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Workplace Health and Safety Policy

Mirri Cranes is committed to a policy enabling all work activities to be carried out safely, and with all reasonably practicable measures taken to eliminate, or minimize risks to the health, safety and welfare of employees, contractors, authorized visitors and any person who may be affected by our business or undertaking.

We are committed to ensuring we comply with the *WHS Act 2011 and WHS Regulation 2011*, relevant Codes of Practice and Australian Standards (including *ISO 45001:2018 Occupational Health and Safety Management Systems*).

In meeting this obligation, Mirri Cranes will, as far as reasonably practicable:

- Provide a safe place of work for staff, contractors and visitors during the course of our business activities;
- Provide staff with guidance on and training in the identification, assessment and control of hazards in the workplace and disseminate WHS information to stakeholders;
- Provide and maintain safe plant, equipment and systems of work, including safe storage and handling of hazardous substances and dangerous goods;
- Consult with staff and contractors on WHS issues and enable them to contribute to decisions that may affect their health, safety and welfare at work;
- Engage our stakeholders to build relationships based on honesty, openness and mutual trust and share responsibility for meeting the goals of our WHS policy;
- Promote and foster a supportive WHS culture and ensure that staff and contractors are aware of their responsibilities for WHS in areas under their control;
- Record any specific issues and hazards identified by carrying out a risk assessment and incorporating responsibilities, processes and controls to eliminate or manage these risks and hazards in a risk register;
- Ensure that safety standards required for project activities are compliant from commencement until the completion of the project, by having each contractor submitting WHS plans and/or SWMS prior to work commencing and monitoring contracted work;
- Implement WHS best practice including planning, monitoring, reporting and risk management integration;
- Investigate the cause and take corrective action for incidents regardless of whether it has caused injury or not; and
- Regularly measure, publish and continuously improve our WHS performance.

This policy is applicable to Mirri Cranes in all of its operations including Joint Ventures, at all locations and project sites under control of the company, or where any Mirri Cranes staff member or contractors are engaged.

This policy is approved and issued by the Director of Mirri Cranes and will be subject to regular monitoring and annual review.



Environmental Policy

The management of Mirri Cranes is committed to establishing and maintaining sound work environments with a priority given to progressive and responsible environmental management. Our aim is to minimise the harmful environmental impacts of our operations, and to propagate a culture of environmental responsibility.

The Mirri Cranes Environmental Policy involves the continual development of a system based on *ISO 14001:2016 Environmental Management Systems* and environmental legislation and ensuring, so far as reasonably practicable, we consistently and reliably satisfy, or exceed, our client's expectations.

Mirri Cranes is committed to these objectives, and will achieve this by:

- Identifying environmental impacts and applying appropriate environmental actions;
- Promoting a culture where 'prevention of pollution' is a consideration in the decision making process;
- Reducing and minimizing, where reasonable, the environmental footprint from our business activities;
- Being aware of, and complying with applicable environmental legislation and other requirements that we subscribe to, leading to the development of suitable monitoring and review activities;
- Working cooperatively and transparently with the community, stakeholders and relevant agencies to ensure successful environmental outcomes;
- Ensuring company leaders actively promote and encourage responsible environmental principles;
- Making relevant environmental training available as an integral part of our business to improve awareness, knowledge and skills;
- Developing and implementing plans and procedures for the effective operation and management of our processes;
- Taking appropriate action when employees or others under our direction disregard environmental procedures and practices;
- Meeting performance standards and key performance indicators, and taking action to improve performance through regular and formal reviews; and
- The promotion of environmental strategies to ensure sustainable work practices.

Mirri Cranes is committed to continual improvement in environmental management. This includes regular monitoring, assessment and review of all aspects of the system by both internal and external audits.

Environmental management and care is a team effort. All persons who work for Mirri Cranes have a personal and moral responsibility for the implementation of this policy.

This policy will be reviewed annually in consultation with employees.



Quality Policy

The management of Mirri Cranes is committed to providing quality products and services to our clients, and promoting a workplace culture aimed at achieving the highest standard possible.

The Mirri Cranes Quality Policy is a reinforcement of this commitment which involves the continual development of a system based on *ISO 9001:2016 Quality Management Systems* and ensuring, so far as reasonably practicable, we consistently and reliably satisfy, or exceed, our client's expectations.

