



# Bicycle Victoria Policies

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## Introduction

This booklet explains in simple terms some of the Bicycle Victoria policies and laws that apply to you in the workplace. Protect yourself and read this booklet carefully.

If you think you have read all this before, remember that all policies change over time as the law and general community standards change. Therefore everyone needs to read this booklet so that they are all informed of current Bicycle Victoria policy and legislation.

**Harry Barber**

**Bicycle Victoria CEO**



## 1.0 Code of Conduct

### 1.1 INTRODUCTION

Our Code of Conduct sets standards on how we work together. It covers a range of issues relating to your professional behaviour as a member of staff and how you conduct yourself and your work when at Bicycle Victoria.

Our Code of Conduct is important because it supports Bicycle Victoria's positive reputation and image with its members, the wider community and its staff.

A breach of our Code of Conduct can lead to disciplinary action including dismissal from your employment or termination of engagement.

### 1.2 YOUR RESPONSIBILITY

This policy applies to all staff including permanent, casual, fixed term, full time, contract, temporary and part time staff at Bicycle Victoria.

You are required to comply with the Code as a condition of your employment.

Therefore you should:

- a) Read this booklet carefully,
- b) Talk to your manager if you have any questions, concerns or comments, and
- c) Sign and return to Bicycle Victoria the form at the back of this booklet stating that you have read, understood and agree to comply with the Bicycle Victoria Code of Conduct and its associated policies.

Bicycle Victoria also has obligations to you. We need to ensure we have told you all the information you need to know about this code and associated policies as a member of staff.

### 1.3 OUR CODE OF CONDUCT COVERS:

#### • Equal opportunity and Anti-harassment

You are responsible for complying with the Bicycle Victoria Equal Employment Opportunity and Anti-harassment Policies and for treating other people fairly. All forms of unlawful discrimination and harassment, and bullying, are prohibited in the workplace.

#### • Health, environment and safety

You are required to follow all Bicycle Victoria health, safety and environmental policies, report any observed hazards or injuries and actively participate in the management of health and safety risk.

- **Smoking**

Smoking is prohibited in all Bicycle Victoria workplaces. Staff are not permitted to smoke in any enclosed area occupied by Bicycle Victoria or in any vehicle being used for Bicycle Victoria purposes. Furthermore, staff are not permitted to smoke while wearing any Bicycle Victoria uniform or logo apparel.

- **Drugs and Alcohol**

Staff are not permitted to

- Use or possess illegal drugs at any Bicycle Victoria work site or work function,
- Attend work suffering from the effects of alcohol or drugs, and
- Consume alcohol at work unless authorised by the CEO or Executive Manager/s.

If you are taking any prescription medication that may affect your work you must notify your manager immediately.

- **Violence and Weapons**

Bicycle Victoria will not tolerate violent behaviour in the workplace. This includes acts of physical violence, aggressive behaviour, bullying, verbal threats and/or abuse directed at another member of staff or a member or visitor.

You are not permitted to carry or bring any dangerous weapons into Bicycle Victoria premises or Bicycle Victoria vehicles. This includes firearms of any description.

- **Standards of Dress**

Bicycle Victoria sets a professional standard of dress. You should comply with this standard of dress and ensure your personal presentation is appropriate to your role as specified by Bicycle Victoria. This includes complying with any safety apparel and uniform requirements.

- **Software**

You should use approved software at work. You should not duplicate Bicycle Victoria software for personal or business use.

- **Electronic Communications Usage**

You should use Bicycle Victoria's electronic medium including their electronic mail system (email), Internet, telephones, faxes and Intranet for business purposes only, except for incidental and occasional personal use. Any messages transmitted by these medium are treated as business messages and constitute the property of Bicycle Victoria. Your email, phone, Intranet, fax and Internet use may be monitored by the Bicycle Victoria.



- **Privacy**

You must comply with Australian privacy laws and any relevant Bicycle Victoria policy when handling personal information about members, contractors, job applicants and the general public.

Privacy principles govern collection, use, disclosure, access, correction, storage and destruction of personal information.

- **Bicycle Victoria Reputation**

You should not act in any way that could cause harm to the reputation or market position of Bicycle Victoria during and after your employment. You have a duty to act in all matters in a manner that merits the continued trust and confidence of our members and the general public.

Information other than that generally published and available regarding Bicycle Victoria's business, operations and systems, financial affairs and structures (i.e. 'confidential information') is of value to Bicycle Victoria and is of a restricted and confidential nature.

During the period of your employment and for any time thereafter, staff will not use or disclose any such confidential information to any other persons, firm or corporations without the previous consent in writing from Bicycle Victoria or unless required by law to do so.

