

# Instant HR Policies & Procedures Sample Policies



# ABCD HR POLICIES AND PROCEDURES

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SAMPLE

# Probation

## Probationary Period

*(Note: The term "probation" has been replaced by the term "minimum employment period" under the Fair Work Act – which directly relates to unfair dismissal laws. As the term "minimum employment period" has not yet entered common language understanding of the concept, we have chosen to retain the term "probation" for ease of understanding by most team members).*

All new team members who are under the high-income threshold complete a probationary period of six months at the commencement of their employment. *(Note: If your business has less than 15 team members the probationary period is twelve months.)*

During this time both you and ABCD work out if there is a good match for the position, if you are happy in the role if your performance and conduct are satisfactory and if employment should be continued.

You will accrue sick leave and annual leave during your probationary period. You are entitled to any public holidays that occur during the probationary period (if you are a full-time or part-time team member).

## Probation Performance Reviews

During your probationary period, you will take part in regular Performance Reviews with your Manager. A final Performance Review will be conducted prior to the end of the probation to assess whether you have successfully completed your probation.

Probation Performance Reviews help to:

- ensure you have been given adequate induction information and are familiar with key aspects of ABCD,
- encourage you to critically appraise your own work and performance,
- give you constructive feedback on your work and performance,
- identify issues that may be impacting on your ability to perform your job,
- clarify your position description,
- determine any development or support needs,

- set clear performance expectations and goals, and
- give both you and ABCD the opportunity to review your suitability for the position, and if employment should be continued.

### **Before the Meeting**

Before the meeting, both you and your Manager are to:

- re-read your position description and identify any areas for discussion or clarification,
- think about any matter you want to discuss that you haven't already done so, or where you may need further clarification, and
- complete a *Probation Evaluation Form* and bring it with you to the meeting.

### **At the Meeting**

Your Manager will ask you to go through your own assessment of your performance, and then will share their perspective on your areas of strength and areas for growth.

You will be given the opportunity to discuss any questions you may have about your role or work with ABCD. Notes will be taken to allow the completion of your *Probation Evaluation Form*.

### **After the Meeting**

You will sign your *Probation Evaluation Form* to agree that it is an accurate reflection of the discussion. This doesn't mean that you need to agree with the assessment, just that you agree with the content of the discussion. Your Manager will also sign the form.

### **If You Disagree with the Evaluation**

If you disagree with your Manager's assessment, you are entitled to attach a note to the form stating that you disagree with the assessment and the reasons why.

You and your Manager will set a time for your next Performance Review and will each keep a copy of the form, with the original being kept on your personnel file.

If your appointment is confirmed at the final review, your Manager will send you a letter confirming your appointment within ABCD.

### **Re-hired Team Members**

If you are rehired to the same position after a break in service of less than one (1) year, you are not required to serve a new probationary period, unless the break in service occurred during the probationary period of your previous appointment.

If you are hired for a different position after any break in service, or to the same position after a break of one (1) year or longer, you are required to serve a complete probationary period.

### **Probation Termination**

If you are a full-time or part-time team member, at any time during the probationary period, your employment relationship can be terminated without cause by either you or ABCD with notice of one (1) week or one (1) week's pay in lieu of notice.

SAMPLE

# Leave

We understand that you need to have regular breaks throughout the year to keep you refreshed. We also understand that things happen in life, which means you may need to take unexpected time away from work.

## Annual Leave

Every team member (other than a casual team member) is entitled to annual leave on full pay as outlined in your relevant Industrial Award or Agreement

One-month notification, in writing, is required to take annual leave.

It is a policy of ABCD that we prefer that leave is taken in the year in which it falls due. Annual Leave should not accrue beyond a total of eight weeks (10 weeks for shift workers).

If your manager agrees, you are entitled to access your annual leave in advance of accruing it. However, if you leave ABCD before you have accrued your entitlements back, we will deduct the amount still owing from your final pay.

ABCD will, wherever possible, consider your wishes when determining the dates for annual leave. However, if you accrue more than eight weeks accrued leave, we can require you to take accrued holidays at any time.

In those cases, we will meet with you first to discuss your accrued leave with you, advise you of the need to take your leave and then agree on a time for you to take some of your annual leave. If we can't reach agreement on a suitable date, we can direct you to take some leave and will give you at least eight weeks' notice of the start and end of your leave.

During your annual leave, you will continue to be paid on the same pay cycle as you currently are paid unless you specifically request payment of your leave up front before your leave starts.