Mirri Cranes is committed to these objectives, and will achieve this by:

- Determining the needs of our clients with the aim of enhancing client and product satisfaction;
- Being aware of the relevant documents, specification and other contractual requirements to allow the development of suitable recording and review activities;
- Ensuring company leaders actively promote and demand quality workmanship;
- Making relevant training available as an integral part of our business to improve awareness, knowledge and skills;
- Developing and implementing plans and procedures for the effective operation and management of our processes;
- Taking appropriate action when employees or others under our direction disregard quality procedures and practices;
- Implementing systems and procedures to identify, report and track non-conformances as part of our commitment to continual improvement; and
- Meeting performance standards and key performance indicators, and taking action to improve performance through regular and formal reviews.

Mirri Cranes is committed to continual improvement in quality management. This includes regular monitoring, assessment and review of all aspects of the system by both internal and external audits.

Providing a quality product and service to our clients is a team effort. All persons who work for Mirri Cranes have a personal and moral responsibility for the implementation of this policy.

This policy will be reviewed annually in consultation with employees.



Rehabilitation Policy

Mirri Cranes is committed to providing a safe and healthy workplace for all workers. In the event of a work related injury we will take all necessary steps to ensure the injury does not happen again.

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

To meet our Rehabilitation Policy commitments, Mirri Cranes will:

- Make every effort to minimize work related injuries and illnesses by providing a safe workplace and encouraging employees to immediately report any hazards observed.
- Ensure that rehabilitation follows a work related injury or illness, an on-site rehabilitation coordinator will be appointed to monitor and coordinate the return to work plan and to assist where ever possible in the return to work;
- Initiate the rehabilitation process as quickly as possible after a work related injury or illness while ensuring that participation in the program will not disadvantage the affected employee;
- Encourage all employees to support the affected employee and their return to work program;
- Assist the employee to find another position if the employee is unable to return to previous duties;
- Assist any seriously injured employee who cannot return to the workforce, achieve the greatest independence in day-to-day living through appropriate case management; and
- Advise all employees of this policy, the existence of alternative duties and the individual responsibility to participate in rehabilitation program if the need arises.

This policy represents our commitment to occupational rehabilitation and return to work following a work related injury.



Mutual Respect Policy

Mirri Cranes is committed to providing a workplace that is free of discrimination. This will be achieved in an environment where everyone is treated fairly and where a culture of mutual respect applies. All employees will be given equal opportunity to reach their potential regardless of personal attributes.

Mirri Cranes recognises that harassment including sexual harassment can be a form of discrimination and is unlawful.

All instances of alleged discrimination/harassment will be treated seriously, quickly and confidentially, with any subsequent investigations to be conducted fairly and impartially. Any person involved in an allegation/complaint will not be victimised in any way.

Discrimination and harassment occur when a person is discriminated against or harassed in the workplace and in certain areas of public life because of:

- Their race, colour, descent or national or ethnic origin, as defined under the *Racial Discrimination Act 1975*;
- Their sex, marital status, pregnancy as defined under the *Sex Discrimination Act 1984*;
- A disability as defined under the *Disability Discrimination Act 1992*;
- Age as defined under the *Age Discrimination Act 2004*; and
- Some grounds under the *Human Rights and Equal Opportunity Act 1986*;

To meet our Mutual Respect commitments, Mirri Cranes will promote diversity and foster an environment where all employees have positive working relationships with each other.

This policy represents our commitment to having a workplace free of discrimination or harassment.



Risk Management Policy

Mirri Cranes will exercise its Duty of Care to its employees and the Community by implementing an inclusive process of risk identification, assessment, and prioritisation of controls within reasonable and practicable limits.

Mirri Cranes risk assessment and management processes reflect the International Standards Organisation's Risk Management Standard (ISO) 31000 which is underpinned by the following principals and managerial framework:

Principles

- Extant Mirri Cranes management process are implemented in accordance with the WHS Act 2011 and WHS Regulation 2011. Mirri Cranes acknowledges that risk management is:
- Integral part of the organisational process;
- Part of all decision making;
- Fundamental to addressing uncertainty;
- Based on the best information available;
- Incorporates both human and cultural factors;
- Is transparent and inclusive; and
- Able to facilitate ongoing system improvement.