- **Media Statements/Government**

Unless specifically authorised, staff may not make public comment as representatives of Bicycle Victoria.

Further, you should not speak to the media or any government officers about Bicycle Victoria unless specifically authorised to do so.

Any requests for information relating to Bicycle Victoria should be referred to the CEO, or Executive Manager(s).

- **Business Gifts and Entertainment**

The giving and receiving of gifts can be perceived as an attempt to unduly influence the decision making process and as a general rule should be avoided. There are few acceptable exceptions; however where this occurs the following principles should be adopted in our dealing with members and suppliers.

Bicycle Victoria staff should only accept the offer of goods or services in the event of a special occasion, such as a wedding, birth of a child and Christmas. If offered -only gifts and services with an AUD value of less than \$100 should be accepted from business contacts. Staff will not benefit directly. These gifts will be placed in a central pool and donated to Bicycle Victoria volunteers. It is advisable to advise those providing the gift that the gift will be placed in the central volunteer gift pool.



In the event that gifts in excess of AUD\$100 are received they should be forwarded to the Executive Manager who may arrange for their return or in some circumstances place them in the central volunteer gift pool or donate them to an appropriate charity.

Under no circumstances should any gift or service of any value be accepted where it is apparent or likely that they are given with the intention to influence Bicycle Victoria business dealings.

Under no circumstances should Bicycle Victoria staff solicit goods or services from our business contacts or members for personal benefit.

If it is appropriate to provide gifts or services to business contacts these should be less than AUD \$100 and provided only after the approval of an Executive Manager.

- **Trade Practices**

You are responsible for abiding by the rules of the Trade Practices Act in Australia. You may not enter any formal or informal agreement or arrangement that could substantially lessen competition.

- **Conflict of Interest**

A conflict of interest exists where loyalties are divided. It is expected you will guard against any possibility of a conflict of interest in relation to your employment. Therefore, you should avoid entering into any relationship that may result in a conflict of interest with, or be prejudicial to, the business of Bicycle Victoria.

Staff are required to notify their Manager if they are aware of a potential conflict of interest in the discharge of their duties.

Full or part-time staff should not engage in employment outside of Bicycle Victoria unless authorised by Bicycle Victoria in writing to do so.

- **Bicycle Victoria Property**

On completion or termination of a staff member's employment, the staff member will immediately deliver to Bicycle Victoria all books, documents, papers, materials, clothing, equipment, credit cards, keys, computer software, laptops, mobile phone, and/or other property relating to the business of Bicycle Victoria which belongs to Bicycle Victoria or relates to the staff member's duties during the period of employment.

- **Intellectual Property**

Any intellectual property invented or created as the result of a staff member performing their normal duties remains the property of Bicycle Victoria unless otherwise agreed in writing by their Executive Manager.

- **Punctuality and Reliability**

All staff are expected to demonstrate a high degree of professionalism, punctuality and reliability in respect to the workplace.

- **Member of Staff Restrictions**

It is expected that staff will not engage in the following acts unless approved or directed by Bicycle Victoria:

- a) draw, accept or endorse any Bill of Exchange or any way pledge the credit of Bicycle Victoria or claim to do so;
- b) incur any liability on behalf of Bicycle Victoria ;
- c) accept any order on behalf of Bicycle Victoria ;
- d) make a commitment or enter into a contract or an agreement binding Bicycle Victoria;
- e) give, make or claim to make any warranty or representation on behalf of Bicycle Victoria;
- f) indicate directly or indirectly that you are acting as an agent of Bicycle Victoria; and
- g) entice or attempt to entice away a member of staff or consultant of Bicycle Victoria for a period of one year after the termination of employment.

- **Corporate Funds and Bicycle Victoria Property**

Every staff member who has control of Bicycle Victoria funds is personally accountable for them. "Funds" can mean cash or valuables such as airplane tickets and Corporate Credit Cards.

All staff share the responsibility for looking after Bicycle Victoria property, especially if it is under their control. Bicycle Victoria property must not be removed or used for personal benefit or any improper purpose without proper authorisation from the Executive Manager.

Bicycle Victoria property may only be given away, lent, destroyed or otherwise disposed of, if this action is properly authorised by the Executive Manager, no matter how old or damaged.

- **Customer Service**

All staff must ensure that:

- Our members and customers can deal with us easily and efficiently,
- We deliver what we promise, when we promise it,
- We use our knowledge and expertise to enhance peoples bicycle riding experience, and
- Our services are easily understood and accessible to our members.

