



## Workplace Grievance Policy and Procedure

### 1. STATEMENT

Bindaree Food Group (BFG) aims to provide a workplace where employees and others in the workplace are treated fairly and with respect. BFG recognises that issues may arise in the workplace that need to be addressed and resolved with the assistance of others. BFG is committed to resolving workplace grievances efficiently and fairly to ensure our people have access to processes for the resolution of genuine personal grievances related to the workplace. Employees will not be disadvantaged in their employment conditions or opportunities as a result of lodging a genuinely held grievance.

### 2. PURPOSE

The purpose of this procedure is to:

- provide a procedure that is effective and accessible to all employees who genuinely believe they have been subjected to unreasonable, unfair or otherwise inappropriate treatment, action or conduct in the workplace.
- ensure we meet our commitment to the care of our people as described in our Grievance Policy;
- ensure we comply with relevant legislation and best practice;
- ensure our employees are aware of the procedure, the standards expected of them and the consequences for breaching this policy and procedure.

### 3. SCOPE

#### This Policy:

- Applies to all team members, contractors, consultants and agents, collectively referred to in this Policy as 'team members'.

All team members are required to comply with all Company policies including the Bindaree Food Group Code of Conduct but these do not form part of your employment contract.

#### Outside of work behaviour

While all team members have a right to their privacy, inappropriate conduct occurring outside the workplace and negatively impacting on BFG may result in disciplinary action or a requirement that the conduct cease.

Examples of such conduct include, but are not limited to conduct that:

- gives rise to a material risk of damage to BFG's interests;
- brings BFG into disrepute;
- is incompatible with the team member's duty of good faith with BFG, and/or;
- damages the relationship between BFG and the team member, or other team members.

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#### 4. SUPPORTING INFORMATION AND PROCEDURES

##### Grievances

A grievance is any type of problem, concern or complaint related to a team member’s work or the work environment. A personal grievance can be about any act, behaviour, omission, situation or decision impacting on a team member, which the team member believes is unfair or unjustified.

A grievance can relate to almost any aspect of employment, for example:

- safety in the workplace;
- staff development or training;
- leave allocation;
- supervision;
- rosters or hours of work;
- performance appraisal;
- transfer or promotion; or
- wage or salary levels.

##### Dealing with Personal Grievances

BFG recognises that a team member may not perform to the best of their ability if they feel they are being treated unfairly or are feeling aggrieved. Accordingly, BFG will endeavour to provide a fair and just working environment by aiming to ensure that team members have access to processes for the resolution of genuine personal grievances related to the workplace.

As such BFG will use its reasonable endeavours to:

- encourage team members to come forward with personal grievances;
- deal with personal grievances in a supportive way, without victimisation or intimidation of any person connected with the grievance;
- encourage fairness, impartiality and the resolution of personal grievances in a timely manner and as close as possible to the source of the grievance; and
- have Managers and Supervisors seek to prevent and resolve personal grievances.

Where a personal grievance arises BFG will endeavour, if appropriate, to resolve the dispute in line with the following procedure. The below procedure is intended as a guide only. In every case BFG will determine the actual procedure to be adopted at its discretion and in consideration of the circumstances as a whole. As such BFG may skip certain steps where this is appropriate.

##### Steps to take

###### *Step 1: Preliminary steps (confront the issue)*

If a team member feels comfortable doing so, they should address the issue directly with the person concerned. A team member should identify the offensive behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stop. It may be that the person was not aware that their behaviour was unwelcomed or caused offence.

This is not a compulsory step.

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If the team member does not feel comfortable talking to the person(s) involved, or they have attempted to and it was ineffective in resolving the grievance, or if there is no other person involved in the grievance, the team member should report the grievance to their Manager.

After reporting a personal grievance, the Manager or other relevant party (such as a People and Culture representative) will use reasonable endeavours to conduct an initial meeting with the team member to:

- obtain information about the team member's personal grievance and what they consider will resolve it;
- explain how the personal grievance procedure works;
- decide if they are the appropriate person to handle the grievance. This includes considering whether they have the necessary authority and can deal with the grievance in an impartial manner. If the Contact Person feels they cannot effectively handle the team member's personal grievance they will refer the matter to another more appropriate Supervisor.

Where it is not practical to conduct such a meeting, the Manager or other relevant party (such as a People and Culture representative) may carry out these steps by telephone or written correspondence.

Once the team member has reported the matter to the Manager (or other relevant party), that person may commence one of the procedures outlined below that is regarded as suitable for dealing with the grievance.