Framework

Mirri Cranes Risk Management Framework is underpinned by the principles above which give management its mandate and commitment to Mirri Cranes risk management processes. The practical framework and process guidance for identifying and measuring risk to which the organisation is exposed, is articulated in paragraphs below. Mirri Cranes management acknowledges the following parameters which inform the risk management framework for Mirri Cranes:

Responsibility	Mirri Cranes management is responsible for leading and assuring the implementation of Mirri Cranes risk management policy through the effective and efficient conduct of Mirri Cranes activities and administration.
Proactive Management of Risks	Mirri Cranes management is responsible for identifying hazards that could reasonably affect employees and for managing the associated risk to within tolerable thresholds.
Planning for Success	Mirri Cranes management is responsible for developing its safety management plan and managing both the safety risks and critical governance processes.



Detailed Workplace Safety Planning

Mirri Cranes management will oversee the complete assessment and appreciation of the risks associated with work, and will identify necessary controls to mitigate the risks in the workplace. When deemed prudent, management will delegate responsibility for the conduct of specific work related tasks to suitably qualified and experienced individuals and ensure the recording and briefing of the safety control tasks by the responsible individual to improve understanding of the tasks and outcomes required. This practice therefore, authorises the responsible person to act in the interests of management, and ensures individual accountability.

Accountability

Mirri Cranes Code of Conduct articulates accountabilities and expectations of the management and the employees, and highlights that accountability for the safe and effective conduct of work related activities applies to employees as well as the management. Mirri Cranes Code of Conduct is at Annexure B.

Reporting

In order to improve the system for delivering a safe and healthy workplace for Mirri Cranes employees, a system of pro-active 'near miss' and reactive 'incident' reports is required.

Proactive Reports

Near miss reports record the occurrence and describe the standing controls that did not work or identifies controls that were not in place. They allow the analysis of a situation where extant controls were violated or failed to provide the envisaged outcome but where no one was hurt, no, or only minor, property damage occurred, no costs were incurred by Mirri Cranes, or the work related objectives were not disrupted. The aim of near miss reporting is to identify causal factors from which standing risk profiles and future risk management plans can be adjusted to ensure Mirri Cranes learns from the near miss.

Reactive Reports

An incident report record an incident and its impact on individuals and / or the workplace and examines the controls that failed, or were not present, in order to identify causal factors from which standing risk profiles and future risk management plans can be adjusted to ensure Mirri Cranes learns from the incident.

Improvement

ISO 31000 relies on organisations to acknowledge and implement performance monitoring and improvement strategies so that the risk management process continuously improves. In Mirri Cranes this will be achieved by conducting regular site management meetings (minimum 1 per month). Senior management will be formally briefed of the findings during monthly management meetings so that actions can be taken to improve future work activities, while the process is noted for audit / assurance purposes. In order to keep this policy relevant, the policy will be reviewed annually by Mirri Cranes executive and recommended changes adopted accordingly.

Assurance

In order to demonstrate its commitment to implementing this policy, Mirri Cranes will seek an annual independent review of the process and Mirri Cranes safety performance, with a report to be delivered to management for analysis and ongoing system improvement.

Risk Thresholds

In order to standardise the assessment of risk throughout Mirri Cranes, descriptors of Mirri Cranes level of risk tolerance and risk assessment tools have been customised to suit Mirri Cranes. After due consideration the, tolerable threshold of risk for all Mirri Cranes work related activities was set at no higher than 'Moderate'. Where the risk is high Work is not to



proceed until controls are implemented to reduce the residual risk to Moderate or Low. HRW SWMS required. Permit with applicable manager sign off as necessary. Provide ongoing monitoring and competent supervision of works.



Risk Management Tools and Processes

It is important for management and staff of Mirri Cranes to understand the risk rating methodology and language used to describe or quantify a risk, so that one person's description of a risk conveys the same understanding to those receiving the risk management description. Management and staff are inducted into the IMS and receive specific training in the use of Mirri Cranes agreed risk assessment tools and methodology.

Conclusion

Mirri Cranes acknowledges its Duty of Care to its employees and the fiduciary duties of management to manage in the interests of the company. This is in part exercised through adopting this Risk Management Policy as the basis for customising Mirri Cranes risk management tools and processes.

Mirri Cranes also acknowledges that workers have obligations under the Code of Conduct, as does Management to Mirri Cranes workers / employees.

Mirri Cranes is committed to providing a safe and healthy workplace for its workers / employees. Therefore, in order to keep this policy relevant, the policy and Mirri Cranes risk management performance will be reviewed annually by Mirri Cranes executive and recommended changes recorded and implemented to assure ongoing safety and risk management performance.