#### **1.4 BREACHES TO CODE OF CONDUCT**

An essential part of (developing and) maintaining a safe and fair work environment is to ensure that individuals with concerns are encouraged to come forward in the knowledge that Bicycle Victoria will:

- a) consider and investigate allegations of behaviour that may breach the Code of Conduct;
- b) take all reasonable steps to provide protection for staff who make disclosures in good faith regarding conduct that is inconsistent with this Code; and
- c) follow the appropriate procedures depending on the issues/concerns raised.

Breaches of the code of conduct will be dealt with in accordance with the procedures outlined in the [Discipline Policy](#).

## 1.5 QUESTIONS AND ANSWERS

### **What should I do if I think I may be in breach of the Code?**

Talk to your Manager or Executive Manager of Bicycle Victoria. It is your responsibility to raise any concerns or issues with Bicycle Victoria who can distinguish between honest mistakes and wilful careless breaches of policy.

### **Who should I talk to if I know someone is breaching the Code?**

If you think you know of any dishonest activities or breaches of this code and its associated policies you should talk with your Manager or Executive Manager. However you contact us, the matter will be handled in strictest confidence and only those people who need to know will be made aware of the situation.

### **I have some comments to make. Who can I talk to?**

Speak to your Manager. He or she will be happy to talk to you if you have any questions or concerns.

Bicycle Victoria welcomes your feedback. As our business grows and changes, the Code of Conduct will continue to evolve and your constructive feedback will help us with future revisions.



## **2.0 Equal Employment Opportunity (EEO) Policy**

### **2.1 INTRODUCTION**

Bicycle Victoria values its people and is committed to a workplace providing equal employment opportunity, fair treatment and non discrimination (on the legislated grounds) for all staff. In return it is expected that during the course of their duties all staff will treat everyone with dignity, courtesy and respect.

Our staff are our most valuable resource so we want to provide an environment that fairly maximises this talent, potential and contribution. In recognition of this commitment and in accordance with our obligations under the State and Commonwealth equal opportunity and anti-discrimination legislation, we have established the following policy.

### **2.2 WHAT IS EQUAL EMPLOYMENT OPPORTUNITY?**

Equal Employment Opportunity (EEO) ensures that all staff and potential staff are treated fairly and on the basis of merit when participating in or realising their potential in employment. This means that decisions made in the recruitment, selection, promotion and treatment of staff will be based on the staff member's or job candidate's ability, skills, qualifications, experience and aptitude to get the job done.

### **2.3 WHAT IS DISCRIMINATION?**

Direct discrimination is when someone is treated (or it is proposed to treat someone) less favourably on the basis of an attribute covered by the equal opportunity law compared with a person without that attribute (eg sex, race etc).

Indirect discrimination is when a Bicycle Victoria imposes (or intends to impose) a requirement, condition or practice that a person with an attribute does not or cannot comply with and a higher proportion of people without the attribute or with a different attribute, do or can comply with and it is not reasonable in the circumstances.



Grounds for Discrimination	Personal Characteristics
- Age	- Sexual Orientation/Lawful Sexual Activity
- Breastfeeding	- Sex
- Gender Identity	- Irrelevant Criminal Activity
- Impairment/Disability	- Religious Belief or Activity
- Industrial Activity or Belief	- Race
- Personal Association	- Pregnancy
- Marital Status	- Political Belief or Activity
- Parental status or status as a carer	- Physical Features
- Personal association with a person who has or assumed to have these characteristics	

This process will also be free of discrimination based on their personal characteristics, including: a) selecting staff for professional development opportunities which are consistent with the organisations objectives and individual goals based on merit; b) implementing flexible arrangements wherever requested, reasonably possible and in the interests of both the individual and Bicycle Victoria; and c) complying with EEO and associated legislation.

#### 2.4 SCOPE OF POLICY

This policy applies to all staff of Bicycle Victoria. Consultants and contractors shall be made aware of this policy and will be expected to uphold its principles also.

#### 2.5 OBLIGATIONS OF ALL STAFF:

The EEO Policy applies to all staff. You are required to comply with the policy as a condition of your employment.

Staff must: a) treat all staff with fairness, equity and respect to ensure the working environment is free from discriminatory activities and practices; b) offer support and referral to the victims of any discrimination that they witness; c) avoid gossip and respect the confidentiality of the complaint resolution procedure; and d) be responsible for their own discriminatory behaviour.

Additionally, you should:

- Read this booklet carefully,
- Talk to your manager if you have any questions, concerns or comments, and
- Sign and return to Bicycle Victoria the form at the back of this booklet stating that you have read, understood and agree to comply with the Bicycle Victoria EEO Policy

Bicycle Victoria also has obligations to you. We need to ensure we have told you all the information you need to know about this policy as a member of staff.