## Cashing Out Annual Leave

If your award or registered agreement allows, you may cash out a portion of your annual leave (be paid the amount you would be entitled to in lieu of taking the leave). You are only entitled to cash in no more than two weeks leave every 12 months.



To apply, use the *Cash Out Leave Application Form* available from your manager. When applying, you need to ensure that you still have a minimum of four weeks' annual leave leftover after you have cashed in your entitlements.

### **Personal Leave (Including Sick Leave, Carer's Leave, etc.)**

Personal/ Carer's leave is:

- paid leave (Sick Leave) taken by you because you are unfit for work because of a personal illness, or personal injury affecting you (including pregnancy related illnesses), or
- paid or unpaid leave (Carer's Leave) taken by you to provide care or support to a member of your immediate family, or a member of your household, who requires care or support because of:
  - a personal illness, or personal injury, affecting them, or
  - an emergency affecting them.

Details of the provisions of Personal Leave are outlined in your relevant Industrial Award or Agreement.

### **Applying for Leave**

All absences from work must be recorded and submitted on the *Leave Application Form* available from your Manager. Applications for leave must be forwarded to the Payroll Officer through your Manager in sufficient time to allow for roster coverage if necessary. You must apply for annual leave a minimum of four weeks prior to taking the leave unless there are special circumstances.

In the event of an urgent matter, you must personally inform your Manager by phone no later than one hour after the start of work indicating the reasons and your expected period of absence (e.g.: you can't have your mother, father or friend call unless you are in hospital). If the leave has been approved, a *Leave Application Form* must be submitted when you return to work.

If it appears that a pattern is developing of your absences falling mainly on Mondays and Fridays, your Manager will meet with you to discuss your reasons why your absences seem to occur on those particular days.

### **Documentary Evidence Required**

If Sick Leave either exceeds two (2) working days or is on the day before or after any public holiday, you are required to present either:

- a medical certificate from a registered health practitioner, or
- if it is not reasonably practicable for you to give your Manager a medical certificate – a statutory declaration made by you.

If Carer's Leave either exceeds two (2) working days or is on the day before or after any public holiday, you are required to present either:

- if the care or support is required because of a personal illness or injury of your immediate family or household, a medical certificate from a registered health practitioner, or
- if the care or support is required because of an emergency affecting your immediate family or household – a statutory declaration made by you.

A *Leave Application Form* must be completed immediately upon your return to work. Failure to provide such documentary evidence may result in the non-payment of the working days in question.

### **Study Leave**

ABCD encourages you to develop your knowledge and skills further and will grant you a maximum of two days' study leave (one day for preparation and one day for examinations) per year for a work-related study that has been approved by your Manager. This leave is fully paid. Any additional leave required must be taken as annual leave.

### **Compassionate Leave**

You are entitled to two days of compassionate leave for each occasion when a member of your immediate family, or a member of your household:

- contracts or develops a personal illness that poses a serious threat to their life, or
- sustains a personal injury that poses a serious threat to their life, or
- dies.

Compassionate leave is unpaid leave for casuals. For more information, see your relevant Industrial Award or Agreement.

### **Eligible Community Service (Including Jury Duty & Voluntary Emergency Management)**

You are allowed leave to attend Jury Duty or when carrying out voluntary emergency management activities (such as the SES or Country Fire Authority).

For Jury Duty (and if you are not a casual), you are paid the difference between the jury fees received and your ordinary time earnings as if you were working (capped at 10 days).

To be paid you need to provide proof of:

- your requirement to attend Jury Duty,
- actual attendance, and
- jury fees received for such service.

You are required to give your Manager notice of the requirement to attend Jury Duty as soon as practicable after receiving the notification to attend for Jury Duty.

If you are absent due to Voluntary Community Service activity, please phone your Manager as soon as you can, to let us know where you are and how long you expect to be away. On your return, we will need some form of evidence such as a note from the SES leader or Country Fire Authority leader.

For more information, see your relevant Industrial Award or Agreement.

### **Cultural/Ceremonial Leave**

*(Note: You need to check the relevant awards or industrial agreements covering your team members as some have detailed provisions relating to cultural or ceremonial leave paid and unpaid periods).*

At ABCD we have team members from a culturally diverse background. We understand that you may need to meet cultural obligations, or otherwise wish to participate in culturally based occasions, ceremonies or activities that need time away from work. Some examples of this could include Greek Orthodox Christmas, Ramadan, Eid-ul-Adha (Islamic “Feast of Sacrifice”), Chinese New Year, Chanukah, or the funeral of an Indigenous person’s extended

family member or respected community representative (e.g. Chairperson, councillor or community elder).