Fitness for Work Policy

As part of Mirri Cranes's ongoing obligation and commitment to maintaining a safe workplace it is our aim to ensure that all workers in Mirri Cranes workplaces are physically, emotionally and mentally fit to perform their duties unaffected by alcohol or drugs.

Alcohol and drug usage becomes a Workplace Health and Safety (WHS) issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired, leading to an increased risk of injury or accidents to themselves or others at the workplace.

Workers are responsible to take reasonable care of their own health and safety and not endanger that of others while at the workplace.

Aim

Mirri Cranes aims to foster an attitude amongst all workers that it is unacceptable to present for work, or to be at work, while under the influence of alcohol and/or other drugs. Workers on site, including employees of the head contractor, subcontractors and their employees, will be required to comply with the relevant fitness for work policy (through contract or other enforceable means).

This policy outlines our processes for managing the misuse of alcohol and drugs in the workplace through testing, education, counseling, rehabilitation and where required, discipline.

To meet our Fitness for Work Policy commitment and duty of care obligations, Mirri Cranes will:

- Carry out random alcohol and/or other drugs testing on our construction sites to ensure fitness for work and in doing so provide a safe work environment;
- Target high risk ticket holders (not the general site) for non-federally funded projects;
- For federally funded projects, Mirri Cranes will carry out alcohol and drug testing in accordance with the *Code for Tendering and Performance of Building Work 2016*;
- Prohibit workers from work if they are affected by alcohol and/or drugs;
- Increase awareness of the harmful effects of drugs and alcohol in the workplace, on the individual and to others by the inclusion of this issue into induction programs;
- Make available information about the availability of referral and treatment services to overcome drug and alcohol abuse;
- Prohibit the consumption or use, possession and/or sale of alcohol or drugs on any Mirri Cranes construction site or workplace;
- Where alcohol is to be provided by Mirri Cranes at a work sponsored function, it will be provided in a properly authorized and responsible manner. Individuals will be reminded of their legal obligations concerning driving and alcohol consumption. Alternative non-alcoholic beverages and adequate food will be made available. For clarity, if alcohol is supplied at functions, workers who consume alcohol will not be fit to return to work;
- Ensure that any person taking prescribed medication or pharmaceutical (over the counter) drugs reports the use to management where it is known by the user that use may affect their ability to perform assigned duties.

Mirri Cranes shall ensure that drug and alcohol testing results remain confidential and dissemination of the results shall be restricted to those who have a genuine requirement to access the results. Records will be maintained in a secure location in accordance with privacy laws. Results will only be released to a third party as required by law or in the course of legal proceedings following consultation with the worker involved.

Testing will be carried out in a suitable area that maintains the privacy of the individual/s being tested.

Workers who record a positive ("fail") result will be treated at all times in a respectful and non-judgmental manner.



Drug and Alcohol Testing Program

The program includes testing for the following:

- Alcohol
- Opiates
- Methamphetamines
- THC (Marijuana)
- Cocaine
- Benzodiazepines
- Amphetamines

The current program testing options include:

- Random and target testing;
- For cause testing; and
- Voluntary testing

For random testing, workers will be selected using a random selection process nominated by Mirri Cranes management in consultation with the Health & Safety Advisor and Site Safety Committee (if in place). The random selection process shall be conducted in a clear and transparent manner.

The procedures for the selection of personnel to be tested (including staged selection across a worksite or random selection for testing if the entire workforce is not to be tested in a testing round).

Mirri Cranes will maintain a numbered daily sign in register. At monthly intervals, Mirri Cranes shall engage an independent tester to select 10% of site workers for random testing. The selection process will be; Numbered raffle tickets equal to number of sign ins will be placed into a bucket or similar with independent tester to select 10% of sign ins. The persons with corresponding numbers will be required to undergo testing.

Targeted testing of workers involved in high risk construction activities will be carried out in accordance with the random selection process as outlined above, or alternatively, the workers completing the high risk construction work will be selected to participate in the test program. For clarity, targeted testing of higher risk activities is in addition to the mandatory frequency/percentage requirements for random testing, and cannot form part of the random testing.

Higher risk activities means “High Risk Work” defined in Schedule 3 of the *Work Health and Safety Regulation 2011* (Qld).

Targeted testing shall be conducted upon reasonable belief a worker who shows signs of being affected by alcohol and or drugs shall be considered for testing. When a worker is suspected of being affected at work, primary consideration must be given to the safety of the individual and of others.

Testing after a Workplace health & safety incident; A worker may be required to submit to an alcohol and or drug if they are involved in an incident.

