



**ROGERS  
TRANSPORT**  
*PTY. LTD. A.B.N. 12 874 280 054*

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# Employee “Code of Conduct” Manual

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<b>Date</b>	05/06/2014			<b>Doc #</b>	RT-HR-026A

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## LITERACY

It is important that all new employees have a full understanding of this Code of Conduct.

Where a new employee's literacy skills are not strong, Rogers Transport recommends that the employee have someone help them read through the Code, and sign off for return. In the event that the new employee doesn't have someone to ask, Rogers Transport will provide a staff member to assist.

The new employee and the person assisting must initial each section as it's completed and sign and date the final page for return to Rogers Transport.

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## **INTRODUCTION**

It is important for all employees of ROGERS TRANSPORT to maintain high moral and ethical standards. Some of these standards are set out in the Employee Code of Conduct. This Code of Conduct is not intended to be exhaustive and cannot anticipate every situation which may morally or ethically compromise the employee, or ROGERS TRANSPORT.

In this regard ROGERS TRANSPORT expects its employees to use their common sense and sound judgment. However, compliance with this Code is an obligation owed by all employees to each other and to ROGERS TRANSPORT.

Breach of this Code may result in disciplinary action or dismissal.

Our industry continues to undergo significant changes. As a whole, these changes may make the way in which we do business more complex. Because of the continuing need to reassess and clarify our practices, the contents of this Code of Conduct will be updated as required. It is the responsibility of all employees of ROGERS TRANSPORT and its subsidiaries to remain aware of, and comply with this Code.

The Policy is broken into the following sections:

- General principles
- Professional Conduct,
- Use of Company Property, Information and Resources
- Personal Conduct
- Discipline
- Compliance with Laws and Regulations
- Equal Employment Opportunity
- General Obligation

If an employee is in doubt as to how she or he should act in any situation, they should always contact their immediate manager or General Manager and seek advice prior to taking any action. All requests for advice will be dealt with confidentially.

Sign Off \_\_\_\_\_

## **GENERAL PRINCIPLES**

As a rule of thumb, all employees must conduct themselves in accordance with the following common sense principles:

- Employees must act honestly and fairly in all business transactions and dealings with others.
- Employees must treat other employees, contractors, customers, competitors, and all other persons with whom they deal with at work with the utmost courtesy and respect.
- Employees must act within the best interests of ROGERS TRANSPORT.
- Employees must comply with all laws and regulations applicable to the business of ROGERS TRANSPORT.

Sign Off \_\_\_\_\_

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## **PROFESSIONAL CONDUCT**

### **Conflicts of Interest**

All employees have an obligation to avoid financial, business or other relationships, which might conflict with the legitimate business interests of ROGERS TRANSPORT or the proper performance of an employee's duties in the best interest of ROGERS TRANSPORT. You should avoid even the appearance of such a conflict. Such a conflict will exist where an employee compromises his or her ability to act with total objectivity with regard to ROGERS TRANSPORT's business interests.

Examples of conflicts of interest include, but are not limited to, the following:

- If the employee is employed by a customer, supplier or competitor of ROGERS TRANSPORT whilst employed by ROGERS TRANSPORT.
- If the employee provides work or business on behalf of ROGERS TRANSPORT to a business in which the employee, the employee's family or employee's close friend has a financial interest.
- If the employee, the employee's family or employee's close friend has a financial interest in a business which is a competitor, contractor or supplier to ROGERS TRANSPORT.
- Using ROGERS TRANSPORT-owned assets for non ROGERS TRANSPORT-related business.

All potential or actual conflicts of interests must be disclosed in writing to the General Manager of ROGERS TRANSPORT prior to engaging in such activities. ROGERS TRANSPORT reserves its right to either approve the conflict conditions, or to exclude the employee from the conflict situation.

