

---

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

---

|               |                                                              |
|---------------|--------------------------------------------------------------|
| Document No.: | 03-12-PCY-027_Rev3_Conduct and Performance Management Policy |
| Issue Date:   |                                                              |
| Revision No.: | 3                                                            |
| Pages         | 1 of 10                                                      |

|     |            |            |            |               |          |             |
|-----|------------|------------|------------|---------------|----------|-------------|
|     |            |            |            |               |          |             |
|     |            |            |            |               |          |             |
| 3   | 11/06/2024 | Updated    | N. Kerrisk | L. Lesmeister | M. Hagen | 11/06/2025  |
| 2   | 06/09/2023 | Review     | N. Kerrisk | L. Lesmeister | M. Hagen | 10/11/2024  |
| Rev | Date       | Issued For | Originator | Reviewed      | Approved | Next Review |

---

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

---

### PURPOSE OF POLICY

EDMS Australia expects its working participants to always perform their duties to the best of their abilities and to behave in a professional manner.

This policy applies to all existing and prospective full-time, part-time, and casual employees, a person conducting a business or undertaking, directors, office workers, as well as all agents and contractors (including contractors or subcontractors) of EDMS, engaged from time to time, collectively referred to in this policy as “workplace participants.”

### PERFORMANCE

To achieve its operational objectives, EDMS Australia has the right to expect its workplace participants will always give their best efforts at work. We are committed to helping our employees, where possible, to meet these expectations.

Where workplace participants of EDMS Australia are not meeting acceptable standards in their work, or if their work performance is negatively impacting on other team members or on the business, they will be addressed promptly by management.

### CONDUCT

EDMS Australia workplace participants are expected to behave in a manner that is safe and respects all people and property within the workplace. Any conduct which does not follow these principles is deemed unacceptable and will be dealt with accordingly.

The following descriptions provide examples of conduct that are in breach of this policy:

### UNACCEPTABLE BEHAVIOUR

Employees whose behavior is unsafe, or who do not respect people and property within the workplace may be subject to disciplinary action, up to and including dismissal. Such incidents may include, but are not limited to:

---

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

---

- a. Using obscene, inappropriate, or harsh language or gestures towards fellow work participants or visitors.
- b. Threatening, intimidating, or coercing workplace participants while on duty, or while off duty if the conduct bears a relationship to employment.
- c. Behaving inappropriately whilst intoxicated whilst off-duty, either in EDMS Australia uniform, or in areas where it is widely known which company the employee represents.
- d. Interfering with another employee's ability to perform their duties.
- e. Failure to observe safety rules or inappropriate use of safety equipment.
- f. Failure to comply with organisational policies.
- g. Repeated tardiness or absenteeism without just cause or sufficient evidence.

### SERIOUS MISCONDUCT

Incidents of theft, assault, fraud, or other serious misconduct shall be deemed to be in violation of the employee's terms of employment and will be subject to disciplinary action up to and including instant dismissal. Such violations shall include, but are not limited to:

- a. Showing signs of alcohol intoxication or appearing under the influence of drugs while on duty.
- b. Theft of organizational property or revenues, or that of fellow workplace participants, visitors, or customers.
- c. Putting company assets at risk, including releasing confidential information to competitors without authorisation.
- d. Willfully defacing or destroying organizational property, or that of fellow work participants, visitors, or customers.

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

- e. Assault or physical violence towards fellow work participants, visitors, or customers, whether during or outside of work hours.
- f. Serious inappropriate behavior including sexual harassment.
- g. Fraudulent activities or the misrepresentation of work activities.
- h. Breach of EDMS Australia's Fit for Duty or Alcohol & Drugs Policy

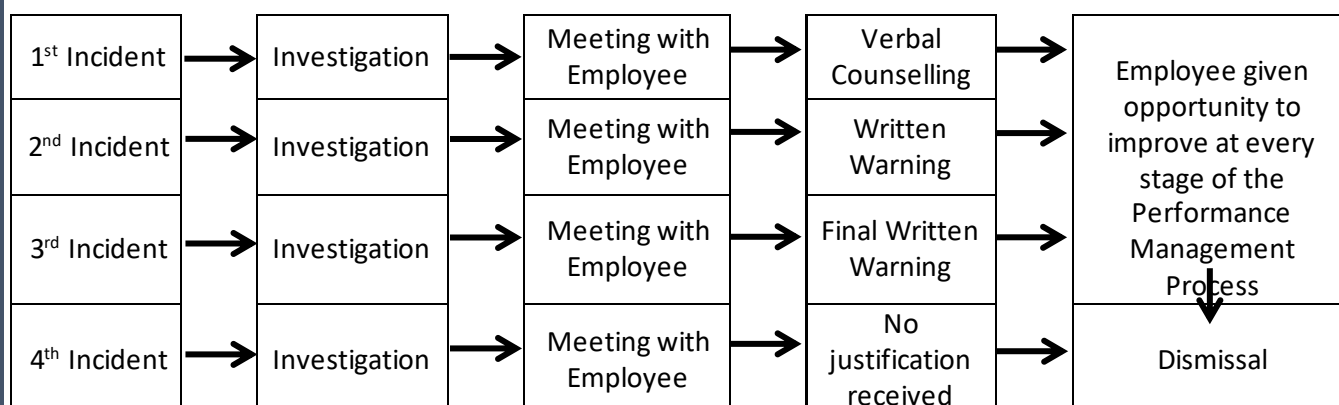
Workplace Participants must be aware that, where action constitutes criminal behaviour, police may be contacted at the discretion of the Manager.