For cause testing may be conducted where:

- An individual or group of individuals fitness for work may have been a contributing factor in an incident, injury or dangerous occurrence;
- There is a direct observation or indication of impairment or unusual behavior or actions by the individual/s;
- There is evidence or reason to believe the individual is involved with the use of alcohol or other drugs while at work; or
- Where safety precautions or processes may have been breached by the individual/s.

For cause testing is to be applied fairly, objectively and equitably, Testing Officers must act in an ethical and professional manner and with consistency for all Workers on each occasion they are required to conduct an assessment.



Voluntary assessment may be undertaken if:

- A worker presents of their own volition and requests a test (Note – discussions with the workers as to the reasons wanting the test, the ramifications and procedures)
- A worker volunteers for a test when selection conducted under either the targeted selection (in the case of a causal matter) or a random selection.

Minimum number of tests required:

As a minimum, frequent and periodic testing (at least once per month) of the workforce (both construction workers and site office workers) will be as follows:

- i. where there are less than 30 workers on site – at least 10% of the workforce;
- ii. where there are 30 to 100 workers on site – a minimum of 5 workers per month; and
- iii. where there are greater than 100 workers on site – a minimum of 10 workers per month.

Testing Officers

Drug and alcohol testing is to be undertaken by suitably qualified Testing Officers from an independent external provider. The provider will be required to verify procedural accuracy and fairness of the testing in accordance with legislative requirements as follows:

- Alcohol testing equipment used must be tested and calibrated according to the manufacturer's instructions and certified to *AS 3547:1997 Breath alcohol testing devices for personal use. For clarity, implementation of this requirement must not result use of devices for the testing of alcohol that only return a positive result for samples of .02 or higher;*
- Oral fluid testing is to be conducted for drug screening and must be used, tested and calibrated to the manufacturer's instructions and certified to *AS 4760:2006 procedures for specimen collection and the detection and quantitation of drugs in oral fluid;*
- Testing of persons under the age of 18 must only be undertaken after their parent or guardian has been informed;
- Testing must be conducted in a designated area, which ensures privacy of the individuals for the duration of the testing; and
- The integrity of the sample and testing must be maintained and verified through testing records provide to an authorised Mirri Cranes representative at the completion of the testing.

When an individual is selected for testing for any reason defined within this Policy they must immediately proceed to the testing area. They may not leave the site for any reason and must cooperate fully with any reasonable instructions given by the authorised Testing Officer.

Alcohol Testing Results

- Workers recording a 0.00% Blood Alcohol Concentration (BAC) reading [a negative ("pass") result] are permitted to return to work immediately.
- Workers recording a BAC result above 0.00% up to and including 0.02% BAC [a non-negative ("fail") result] are required to stand down and will be required to complete a Confirmatory Test 60 minutes after the Initial Screening Test or at the discretion of the Testing Officer.
- Where a Worker who fails to submit to a test they will be *deemed* to have returned a positive result and will be prevented from performing work until they can prove they are fit to return to work, and other processes that will apply in the event of a positive result or *deemed* positive result.



- Where a Worker completes the Confirmatory Test and a result of 0.00% is obtained [a confirmed negative (pass) result], they are permitted to return to work immediately. No loss of pay is to apply.
- Where a Worker completes the Confirmatory Test and a result greater than 0.00% is obtained [a confirmed positive (fail) result] they are NOT permitted to return to work and will be required to leave the workplace as soon as possible. An agreed leave of absence arrangement with their employer or loss of pay is to apply.
- Workers recording a BAC result of above 0.02% [a non-negative ("fail") result] are NOT permitted to return to work. A Confirmatory Test will be completed immediately to confirm the test result. The Worker will be required to leave the Workplace as soon as possible. An agreed leave of absence arrangement with their Employer or loss of pay is to apply.

Counselling and rehabilitation is to be offered to individuals as appropriate.

Workers who are required to leave site or elect to leave due to an initial screening test non-negative result or a confirmed positive ("fail") alcohol breath test are required to present for testing before their following shift to meet the fitness for work requirements. The Worker is not permitted to return to work until a confirmed negative ("pass") result is obtained.

All reasonable assistance is to be afforded to ensure an affected person can make their way from the Workplace to a safe location without harm (e.g. taxi, lift from a friend or Supervisor, etc.).

Subcontractors engaged by Mirri Cranes will be subjected to the conditions outlined in this section. Time spent away from work due to a confirmed positive ("fail") reading will be managed by the Employing Subcontractor.