### **Involvement in Other Employment or Business**

Employees of ROGERS TRANSPORT are expected to devote the whole of their time and attention during working hours to the business of ROGERS TRANSPORT and at other times as reasonably necessary to properly perform their duties. ROGERS TRANSPORT discourages employees from seeking additional employment or business outside ROGERS TRANSPORT which may interfere with their commitments with ROGERS TRANSPORT.

Specifically, this means any employment outside ROGERS TRANSPORT which:

- Could lead to a conflict of interest, such as working for an ROGERS TRANSPORT customer, supplier or competitor of ROGERS TRANSPORT
- Results in absenteeism, inability to meet job requirements, or poor job performance at ROGERS TRANSPORT.

Employees who may be considering other employment or business opportunities must advise their immediate Manager in writing so that any potential conflicts can be assessed. Employees are required to obtain written approval to be engaged or interested in any other trade, business or occupation.

### **Receiving Gifts, Gratuities or Bribes**

Employees are expected at all times to act in the best interests of ROGERS TRANSPORT and this means obtaining the best deal for ROGERS TRANSPORT in any business transaction. ROGERS TRANSPORT's selection of contractors or suppliers must be based solely on the quality, price and service offered.

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Employees must not accept free or discounted goods or services (beyond a reasonable commercial discount or promotional items, such as movie or event tickets) from persons doing or seeking business with ROGERS TRANSPORT, which may influence, or appear to influence a business decision unless they receive the prior written approval of the General Manager.

If any such goods are received without solicitation, employees must obtain approval as set out above. If approval is not given, such gifts must be returned immediately to the person who provided them.

Employees may accept meals or refreshments provided in the ordinary and proper course of business (for example, at a business lunch), and on an infrequent basis in connection with business discussions. Every employee is personally responsible for ensuring that acceptance of such meals and refreshments is proper and could not reasonably be construed as an attempt by the offering party to secure favourable treatment.

Employees must treat all customers, suppliers, contractors, or other persons with whom they deal in the course of their employment in a non-discriminatory manner.

For more information please refer to the *Equal Opportunity, Anti-Discrimination and Harassment Policy*.

### **Offering Gifts, Gratuities or Bribes**

ROGERS TRANSPORT expects its employees to compete fairly and ethically for all business opportunities. Employees may provide meals, refreshments or entertainment to customers, contractors or suppliers, provided that this is done in the ordinary and proper course of business and could not reasonably be seen as bribes or improper encouragement. All such expenditures must be properly recorded within the books and records of ROGERS TRANSPORT.

Employees may also provide small tokens of appreciation or gifts (such as, for example, Christmas cards and promotional items) to prospective and existing customers. However, beyond this, employees must not offer or give gifts, commissions, gratuities, or other payments, either openly or secretly, to prospective or existing customers, contractors, or suppliers without the prior written approval of the General Manager.

Any employee who offers, pays, solicits or receives any form of bribe, payoff, unlawful gratuity or kickback, directly or indirectly through third parties, will be subject to appropriate disciplinary action consistent with relevant laws and regulations and, if warranted, will be reported to the appropriate authorities. A kickback or bribe includes any item intended to improperly obtain favourable treatment. In addition to being a violation of the Employee Code of Conduct, such conduct may subject ROGERS TRANSPORT and the involved individuals to criminal penalties.

### **Loans to Employees**

Employees or their immediate family must not accept from a person doing or seeking business with ROGERS TRANSPORT any loan, guarantee of loan, or payment. The only exception to this is if the loan is from a bank or financial institution, which conducts a business of providing such loans and the loan, and is at a commercial rate on commercial terms.

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Employees must not borrow money from or lend money to other employees of ROGERS TRANSPORT.

Employees who are in financial difficulties should discuss these difficulties with their Manager. These discussions will be dealt with confidentially.

### **Secret Commissions**

Employees may not, in the course of their employment, receive or attempt to obtain from any customer, contractor, supplier, government official or any other person with whom they deal any secret commission or profit. Any such offers must be immediately reported to the General Manager.