### BREACHES OF THIS POLICY

If any employee is suspected of having breached this policy, they can expect to be subject to the procedure outlined in the Performance Management Flowchart, below.

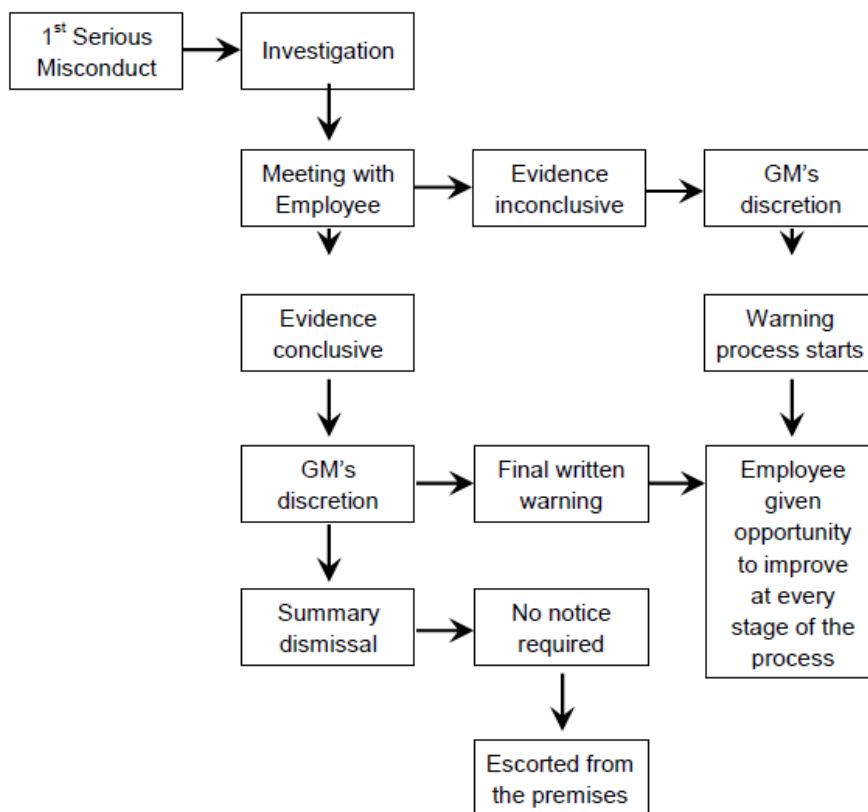
### Performance Management Flowcharts

#### Unacceptable Behaviour / Minor Misconduct / Poor Performance



# CONDUCT AND PERFORMANCE MANAGEMENT POLICY

## Serious Misconduct



Each step in the flowchart is discussed in more detail below.

---

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

---

### VERBAL COUNSELLING

In cases of minor misconduct, unsatisfactory performance, or unacceptable behaviour, as soon as practicable after the incident, EDMS will ensure the following occurs:

- a. The workplace participants supervisor or manager will talk to them about the incident. They will explain how their behaviour or performance has deviated from EDMS Australia's expectations and will provide example/s of such behaviour.
- b. The workplace participant will be provided the opportunity to give explanations and reasons for the incidents identified by their supervisor or manager.
- c. The supervisor or manager will explain to the working participant that if such behaviour continues, disciplinary action will be taken in accordance with the following steps in this policy.
- d. If it is a performance issue, the workplace participant may be required to undertake additional training.
- e. The supervisor or manager will prepare a file note that details the verbal counselling given to the workplace participant, and they may ask the working participant to sign the file note. The file note will include the date of counselling, and a brief note as to who was counselled and the circumstances that led to the need for counselling. The original, fully signed file note will be placed on the employee's HR file.

### FORMAL WRITTEN WARNING AND MEETING

In cases of repeated misconduct, unsatisfactory performance, or unacceptable behaviour, and in cases of misconduct or unacceptable behaviour that is serious enough to move directly to a written warning:

---

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

---

The manager will request the employee attend a disciplinary meeting and will explain why the meeting is being called.

The employee will be given the opportunity to invite someone to attend the meeting with them as a support person. The manager will also have a second person present as a witness.