Drug Testing Results

Workers selected for drug testing will be asked to disclose any use of drugs including prescription and over the counter medication prior to testing. A person who tests positive as a result of prescription or over the counter medication, whether or not they have declared the medication or the detected amount is consistent with the prescribed or recommended dosage, will be deemed not fit for work and will be prevented from performing work until they can provide they are fit to return to work. Fitness to return to work can be established by the worker returning a negative result, or producing a certificate from a medical practitioner that declares they are fit to perform their normal work duties despite a positive reading.

The allowable level of detectable prohibited substances for Workers at the Workplace is to be determined in accordance with the relevant Australian Standard. Results shall be interpreted as follows:

- Workers recording a negative result ("pass") are permitted to return to work immediately.
- Workers recording a non-negative result ("fail") will NOT be permitted to return to work and are required to provide further oral fluid or urine sample (Sample A and Sample B) immediately, under controlled conditions, for confirmatory testing at a NATA accredited laboratory. All confirmatory testing shall be undertaken by an approved independent testing organization.
- If the Worker refuses to cooperate with the testing, they are NOT permitted to return to work and will be required to leave the Workplace as soon as possible. An agreed leave of absence with the Employer or loss of pay is to apply.
- Where confirmatory test results provide a negative result (pass) for prohibited drugs, the Worker is permitted to return to work. No loss of pay or disciplinary action is to apply.
- Where confirmatory test results verify the initial screening test positive result ("fail") the Worker is NOT permitted to return to work. An agreed leave of absence arrangement with their Employer or loss of pay is to apply.
- For clarity, the target cut off levels for Benzodiazepines when conducting oral fluid/saliva testing is 200 ug/L as defined in AS/NZS 4308.2008



Counselling and rehabilitation is to be offered to individuals as appropriate.

A confirmed negative (“pass”) drug test result must be obtained before the individual can return to work. Any worker who was required to leave the workplace for non-compliance, is required to supply written confirmation of a confirmed negative (“pass”) drug test prior to re-commencing work. In order to provide a confirmed negative (“pass”) oral fluid or urine drug test, the test must be conducted by an appropriately qualified provider. The liability for all costs associated with the provision of the confirmed negative (“pass”) result remains with the Worker.

Workers declaring the use of particular prescribed drugs or medication prior to an Initial Screening Test are required to discuss with the Testing Officer the likely effects of the substance on the test results.

Time spent away from work due a confirmed positive reading (“fail”) will be managed by the contracting Employer.

All reasonable assistance is to be afforded to ensure an affected person can make their way from the Workplace to a safe location without harm (e.g. taxi, lift from a friend or Supervisor, etc.).

Breaches of this Policy

Where a Mirri Cranes employee is in breach of this policy, Mirri Cranes shall take appropriate disciplinary action in accordance with the individuals terms of employment, which may result in termination.

Where the breach is by a non-Mirri Cranes employee, the employer shall be:

- Issued a Mirri Cranes Non Conformance Report (NCR) for the worker in breach of this policy;
- Requested to provide evidence of how the employer intends to ensure compliance with this policy by their workers; and
- Provide evidence of the disciplinary, counseling and corrective action processes that have been implemented by the employer and/or worker in breach of this policy.

A Worker who has received a confirmed positive (“fail”) test for alcohol or drugs will be:

- Informed of the consequences of testing positive and their obligations to present, or remain in a fit state;
- Offered support for rehabilitation through an appropriate provider;
- Given a verbal warning by Mirri Cranes and/or their employer with diary entry placed on file.
- Required, when requested, to undertake alcohol and drug testing in the following month as a minimum; and
- Informed of further disciplinary action and testing requirements should they have a confirmed positive (“fail”) result (alcohol or drug) within the next 12 months.

A worker who has received a confirmed positive (“fail”) test for alcohol or drugs twice within any 12 month period will also be provided with a written warning letter with a copy placed on file.

A worker who has three confirmed positive (“fail”) test results for alcohol or drugs detected within a 12 month period will be banned from further work on Mirri Cranes projects.

Review

All workers are required to abide by this policy and report any concerns to their immediate supervisor. This policy will be reviewed annually or as required. For clarity, as this policy forms part of its WRMP, Mirri Cranes acknowledges any changes arising from any review must be approved by the ABCC.



Secure Local Jobs Policy

Mirri Cranes has developed this Policy to meet its obligations to Part 3 of the Secure Local Jobs Code and its obligations of a Code Certified Entity.