Employees must also not offer or give secret commissions, hidden gratuities, or confidential payments to third parties that might influence prospective customers, contractors, suppliers, government officials or any other person with whom they deal.

### **Misuse of ROGERS TRANSPORT and Associated Company Merchandise, Memorabilia, Rewards or Prizes**

Employees may not, in the course of their employment, attempt to profit from the sale of ROGERS TRANSPORT and associated companies' merchandise, memorabilia, rewards or prizes, obtained as a result of their employment with ROGERS TRANSPORT. Any merchandise, memorabilia, rewards or prizes gained during your employment with ROGERS TRANSPORT, or received from ROGERS TRANSPORT or associated companies must not be sold or passed to others to sell, during your employment with ROGERS TRANSPORT.

### **Fair Dealings with Third Parties**

Employees involved in the negotiation of agreements and contracts on behalf of ROGERS TRANSPORT must ensure that all statements, communications and representations are accurate and truthful. Employees must act honestly and fairly in all such business transactions.

### **Reciprocal Dealing**

Employees should not be involved in reciprocal dealing. Employees should not tell a prospective supplier that ROGERS TRANSPORT's decision to buy its goods or services is conditioned on the supplier's agreement to buy ROGERS TRANSPORT services. This does not mean that an ROGERS TRANSPORT customer cannot be an ROGERS TRANSPORT supplier or that ROGERS TRANSPORT can never consider its other relationships with the supplier when it is evaluating the supplier. It

simply means that ROGERS TRANSPORT's decision to buy goods and services from a supplier must be made independently from that supplier's decision to buy ROGERS TRANSPORT services.

### **Competition**

Under State and Federal Legislation, companies may not enter into agreements with other companies including their distributors and re-marketers, however informal, which restrict the functioning of the competitive system, such as price fixing or dividing customers or territories.

ROGERS TRANSPORT's policy is to comply fully with all applicable laws, including competition laws. You can help by adhering to ROGERS TRANSPORT's business conduct rules, by being sensitive to legal concerns under competition laws, and by raising any such concerns with your immediate manager or General Manager.

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## Media Comment

Employees may not make statements or comments to the media or other external bodies regarding ROGERS TRANSPORT, its business dealings, financial status, customers, suppliers, competitors or shareholders unless directed or authorised by ROGERS TRANSPORT. Such authorisation must come from the General Manager or Owner. Employees must direct all media inquires to the General Manager.

Sign Off \_\_\_\_\_

## USE OF COMPANY PROPERTY, INFORMATION & RESOURCES

### General Misuse

Generally, the use of the property, information, and resources of ROGERS TRANSPORT for any purposes other than the business of ROGERS TRANSPORT is prohibited.

Some examples of the application of this general obligation are set out below.

- Approving or making of a payment on behalf of ROGERS TRANSPORT for something other than the stated purpose.
- Intentional alteration of customer or ROGERS TRANSPORT data for other than legitimate business purposes.
- Using personal customer information for any purpose other than the purpose of managing a customer's account and any reasons allowed under the customer's contract (eg. Credit check, marketing).
- Using ROGERS TRANSPORT photocopier or facsimile machines for personal reasons without authorisation from the employee's manager.
- Using company vehicles for private purposes without express authorisation from the employee's manager.
- Claiming expenses from ROGERS TRANSPORT for travel unrelated to ROGERS TRANSPORT' business or for something other than the stated purpose.
- Appropriating ROGERS TRANSPORT' stationery for personal use.

### Use of Telephones

Employees may occasionally make personal phone calls provided that such calls are short and do not affect the proper performance of their duties.

### Removal of Property from Premises

No property or monies of ROGERS TRANSPORT is to be taken from the premises without written permission of the General Manager.

### Use of ROGERS TRANSPORT Name and Stationery

Employees are not authorised to use ROGERS TRANSPORT's name or stationery (letterhead) except in the ordinary course of business and for the legitimate business of ROGERS TRANSPORT.

