



# TASMAN ENVIRONMENTAL TRUST

## HUMAN RESOURCES POLICY

<b>Policy number</b>	004	<b>Version</b>	003
<b>Drafted by</b>	Marios Gavalas/Christeen Mackenzie	<b>Approved by</b>	October 2021
<b>Responsible person</b>	Sky Davies	<b>Board on</b>	
<b>This review date</b>			September 2021
<b>Scheduled review date</b>			September 2023

### INTRODUCTION

Tasman Environmental Trust values the staff, contractors and volunteers that work with and for the Trust.

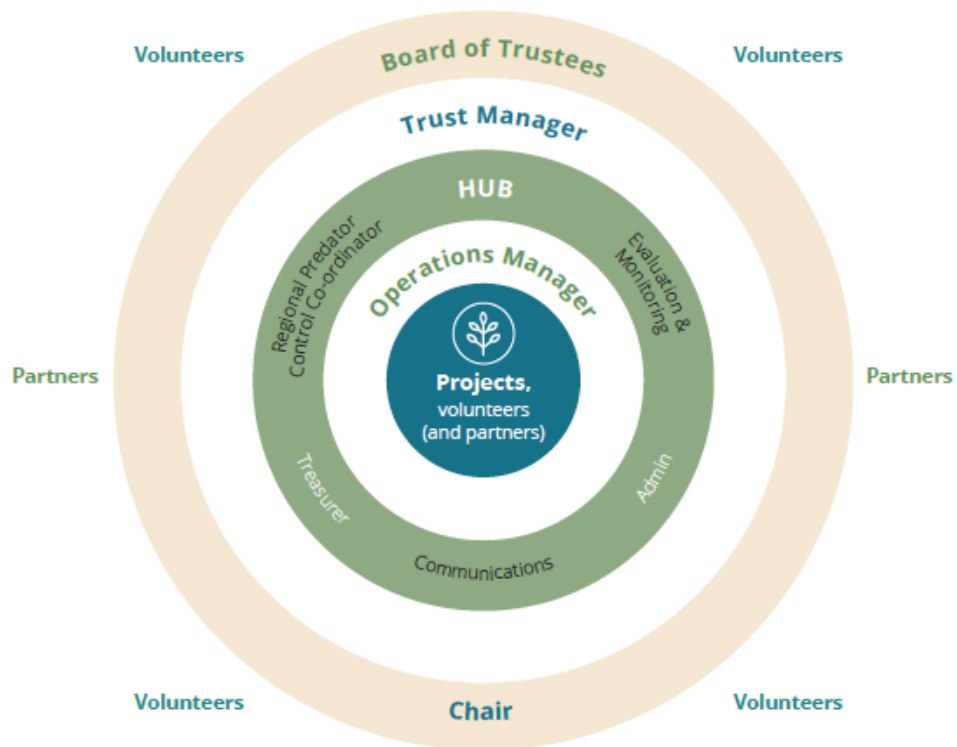
### PURPOSE

This policy is intended to ensure that staff, contractors and volunteers working at Tasman Environmental Trust have work that is safe, significant, fulfilling, and appreciated.

### POLICY

All staff, contractors and volunteers shall be treated with respect and gratitude for their contribution.

All staff, contractors and volunteers shall carry out duties assigned by the management of Tasman Environmental Trust.



## 1. Recruitment

The success of Tasman Environmental Trust relies on its ability to attract and retain the best staff and volunteers available. Recruitment methods must be fair, efficient, and effective.

Tasman Environmental Trust is committed to providing high quality conservation outcomes for our community. To achieve this, we recognise the importance of employing the most suitable applicant for all positions.

All recruitment and selection procedures and decisions will reflect Tasman Environmental Trust's commitment to providing equal opportunity by assessing all potential candidates according to their skills, knowledge, qualifications and capabilities. No regard will be given to factors such as age, gender, marital status, race, religion, physical impairment or political opinions.