Unless your award or registered agreement otherwise specifies, where possible, we ask that you use your annual leave entitlements to attend to these obligations and occasions. Where you do not have any paid annual leave entitlements remaining, then you may apply for cultural/ceremonial leave without pay which may be granted by your manager depending on operational requirements.

### **Leave Without Pay**

You may request leave without pay. Approval of such leave only occurs in unusual circumstances and is generally of a short duration. Generally, you are required to have exhausted all your other leave entitlements before leave without pay will be granted. Any extended periods of leave without pay are solely at the discretion of your Manager.

### **Long-Service Leave**

You are entitled to long service leave in accordance with the relevant legislation.

### **Public Holidays**

You are entitled to a day off on public holidays, and if you would usually have worked on that day, you are entitled to be paid for your ordinary hours of work on that day.

You may be reasonably requested to work on a public holiday. Before we request you to work a public holiday, we will consider the nature of work you perform, your personal circumstances (including family responsibilities) and how much notice we gave you. You are entitled to refuse to work if our request is unreasonable or if our reason for refusing your request is unreasonable.

### **Christmas Closedowns**

*(Note: You need to check the relevant awards or industrial agreements covering your employees as there is some variance relating to Christmas Closedowns).*

ABCD closes for the period between Christmas and New Year's Day. All team members will be required to take annual leave during this period. This period of leave will be deducted from your accrued leave entitlement.

If you have not yet accrued sufficient leave to cover the closedown, you can choose to either:

- be credited with annual leave in advance. You will then be required to take the advanced leave during the closedown, or
- take unpaid leave (remembering that you cannot be directed to take unpaid leave).

Where a Public Holiday falls on a day you would have ordinarily have worked during the Christmas close; you will not be paid annual leave for that day. Instead, you are entitled to be paid your base rate of pay for ordinary hours that would have been worked.

SAMPLE

# ***Domestic & Family Violence***

*(This is an emerging WHS issue for businesses and has been included after feedback from businesses. For more information go to the Human Rights Commission <http://www.humanrights.gov.au/our-work/family-and-domestic-violence/publications/fact-sheet-domestic-and-family-violence-workplace> )*

ABCD believes that domestic violence is unacceptable and that everyone has the right to live free from fear, violence and abuse in any form.

We acknowledge that while it is mainly women who experience domestic violence, this policy applies equally to men or women and men in same-sex relationships who need advice or support.

We recognise that domestic violence occurs in every part of the community and may affect team members both directly and indirectly in the workplace. Domestic or family violence becomes a workplace issue when it impacts on the work performance, productivity or safety of a team member or their co-workers.

During domestic violence, the perpetrator may make it difficult for a team member to get to work; they may harass them at work or when they arrive or leave, or they may target the person at work to get them fired or force them to resign. The most common forms of domestic violence experienced at work are abusive telephone calls, text messages and emails. The perpetrator may also harass or abuse co-workers or have someone else injure, intimidate, harass or threaten the team member, or damage the team member's property.

## **Safety & Support**

Our paramount consideration is ensuring the safety, health and well-being of our team members and acting to reduce the potential for domestic violence in the workplace.

Our provisions for team members experiencing domestic violence are aimed at protecting confidentiality, providing appropriate support and preventing team members from being treated less favourably if they tell us what is happening.

We understand that domestic violence issues may be difficult to discuss in the workplace. Managers and colleagues have a responsibility to respond sensitively. Information about domestic violence is considered sensitive personal information and may only be disclosed by consent of the team member concerned; or as required by law for example, by a court order or to protect the health and safety of team members or our clients.

Team members experiencing domestic violence, and co-workers affected by their colleagues experiencing domestic violence, can access our Employee Assistance Service for confidential counselling and support.

## **If You Are Experiencing Domestic Violence**

If you are experiencing domestic violence, you have the right to choose whether you disclose details of your personal circumstances and to whom.

Where possible, we encourage you to discuss the matter with your manager as they will usually need to be involved in developing any practical arrangements needed to support you such as arranging leave, making workplace adjustments or preparing a workplace safety plan.

### **Confidentiality**

Information that you disclose will be kept confidential.

To support your application for leave or working arrangements, we may need to request supporting documentation such as a letter from your doctor, counsellor or support staff, or records from police, court or hospitals.

All written information you produce will be kept in a secure file separate from your personnel file. Access to this information will be on a strict need-to-know basis.