### Electronic Communication

Employees should generally only use the e-mail and computer systems of ROGERS TRANSPORT for legitimate business of ROGERS TRANSPORT. While incidental personal use is permissible, this usage should be minimal and should not interfere with ROGERS

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TRANSPORT business. The principle use of the Internet, electronic mail and other communication services must be for ROGERS TRANSPORT business purposes only.

Under no circumstances should employees use ROGERS TRANSPORT's email or computer systems to transmit, retrieve or store any communications which are discriminatory, are derogatory to any individual or group, for chain letters or for any purpose which is illegal or against ROGERS TRANSPORT policy.

Examples of objectionable material would include sexually explicit images and related material, material that advocates illegal activity and material that advocates intolerance for others or prejudice towards others.

Users should not expect that any information or file transmitted or stored through ROGERS TRANSPORT's communication systems will be private. All such information is the property of ROGERS TRANSPORT and, subject to ROGERS TRANSPORT's obligations under federal privacy legislation, and may be accessed and used by ROGERS TRANSPORT at any time and for any purpose.

### **Authority to Sign Documents**

Employees cannot sign any documents on behalf of ROGERS TRANSPORT or in any way commit ROGERS TRANSPORT to any agreement unless they have been properly authorised in writing by ROGERS TRANSPORT to do so. If you have any queries on your ability to enter into agreements, contact the Corporate Development Department.

### **Confidentiality**

Over the course of employment with ROGERS TRANSPORT, employees may be exposed to confidential information regarding ROGERS TRANSPORT, its customers, suppliers, contractors or employees. You are expected to keep any such information confidential.

All current and former employees of ROGERS TRANSPORT may not make improper use of confidential information which they may have acquired as a result of their employment with ROGERS TRANSPORT to gain directly or indirectly an advantage for themselves, or any other person, or to cause detriment to ROGERS TRANSPORT or its customers, suppliers, contractors or employees.

Confidential information includes, but is not limited to, all trade secrets, intellectual property, marketing, sales and business plans, customer and supplier lists, personal customer information, including account history/activity, any information relating to any conditional access system or related software or hardware, any information relating to the technical or other means or arrangements for encoding, broadcasting, decoding or gaining any unauthorised access by any means to any broadcast signal, and any other information concerning the organisation, business, finances, transactions or affairs of ROGERS.

Confidential information excludes any information which:

- as required by law to disclose and employees have consulted with and have ROGERS TRANSPORT's consent in writing prior to its disclosure.
- is already lawfully in the public domain other than as a result of any disclosure by the employee.

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Each employee must safeguard confidential information of ROGERS TRANSPORT by not transferring, publishing, using or disclosing it to third parties other than as necessary in the proper course of the employees duties or as directed or authorised by a member of ROGERS TRANSPORT's Senior Leadership Team in writing.

All files of a confidential nature must at all times not be left unattended and under no circumstances whatsoever left either on or in unlocked desks (unless the offices are locked). The disposal of all confidential papers must be done by means of ROGERS TRANSPORT's security disposal arrangements.

Unless express permission by management is granted, employees must not remove from the offices of ROGERS TRANSPORT any documents or software connected with the business of ROGERS TRANSPORT or take any copies of them for private use. All documents and software which have been removed from ROGERS TRANSPORT's offices must be returned as soon as the authorised purpose for their removal has been fulfilled and upon termination of employment.

Unless specified otherwise by contract, all confidential information that has been entrusted to ROGERS TRANSPORT by a third party (such as a customer, supplier or contractor) must be treated as though it is ROGERS TRANSPORT confidential information.

It is important for employees to note that the obligations relating to confidentiality will remain in force for the duration of their employment and after the termination of their employment.

### **Intellectual Property**

If at any time during the scope of their employment, an employee makes, discovers or participates in the making or discovery of any intellectual property capable of being used in the business of ROGERS TRANSPORT or any related company, such intellectual property is and will remain the property of ROGERS TRANSPORT.

