

# CODE OF EMPLOYEE CONDUCT

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## Introduction

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Far North Queensland Ports Corporation Limited's (trading as Ports North) vision is to be a successful, sustainable Port operator and a valued contributor to regional economic growth.

Employees are the key to achieving our vision. If we, as employees, perform our duties in a diligent and superior manner with a strong customer focus, Ports North will achieve its vision and employees will enjoy safe, satisfying and on-going employment.

Ports North's mission is to enable business and trade growth by:

- Providing and facilitating infrastructure
- Growing opportunities through sustainable business and regional economic development
- Connecting locally and globally

The following values guide Ports North's actions and decision-making.

### Safe

- We are committed to providing the highest standard of safety for our workplace.

### Reliable

- We will be professional and responsive in seeking to deliver excellent service to all of our internal and external customers.
- We will seek to build effective relationships with the community and our stakeholders by being responsible corporate citizens fostering social value and economic benefit to the region.
- We are committed to compliance with governance structure and procedure, transparent and accountable reporting and management of risk.

### Value Driven

- We will promote co-operation and teamwork, ethical and honest behaviour, respect and integrity while providing opportunities for staff to develop and acquire skills needed to meet our objectives.
- We are committed to sustainable outcomes by acting in a commercially astute manner whilst considering risk and environmental and social impacts of our activities to deliver sustainable commercial returns to shareholders.

## Why do we need a Code of Employee Conduct?

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The Code of Employee Conduct (Code) is the basis of your contract of employment. The purpose of this Code is to set out clear guidelines and expectations of behaviour for Ports North employees.

## How does the Code Operate?

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This Code will apply to all employees in the organisation. For the purposes of this Code employee includes all Directors and Managers. We are all equal when it comes to observing this Code and all employees are

expected to comply with the spirit and intent of the Code. The Code is a general guide for employees as it is not possible to document specific conduct for all circumstances and employees should refer to Ports North policies and procedures for more specific guidance.

If you do not fully understand any part of the Code or a circumstance arises and you are not sure what is the proper conduct you need to seek advice from your direct Supervisor/Manager. The Code may be varied in the future. If the Code is varied, you will receive an updated copy. The Code will be reissued to you periodically and is available via Policies on Seaport or on request from the Corporate Services Department.

## What if the Code is Breached?

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The Code assumes the relevant laws, both State and Commonwealth, will be observed at all times.

A breach of the Code may result in disciplinary action up to and including dismissal. Any alleged breaches of the Code will be investigated. Ports North will ensure that everyone is treated fairly and in accordance with Ports North's Enterprise Agreement.

If you think someone is in breach of the Code of Conduct you should raise the issue with your Supervisor/Manager.

Consistent with its legal obligations, in certain circumstances, Ports North may be required to refer an incident to the Police or Crime and Corruption Commission for further investigation or action.

## What are my rights as an Employee?

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Your rights as an employee and Ports North's obligations to you include your right to:

- Have a safe workplace
- Receive conditions of employment required under Awards, Legislation and Agreements
- Be treated fairly and with dignity and respect
- Not be subjected to any form of harassment or discrimination

## What are my obligations as an Employee?

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As an employee of Ports North, you have the following obligations that you must observe at all times.

### Safety

Ports North is committed to providing a safe and healthy environment for all people who work at and visit Ports North facilities. You are obliged to comply with Ports North's Workplace Health and Safety Policy and Safety Guiding Principles. Most importantly you must:

- Work safely at all times
- Never create or leave an unsafe work environment for fellow employees
- Rectify any unsafe condition if you are competent to do so or if you are not competent, immediately report any unsafe condition to a Supervisor/Manager

**Example:**

You notice some oil that has been spilt on the workshop floor and that persons are at risk of slipping. You should secure the area around the spill and report the matter to your Supervisor.

## Security

Security is everyone's responsibility. All Ports North employees should keep an eye out for suspicious persons and behaviours and advise their immediate Supervisor of any matter that appears unusual or suspicious.

As an employee of Ports North, you may be required to hold a Maritime Security Identification Card (MSIC). For those employees who are required to hold such a card, you must know and abide by the rules and conditions of holding the card. You should also be aware of the various security restricted areas and how they apply in terms of your employment.

## Environment

As employees, we are responsible for maintaining and protecting the environment in our day-to-day activities. Ports North has undertaken to always consider the impact of its activities on the environment and the local community, including the way in which we dispose of waste, use and store chemicals and utilise natural resources.

You are obliged to comply with Ports North's Environmental Management System and Environment Policy and guidelines.

## Performance of Duties

- Be productive and efficient in the performance of your duties with your best level of effort and output
- Comply with all reasonable instructions of supervisors
- Comply with all Ports North policies and procedures
- Comply with provisions outlined in your Letter of Appointment
- Conduct yourself with integrity at all times
- Attend for work at the required time and not leave your workplace before the required time without the specific prior approval of your Supervisor/ Manager
- Work co-operatively with all other employees of Ports North

It is each employee's responsibility to support workplace harmony, within your own section and between sections of Ports North.