### **Leave**

Team members who are experiencing domestic violence may access leave including special leave to attend medical appointments and counselling, attend legal proceedings, seek safe housing, visit legal advisors or support agencies, for re-housing or re-organising childcare or for other relevant appointments or matters.

Applications for leave under these provisions will not be unreasonably refused.

### **Requests for Changes to Working Arrangements**

Team members experiencing domestic violence may request changes to work practices or arrangements which may include but are not limited to:

- **Working times or patterns** — changes to starting and finishing times, reduced hours, part-time work, working from home, compressed work weeks.

- **Work practice changes** — changes to telephone numbers, email addresses, having calls and emails screened and recorded, removal of details from directories.
- **Work duties changes** — changes to specific duties to avoid potential contact with the perpetrator while they are at work if they are a fellow team member.
- **Temporary relocation** — relocation to another workplace or safer location within the workplace.

## Workplace Safety Plans

Team members experiencing domestic violence may identify their individual safety support needs in consultation with their manager. Safety plans may include but are not limited to:

- If the team member is absent, arranging an agreed method of communication for managers to confirm they are safe.
- Identifying a work contact and an emergency contact if we become unable to contact the team member.
- Alerting reception and the police if the perpetrator enters or attempts to enter the workplace.
- Confirming the team member's arrangements for safely getting to and from home.
- Reviewing security of personnel records.
- With consent, providing a copy of any existing family violence intervention order and/or a photograph of the perpetrator to the manager and reception area.
- Providing safety planning for managers and colleagues who may be approached by the perpetrator.
- Providing an escort to and from their car or public transportation.
- Locking entries and exits, and using keys or access cards to access team member only areas.
- Ensuring visitor sign-in procedures are implemented for all visitors and tradespeople.
- Installation of door chimes to notify team members when someone enters the workplace.



- Installation of personal or fixed alarms (either audible or silent).
- Use of CCTV video surveillance and signs alerting visitors to the surveillance.
- Provision of regular security patrols.
- Provision of safe, clear and well-lit car parking spaces close to the entrance.
- Adjusting landscaping to remove places for people to hide.
- Training of team members and managers in how not to reveal the location and movements of the team member.
- Creating an emergency plan with processes for contacting police in case of emergency.
- Creating a reporting process for incidents and potential incidents.

### **Where the Perpetrator Is a Current Team Member**

ABCD does not condone or tolerate the behaviour of team members who victimise, humiliate, undermine, threaten, intimidate, stalk, harass or use violence against others, including other team members, regardless of their relationship with that person.

Team members who misuse our resources such as phones, email, post and online services to threaten, harass or abuse other people will be dealt with under our Code of Conduct provisions. Their behaviour may also be a criminal offence and/or a breach of a domestic violence protection order and will be dealt with through the legal system.

Where this behaviour comes to our attention, it will be immediately investigated and the perpetrator subject to disciplinary action up to and including termination of employment.

### **Managers Guide to Domestic Violence**

#### **Where a Team Member Discloses Domestic Violence to You**

- Take the time to listen and talk with your team member, ensuring discussions are held in a private area and that you respect the sensitivity of the information.
- Believe what the team member is telling you and understand that it is likely to be very difficult for them to talk about it.

- Respond with care, sensitivity and a non-judgemental approach. Avoid intrusive enquiries.
- Ensure that confidentiality is respected as far as possible
- Explore what the team member would like to have happen, and provide information about the support services that are available. Remember that it is important for the team member to remain as much in control of the process as possible.
- Recognise that the team member may need some time to decide what to do and may try many different options during this process.
- Explain that there may be a need to discuss the information with others if criminal activity or a risk to health and safety of the workplace is identified.
- A consequence of domestic violence may be deterioration in attendance and/or performance. Be sensitive to the impact of domestic violence when addressing attendance or performance issues.

### **If You Suspect Domestic Violence**

If you suspect a team member may be abused but they have not disclosed information to you, then:

- **Recognise:** Let the team member know what you have observed: "I noticed the bruises you had last week, and you look upset and worried today."
- **Respond:** Express concern that the team member might be abused: "I thought it was possible that you are being hurt by someone and I am concerned about you."
- **Refer:** Make a statement of support: "No one deserves to be hurt by someone else. I have some information and resources that may be of help to you."

## ***Internet & Social Media***

With the rise of new media, the ways ABCD team members can communicate are continually evolving. While this creates new opportunities, it also creates new responsibilities.