Employees must immediately disclose full details of any such intellectual property to ROGERS TRANSPORT and do all things, which may be necessary for vesting all rights in the intellectual property in ROGERS TRANSPORT or its nominee.

All rights and obligations in respect of intellectual property made or discovered by an employee during employment with ROGERS TRANSPORT will continue in full force and effect after the termination of employment and will be binding upon the employee's personal representatives.

Intellectual property includes patents, trademarks, designs, copyright, inventions, drawings, computer programs, confidential information, know-how and all rights of a similar nature whether registered or not and including applications for such rights, existing anywhere in the world.

### **Use of Documentation**

It is against ROGERS TRANSPORT's policy to reproduce copyright plans, software, documentation or other materials without permission. Employees must respect the intellectual property of others.

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**Proper Maintenance of Records**

ROGERS TRANSPORT's financial books, records and statements must properly document all assets and liabilities, accurately reflect all transactions of ROGERS TRANSPORT, and be retained in accordance with all applicable laws and regulations. These documents must not be inappropriately altered.

Employees must not make false entries in the books or records of ROGERS TRANSPORT for any reason.

ROGERS TRANSPORT is subject to extensive and complex accounting requirements. All of ROGERS TRANSPORT's books, records, accounts and financial statements are to be maintained in reasonable detail, accurately reflecting ROGERS TRANSPORT's transactions and are to conform both to applicable legal requirements and to ROGERS TRANSPORT's system of internal controls.

**Fraudulent Activities**

Employees must not enter into fraudulent activities. Fraudulent activities encompass an array of irregularities and illegal acts characterised by intentional deception. Fraud can be perpetrated by persons outside as well as inside ROGERS TRANSPORT. No one has the authority to commit illegal acts related to ROGERS TRANSPORT. Fraudulent activities include acts that are not only a detriment to ROGERS TRANSPORT, but also a detriment to third parties.

Engaging in any act that involves fraud, theft, embezzlement or misappropriation of any property, including that of ROGERS TRANSPORT, or any of its employees, suppliers or customers is strictly prohibited. It is ROGERS TRANSPORT's policy to ensure that incidents of fraud are promptly investigated, reported and, where appropriate and authorised by applicable law, prosecuted.

Some examples of fraudulent conduct are:

- Falsification of financial records such as valuation of transactions, amount of income/loss, or failure to disclose financial information;
- Theft of any size or description;
- Acceptance or payment of bribes or kickbacks;
- Diversion of potentially profitable transactions outside ROGERS TRANSPORT;
- Claims submitted for services or goods not actually provided to ROGERS TRANSPORT or a third party;
- Embezzlement; and
- Intentional concealment or misrepresentation of data, records, events or information, including but not limited to, expense reimbursement and achievement against Key Performance Indicators, resulting in reward and recognition benefits.

Sign Off \_\_\_\_\_

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## **PERSONAL CONDUCT**

### **Starting and Finishing Times**

Employees are required to clock on and off, via the time clock, to record their hours. If you forget to clock on or off, your times must be recorded on your time card by your immediate manager. If no times are recorded, you will only be paid for 7.6 ordinary hours. Employees are expected to have clocked on and be ready to commence work at their nominated starting times. Employees are expected to clock off as soon as they finish their work day. Employees are given 5 minutes at the end of the day to clean and wash up.

### **Meal Breaks**

Employees are entitled to a non paid meal break and smoko breaks as per the relevant awards. Meal breaks are 30 minutes in duration and smoko breaks are 10 minutes in duration. Employees are expected not to exceed the allocated time frame.

### **Freight & Paperwork**

Employees are expected to check freight, by quantity and type, on and off their vehicles and to obtain a Proof of Delivery (POD) from the receiver. A POD consists of a signature, printed name and date on both the consignment note and daily run sheet.

