

	<b>POLICIES AND PROCEDURES MANUAL</b>	Policy No: HR-AU-034
		Revision No: 1
HR DEPARTMENT	Section: <b>FREEDOM OF ASSOCIATION POLICY</b>	Effective Date: 1 Jan 2022

### PURPOSE

San Miguel Yamamura Australasia Pty Ltd (SMYA) has a strong commitment to its values of *Power, Outstanding, Win, Engage and Respect (POWER)*, and as such it committed to ensure all employees have the right to Freedom of Association and Collective Bargaining.

### COMMENCEMENT OF POLICY

This Policy will commence from 1 January 2022. It replaces all other Freedom of Association Policies (whether written or not).

### APPLICATION OF POLICY

This Policy applies to employees, agents and contractors (including temporary contractors) of SMYA, collectively referred to in this Policy as 'workplace participants'.

This Policy does not form part of any employee's contract of employment. Nor does it form part of any other workplace participant's contract for services.

### DEFINITION

- We comply with the provisions under the **Fair Work Act 2009** in relation to our obligations to allow freedom of association and right to collective bargaining and representations, along with all general protections as specified under the Act.
- Employees have a right to join or refuse to join a registered worker organisation (Union), without sanction or undue influence by any party.
- Employees have a right to be represented by a registers worker organisation (Union) in accordance with provisions under the Act.
- Employees have a right to collective bargaining and to participate in legal industrial activities in accordance with provisions under the Act.

### BREACH OF THIS POLICY

All workplace participants are required to comply with this Policy at all times. If an employee breaches this Policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts with SMYA terminated or not renewed.

If a person makes an unfounded complaint or a false complaint in bad faith (e.g. making up a complaint to get someone else in trouble or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim.

<b>Document Number</b>	HR-AU-034	<b>Process Owner</b>	HR Department
<b>Document Title</b>	Freedom of Association Policy	<b>Originator</b>	Simon O'Donnell
<b>Page</b>	1 of 1	<b>Revised By</b>	Jason Morris
<b>Reason for Revision</b>	Implementation	<b>Approved By</b>	Jason Morris
<b>Issue Number</b>	1	<b>Issue Date</b>	01/01/2022