid leave;</p> <p>(f) seek information from their doctor or health professional on the use and effects of prescribed or non-prescribed substances that they intend to take, or may have taken;</p> <p>(g) take appropriate action to resolve their own problems associated with the use of alcohol or other drugs; and</p> <p>(h) notify or consult with their manager/ supervisor if they know of or are concerned that any fellow employee or contractor is or may be under the influence of alcohol or drugs.</p>
<b>Disciplinary action</b>	<p>Rarekind People and/or the Host Employer reserve the right to terminate the employment of any employee or end its contractual relationship with any contractor who is in breach of this policy.</p> <p>All breaches of this policy shall be recorded on the employee's personnel file and may give rise to termination of employment, in light of any history of misconduct.</p> <p>Following each occasion where a breach of this policy occurs, the manager/supervisor shall determine what disciplinary action will be initiated. As a <b>minimum</b>, the process identified below will be followed. Where it is determined that more severe action is required, the disciplinary process below may be waived (for example, if the company considers the breach to be serious enough as to justify termination without notice).</p> <p>For breaches of this policy the following disciplinary process shall be initiated:</p> <p>(a) <b>(first occasion)</b> - a written warning will be issued by the manager/supervisor following a breach of the responsibilities above;</p> <p>(b) <b>(second occasion)</b> - a final written warning will be issued by the manager/supervisor following a breach of the responsibilities above;</p> <p>(c) <b>(third occasion)</b> - the employee's appointment will be terminated following a breach of the responsibilities clause above.</p> <p>All breaches of this policy shall be reported to and recorded by Rarekind People.</p> <p>(d) Any breaches of this policy will be assessed by the Host Employer to determine if the breach is serious enough to require the Temporary Employee to permanently leave the worksite without notice.</p>
<b>Fitness to work and drug/alcohol testing</b>	<p>Managers/supervisors are entitled to make a reasonable assessment as to whether an employee has either consumed alcohol or illegal drugs at work or is impaired by alcohol, illegal or prescribed drugs at the commencement of or during work.</p> <p>Drug and/or alcohol testing may be undertaken in the following circumstances:</p> <p>(a) pre-employment – as part of a pre-employment screening or upon re-employment of an employee after a 60 day absence;</p> <p>(b) for cause/fitness for work/return of work:</p> <p>(i) where a Host Employer contacts Rarekind People to report that the performance of a Rarekind People employee suggests that they may be at risk through the presence of alcohol or other drugs;</p> <p>(ii) where Rarekind People has information from a reliable and credible source that an employee has used, possessed, sold, solicited or transferred drugs whilst on a Host Employer's site;</p> <p>(iii) upon finding evidence that an employee has tampered with a Drug Screen test and/or Alcohol Screen test.</p>

	<p>On the basis of any reasonable assessment made and if there is any doubt to an employee's ability to undertake their duties safely and effectively, a supervisor may:</p> <p>(a) stand down an employee pending an investigation (which may result in disciplinary action); or</p> <p>(b) where prescribed drugs are involved, request the employee leave work that day and take unpaid leave.</p> <p>Where alcohol or substance abuse is suspected, Rarekind People and the Host Employer reserve the right to direct an employee to attend a medical practitioner for the purposes of taking a blood test. Any results of a medical test will be confidential and will not be released to any third parties, unless required by law or for the purposes of obtaining legal advice.</p> <p>Any Temporary employee who refuses either an alcohol or drug test will be treated as if they have returned a positive (alcohol) or non-negative (drugs) result.</p> <p>Any attempt to avoid or falsify any alcohol and/or drug test will constitute serious misconduct and involve disciplinary procedures.</p>
<b>Drugs</b>	<p>A suitably trained and authorised person from an independent testing agency will collect urine samples in accordance with the Recommended Practice for the Collection, Detection and Quantification of Drugs of Abuse and Urine.</p> <p>If the test is negative, the employee will return to work.</p> <p>Where a non-negative result has been recorded, the employee will be removed from the Host Employer's site and transport home will be arranged by Rarekind People.</p>
<b>Rehabilitation</b>	<p>Without in any way limiting this policy, Rarekind People has a commitment to assisting persons in overcoming substance abuse problems. As such, Rarekind People may at their discretion assist an employee in taking steps to overcome any substance abuse problems.</p> <p>A Temporary Employee's participation in any rehabilitation program will be confidential. However, where Rarekind People chooses to assist the employee in undertaking any rehabilitation or counselling, Rarekind People reserves the right to request progress reports from any rehabilitation or counselling provider. Such reports will be used for the purposes of assessing health and safety in the workplace and the employee's commitment to rehabilitation.</p> <p>It is ultimately the responsibility of employees to take the first step in overcoming substance abuse by commencing a rehabilitation program and, thereafter, attending any counselling or rehabilitation program, whether organised by the company, the employee or any third party, such as a court.</p> <p>If the employee continues to breach this policy during the course of any rehabilitation program then they will be deemed unfit to fulfil the inherent requirements of their employment and their employment will be terminated.</p>
<b>Company events</b>	<p>There may be occasions where Rarekind People or the Host Employer sponsors an event which is held at the workplace or after work has finished. At such times, and with the approval of management, a limited amount of alcohol may be supplied without breaching this policy.</p>