### **Pre-checks**

Employees are expected to perform and record pre-checks on all equipment, prior to use. Any defects must be reported to your immediate manager.

### **Smoking**

Smoking is not allowed on the premises of ROGERS TRANSPORT, except in areas that have been clearly designated as employee smoking areas. ROGERS TRANSPORT employees should only smoke when they are physically located in the designated smoking area and are expected to dispose of their cigarette butts in the receptacles provided.

Company Motor Vehicles are not designated smoking areas.

At all ROGERS TRANSPORT functions away from the workplace, employees must adhere to the venue requirements. Smoking in contravention of this policy will result in disciplinary action.

ROGERS TRANSPORT is concerned about its employees' health and discourages smoking. Tobacco smoking has been directly linked with cancer, respiratory problems and other disorders.

### **Drugs and Alcohol**

The consumption of alcohol on ROGERS TRANSPORT's premises or in the course of employment will not be tolerated as it impairs behaviour. The only exception to this is on company sponsored occasions that have prior approval of the General Manager or Owner and when entertaining customers, suppliers etc on behalf of ROGERS TRANSPORT. On these exceptional occasions employees must ensure that they drink in moderation, behave in a professional manner, and do not engage in conduct which may risk their safety or the safety of others (including driving or operating any vehicle).

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The use of any other recreational or non-prescription drugs is strictly prohibited in any premises of ROGERS TRANSPORT or in the course of employment and is grounds for dismissal.

Employees on prescribed drugs, which may impact on their ability to safely perform their duties, must provide their manager with a medical certificate certifying that they are fit to perform their duties.

### **Gambling**

Usage of ROGERS TRANSPORT's equipment (eg, phones and email) for gambling or gambling on ROGERS TRANSPORT's premises is strictly prohibited and is grounds for dismissal. The only exceptions are betting small sums of money (that is, less than \$50) on the Melbourne Cup, football tipping competitions, or lotto/lottery syndicates.

### **Tidiness**

Desk and working areas must be left as tidy as possible, all materials, papers and files put away. Under no circumstances must any items of value such as cheques be left overnight either in or on desks. All confidential material must be locked in desks or filing cabinets. Personal belongings in desks should be limited and not allowed to accumulate.

### **Leave**

Employees are entitled to Annual Leave and Personal/Carers leave and compassionate leave, as per the National Employment Standards.

Applications for all types of leave must be submitted in writing on the correct form.

Employees are expected to give 4 week's notice when applying for annual leave.

Employees are expected to notify their immediate manager, prior to the commencement of their normal start time, if they are not attending work due to Personal/Carers or compassionate leave. A supporting medical certificate is required for periods of 2 days or more and if the leave is taken the day before or after a public holiday.

### **Dress and Grooming Standards**

It is in ROGERS TRANSPORT's best interests to present a professional image to its customers, suppliers and the public. Accordingly, it is expected that all employees will dress in a manner consistent with good hygiene, safety and good taste.

Where appropriate, uniforms will be supplied to employees. Employees are expected to wear uniforms that have been provided by ROGERS TRANSPORT. Employees must be suitably groomed at all times and their appearance must be clean and neat.

### **Obscene Language**

Employees are expected not to use objectionable or obscene language at any time whilst in or on ROGERS TRANSPORT's premises. Employees are expected to at all times act and behave in a business-like manner and be courteous to their fellow employees and colleagues.

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### Personal Mobile Phones

Employees are expected not to use personal mobiles during work hours. This includes personal calls and texting. Return personal call or texts during your lunch break.

### Company Mobile Phones

Employees are expected to use company mobiles for business purposes only. When requested, the phone and accessories will be returned to ROGERS TRANSPORT, in good working order. The phone will be replaced at the employees expense should it be lost, stolen or damaged through their negligence. The cost of all personal calls and texts will be reimbursed to ROGERS TRANSPORT.