Purpose

The purpose of this policy is to:

Mirri Cranes communicates with employee(s) and/or sub-contractor(s) as part of their contract with the ACT Government and they will issue this document to them to ensure that its obligations under Part 3 of the Secure Local Jobs Code, specifically Part 3 as outlined below are met. It is intended to use this Policy as part of their Employee Induction process.

Part 3 Obligations of a Code Certified Entity

11.0 Adherence to the Law

(1) A Code Certified Entity must comply with:

- a) applicable Industrial Law, including but not limited to, the Prescribed Legislation;
- b) all applicable orders, directions and decisions of any court, tribunal, board, commission or other entity (including but not limited to the Fair Work Commission) with jurisdiction to consider the interpretation, breach or any other matter concerning the Prescribed Legislation; and
- c) any Industrial Instrument that applies to that entity.

(2) A Code Certified Entity must notify the registrar in writing of

Any Adverse Ruling made against it, or its Subcontractors, or it is becoming aware of a failure to comply with Code obligations, within 5 working days of such a ruling being made or such awareness arising.

12.0 Requests for Information

- (1) A Code Certified Entity must, subject to law, comply with any reasonable request for information, access to records and directions given by the registrar or an approved auditor for the purposes of investigating Code compliance pursuant to this Code and the GPA.



13.0 Workplace Representation

- (1) A Code Certified Entity must if requested by two or more employees facilitate the conduct of an election amongst its employees to elect whichever of the following is requested:
 - a) a union workplace delegate; or
 - b) another employee representative.
- (2) Where a union workplace delegate or other employee representative has been elected, the Code Certified Entity must ensure:
 - a) there is no unlawful discrimination against the union workplace delegate or employee representative in their employment;
 - b) there is no Adverse Action taken by the Code Certified Entity as an employer against a union workplace delegate or employee representative who is an employee on the basis that they are a union workplace delegate or employee representative;
 - c) reasonable requests from a union workplace delegate to represent an employee, who is an employee eligible to be a member of the union workplace delegates Eligible Union, in relation to a grievance, dispute or discussion with another employee of a Code Certified Entity are not refused; and
 - d) reasonable requests from an employee representative to represent an employee, who is an employee who participated in the election of the employee representative, in relation to a grievance, dispute or discussion with another employee of a Code Certified Entity are not refused.
- (3) Code Certified Entities must ensure that their employees have a right to decide whether or not they will be represented in grievance or dispute procedures (whether or not pursuant to an Enterprise Agreement), and, if so, by whom. ^[11]_[SEP]
- (4) If a union workplace delegate or employee representative is elected under subsection (1) for ^[11]_[SEP] a Code Certified Entity, the Code Certified Entity must put in place practices and procedures to facilitate the conduct of union workplace delegates' or employee representative's roles at the workplace level, and which recognise that the rights of a union workplace delegate or employee representative (where in place) include but are not limited to: ^[11]_[SEP]
 - e) the right to be treated fairly and to perform their role without any discrimination in their employment;
 - f) recognition by the Code Certified Entity that union workplace delegates or employee representatives elected under subsection (1) speak on behalf of employees who elected them; ^[11]_[SEP]
 - g) the right to participate in collective bargaining on behalf of those whom they represent, as per the Fair Work Act 2009 (Cth);
 - h) the right to reasonable paid time to provide information to and seek feedback from the employees that elected them on workplace relations matters during normal working hours of the Code Certified Entity;
 - i) the right, subject to law, to email employees who they represent to provide information and seek feedback, subject to individual employees exercising a right to opt out;
 - j) reasonable access to Code Certified Entity facilities (including telephone, facsimile, photocopying, internet and email facilities, meeting rooms, lunch rooms, tea rooms and other areas where employees meet) and relevant information for the purpose of carrying out work as a union workplace delegate or employee representative, including meeting and consulting with employees who elected them or any other interested employee, subject to the Code Certified Entity's policies and protocols;
 - k) the right to reasonable paid time for union workplace delegates or employee representatives to attend accredited union training (in the case of a union workplace delegate) or other relevant training (in the case of employee representatives); and
 - l) the right to reasonable paid time for union workplace delegates or employee representatives to represent the interests of those that elected them, to the employer, or before industrial tribunals.