## 6 Disciplinary, policy and procedure

<b>Introduction</b>	<p>This policy is designed to ensure that when any performance or behaviour issues arise, employees are treated fairly and equitably. This applies both to the reason for the discipline or dismissal and the manner in which the discipline or dismissal was carried out.</p> <p>Temporary Employees are expected to safely carry out their duties to the best of their ability and with due care and diligence.</p>
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	<p>Temporary Employees are also expected to comply with the terms and conditions of their employment contract and maintain appropriate and safe standards of behaviour, including:</p> <ul style="list-style-type: none"> <li>(a) being honest and reliable;</li> <li>(b) following all reasonable and lawful directions;</li> <li>(c) treating colleagues and management with respect and courtesy;</li> <li>(d) abiding by all company policies and procedures;</li> <li>(e) ensuring compliance with safety policies and procedures;</li> <li>(f) respecting company property and resources;</li> <li>(g) not committing acts of violence in the workplace, including verbal abuse;</li> <li>(h) not consuming drugs or alcohol on the company premises;</li> <li>(i) not coming to work under the influence of drugs or alcohol;</li> <li>(j) maintaining satisfactory levels of attendance; and</li> <li>(k) using personal and sick leave for genuine reasons.</li> </ul>
<b>Purpose</b>	The purpose of this policy and procedure is to set out the consequences of poor performance and misconduct.
<b>Performance</b>	A Temporary Employee's performance is considered to be inadequate if the employee is not meeting the inherent requirements of the position.
<b>Consequences of poor performance</b>	<p>Temporary Employees who do not carry out their duties to the best of their abilities with due care and diligence may have their work performance managed. A Temporary Employee who does not perform to a standard acceptable to Rarekind People may also have their performance managed.</p> <p>Temporary Employees whose performance is below the standard acceptable to management will be informed of the problems with their performance and will be given an opportunity to respond to the information regarding their work performance. They will be given a reasonable period in which to improve their performance. If performance does not improve or does not improve to an acceptable standard the employee may be given a further period in which to improve their performance or their employment may be terminated, depending upon the circumstances.</p> <p>All allegations of poor performance will be investigated by a member of the management team and the employee will be given an opportunity to respond to the allegation and any disciplinary action.</p> <p>Temporary Employees can bring a support person to any meeting regarding allegations and disciplinary action; however, such a support person is not to act as an advocate on behalf of the Temporary Employee. The Temporary Employee will be informed of the status of any investigations into their conduct.</p> <p>Investigations into a Temporary Employee's conduct will be conducted in a timely and efficient manner, having regard to management and the employee and support persons availability.</p> <p>Lawful reasons for dismissing a Temporary Employee include performance-related, conduct-related or serious misconduct.</p>
<b>Misconduct</b>	<p>Misconduct includes:</p> <ul style="list-style-type: none"> <li>(a) actions involving (or the real possibility of) harm to any employee or other person at or adjacent to the workplace;</li> <li>(b) dishonesty;</li> <li>(c) verbally abusing a person at the workplace or while carrying out the work of the Host Employer;</li> <li>(d) harassing or discriminating against another employee or any other person attending the workplace;</li> </ul>