## 2. Equal Opportunities

Tasman Environmental Trust is an equal opportunity employer and will provide equality in employment for all people employed or seeking employment. Every person will be given a fair and equitable chance to compete for appointment, promotion or transfer, and to pursue their career as effectively as others. Employment decisions relating to appointment, promotion and career development will be determined according to individual merit and competence. Consistent with this, Tasman Environmental Trust does not condone any form of unlawful discrimination or vilification.

In all cases no factors other than performance, career stage and competence are to be used as the basis for performance assessment, training and development opportunities and promotions.

Tasman Environmental Trust will ensure it attracts the best available staff by broadly advertising (internally and externally as determined by the Trust Manager and the Chair) all vacant remunerated positions and some volunteer vacancies where deemed appropriate.

Tasman Environmental Trust will take all reasonable steps to ensure that applicants can be safely entrusted with the duties of their position.

In advertising vacant positions Tasman Environmental Trust will use a transparent recruitment and selection process.

When assessing suitable applicants if any staff or trustees find that they are assessing any applicant where there is a perceived or actual conflict (eg. Where the applicant is a family member, friend or past colleague) they shall declare the perceived or actual conflict.

### 3. Induction

All staff members (including contractors, temporary staff and volunteers where deemed appropriate by the Trust Manager) will be inducted into Tasman Environmental Trust in a manner as described in the procedure below.

It is the responsibility of the **Trust Manager** to ensure that all new staff members participate in an induction program. It is the responsibility of the **Chair** to ensure that the Trust Manager participates in an appropriate induction.

An appropriate amount of time and expenditure should be used to ensure that all of the required information is communicated to the new employee, such as Health & Safety requirements, duties to be undertaken, dealing with clients/customers, physical layout of the site, etc. This will ensure that staff members can work safely and represent the organisation effectively.

All staff will be given appropriate guidelines for working from home where COVID alert levels or other events restrict movement.

### 4. Remuneration

TET's remuneration of staff members supports the Trust to attract, retain and motivate high caliber people to achieve the Trust's objectives. Remuneration should be

- Equitable and flexible
- Appropriately reflect market conditions and organisational context;
- Recognise individual performance and competency,

The Trust Board will review the Trust Manager's salary level on an annual basis according to annual performance reviews.

The Trust Manager with assistance if necessary will review the salary levels of staff at appropriate times necessary for budgeting.

### 5. Professional Development

Where appropriate Tasman Environmental Trust supports professional development to encourage and support staff members in their professional and career development as part of their employment with the organisation. Any support for professional development is at the discretion of the Trust Manager, (or the chair of the trust in the case of professional development for the Manager).

## **6. Performance Review**

The Trust Manager will conduct a formal annual performance review and performance agreement with each staff member. The Chair of the trust will ensure a formal annual performance review and performance agreement with the Trust Manager takes place. Progress reviews may be conducted on an informal basis more frequently as required.

## **7. Staff Conflict of Interest**

When working for Tasman Environmental Trust, staff members and volunteers should place the organisation's interests before any private interests they may have and should be seen to do so. Conflicts of interest, and the perception of conflict of interest, should be avoided.

A conflict of interest may occur if an interest or relationship influences or appears to influence the ability of the organisation's staff members or volunteers to exercise objectivity. Tasman Environmental Trust places great importance on making clear any existing or potential conflicts of interest. Staff members and volunteers must declare to the Trust Manager all such conflicts of interest, and the Trust Manager may issue instructions to the staff member or volunteer regarding relevant workplace matters. The Trust Manager must declare all conflicts of interest to the board.

Conflicts of Interest and Perceived Conflicts of Interest should be recorded in writing.

## **8. Management of Unsatisfactory Performance**

Where, over time, a staff member has failed to achieve the standards set by the Trust or has acted in a manner which is contrary to the required codes of conduct, they should be advised by the Trust Manager of the Trust's requirements in these matters as per appendix C.

In order to maximise the potential of staff members, it is important to provide feedback on the way they are undertaking their tasks, to coach them to achieve better performance on the job, and to counsel them when problems occur.