14.0 Employee Representation and Workplace Inductions

- (1) A Code Certified Entity must understand and respect their employees' rights, including in relation to freedom of association and the right to representation at work as required by Part 3-1 of the Fair Work Act 2009 (Cth). This includes acknowledging employees' right to join or not to join a union and be represented at work.
- (2) For the purposes of the Code, subsection (1), will be considered met if a Code Certified Entity:
 - a) informs all new employees who are eligible to become members of Eligible Union(s) at the commencement of employment, about their right to choose to join or not join an Eligible Union, including providing information about the Eligible Union(s) and an application form for membership of the Eligible Union(s);
 - b) informs all new employees that they have the right to elect an employee representative.^[SEP]
- (3) A Code Certified Entity must make copies of the applicable Industrial Instrument(s) available to all employees in the most accessible format.
- (4) A Code Certified Entity must ensure new employees receive induction training from an appropriately skilled and experienced person and that the training is tailored to their specific duties and workplace(s).
- (5) Employees must receive induction training while on paid time at the commencement of employment and/or the commencement of a project.
- (6) Induction training should be held on a group basis where practicable and provide training and information on:
 - a) the Code Certified Entity's employment policies; and
 - b) conditions of employment and service, including consultation and dispute resolution procedures and the employees' ability to have a representative of their choice (if they first elect to have a representative) in attendance during the dispute resolution process; and
 - c) lines of authority and accountability; and^[SEP] (d) health, safety, emergency and security procedures, including all hazards and risks associated with the
- (7) tasks and the control measures to be used and procedures for reporting hazards and incidents.

15.0 Recognition of the Right to Collective Bargain

- (1) For this section:^[SEP] bargaining representatives is defined in section 176 of the Fair Work Act 2009 (Cth). employee organisation means an organisation of employees.
- (2) Code Certified Entities must make their employees aware of their employment rights, including the right to collectively bargain.
- (3) Section 15(2) will be satisfied if the Code Certified Entity provides a Fair Work Information Statement in accordance with section 125 of the Fair Work Act 2009 (Cth) and provides induction training in accordance with section 14 of this Code.
- (4) Where a Code Certified Entity has employees that are eligible to be members of an Eligible Union they must make such arrangements as are necessary to allow their employees', bargaining representatives from the Eligible Union(s) and all other bargaining representatives to participate in negotiations to develop Enterprise Agreements that are appropriate to the circumstances of the individual enterprise or industry.



- (5) In undertaking negotiations related to the development of an Enterprise Agreement, a Code Certified Entity must recognise that employees are free to choose their bargaining representatives and must not adopt or implement policies or practices that seek to encourage their employees to appoint a particular entity or person as their bargaining representative.
- (6) A Code Certified Entity must not adopt or implement policies or practices that seek to encourage their employees to revoke the status of an employee organisation as their bargaining representative for a proposed Enterprise Agreement.
- (7) A Code Certified Entity shall make reasonable allowances for their employees and their bargaining representative (where in place) to participate in negotiations to develop Enterprise Agreements, including but not limited to:
 - a) allowing employees paid time to meet with their bargaining representatives regarding Enterprise Agreement negotiations;
 - b) meeting regularly with bargaining representatives in good faith for the purpose of enterprise bargaining negotiations; and
 - c) allowing a union workplace delegate or employee representative to distribute material to the workplace concerning bargaining.
- (8) In the course of collective bargaining, a Code Certified Entity, or their representative or agents, must not:
 - a) advise, encourage, incite or coerce an employee to revoke the bargaining status of the bargaining representative; or
 - b) hold negotiations with relevant employees regarding the Enterprise Agreement without first providing bargaining representatives a reasonable opportunity to attend the negotiation.

16.0 Freedom of Association^[1]_{SEP}]

- (1) A Code Certified Entity must respect employee rights in relation to freedom of association by adopting and implementing policies and practices that ensure employees are:
 - a) free to become members of Eligible Unions; and^[1]_{SEP}]
 - b) free to be represented by Eligible Unions; and^[1]_{SEP}]
 - c) free to participate in lawful industrial activities; and
 - d) not discriminated against in respect of benefits in the workplace because they are, or are not, members of an Eligible Union.
 - (2) A Code Certified Entity will provide all protections in relation to freedom of association as required by the Fair Work Act and shall give full recognition to an employee's rights by:
 - a) not preventing or deterring an employee from joining and participating in the Eligible Union; and
 - b) allowing for payroll deduction or facilitating direct debit of union membership fees; and
 - c) not advising, encouraging, inciting or coercing an employee to resign their membership of an Eligible Union.
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