**During the meeting, the employee will be:**

- a. Advised that a serious matter is to be discussed, and their manager will outline their understanding of the allegations.
- b. Provided with specific examples, supported by documentary evidence if it is available, of where the employee's behaviour has deviated from EDMS Australia's expectations.
- c. Given a clear expectation of the expected standard of behaviour, including what improvement is required.
- d. When applicable, be reminded that they have received verbal counselling.
- e. Given the opportunity to respond, to provide explanations for your conduct, and to seek clarification if necessary. If the employee's explanation needs to be investigated, the meeting may be adjourned at this point, to recommence as soon as investigations are complete.

**During the meeting, the Manager will:**

- a. Explain what changes in behaviour are necessary.
- b. Offer any support, training or assistance that is necessary and reasonable to help.
- c. Set a new date to review the situation, usually between 1 and 3 months after the meeting.

**During the meeting, the role of a Support Person is:**

The role of a support person is to provide the employee with emotional and practical support during a meeting.



---

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

---

The support person cannot act as an advocate, or argue for the employee, but they may give advice to the employee or answer on their behalf if they are unable to do so. They may also request a break if needed.

The support person is there to observe that the meeting is conducted fairly and can take notes and ask questions about the process. If the support person becomes argumentative or their behaviour is disruptive, they will be reminded that they are there for support only and cannot be an advocate for or speak on behalf of the employee.

EDMS Australia can object to a particular person acting as a support person for reasons such as conflict of interest or a health concern.

### **Documentation:**

- a. The Manager will prepare a file note for the meeting, detailing your responses and any agreed action plans.
- b. The workplace participant may request a copy of the file note if they wish to.
- c. Following the meeting, the employee will be provided with a letter, which is a formal written warning. The letter will refer to earlier instances of misconduct or unacceptable behaviour and the fact that verbal counselling was provided. It will also detail the current incident and state that if the behaviour is repeated, further disciplinary action will be taken, which may lead to and or include dismissal.
- d. A copy of the written warning and the file note from the disciplinary meeting will be placed on the workplace participants HR file.

### **FINAL WRITTEN WARNING AND MEETING**

In cases of repeated misconduct or unsatisfactory performance or unacceptable behaviour after the written warning, and in cases of serious misconduct that do not warrant summary dismissal:



---

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

---

- a. The workplace participants' manager or supervisor will request them to attend a disciplinary meeting and will explain the purpose for the meeting. The employee will be given the opportunity to invite someone to attend the meeting with them as a support person.
- b. The meeting will be conducted in the same manner as described in the section "Formal Written Warning and Meeting" above.
- c. The manager will emphasise that this now justifies the issuance of a "final written warning" and the consequence of repeat misconduct may result in dismissal.
- d. The meeting will be documented in the same way as the above procedure.

### SHOW CAUSE MEETING / DISMISSAL

In cases where repeated misconduct or unsatisfactory performance or unacceptable behaviour continues after a final written warning the following steps will be taken:

- a. A confidential investigation will be conducted to assess the facts.
- b. During the investigation, the employee may be stood down on full pay.
- c. Once the matter has been fully investigated, the workplace participants' manager will request the employee's attendance to a disciplinary meeting where they will be asked to show cause as to why their employment should not be dismissed.
- d. The meeting will be conducted as described in the section "Formal Written Warning and Meeting" above, up to and including giving the working participant an opportunity to respond to the allegations.

---

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

---

- e. If any of the workplace participants explanations need to be further investigated, the meeting may be adjourned at this point, to be recommenced as soon as investigations are complete.
- f. If the Manager is satisfied with the workplace participants version of events, the Show Cause Meeting may be completed, however, the workplace participant will be reminded that the final written warning stills stands, and their manager will set a follow up date to review the situation. This date will usually be between one (1) and three (3) months.
- g. If the workplace participants evidence does not resolve the issues and all appropriate steps in this procedure have been followed, the manager will reiterate the reason for the disciplinary action and may recommend to the GM that the employees' employment be terminated. The employee will be advised of the time and date of dismissal, potentially with payment being made in lieu of notice, as provided under the applicable employment guideline.
- h. The show cause meeting will be documented as outlined above, and in addition, at the conclusion of the meeting, the manager will provide the employee with a dismissal letter, which states the reason for the termination and the time and date of termination.
- i. The employee's manager will offer the employee the opportunity to sign the letter of dismissal indicating that they have read and understood it. If the employee refuses to sign the letter, the manager will make a note indicating this with the copy of the letter placed on the employee's HR file.

**The manager will then:**

- a. Escort the terminated participant to their workspace to collect their personal items.
- b. Retrieve all company property from the employee.

---

## CONDUCT AND PERFORMANCE MANAGEMENT POLICY

---

- c. Escort the terminated participant safely from the company premises.

Summary dismissals are without notice, and the employee will be paid only up to the time of the dismissal.

The employees final pay (including and accrued annual leave) will be deposited into the employees previously nominated bank account, and a pays lip will be emailed to the nominated email address within 24 hours of the employee being informed of termination. EDMS will require all company property returned to them, including but not limited to keys, before the final pay is complete.

**Michael Hagen**  
**Director**  
**EDMS Australia**

**Date: 11.06.2024**