The Trust Manager is responsible for ensuring that staff members are aware of the performance standards expected of them, and they discuss performance issues with staff as and when they arise.

Staff members are responsible for ensuring that they discuss performance issues or difficulties with the Trust Manager as and when they arise, seek assistance in the performance of their duties, if necessary and make every effort to improve their work performance where performance issues are raised.

## 8. Misconduct

Tasman Environmental Trust expects staff members to observe acceptable standards of behaviour. Staff members must not engage in behaviour that amounts to misconduct (including serious misconduct) at the workplace. This includes where staff members are working on site or off-site, attending a work-related conference or function, or attending a client or other work-related event, including retreats and social events.

*Refer appendix A for list of behaviour amounting to misconduct or serious misconduct.*

When proven, misconduct may provide a valid reason for termination of a staff member's employment with notice.

*Refer Appendix D for process diagram.*

## 9. Leave

All leave provisions are as per the Individual's Employment Agreement or Contract for Services

## 10. Workplace Bullying

Tasman Environmental Trust believes that all people should work in an environment free from bullying. Tasman Environmental Trust understands that workplace bullying is a threat to the health and wellbeing of its staff, volunteers and customers. Tasman Environmental Trust has a duty of care to provide a safe workplace, and ensure, so far as is reasonably practicable, that workers and other people are not exposed to health and safety risks.

Accordingly, Tasman Environmental Trust is committed to eliminating, so far as is reasonably practicable, all forms of workplace bullying by maintaining a culture of openness, support, and accountability. Any reported allegations of workplace bullying will be promptly, thoroughly, and fairly investigated. Bullying complaints will be handled in a confidential and procedurally fair manner. Where confidentiality cannot be guaranteed this will be clearly communicated to the relevant parties.

All parties will be treated with respect.

*Refer Appendix B for more information and definitions.*

## **11. Sexual Harassment**

Tasman Environmental Trust will not tolerate sexual harassment under any circumstances. Responsibility lies with every Board Member, Manager, staff member and volunteer to ensure that sexual harassment does not occur. This applies to conduct that takes place in any work-related context, including conferences, work functions, social events and business trips. No staff member or volunteer at any level should subject any other staff member, volunteer, customer or contractor to any form of sexual harassment.

A breach of this policy will result in disciplinary action, up to and including termination of employment.

Tasman Environmental Trust strongly encourages any staff member who feels they have been sexually harassed to take immediate action.

Any reports of sexual harassment will be treated seriously and promptly with sensitivity. Such reports will be treated as completely confidential but the person the subject of the complaint must be notified under the rules of natural justice. The organisation will protect all those involved in the process from victimisation.

Complainants have the right to determine how to have a complaint treated, to have support or representation throughout the process, and the option to discontinue a complaint at any stage of the process. The alleged harasser also has the right to have support or representation during any investigation, as well as the right to respond fully to any formal allegations made. There will be no presumptions of guilt and no determination made until a full investigation has been completed.

No staff member or volunteer will be treated unfairly as a result of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment, or against any Staff member or volunteer who has been alleged to be a harasser.

All staff members and volunteers have the right to seek the assistance of the relevant tribunal or legislative body to assist them in the resolution of any concerns. Managers who fail to take appropriate corrective action when aware of harassment of a person will be subject to disciplinary action.

Some forms of sexual harassment (e.g. sexual assault, stalking, indecent exposure, physical molestation, obscene phone calls, posts on social media) may constitute criminal conduct. Such complaints should be dealt with by the relevant authorities (such as the police) as part of the criminal justice system.

## **12. Staff Grievances and Dispute Resolution**

Open communication and feedback are regarded as essential elements of a satisfying and productive work environment. Tasman Environmental Trust encourages its staff members and volunteers to resolve any issues or concerns that they may have at the earliest opportunity with each other or, failing that, their immediate supervisor. The preferred process involves staff members and volunteers resolving issues to their

satisfaction internally, without feeling they have to refer to external organisations or to authorities for assistance.

