

MODERN SLAVERY & ETHICAL SOURCING POLICY (CGPP0002)

PURPOSE

The Premier Fresh Australia (PREMIER) is committed to the practice of good corporate governance and adhering to the highest ethical standards, complying with the applicable legal obligations including and without limitation, the Modern Slavery Act 2018 (Aust) (the Act). Our commitment to ethical and legal employment practices for our own employees extends to workers employed throughout our supply chain. We aim to practice ethical management practices and responsible sourcing of employees and workers and we expect that our supply partners share our commitment to meeting these high standards for business integrity, labour and human rights, and the health and safety of all people working within our supply chain.

SCOPE

This policy applies to PREMIER and all of its controlled entities, being an entity where PREMIER holds over 50% of the share capital. Where PREMIER is involved in a non-controlled joint venture or other similar arrangement where it does not hold a controlling interest, PREMIER will make available its policy and request that the non-controlled entity adopt the key principles as part of its own policy framework. We expect our direct suppliers to cascade these requirements to their own supply chain.

Reference to “workers” means any individual working for a supplier within PREMIER’s supply chain through a contract of employment, or through a third-party labour hire service.

POLICY

PREMIER’s ethical and lawful management practices and responsible sourcing requirements of our suppliers are based on national and internationally recognised codes of practice, including:

- Modern Slavery Act 2018 <https://www.legislation.gov.au/Details/C2018A00153>
- Universal Declaration of Human Rights <https://www.un.org/en/universal-declaration-human-rights/>
- Ethical Trade Initiative (ETI) Base Code <https://www.ethicaltrade.org/eti-base-code>
- International labour organisation (ILO) declaration on fundamental principles and rights at work 1998 <https://www.ilo.org/global/lang--en/index.htm>
- Fair Work Act 2009 (FWA) <https://www.legislation.gov.au/Details/C2017C00323>

1. General Principles

Human rights are universal and fundamental rights that preserve the inherent freedom, dignity, and equality of all human beings. The basis of international human rights law and norms are set out in the Universal Declaration of Human Rights and the ILO declaration on fundamental principles and rights at work. PREMIER’s Modern Slavery & Ethical Sourcing Policy is guided by these principles.

PREMIER require all suppliers to fully comply with all local laws and regulations regarding business ethics, labour, health, safety and the environment. Suppliers must also fully comply with the legal requirements of the countries in which they operate in addition to all elements of this policy and our requirements. Where there is inconsistency between the policy or requirements and applicable local laws and regulations, (to the extent that there is an inconsistency) suppliers are expected to comply with the instrument that imposes the higher standard.

2. Modern Slavery Act 2018

The Commonwealth Modern Slavery Act 2018 from 1 January 2019, established a national modern slavery reporting requirement, applicable to large businesses and other entities, aimed at supporting the Australian business community to identify and address their modern slavery risks and maintain responsible and transparent supply chains. Modern slavery describes situations where offenders use coercion, threats or deception to exploit victims and undermine their freedom. Practices that constitute modern slavery can include:

- human trafficking
- slavery
- servitude
- forced labour
- debt bondage
- forced marriage, and
- the worst forms of child labour

PREMIER is committed to respecting human rights of all individuals within our operations and supply chains, as outlined in the United Nations guiding principles on business and human rights, including steps taken to assess and address modern slavery risks as outlined in the CGPP0006 PREMIER Modern Slavery Statement.

3. Universal Declaration of Human Rights

PREMIER strives to create a workplace that is open, inclusive and respectful of fundamental human rights regardless of age, gender, sexual orientation, culture, ability, religion or beliefs.

We expect our supply partners to respect human rights and to support the importance of human rights throughout our supply chain. We believe that promoting respect for human rights at PREMIER and within our supply chains is a critical part of the commitments we make to our people and local communities.

We protect and uphold fundamental human rights at all our operations, by conducting ourselves and our business with due care and in accordance with relevant laws and regulations. We care about our impact on colleagues and the community and as such will:

- respect the diverse cultures and heritages of local communities;
- respect the rights of indigenous peoples;
- respect that all employees have the right to reasonable work conditions and remuneration;
- not use forced, compulsory or child labour;
- not tolerate harassment or adverse discrimination;
- require that the relevant personnel receive appropriate human rights and cultural training and guidance.

4. Ethical Trade Initiative (ETI) Base Code

The ETI base code is founded on the conventions of the International labour organisation (ILO) and is an internationally recognised code of labour practice. The principles include;

- 4.1. Employment is freely chosen;
 - 4.1.1. There is no forced, bonded or involuntary prison labour.
 - 4.1.2. Workers are not required to lodge "deposits" or their identity papers with their employer and are free to leave their employer after reasonable notice.

- 4.2. Freedom of association and the right to collective bargaining are respected;
 - 4.2.1. Workers, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively.
 - 4.2.2. The employer adopts an open attitude towards the activities of trade unions and their organisational activities.
 - 4.2.3. Worker representatives are not discriminated against and have access to carry out their representative functions in the workplace.
 - 4.2.4. Where the right to freedom of association and collective bargaining is restricted under law, the employer facilitates, and does not hinder, the development of parallel means for independent and free association and bargaining.