### Inappropriate Conduct

Employees are expected not to conduct themselves in a manner that has an adverse impact on the work environment, including at company sponsored functions. This inappropriate conduct includes threats, over consumption of alcohol, violent behaviour, the possession of weapons of any type, the use of recording devices, including web cameras, for other than management approved purposes.

### Workplace Health & Safety

Employees are expected to conduct themselves in a manner that contributes to a safe and risk free workplace. This includes:

- Comply with instructions given for Workplace Health and Safety.
- Use Personal Protective Equipment if the employer provides it and if you are properly instructed in its use.
- Not wilfully or recklessly interfere with or misuse anything provided for workplace health and safety at the workplace.
- Not wilfully place others at risk.
- Not wilfully injure yourself.

Sign Off \_\_\_\_\_

### DISCIPLINE

Where disciplinary action may be required, the three warnings system shall apply - the first two warnings will clearly define the problem concerned, the standard expected and guidelines on how to achieve it, a time frame for improvement and a review date. All such instances will be recorded, in writing.

The issue of a third warning will result in termination of employment.

Where termination is for wilful misconduct and/or not adhering to company policies and procedures, immediate dismissal will take place.

Other extreme breaches of certain workplace standards or the Employee Code of Conduct may result in instant dismissal and bypass the three warnings process.

Sign Off \_\_\_\_\_

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## COMPLIANCE WITH LAWS AND REGULATIONS

All employees must comply with all laws which apply to ROGERS TRANSPORT's business. It is the responsibility of each employee to meet this obligation. All employees have a responsibility to know what the law requires and that they understand the importance of complying with the law.

Sign Off \_\_\_\_\_

## EQUAL EMPLOYMENT OPPORTUNITIES

Employees must treat all customers, suppliers, contractors, or other persons with whom they deal in the course of their employment in a non-discriminatory manner. For more information please refer to the *Equal Opportunity, Anti-Discrimination, and Harassment, and Bullying Policies*.

### **Sex Discrimination**

ROGERS TRANSPORT prohibits sex discrimination of its employees and applicants for employment by any employee, non-employee or applicant. Such conduct may result in disciplinary action up to and including termination. ROGERS TRANSPORT will not tolerate, condone or allow sex discrimination, whether engaged in by fellow employees, supervisors, associates, clients or other non-employees who conduct business with the Company.

Sex discrimination is any behaviour that discriminates on the grounds of sex, sexual orientation, gender identity, intersex status, marital or relationship status, pregnancy, potential pregnancy, breastfeeding or family responsibilities or involving sexual harassment

**gender identity** means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person's designated sex at birth.

**intersex status** means the status of having physical, hormonal or genetic features that are:

- (a) neither wholly female nor wholly male; or
- (b) a combination of female and male; or
- (c) neither female nor male.

**sexual orientation** means a person's sexual orientation towards:

- (a) persons of the same sex; or
- (b) persons of a different sex; or
- (c) persons of the same sex and persons of a different sex.

### **Sexual Harassment**

Sexual harassment is a form of sex discrimination. It is any behaviour that includes unwelcome sexual advances and other verbal or physical conduct of a sexual nature when:

❖ submission to, or rejection of, such conduct is used as the basis for promotions or other employment decisions;

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❖ the conduct unreasonably interferes with an individual's job performance or creates an intimidating, hostile or offensive work environment.

Employees are entitled to work in an environment free from sexual harassment and a hostile or offensive working environment. We recognize sexual harassment as unlawful discrimination, just as conduct that belittles or demeans any individual on the basis of race, religion, national origin, sexual preference, age, disability, or other similar characteristics or circumstances.

No manager or supervisor shall threaten or imply that an employee's refusal to submit to sexual advances will adversely affect that person's employment, compensation, advancement, assigned duties, or any other term or condition of employment or career development.

Sexual joking, lewd pictures or objects and any conduct that tends to make employees of one gender "sex objects" are prohibited.