All formal avenues for handling of grievances will be fully documented and the staff member/volunteer's wishes will be taken into account in determining the appropriate steps and actions. No staff member will be intimidated or unfairly treated in any respect if they utilise this Policy to resolve an issue.

This Policy applies to permanent and part-time paid staff members and to volunteer workers.

It is the responsibility of the Trust Manager or Board Chair to ensure that:

- They identify, prevent and address potential problems before they become formal grievances
- They are committed to communicating openly and sharing information with their staff members and volunteers
- All decisions relating to employment practices are made with consideration given to the ramifications for the individual, as well as the organisation in general
- Any grievance is handled in the most appropriate manner at the earliest opportunity
- All employees and volunteers are treated fairly and without fear of intimidation
- Staff members are ensured appropriate privacy.

It is the responsibility of **Staff members (including Volunteers)** to ensure that:

- They attempt to resolve any issues through their immediate supervisor and through internal processes at the earliest opportunity.
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### 13. Flexible Workplace

Tasman Environmental Trust is committed to helping its staff members achieve their personal, family and relationship goals. As part of this endeavour, the organisation fosters flexibility in employment arrangements to achieve the optimum balance between work and family responsibilities for all staff members.

Flexible workplace provisions will be negotiated with the staff member at commencement of the position, and as requested or required thereafter. Any provisions agreed at the outset of employment will be included in the Individual Employment Agreement, and those agreed later shall be placed on the staff member's file.

As staff and organisational needs change over time flexible provisions will be regularly reviewed to ensure that provisions are consistent with applicable legislation and do not become outdated or irrelevant to the staff member or the organisation.

### 14. Redundancy

This policy applies to staff members of Tasman Environmental Trust who hold Individual Employment Agreements.



Tasman Environmental Trust may from time to time determine the requirement for an internal restructure (based on genuine business grounds) which may include certain positions becoming redundant. Tasman Environmental Trust must notify and discuss any organisational changes as required by any applicable industrial instrument or legislation.

Where a position is identified by Tasman Environmental Trust as being surplus to business needs, Tasman Environmental Trust will attempt to find the staff member whose position is redundant an alternative position with the business. Suitable positions will be identified with reference to the skills and experience of the staff members whose positions are being considered for redundancy. Staff members will be given the opportunity and adequate time to consider the alternatives and to respond accordingly.

## 15. References

'References' refers to material obtained or provided, in confidence or otherwise, to prospective employers to be used to assess a candidate's suitability for a post.

The purpose of references is to obtain information from a third party, providing a factual check on a candidate's employment history, qualifications, experience and/or an assessment of the candidate's suitability for the post in question.

Seeking employment references is a separate matter from requiring police record checks, and this policy does not apply to police record checks.

### **Giving references**

Tasman Environmental Trust will, in most cases, provide references for employees and ex-employees where this is their wish. However, there is no obligation on the organisation to do so. The Trust may provide a record of service.

### **Requiring references**

As part of the recruitment and selection process Tasman Environmental Trust can request up to two referees from all applicants and prospective employees, those two referees being their current or immediately previous employer and a second employer.

If an applicant has not been employed previously or is not able to offer their previous employer as a referee, they will be asked to provide an academic and a character referee.

References and other pre-employment checks must be deemed as satisfactory before a formal offer of employment can be made.

## 16. Acceptable use of Electronic Media

Tasman Environmental Trust recognises that staff need access to email systems and the internet to assist in the efficient and professional delivery of services. Tasman Environmental Trust supports the right of staff to have access to reasonable personal use of the internet and email communications in the workplace.

Where staff use computer equipment or computer software at the premises of Tasman Environmental Trust or use computer equipment or software belonging to Tasman Environmental Trust, properly authorised staff of Tasman Environmental Trust may access any data on that equipment to ensure that the organisation's policies are being adhered to.