## **2.6 OBLIGATIONS OF MANAGERS**

Managers must:

- a) be a role-model for appropriate standards of behaviour and ensure that the recruitment, appointment, promotion and development of staff is on the basis of merit and performance, and free from any discriminatory assumptions;
- b) take action to ensure that staff are educated and aware of their EEO obligations under this policy and the law;
- c) intervene promptly and appropriately and take corrective action when they become aware of behaviour that is inappropriate or may be construed as discrimination;
- d) take action to ensure that staff who raise an issue or make a complaint are not victimised for doing so;
- e) act impartially in resolving issues and ensure relevant parties have an opportunity to be heard; and
- f) seriously consider and consult with staff to fairly evaluate requests for flexibility.

## **2.7 BREACHES OF THIS POLICY**

Should there be a breach of this policy allegations made will be investigated by Bicycle Victoria as per the [Discipline Policy](#). This will occur despite any further (civil) action which may be undertaken by the staff member(s) concerned.

## **2.8 PROCEDURES FOR DEALING WITH A CONCERN**

Bicycle Victoria encourages all staff to report and raise their concerns with the assurance of confidentiality and without fear of recrimination. All staff must ensure staff that make a complaint of discrimination, or are witnesses to such events, are not victimised. This is a serious breach of the policy.

Staff with concerns about equal opportunity may approach their manager or alternatively Executive Manager to seek advice, support or to make a complaint.



## 3.0 Anti-Harassment Policy

### 3.1 INTRODUCTION

Bicycle Victoria is committed to providing a work environment which is safe for staff to work. This policy is therefore aimed at ensuring that staff are not subjected to harassment, including sexual harassment and bullying, and should this occur the following procedure can be used to resolve these complaints.

### 3.2 WHAT IS HARASSMENT?

Harassment can take many forms and may involve inappropriate actions, behaviour, comments or physical contact that is objectionable or causes offence to the other person. Unlawful harassment may relate to any of the attributes protected in the equal employment opportunity legislation.

Harassment may be seen to have occurred if the behaviour makes the victim feel humiliated and offended, uncomfortable at work and/or frightened or intimidated. It is irrelevant whether the inappropriate behaviour was intended.

### 3.3 WHAT IS SEXUAL HARASSMENT?

Sexual harassment is any unwelcome behaviour of a sexual nature, which is offensive, humiliating and intimidating. The behaviour may be by the employer, manager or employee towards any person. It must be of an unwanted nature (that a reasonable person would recognise as being unwelcome) and likely to cause the person to feel offended, humiliated or intimidated. Sexual harassment might occur as a single incident or a series of repeated or continuous events and may include:

#### Non Verbal Harassment

- Displaying and using offensive objects, sexually suggestive, pornographic or obscene material.

#### Verbal harassment

- Unwelcome, sexually suggestive gestures, such as wolf-whistling, hand or body gestures, or references to a person's body/appearance;
  - Unwelcome comments or questions about private relationships, sexuality or sexual practice;
  - Jokes, humour, comments or insults of a sexual nature;
  - Obscene text messages, offensive phone calls and explicit emails;
  - Persistent invitations following refusal;
  - Repeated, unwanted discussions on sexual matters; and
  - Requests for sexual favours, either directly or by implication, which may be coupled with offers of workplace favours or threats of disadvantage following refusal.



### **Physical harassment**

- Deliberate and unwelcome physical contact, such as unwanted touching or fondling, pinching, patting or brushing up against another employee;
- Stalking ;
- Indecent exposure; and
- Sexual assault or rape

### **3.4 WHAT IS BULLYING?**

Workplace bullying is repeated, unreasonable behaviour directed toward a member of staff or group of staff that creates a risk to health and safety.

The following behaviour, where repeated or occurring as part of a pattern of behaviour, may be considered bullying:

- Verbal abuse,
- Psychological harassment,
- Intimidation,
- Deliberately withholding information that is needed to satisfactorily perform work duties,
- Excluding or isolating staff.

### **3.5 OUR COMMITMENT**

Bicycle Victoria is committed to: a) Providing a workplace free of sexual harassment; b) Establishing internal channels to resolve any grievances; and c) Conforming to this policy and the relevant legislation

### **3.6 SCOPE OF THE POLICY**

This policy applies to all staff of Bicycle Victoria. Consultants and contractors shall be made aware of this policy and will be expected to uphold its principles.

#### **OBLIGATIONS OF ALL STAFF:**

The Anti-Harassment Policy applies to all staff. You are required to comply with the policy as a condition of your employment.

Staff must:

- avoid gossip and respect the confidentiality of the complaint resolution procedure;
- ensure that their behaviour does not create or condone circumstances that may allow or lead to harassment including sexual harassment or bullying; and
- understand, respect and apply this Anti-Harassment policy.