	<p>(e) inefficiency, neglect of duty, or lingering;</p> <p>(f) failure to comply with Workplace Health and Safety policies, procedures or programs or observed directions;</p> <p>(g) inappropriate use of phones or other plant or equipment of Rarekind People or the Host Employer while at work; and/or</p> <p>(h) inappropriate use of internet or email.</p>
<b>Serious misconduct</b>	<p>A Temporary Employee will be terminated where that employee has committed an act of serious misconduct including:</p> <p>(a) fighting;</p> <p>(b) breaches of the drug and alcohol policy;</p> <p>(c) deliberately spoiling or damaging the product;</p> <p>(d) gross breach of safety;</p> <p>(e) refusal to carry out the lawful instructions of the Host Employer;</p> <p>(f) participate in/conduct illegal actions/activities; and/or</p> <p>(g) conduct of a nature that the Host Employer believes is sufficiently serious to no longer want that person onsite.</p> <p>A Temporary Employee who commits any of these acts is liable to instant dismissal.</p>
<b>Procedural steps</b>	<p><b>Step 1 – Verbal warning/counselling</b></p> <p>Where Rarekind People has a concern regarding a Temporary Employee's performance and/or conduct (except serious misconduct), this first step shall be taken:</p> <p>(a) an explanation of the concern and the performance and/or conduct and expectations of Rarekind People will be given;</p> <p>(b) the Consultant will, in the first instance, counsel the Temporary Employee by informing them of the area(s) in which they are not meeting the required standard of performance or conduct;</p> <p>(c) the Temporary Employee will be given an opportunity to provide an explanation and respond to the concerns and to rectify their performance or conduct within a reasonable period of time, depending on the circumstances (except in the case of serious misconduct);</p> <p>(d) if Rarekind People considers it appropriate the employee will be reminded of this procedure and that this is the first warning. At that time, Rarekind People will inform the employee that failure to correct the performance and/or conduct or any other problems with the employee's performance or conduct may lead to disciplinary action up to and including dismissal;</p> <p>(e) the warning is to be documented and may be confirmed in writing;</p> <p>(f) during the counselling session, the Temporary Employee will be made aware of the standards of improvement in performance and/or conduct that are to be made;</p> <p>(g) a record of the counselling session will be kept on the employee's personnel file;</p> <p>the way in which the employee was found to be not performing;</p> <p>the change required;</p> <p>the time frame in which such change is to be achieved; and</p> <p>the consequence of failing to achieve and sustain the required change.</p> <p><b>Step 2 – Dismissal</b></p> <p>If Rarekind People has a subsequent concern or the Temporary Employee has committed a serious breach relating to the standards of an employee's performance or conduct, these steps shall be taken.</p>

	<p>(a) Rarekind People will explain its concern with the employee's performance and/or conduct;</p> <p>(b) Rarekind People will give the employee an opportunity to provide an explanation;</p> <p>(c) if Rarekind People considers it appropriate, we may terminate and give notice of dismissal to the employee;</p> <p>(d) Rarekind People may consider that some other form of disciplinary action is appropriate which may include training, demotion, suspension from duty or loss of conditions or benefits;</p> <p>(e) Rarekind People will provide the employee with written notice of any termination, which will include outlining the reasons for the dismissal.</p>
<b>Representation</b>	<p>A Temporary Employee may choose to be represented by a union or any other representative at any stage of this procedure. A representative may act only as a support person and provide advice and support, but not act as an advocate in any of Rarekind People internal procedures.</p> <p>Rarekind People will provide the employee with a reasonable opportunity to have a support person present during discussions regarding termination.</p>
<b>Serious breaches</b>	<p>In most cases each step of the procedure will be followed in sequential order, in certain cases of serious breaches of procedure on standards amounting to serious and wilful misconduct including but not limited to cases such as safety.</p>
<b>Summary dismissal</b>	<p>This procedure does not in any way take away the right of Rarekind People to dismiss a Temporary Employee without notice for serious or unwilling misconduct or after conduct warranting dismissal.</p>

## 7 Non-smoking policy

<b>Purpose</b>	<p>The purpose of this policy is to ensure that Rarekind People maintains a smoke-free working environment for its premises and its Host Employers' premises, and to preserve the health of its employees, visitors, and clients.</p> <p>Rarekind People recognises its obligations under the Workplace Health and Safety legislation to provide and maintain a health, safe and clean work environment for all its employees.</p>
<b>Objective</b>	<p>To achieve a smoke free workplace and to protect all employees and clients from exposure to and the affects of, environmental tobacco smoke.</p>
<b>Scope</b>	<p>This policy applies to all Rarekind People Temporary Employees and Host Employers' buildings and enclosures unless otherwise specified by the Host Employer's policy.</p>
<b>Implementation</b>	<ul style="list-style-type: none"> <li>Temporary Employees are required to refrain from smoking in the office environment.</li> <li>Temporary Employees are not entitled to leave the office during clocked work hours for a 'smoke-break'.</li> </ul>
<b>Responsibility for implementing policy</b>	<p>The responsibility for enforcing this policy rests with Rarekind People Temporary Employees and Host Employer Managers and Supervisors.</p> <p>Each management representative, including supervisors, is accountable for implementing this policy in their area of responsibility.</p> <p>Temporary Employees are directed to comply with this policy and be aware of, and sensitive to, the need to maintain a healthy smoke-free work environment. Temporary Employees are not to place work colleagues, customers and visitors in the position of inhaling smoke and are to refrain from smoking indoors.</p> <p>All Temporary Employees are to direct people found smoking in enclosed public places to cease smoking or leave the enclosed area and inform them</p>

	that if they continue to smoke in the area they will be both committing an offence, and breaching the non-smoking policy.
<b>Consequences of breach of procedure/policy</b>	Temporary Employees failing to comply with the requirements of this policy may be subject to disciplinary action in accordance with Rarekind People Disciplinary Policy and Procedure outlined in Section 6, Page 18 of this policy.