**Example:**

You are employed on a full time basis with set starting and finishing times. Occasionally you are required to drop your children off at school as well as pick them up to take them home in the afternoon. You arrive before your starting time and work through your meal break so that you can again leave early to pick-up your children.

You should discuss any flexible work arrangements with your Supervisor/Manager and should not assume that you can take time off unless it is in accordance with Ports North policies and procedures or otherwise approved by your Supervisor/Manager.

## Other Employees

You are obliged not to infringe on other employee's rights. For example you must:

- Treat fellow employees with dignity, honesty and respect
- Never harass or discriminate against fellow employees because of their sex, marital status, age, religion, ethnic origin, medical condition, political interests or physical or intellectual impairment

All employees are entitled to their personal preferences in private and/or political matters.

**Example:**

It has just come to your attention that some staff are spreading rumours about one of your colleague's sexuality. Your colleague is upset about the rumours and you want to say something supportive as well as putting a stop to the rumours.

Approach your colleague with an offer of support by asking how you can help with this situation.

Discourage other staff members from engaging in this type of conversation.

## Customers and Stakeholders

If you have workplace interface with Ports North's customers and stakeholders you must:

- Treat all customers and stakeholders with dignity, honesty and respect
- Work co-operatively and be well mannered with all customers and stakeholders
- Enhance the reputation of Ports North wherever possible

## Compliance with Law

You are obliged to comply with all laws at all times. You must not engage in any illegal conduct. Examples of unacceptable conduct include the following:

- Smoking on Ports North premises (or vehicles) other than in designated areas outside buildings.
- Fighting in the workplace
- Consuming, possessing or distributing illegal substances
- Attendance at work under the influence of alcohol or any other illegal or legal substance to an extent that it impairs your ability to work safely

## Use of Company Resources

Company resources include intellectual property, materials, supplies, equipment, vehicles, finances and other employees' time.

You are obliged to use Ports North's resources carefully, efficiently and economically. For example, you must:

- Never cause damage to equipment or vehicles by being careless
- Never copy computer software programs regardless of whether or not the programs are protected by copyright
- Use ICT systems and services in accordance with the ICT Acceptable Use Agreement

- Never improperly use Ports North equipment credit cards, or your delegated authority.
- Never falsify expense accounts or other Ports North records
- Never steal or waste materials or supplies

Prior approval must be gained from your Supervisor/Manager before you use any company resources for personal or private reasons and the relevant Register and Waiver form completed. If damage to any Ports North resource occurs by reason of your action or anyone else's, you must report it immediately to your direct Supervisor/Manager.

**Example:**

You are driving a Ports North vehicle, carrying a new television set you have just picked up for your meal room at work. You drive past the bank and decide to stop to pay your rent to save you doing it in your meal break. You leave the vehicle unattended. Whilst you are away from the vehicle the television is stolen.

Work property should always be safely secured. Failure to exercise common sense and protect Ports North property or assets may result in disciplinary action.

## Company Information

Company information includes any written, verbal or computerised information owned or related to Ports North (including legal rights to intangible property ie designs, patents etc.).

You are obliged not to release any company information to which you have access except where you are:

- Specifically authorised to do so
- Required to do so in the course of your duties
- Required to do so by law

Employees must not destroy computer documents and records that are required by law to be maintained for a statutory period or historical relevance, nor must any records be falsified or manipulated.

You must not use or release company information in such a way as will cause harm to Ports North or advantage yourself or others. Ports North retains the copyright of work that you produce while employed by Ports North.

## False & Misleading Statements, Declaration or Information

Ports North is entitled to rely on information provided by you prior to, or in the course of, your employment. Any false or misleading statements can have a significant negative impact upon Ports North and in particular, its duty to provide a safe environment and to comply with its legal obligations.

You must ensure that no false or misleading statements or omissions are made:

- In the course of their recruitment / induction process
- In completing any internal documentation
- Any formal external statutory documentation
- Any expense claims, time records and wages claims; and
- During the course of investigations or enquiries by Supervisors/Managers or their consultants.

Ports North and its Managers/Supervisors must, at all times, be able to rely upon the truthfulness of all such statements and any breach is considered to be a breach of your fundamental employment obligations.

**Example:**

Your Supervisor regularly instructs you to complete vehicle mileage claims for his private vehicle. You are aware that these claims are not always correct and that you are asked to claim for trips that you know have not taken place.

You should raise this matter with the next in line Manager or seek advice from other staff you feel are able to deal with this issue.

## **Taking on Employment or Business Activity in addition to your Employment at Ports North**

Unless your contract of employment states otherwise, you can undertake employment or business activities that are in addition to your employment with the Company, provided your employment with Ports North does not suffer and you can fully comply with your obligations to Ports North and no conflict of interest arises.