You must also

Read this booklet carefully,

Talk to your manager if you have any questions, concerns or comments, and

Sign and return to Bicycle Victoria the form at the back of this booklet stating that you have read, understood and agree to comply with the Bicycle Victoria Anti-Harassment Policy.

Bicycle Victoria also has obligations to you. We need to ensure we have told you all the information you need to know about this policy as a member of staff.

### **3.7 OBLIGATIONS OF MANAGERS:**

Managers must:

- a) Ensure that proper standards of conduct, free from sexual discrimination, harassment and bullying are maintained at all times in the workplace; and remain alert to concerns and address these concerns in a positive manner;
- b) be a role-model for appropriate standards of behaviour and ensure that the recruitment, appointment, promotion and development of staff is on the basis of merit and performance, and free from any harassment;
- c) take action to ensure that staff are educated and aware of their workplace behaviour under this policy and the law;
- d) intervene promptly and appropriately and take corrective action when they become aware of behaviour that is inappropriate or may be construed as harassment;
- e) take action to ensure that staff who raise an issue or make a complaint are not victimised for doing so; and
- f) act impartially in resolving issues and ensure relevant parties have an opportunity to be heard.

### **3.8 BREACHES OF THIS POLICY**

It is unlawful to harass, including sexually harass or bully, a person in the workplace and Bicycle Victoria will not tolerate any forms of this behaviour under any circumstance. Disciplinary action will be taken against anyone who is found to have harassed or bullied another member of staff. Discipline may involve a warning, counselling, demotion or dismissal depending on the circumstances and will be addressed in accordance with Bicycle Victoria's [Discipline Procedure](#).

### **3.9 PROCEDURES FOR DEALING WITH THIS CONCERN**

#### **OPTION ONE – Self Management**

- a) Any member of staff who believes that they are being harassed is encouraged, where appropriate, to tell the harasser to stop the offensive behaviour. This should be done as soon as possible after the behaviour has occurred.
- b) Keep a record of all incidents and retain evidence such as pictures, notes etc.

#### **OPTION TWO – Informal Complaint**

The staff member may speak to:

- a. A Bicycle Victoria Contact Officer,
- b. Their direct manager,
- c. Any Senior Manager at Bicycle Victoria,
- d. An Executive Manager at Bicycle Victoria or
- e. the CEO

The aim of an informal complaint is to attempt to resolve the issue through advice and/or conciliation and mediation without a formal investigation.

#### **OPTION THREE – Formal Internal Complaint**

The staff member may elect to file a formal complaint with Bicycle Victoria Senior Management. Bicycle Victoria will appoint a trained professional to act as a Complaints Officer who will

- a) inform in confidence the nature of the complaint to the person(s) whom the complaint is being made against,



- b) Offer conciliation and/or mediation. The objective of conciliation is to ensure that there is no recurrence of the behaviour which gave rise to the complaint,
- c) If the complaint is resolved, a note to that effect will be signed by both parties,
- d) When a complaint is not settled by conciliation or mediation the Complaints Officer will report it to Senior Management and a formal investigation will be undertaken,
- e) When it is found after the investigation that a complaint is unsustainable, the reasons for the finding will be explained to both parties, by the person who heard the complaint,
- f) In cases where the complaint is found to be frivolous and/or vindictive, formal action against the complainant under the terms of the disciplinary policy may be investigated,
- g) When it is found after investigating that a complaint is substantiated appropriate action will be taken by Bicycle Victoria. The organisation will deal with the behaviour found to constitute harassment using the provisions of the [Discipline Policy](#).

#### **OPTION FOUR – Formal External Complaint**

The staff member may elect to file a formal complaint with an external body such as the Equal Opportunity and Human Rights Commission of Victoria.

**Staff are encouraged to consider options one through three before embarking on Option Four.**

**Staff are encouraged to view the options outlined above as a “step up” process with each option escalating in its serious nature. Staff may always however at their discretion progress directly to any of the options/steps they feel is most appropriate for their situation.**



## 4.0 Grievance Policy

### 4.1 INTRODUCTION

Bicycle Victoria has adopted a dispute resolution model which recognises that employees have the right for grievances to be heard through all levels of line management. This process aims to resolve grievances through discussion and cooperation and to assist all parties to reach an agreement of an acceptable outcome. Should conciliation be inappropriate or dissatisfactory a formal complaint process may be provided in an effort to resolve the grievance.

### 4.2 PROCEDURE

- a) Where any dispute arises the employee affected and their immediate supervisor should discuss the dispute in an attempt to resolve the grievance.
- b) During this process the employee may choose to be accompanied by a Representative of his or her choice.
- c) If the employee still feels aggrieved, then the matter shall be referred to their department head.
- d) If the grievance remains unresolved, the matter shall be referred to Executive Management.