#### *Step 2: Informal procedure*

The informal procedure involves a range of informal actions to resolve the grievance. Such actions will depend on the individual circumstances of the grievance. Possible actions include, but are not limited to:

- the Contact Person discussing the issue with the person against whom the complaint is made; and/or
- the Contact Person facilitating a meeting between the parties, in an attempt to resolve the issue and move forward.

Many personal grievances can be resolved through the informal procedure. However, in circumstances where the Contact Person considers the informal procedure is not appropriate and the grievance is sufficiently serious, the grievance may be escalated to the formal procedure.

#### *Step 3: Formal procedure (Investigation)*

If the grievance is not able to be resolved through the informal procedure or the informal procedure is not appropriate the formal procedure may be commenced. The formal procedure involves a formal investigation of the grievance and a decision about appropriate actions and outcomes. The investigation generally involves collecting information about the grievance and then making a finding based on the available information. Once a finding is made the Manager or relevant party or an external investigator will make recommendations about the grievance.

#### **Work to Continue**

If BFG considers it appropriate for the safe and efficient conduct of an investigation, team members may be required not to report for work during the period of an investigation. BFG may also provide alternative duties or work during the investigation period. Generally, team members will be paid their normal pay during any such period.

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All persons affected by the grievance are expected to co-operate with BFG to ensure the efficient and fair resolution of the grievance.

### **Possible Outcomes**

BFG will at its sole discretion determine whether any outcomes (disciplinary or otherwise) are appropriate. The outcomes will depend on the nature of the grievance and the procedure followed to address the grievance.

Where an investigation results in a finding that a person has engaged in conduct in breach of a BFG Policy, that person may be disciplined. The type and severity of disciplinary action will depend on the nature of the grievance and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal.

Any disciplinary action is a confidential matter between the affected person(s) and BFG.

BFG may take a range of other non-disciplinary outcomes to resolve a grievance. Examples include, but are not limited to:

- training to assist in addressing the problems underpinning the grievance;
- monitoring to ensure that there are no further problems;
- implementing a new policy;
- requiring an apology or an undertaking that certain behaviour stop; and/or
- changing work arrangements.

### **Documentation**

Where considered appropriate by BFG, agreed resolutions of personal grievances arising from the informal procedure may be recorded and signed by all parties. Generally, it will not be necessary to put records of a personal grievance on a team member's personnel file unless there is some disciplinary action taken as a result of the grievance. A record of any disciplinary action that is taken arising from a formal investigation will be placed on the personnel file of any person who is disciplined.

### **Victimisation**

Disciplinary action will be taken against any person who victimises or retaliates against a person who has lodged or is involved in a personal grievance issue under this Policy. Such action may include termination of employment.

### **Access to Support**

The team member can seek advice from their Manager, Supervisor or a support person at any stage during the grievance process. The team member can bring a support person to a grievance meeting if so desired. In some cases BFG may offer additional formal support in the way of counselling.

## **5. CONFIDENTIALITY**

It is unacceptable for team members at BFG to talk with other team members, clients or suppliers about any complaint of bullying, discrimination, or harassment. Breaching the confidentiality of a formal complaint

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investigation or inappropriately disclosing personal information obtained in a professional role (for example, as a Manager) is a serious breach of this policy.

The Complaints Officer will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other team members in order to determine what happened, to afford fairness to those against whom the complaint has been made and to resolve the complaint. If a complaint is raised and it appears that unlawful conduct has potentially occurred, BFG will endeavour to take appropriate action in relation to the complaint.

All team members involved in the complaint must also maintain confidentiality, including the team member who lodges the complaint. Spreading rumours or gossip may expose team members to a defamation claim. Team members may discuss the complaint with a designated support person or representative (who is not a team member employed or engaged by BFG). However, the support person or representative must also maintain confidentiality.

## 6. RESPONSIBILITIES

It is an expectation of all team members that:

- all team members are treated fairly and equitably, which includes not being subjected to harassment, discrimination, bullying, victimisation and vilification;
- grievances are made to the team member's Leader (or if a team member does not feel comfortable raising it at that level, they may speak to the next level Supervisor or directly to a People and Culture representative); and
- upon receiving a report of a grievance, the Leader or People and Culture representative will investigate the complaint by speaking with those involved and any other relevant people who may be able to clarify the situation and decide the severity of the grievance.

## 7. SUPPORTING DOCUMENTS

There may be other relevant legislation and internal Company documents that may apply to this policy from time to time.

## 8. VARIATIONS

BFG reserves the right to vary, replace or terminate this policy from time to time.

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