If you are not sure, seek clarification from your Supervisor/Manager.

## **Conflict between your Personal Interests and Ports North Interests**

Conflicts are circumstances in which your private interests, or duties to another organisation, are inconsistent with your duty to Ports North. Private interests are those that can bring a benefit (or disadvantage) to you or to others (including friends and family) whom you wish to benefit (or disadvantage).

Conflicts of interest can be:

- **Actual** (where there is direct conflict between your current duties and responsibilities and your existing private interests);
- **Perceived** (where it could be perceived, or it may appear, that your private interests could improperly influence the performance of your duties); or
- **Potential** (where you have interests that could conflict with your work duties in the future).

You must not allow your private interests to interfere with the performance of your duties as an employee of Ports North. Responsibility for disclosure or avoidance of a conflict of interest and disclosure of a material personal interest rests with the employee.

If a potential conflict arises between your private interests and Ports North's interests, you must immediately report the matter to your direct Supervisor/Manager. By advising your direct Supervisor in a timely manner, an appropriate management strategy can be developed which may result in your exclusion from any further part in the activity or decision making.

## **Acceptance of Gifts and Benefits**

A Gift includes –

Entertainment, hospitality, travel or other benefit; and

A valuable item of property, whether of a personal nature or otherwise, such as an ornament, work of art, jewellery or other personal items.



Ports North has a Gifts and Benefits Policy and it is the responsibility of the employee to identify, report and deal with gifts and benefits to ensure compliance with this policy.

**Example:**

A supplier brings in a gift basket prior to Christmas as a thank you gift for services provided by relevant staff members throughout the year. This is a reportable gift under the Gifts and Benefits Policy and you are required to record it in the Register of Reportable Gifts.

## Public Comment or Statement

Public comment or statement includes any situation where it is reasonable to assume that your statements will become known to the wider community, for example:

During a public speaking engagement:

- On radio or television
- In a newspaper, magazine or other publication
- Expressing views in letters to newspapers, books, journals or notices
- Social Media

You cannot make any public statement or comment on behalf of Ports North, unless you are specifically authorised to do so by the Chief Executive Officer or General Manager Corporate Services.

If you enter a forum where any statement/comment is likely to become public (e.g. presenting a paper or lecture) and that forum directly or indirectly relates to your employment, you must gain prior approval of the Chief Executive Officer or General Manager Corporate Services in relation to:

- your presence in the forum
- what statement or comment is to be made

It is inappropriate to publicly discuss issues sensitive to Ports North, issues not in your area of expertise and issues where you have limited knowledge.

You must confine yourself to the statement or comment that is approved and be sure that no statement or comment you make damages or reflects adversely on Ports North.

## Reporting of Fraud or Corrupt Conduct

You have a duty to advise Ports North if you have any reasonable grounds to believe any employee of Ports North has engaged in, or is engaging in, fraudulent activities or corrupt conduct. Fraudulent activity includes dishonest activity which results in actual or potential financial loss. Corrupt conduct is conduct that could, if proven, be a criminal offence or provide grounds for terminating the employee's services.

You must report any fraudulent or corrupt conduct concerns to your manager or to Ports North's General Manager Finance. Ports North Fraud Control and Corruption Policy contains further information on procedures for reporting fraud and corruption and outlines Ports North's procedures for investigations.

You have a duty to report immediately any evidence or suspicion of corrupt conduct within Ports North to your immediate Supervisor/Manager or other appropriate Senior Officer in such a way that confidentiality is preserved and natural justice is not eroded. Ports North's Public Interest Disclosure Policy contains further information on procedures for disclosure and confidentiality.

**Example:**

You are aware that your Supervisor gives preferential treatment to one of the other employees in your unit. The favoured employee is often allowed extra time away from work and is advanced at a much faster rate than yourself or other employees in your section. You also suspect that the favoured employee is undertaking work in the Supervisor's home. You are hesitant to report this for fear of comeback.

You are expected to report any reasonably based suspicion of fraud or corrupt conduct. Failure to report such conduct may result in disciplinary action.

## What will happen if an Employee engages in Misconduct?

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Misconduct is any conduct that is inconsistent with the statements in this Code.

Ports North cannot allow any employee to engage in misconduct because misconduct may cause damage and/or injury to other employees and Ports North.

Ports North will take action in response to misconduct aimed at preventing future misconduct and to bring to employees' attention that future misconduct will not be tolerated.

If any employee engages in serious or repeated misconduct, the employee can expect to lose their job and to be held responsible for any damage and/or injury to Ports North or fellow employees.

Employees are therefore urged to conduct themselves at all times in accordance with this Code for the benefit of fellow employees.

## Code of Employee Conduct AGREEMENT

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I acknowledge that I have read the Code of Employee Conduct and agree to comply with the provisions therein and any amendments thereto. I confirm that I have satisfied myself with any queries I may have had in relation to the Code prior to signing this acknowledgement.

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_