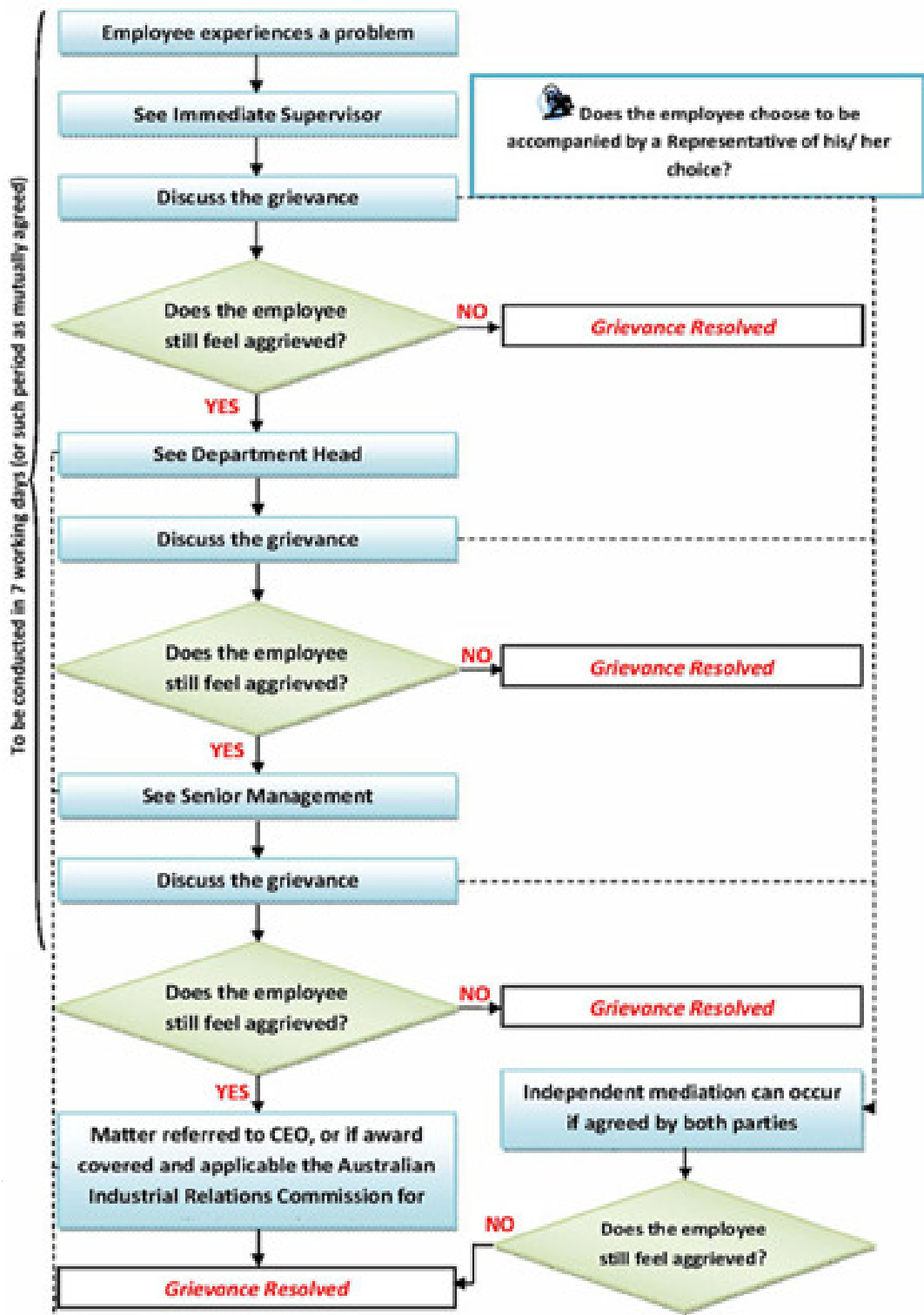
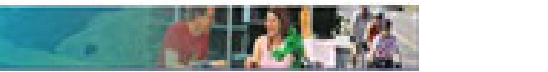
The above steps shall take place within 7 working days (or such period as mutually agreed).

At any time during the above process independent mediation can occur if agreed by both parties.

Until the grievance is determined and procedures described above have been exhausted:

- a) work shall continue in the normal manner; and
- b) no party shall be prejudiced as to the final settlement by the continuance of work.  
Health and safety matters are exempted from this clause.

If the grievance still exists, the matter may be referred to the Australian Industrial Relations Commission for conciliation or arbitration, for parties employed under the award. The parties involved in the dispute will be bound by the recommendation or decision by the Commission. For parties not bound by the award, the matter will be conciliated/arbitrated by the CEO of Bicycle Victoria under advice from an independent external Conciliator.