### **Workplace Bullying**

Rogers Transport will strive to achieve a healthy and safe workplace by addressing the issue of workplace bullying. Any complaint of bullying will be dealt with promptly according to procedures that ensure confidentiality and non-victimisation of all involved parties.

Employees of Rogers Transport must not engage in bullying behaviour towards another employee or any other person they may have contact with in the course of their employment.

Bullying is repeated, unreasonable behaviour directed toward a worker or group of workers, which creates a risk to health and safety. It includes behaviour such as:

- abusive, insulting or offensive language or comments
- unjustified criticism or complaints
- continuously and deliberately excluding someone from workplace activities
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines
- setting tasks that are unreasonably below or beyond a person's skill level
- denying access to information, supervision, consultation or resources such that it has a detriment to the worker
- spreading misinformation or malicious rumours
- changing work arrangements, such as rosters and leave, to deliberately inconvenience a particular worker or workers
- excessive scrutiny at work

A single incident of unreasonable behaviour is not considered to be Workplace Bullying.

It is reasonable for management and supervisors to allocate work and give fair and reasonable feedback on a workers performance. These actions are not considered bullying if they are carried out in a reasonable manner. Reasonable management action includes:

- setting reasonable performance goals, standards and deadlines
- rostering and allocating working hours where the requirements are reasonable
- transferring a worker for operational reasons
- deciding not to select a worker for promotion where a reasonable process is followed and documented

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- informing a worker about unsatisfactory work performance when undertaken in accordance with workplace policies, agreements or performance management guidelines
- informing a worker about inappropriate behaviour in an objective and confidential way
- implementing organisational change or restructuring
- termination of employment

### **Dispute Resolution**

Employees who have complaints of harassment, discrimination, victimisation, vilification or bullying should (and are encouraged to) report such complaints to their supervisor. If this person is the cause of the offending conduct, the employee may report this matter directly to the General Manager or Director. Your complaint will be promptly and thoroughly investigated.

Confidentiality of reports and investigations of harassment, discrimination and bullying will be maintained to the greatest extent possible. Any manager, supervisor, or employee who, after appropriate investigation, is found to have engaged in the harassment, discrimination or bullying of another employee will be subject to disciplinary action, up to and including termination.

ROGERS TRANSPORT will not in any way retaliate against any individual who makes a report of harassment, discrimination or bullying nor permit any employee to do so. Retaliation is a serious violation of these policies and should be reported immediately. Any employee who victimises or retaliates against an employee who has lodged a complaint will be subject to appropriate disciplinary action, up to and including termination.

Sign Off \_\_\_\_\_

### **GENERAL OBLIGATION**

While the Code provides general guidance and minimum expectations regarding your conduct, no code or policy can ever cover every conceivable circumstance you may face. In everything you do, you are expected to listen to and act upon your conscience to help build and maintain ROGERS TRANSPORT's and your own reputation.

Failure to comply with the principles or the spirit of the Code will be considered a serious breach of ROGERS TRANSPORT policy and will be investigated.

Breaches of the Code or the Policy Framework will result in disciplinary action, ranging from a verbal warning through to the termination of your employment for serious breaches.

Employees, who become aware of a suspected violation of the Code of Conduct, whether before or after it has occurred, must promptly report it to their manager. If employees are still concerned after speaking with such person or feel uncomfortable speaking with such person (for whatever reason), they may contact the General Manager or Managing Director of ROGERS TRANSPORT

Sign Off \_\_\_\_\_

**GARY ROGERS**  
**Owner/Director**  
**October 2013**

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# Employee Acknowledgement



I, \_\_\_\_\_ hereby acknowledge receipt of the  
ROGERS TRANSPORT Pty Ltd "Employee Code of Conduct" Manual, including the "Fair Work Information Statement" and acknowledge that this is the minimum standard expected of a ROGERS TRANSPORT employee.

The Code of Conduct has been read and explained to me by \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature (Employee)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

***Please return this page to the Owner***

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