### *Definition:*

*Electronic media includes all electronic devices and software provided or supported by Tasman Environmental Trust, including, but not limited to, computers, electronic tablets, peripheral equipment such as printers, modems, fax machines, and copiers, computer software applications (including software that grants access to the internet or email) and telephones, including mobile phones, smartphones, storage media and voicemail systems.*

### **Reasonable personal use**

Reasonable personal use of computer, internet and email facilities provided by the organisation is permitted where it:

- Is infrequent and brief
- Does not interfere with the duties of the Staff member or his/her colleagues
- Does not interfere with the operation of Tasman Environmental Trust
- Does not compromise the security of Tasman Environmental Trust or of its systems
- Does not compromise the reputation or public image of Tasman Environmental Trust
- Does not impact on the electronic storage capacity of Tasman Environmental Trust
- Does not decrease network performance (e.g. large email attachments can decrease system performance and potentially cause system outages)
- Incurs no additional expense for the Trust
- Violates no laws
- Does not compromise any of the confidentiality requirements of Tasman Environmental Trust
- Does not fall under any of the "unacceptable use" clauses outlined below

### **Unacceptable use**

Staff may not use internet or email access (including internal email access) provided by Tasman Environmental Trust to:

- Create or exchange messages that are offensive, harassing, obscene or threatening
- Visit websites containing objectionable (including pornographic) or criminal material
- Exchange any confidential or sensitive information held by Tasman Environmental Trust (unless in the authorised course of their duties)
- Exchange any information that brings Tasman Environmental Trust into disrepute
- Create, store or exchange information in violation of copyright laws (including the uploading or downloading of commercial software, games, music or movies)
- Undertake internet-enabled activities such as gambling, gaming, conducting a business or conducting illegal activities

### **AUTHORISATION**

Signed:

**Board Chair**

Tasman Environmental Trust



# TASMAN ENVIRONMENTAL TRUST

## APPENDIX A

### Misconduct

Behaviour amounting to misconduct includes, but is not limited to, the following:

- failing to obey lawful and reasonable instructions of Tasman Environmental Trust
- failing to follow defined policies, procedures and rules
- failing to share relevant information with Tasman Environmental Trust
- unacceptable disruptive behaviour
- unauthorised absence from the workplace

### Serious misconduct

Whether misconduct amounts to serious misconduct depends on the particular circumstances of a given case. The Trust Manager should consider the circumstances fully as they apply to the particular staff member when determining whether or not the staff member has engaged in conduct that could be considered serious misconduct.

Behaviour amounting to serious misconduct includes, but is not limited to:

- willful or deliberate behaviour that is inconsistent with the staff member's contract of employment
- theft
- fraud
- assault
- intoxication at work
- use of derogatory, violent or abusive language
- fighting
- failure to observe safety rules
- concealment of a material fact on engagement
- obscenity
- bullying
- harassment
- dishonesty in the course of the employment
- criminal conduct including conduct that, if proven, renders the staff member completely unfit for work

# APPENDIX B

## Workplace Bullying

### DEFINITIONS

**“Bullying”** is repeated and unreasonable behaviour directed towards a person or group of persons that creates a risk to health and safety. It includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine or threaten.

**“Repeated behaviour”** refers to the persistent nature of the behavior and can involve a range of behaviours over time.

**“Unreasonable behaviour”** is behaviour that a reasonable person, having considered the circumstances would see as unreasonable, including behavior that is victimising, humiliating, intimidating or threatening.

Examples of behavior, whether intentional or unintentional, that may be considered to be workplace bullying if they are repeated, unreasonable and create a risk to health and safety include but are not limited to:

- abusive, insulting or offensive language or comments
- unjustified criticism or complaints
- deliberately excluding someone from workplace activities
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines
- setting tasks that are unreasonably below or beyond a person’s skill level
- denying access to information, supervision, consultation or resources to the detriment of the worker
- spreading misinformation or malicious rumors
- changing work arrangements to deliberately inconvenience a particular workers or workers.

Workplace bullying can be carried out in a variety of ways including through email, text or social media channels.

Workplace bullying can occur between workers (sideways), from managers to workers (downwards), or workers to managers (upwards).

