



HELEN & JOEY
— ESTATE —
YARRA VALLEY

Disciplinary Procedure & Termination Policy July 2023

POLICY STATEMENT:

Helen & Joey Estate and Re'em Yarra Valley believe that there must be certain policies and procedures in place for the efficient and successful operation of its business, as well as for the protection and fair treatment of all its team members.

All disciplinary action will be given only for the purpose of correcting work-related performance and conduct. Termination of a team member will only occur when all means of discipline have been used or if the severity of the offense requires immediate termination of the employment of the team member.

It will be the policy of Helen & Joey Estate and Re'em Yarra Valley to discipline any team member who violates any business rule or regulation or performs his or her work unsatisfactorily. Areas requiring discipline include but are not limited to:

1. Attendance

- Improper or unauthorised use of paid leave
- Excessive absenteeism
- Repeated late arrival at work or non-adherence to the roster
- Unauthorised absences

2. Conduct

- Willful violation of business policies and procedures
- Willful violation of business core values & behaviours
- Insubordination
- Conflict of interest
- Stealing
- Conviction of a crime
- Soliciting
- Discourteous treatment of customers or other fellow team members
- Violation of safety rules
- Sexual harassment
- Any conduct of a discriminatory nature
- Failure to follow a lawful and reasonable direction from management



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3. Performance

- Incompetence
- Failure to reach goals
- Negligence
- Working under the influence of drugs or alcohol
- Improperly using business equipment
- Inability to improve
- Failure to follow the lawful & reasonable direction of your Direct Manager or Managing Director

Depending on the nature and circumstances of an event, discipline will normally be progressive and reflect the seriousness of the violation.

PROCEDURES:

1. Verbal Warning or Performance Improvement Plan

- a. The responsibility for verbally informing team members that they are not performing their job satisfactorily rests with their Direct Manager, external HR Consultants, or the Managing Director. Helen & Joey Estate and Re'em Yarra Valley understands that discussing the problem can aid in correcting or improving the undesirable performance or conduct.
- b. As a reminder that a verbal warning did occur, a notation will be written and retained as a working document for future reference. This document will be placed on the team member's personnel file.
- c. If the team member's performance or conduct improves and remains improved, the notation will not be required for future action.
- d. Instead of a verbal warning, Helen & Joey Estate and Re'em Yarra Valley may choose to implement a Performance Improvement Plan (PIP) with the team member. This plan is designed to clearly states the areas of concern and the corrective actions or improvements required with appropriate timelines of expected improvements by the team member. Like a verbal warning, a PIP is considered the first step in a disciplinary process designed to inform the team member of the areas of concern and provide an opportunity for improvement.

2. Written (Formal) Warning

- a. If the team member's performance or conduct does not improve, a written formal warning will be provided. The problem will be discussed with the team member in a formal manner.



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- b. The nature of the performance or conduct, reference to the former verbal discussion, the time and date of these discussions and their content will be raised with the team member. The team member may have a support person accompany them to this discussion (non-participative), and advance notice of the discussion will be provided.
- c. The team member will be encouraged to discuss a solution to the problem.
- d. The team member and his/her Direct Manager or an external HR Consultant will establish actions to be taken in order to improve the situation and will establish a date by which the improved performance or conduct is expected.
- e. There will be a discussion on the consequences resulting from non-improvement or non-achievement of goals, e.g. further warning and /or termination.
- f. The original warning will be placed in the team member's personnel file and a copy will be provided to the team member.

3. Termination

- a. Termination will result when all other means of discipline have been used or when the offense justifies such action.
- b. Team members whose conduct is severe enough to warrant immediate termination will be asked to leave the premises immediately.
- c. All worked hours and benefits due upon termination date will be calculated and will be available to the terminated team member in the next scheduled pay cycle, on the provision that all business property has been returned in good order.
- d. Team members terminated with a working notice period are expected to uphold the normal standards of work practice and behaviour. Failure to do so will result in immediate termination with no pay for notice available.
- e. Termination during the probation period may occur with no prior warning.
- f. Team members wishing to terminate their employment during their probationary period are not required to provide reasons unless they wish to.
- g. Team members terminating their own employment are required to give the required notice period in writing. Refer to your Direct Manager or the external HR Consultant for advice on your required notice period.
- h. The last paid working day is considered the last day of employment. All earned unused holiday pay will be calculated to that day and will be paid alongside any outstanding work hours to be paid, in the next scheduled pay cycle after the last day of employment.



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- i. Accrued sick pay is not a form of remuneration and is not paid at the time of termination.

4. Reinstatement

Team members who leave their employment with Helen & Joey Estate and Re'em Yarra Valley for any reason other than poor performance or inappropriate conduct are eligible to be considered for re-employment at Helen & Joey Estate and Re'em Yarra Valley.

5. Separation Certificates

Terminated team members may request a separation certificate and this will be provided within three days of receiving such request in writing (email or text message is acceptable).

6. Employment References

Helen & Joey Estate and Re'em Yarra Valley may choose to provide a verbal reference to any prospective employer on request from the team member. Only the team member's Direct Manager, the General Manager, and the Managing Director are permitted to provide a reference. Team members misrepresenting their role or entitlement to provide a reference will be subject to disciplinary action.

Helen & Joey Estate and Re'em Yarra Valley reserves its right to decline to provide a verbal reference to prospective employers, however, will provide confirmation of employment term, role, and key responsibilities if requested.