## 5.0 Discipline Policy

### 5.1 INTRODUCTION

It is the aim of the Bicycle Victoria team to behave in a way that ensures everyone is treated fairly and without bias and discrimination. A safe and productive workplace will be achieved if the right people are employed and all employees support the agreed policies. We will foster and encourage behaviours that support both the interests of our employees and what benefits the organisation as a whole, however, should inappropriate conduct or unsatisfactory performance occur this policy will outline how such occurrences will be treated and the potential consequences.

### 5.2 PRINCIPLES

- a) The first priority of Bicycle Victoria is to retain their employees,
- b) Any employee subject to disciplinary proceedings will be treated fairly, and with dignity and respect,
- c) Incidents considered serious enough to warrant either termination or a final written warning will be thoroughly investigated before any outcomes are decided,
- d) Where a serious breach has occurred investigative action will be initiated immediately in accordance with the [discipline procedure](#). This will ensure that each individual incident is investigated and resolved in a fair and equitable manner.

### 5.3 POLICY

Problems will be avoided if all employees' treat each other and their property like they would like to be treated themselves. Disciplinary follow up may occur when obvious examples of unsatisfactory behaviour are enacted, such as:

- a) refusing to obey lawful orders;
- b) committing fraud against the organisation (e.g. falsifying records);
- c) negligence or carelessness which may affect member services, quality and/or safety;
- d) abusing or taunting fellow employees or Management and/or assaulting someone in the workplace;
- e) bringing and/or consuming alcohol in the workplace without the consent of Management;
- f) bringing and/or consuming non prescribed drug substances within the workplace premises;
- g) smoking in the workplace;
- h) attending work in a condition which may affect one's own or another employees health or safety;
- i) unauthorised possession of property belonging to the organisation or an employee; and
- J) failure to abide by any policies in place at the workplace.

Disciplinary action may also occur where performance is unsatisfactory.



#### 5.4 PROCEDURE

- a) At any meeting involving potential disciplinary action the employee will be given the opportunity to have a witness present.
- b) When allegations are being investigated, Bicycle Victoria reserves the right to suspend an employee on full pay.
- c) Summary dismissal of an employee is possible if they are found to have been involved in serious and wilful misconduct.
- d) Unless otherwise agreed, a terminated employee's pay will be made available the following day for collection, mailing or bank deposited as appropriate.
- e) Disciplinary hearings/action will be removed from an employee's file if there has been no further disciplinary action after a 12 month period.

#### STEP ONE

Counselling is optional and may not be considered necessary or advisable in all circumstances

- a) An employee's immediate manager is responsible for dealing with any performance that is considered unsatisfactory.
- b) The manager will outline, in writing in clear and specific terms to the employee any areas of job performance, attitude or behaviour they believe are not up to standard.
- c) In a meeting the manager will invite the employee's comments.
- d) Once comments are provided, the manager will assess whether there are any other issues to address.
- e) Together, the manager and employee will attempt to prepare a written statement of objectives, agreeable to both parties, which the employee makes the commitment to achieve. A date to review the objectives will also be agreed upon and included.
- f) If the employee does not cooperate, the manager will hand to the employee the list of issues and set a date for review.
- g) The review will be carried out.
- h) The above process should be conducted as soon as possible to prevent the situation from deteriorating and giving counselling a greater chance of success.



## STEP TWO

- a) If satisfactory improvement has been made on behalf of the employee during the review, the manager may decide that a short extension of time would be suitable.
- b) Otherwise, the manager will present the employee with a written statement of perceived issues, a reminder of the date and the content of the last discussion.
- c) The manager will ask the employee for a response to the allegations made and indicate that an ongoing review will be conducted.
- d) The employee will be warned that their behaviour is unacceptable and should the required improvement not occur, more serious outcomes such as a final warning or termination are possible.

## STEP THREE

- a) If the required improvement does not occur, the manager will discuss the matter with the person in Senior Management whose responsibilities include dealing with serious disciplinary problems.
- b) The senior manager will review all documents relating to the matter and decide whether it is appropriate to interview the employee.
- c) At the interview, there will be two Management representatives, one who will write detailed notes of the meeting.
- d) These notes will be typed up within 24 hours of the meeting and signed by all those present as a 'true and accurate account of what took place'.
- e) All people present at the meeting will receive a copy of this document.
- f) The alleged issues will be outlined in this document and the employee will specifically be asked whether there is anything that they would like said in regard to these allegations.
- g) After the employee has been heard, Senior Management will decide if the allegations are found to be true and what outcome would be appropriate.
- h) The most likely outcome will be a final warning.