Reasonable management action is not considered to be workplace bullying if it is carried out lawfully and in a reasonable manner in the circumstances. Examples of reasonable management action include but are not limited to:

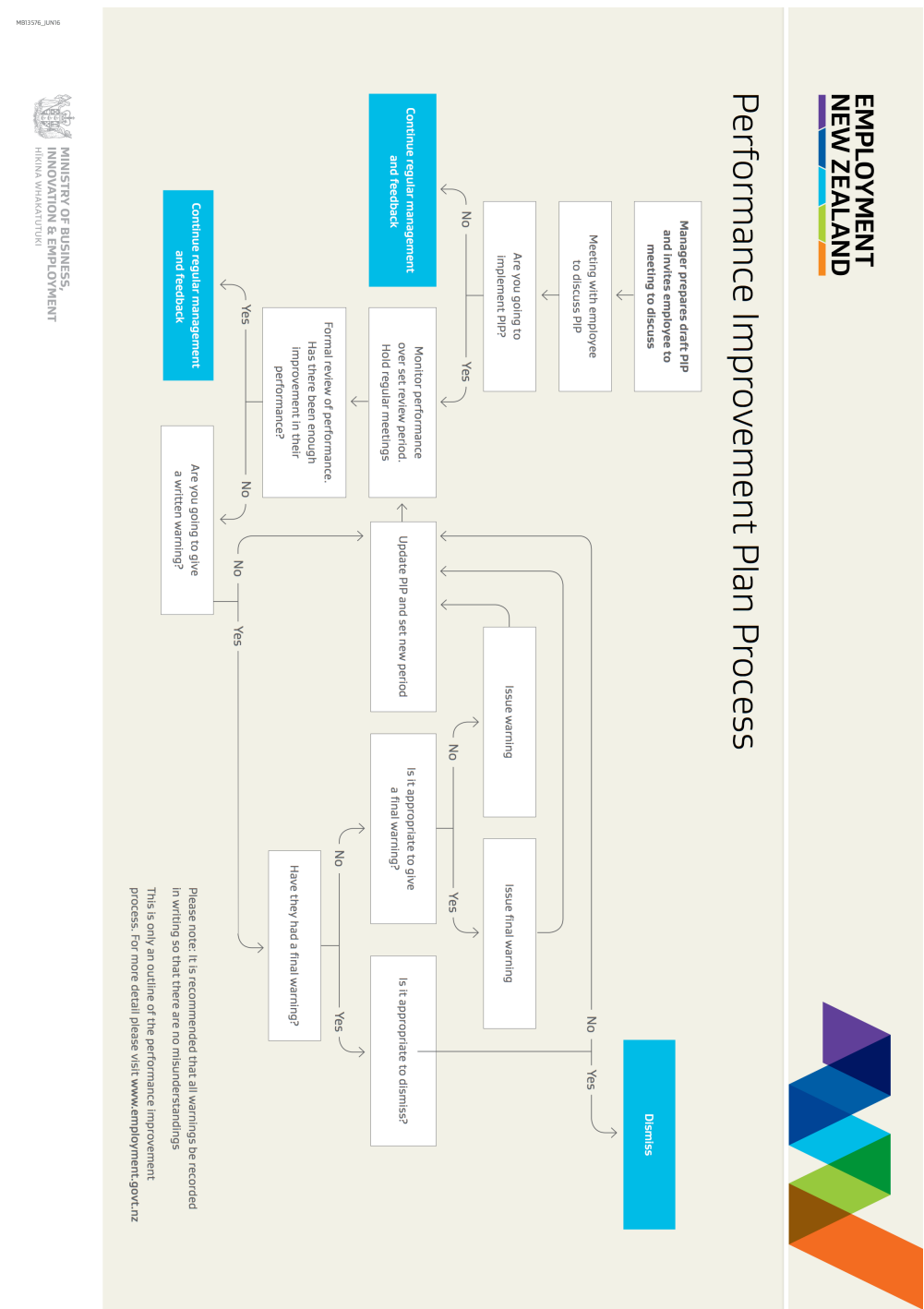
- setting reasonable performance goals, standards and deadlines
- deciding not to select a worker for promotion where a reasonable process is followed
- informing a worker about unsatisfactory work performance in an honest, fair and constructive way
- taking disciplinary action, including suspension or terminating employment.