This policy applies to all ABCD team members and contractors who use the following social media whether in a private and business capacity:

- Social Networking sites (e.g.: Facebook, LinkedIn, Google+, Bebo).
- Micro-blogging sites (e.g.: Twitter).
- Video & photo sharing sites (e.g.: Instagram, SnapChat, Vine, YouTube).
- Weblogs (e.g.: ABCD blogs, Tumblr, personal blogs, and blogs hosted by the media).
- Forums & discussion boards (e.g.: Whirlpool, Reddit, Google groups).
- Online encyclopaedias such as Wikipedia.
- Review sites (e.g.: Yelp, True Local)

Remember, anything you post is accessible to anyone with a browser and is there forever, irrespective of any attempt to delete the content. Treat everything as if it is public (even if you have set your privacy settings to attempt to limit access to the content). Always assume that the person you would least like to see your post (or photograph or video) will see it. Our first and foremost rule is, "*Think Before You Post*".

Under this policy, you agree that ABCD shall not be liable, under any circumstances, for any errors, omissions, loss or damages claimed or incurred due to any of your social media postings.

Please be aware that violation of this policy may result in disciplinary action up to and including termination.

### **What Can You Disclose?**

You can disclose anything already in the public domain – which means that if you've read it in the annual report, strategic plan or in a press release, you can talk about it.

Everything you talk about must be truthful, accurate and able to be substantiated.

### **What Can't You Disclose?**

Generally, common sense and our Code of Conduct is your best guide, but here are a few specifics.

You can't disclose:

- Non-public financial information.
- Non-public technical information.
- Personal information about individuals.
- Confidential information of our customers or suppliers.

You also can't discuss:

- Work related legal proceedings or controversies.

You can't use:

- Our trademark or copyrighted logos in your post unless authorised to do so.
- Other's materials without their express permission.

Other bits you can't do:

- Post offensive, defamatory, threatening, discriminatory, bullying, inappropriate, false, sexist, derogatory or malicious comments, images or materials online (which includes but is not limited to ABCD, your workplace, your team members or your clients). In other words – do not troll!
- Reference ABCD negatively in any online social medium or public forum.
- Post information that is defamatory to the company, its products/services, colleagues and/or customers.
- Suggest or imply you are speaking on behalf of ABCD unless you are authorised to do so.
- Work on your personal blog or social media during work hours.
- Online shopping (unless it's work related).
- Damage your employment relationship, ABCD's reputation or commercial interests, or bring ABCD into disrepute.

## It's Not Just What You Say ... It's How You Say It

Using social media, it is very easy to put people offside as they miss the face to face social cues. That's why *how* you say what you are going to say is so important.

Remember to:

- Use spell check and proofread each post.
- Disclose you are an ABCD team member and add a disclaimer "the views expressed on this post/blog are mine and do not necessarily reflect the views of ABCD." Unfortunately, disclaimers may not be sufficient legal protection if your posts are found to be defamatory, harassing or in violation of any applicable law – so all posts are your legal responsibility.
- Be respectful of all individuals and communities with which you interact online.
- Be polite and respectful of other opinions, even in times of heated discussion and debate.
- Adhere to the Terms of Use of each site, and seek to conform to the cultural and behavioural norms of the social media platform being used.
- Understand and comply when the company asks that topics not be discussed for confidentiality or legal reasons.

## Other General Bits & Pieces

- Keep your personal and professional social media accounts separate. Do not use personal accounts for business communications and take care to ensure that you do not imply that ABCD endorses your personal view.
- Don't feel pressured to "*friend*" or "*follow*" co-workers, vendors or clients unless you want to. If you are uncomfortable with adding a contact – don't add them.
- Ensure your social posting or social video watching does not interfere with your work (particularly use of Twitter).
- Please don't read personal or non-industry blogs during company time.
- If you leave the employ of ABCD, you are required to delete all ABCD proprietary information, customer and supplier details from your social media sites.

- If you make a mistake, be up front about your mistake and correct it quickly. In a blog, if you choose to modify an earlier post, make it clear that you have done so. Let your Manager know about your mistake.
- If something can only be said on the basis that you are saying it “anonymously” or “privately”, there is a good chance that it should not be said.
- **If it gives you pause ... pause.** If you're about to publish something that makes you even the slightest bit uncomfortable, don't shrug it off and hit "*send*" Take a minute to review these guidelines and try to figure out what's bothering you, then fix it. If you're still unsure, discuss it with your Manager. Ultimately, what you publish is yours—as is the responsibility. So be sure.

**The bottom line is don't say something online that you wouldn't be prepared to say directly to someone's face.**

If you have any questions about these guidelines or any matter related to the internet or social media that these guidelines do not address, please contact your Manager.