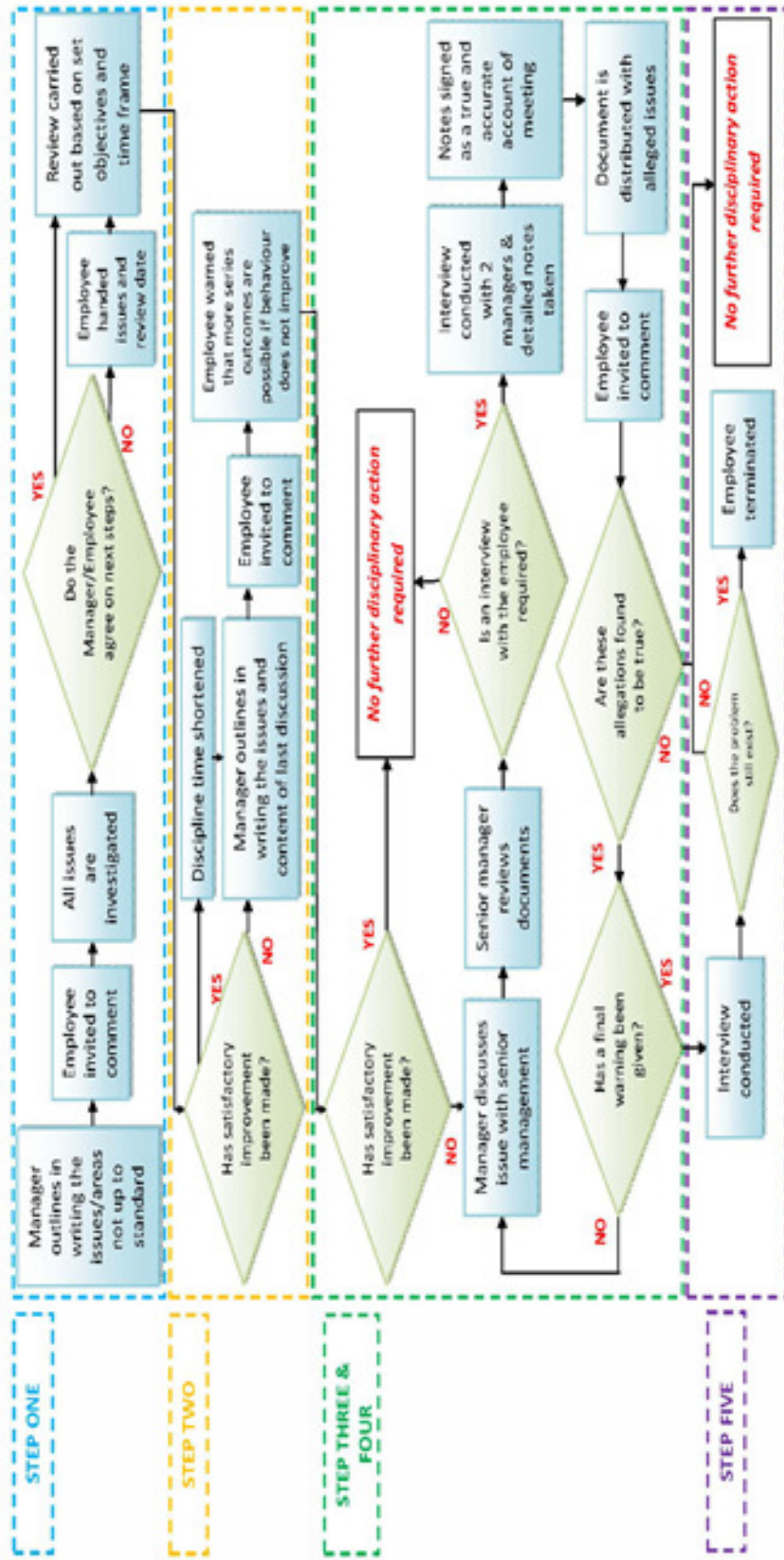


#### **STEP FOUR**

- a) If a final warning is not given to the employee in Step Three, an interview in line with the conditions set above and a final written warning will be put in place. The employee must be made aware that should their behaviour not change, termination is a real possibility.

#### **STEP FIVE**

If the problem persists after a written warning another interview will be conducted. Depending on the allegations put forward to the employee and the employee's response, termination is the likely outcome.



**DISCIPLINE PROCEDURE**



## STAFF MEMBER ACCEPTANCE

I, \_\_\_\_\_, (PLEASE  
INSERT NAME)

has read and understood the Bicycle Victoria Code of Conduct Handbook, and its associated policies of Equal Employment Opportunity and Anti-harassment, and agree to behave in a way that is in accordance with them.

(SIGNATURE) (DATE)