Differences of opinion and disagreements are generally not considered to be workplace bullying.

Bullying that directly inflicts physical pain, harm, or humiliation amounts to assault and should be dealt with as a police matter.

## APPENDIX C

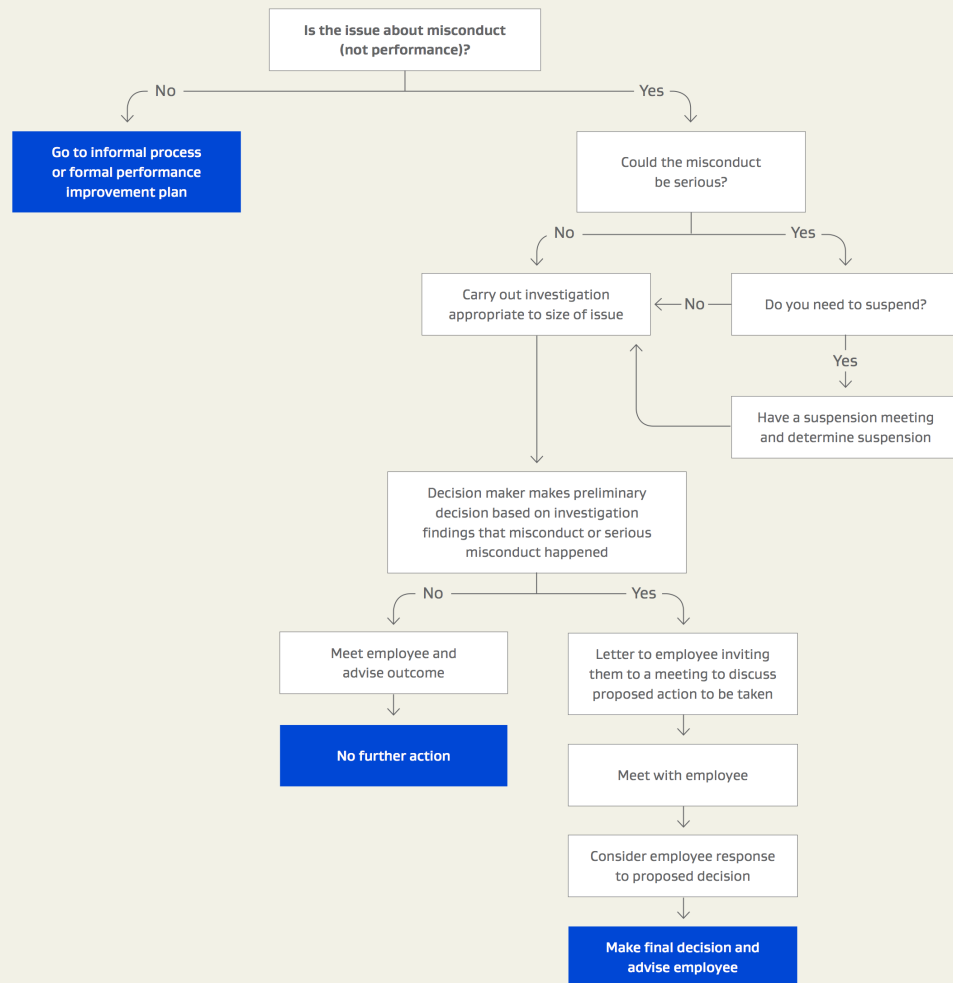
For support on process to manage performance issues - Refer <https://www.employment.govt.nz/workplace-policies/employee-performance/managing-performance-issues/>



## APPENDIX D



### Disciplinary Process – High level



Please note: This is only an outline of the disciplinary process.  
For more detail please visit [www.employment.govt.nz](http://www.employment.govt.nz)