- 4.3. Working conditions are safe and hygienic;
 - 4.3.1. A safe and hygienic working environment shall be provided. Adequate steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment.
 - 4.3.2. Workers shall receive regular and recorded health and safety training, and such training shall be repeated for new or reassigned workers.
 - 4.3.3. Access to clean toilet facilities and to potable water, and, if appropriate, sanitary facilities for food storage shall be provided.
 - 4.3.4. Accommodation, where provided, shall be clean, safe, and meet the basic needs of the workers.
 - 4.3.5. The company observing the code shall assign responsibility for health and safety to a senior management representative.

- 4.4. Child labour shall not be used;
 - 4.4.1. There shall be no new recruitment of "child labour", defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. (International Labour Organisation (ILO))
 - 4.4.2. The age of 15 years is considered in most Australian States a reasonable age to commence paid work. This is not consistent in each State and across all vocations. Reference to each State guidance and Modern Award will be made and presented to the hiring Manager.
 - 4.4.3. Companies shall develop or participate in and contribute to policies and programmes which provide for the transition of any child found to be performing child labour to enable her or him to attend and remain in quality education until no longer a child; "child" and "child labour" being defined in the appendices.
 - 4.4.4. Children and young persons under 18 shall not be employed at night or in hazardous conditions.
 - 4.4.5. These policies and procedures shall conform to the provisions of the relevant ILO standards.

- 4.5. Living wages are paid;
 - 4.5.1. Wages and benefits paid for a standard working week meet, at a minimum, national legal standards or industry benchmark standards, whichever is higher.
 - 4.5.2. All workers shall be provided with written and understandable information about their employment conditions in respect to wages before they enter employment and about

the particulars of their wages for the pay period concerned each time that they are paid.

4.5.3. Deductions from wages as a disciplinary measure shall not be permitted nor shall any deductions from wages not provided for by national law be permitted without the expressed permission of the worker concerned. All disciplinary measures should be recorded.

4.6. Working hours are not excessive;

4.6.1. Working hours must comply with national laws, collective agreements, and the provisions of 2.6.2 to 2.6.6 below, whichever affords the greater protection for workers. Sub-clauses 2.6.2 to 2.6.6 are based on international labour standards.

4.6.2. Working hours, excluding overtime, shall be defined by contract, and shall not exceed 48 hours per week.

4.6.3. All overtime shall be voluntary. Overtime shall be used responsibly, taking into account all the following: the extent, frequency and hours worked by individual workers and the workforce as a whole. It shall not be used to replace regular employment. Overtime shall always be compensated at a premium rate, which is recommended to be not less than 125% of the regular rate of pay.

4.6.4. The total hours worked in any seven-day period shall not exceed 60 hours, except where covered by clause 6.5 below.

4.6.5. Working hours may exceed 60 hours in any seven-day period only in exceptional circumstances where all of the following are met:

- this is allowed by national law;
- this is allowed by a collective agreement freely negotiated with a workers' organisation representing a significant portion of the workforce;
- appropriate safeguards are taken to protect the workers' health and safety; and
- the employer can demonstrate that exceptional circumstances apply such as unexpected production peaks, accidents or emergencies.

4.6.6. Workers shall be provided with at least one day off in every seven-day period or,

4.6.7. Where allowed by national law, two days off in every 14-day period.

4.7. No discrimination is practised;

There is no discrimination in hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.

4.8. Regular employment is provided;

4.8.1. To every extent possible work performed must be on the basis of recognised employment relationship established through national law and practice.

4.8.2. Obligations to employees under labour or social security laws and regulations arising from the regular employment relationship shall not be avoided through the use of labour-only contracting, sub-contracting, or home-working arrangements, or through apprenticeship schemes where there is no real intent to impart skills or provide regular employment, nor shall any such obligations be avoided through the excessive use of fixed-term contracts of employment.

4.9. No harsh or inhumane treatment is allowed;

Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation shall be prohibited.

PREMIER acknowledges that the provisions of this code constitute minimum and not maximum standards. In applying this code PREMIER also complies with national and other applicable law and, and where the provisions of law and this base code address the same subject, PREMIER apply the provision which affords the greater protection.

5. The Fair Work Act 2009

All people working in Australia under relevant Commonwealth workplace laws are entitled to general workplace protections. The Fair Work Act 2009 (FWA) provides protections of certain rights, including:

- workplace rights
- the right to engage in industrial activities
- the right to be free from unlawful discrimination
- the right to be free from undue influence or pressure in negotiating individual arrangements.

PREMIER meets its employer obligations under the Fair Work Act by implementing the following key principles:

- all workers fully understand their pay and conditions, which also comply with the relevant award, applicable State law and the federal Fair Work Act 2009, regularly checking that all workers fully understand their pay and conditions;
- employment conditions of workers meet or exceed the 10 basic minimum entitlements known as the national employment standards (NES) set out by the Fair Work Act 2009 which apply to all employees covered by the national workplace relations system;
- all workers receive a written employment contract (in their native language if needed), the fair work statement and payslips;
- all workers on site are legally entitled to work in Australia;
- all workers have an on-site contact to advise of any concerns and display the fair work ombudsman's workers helpline in relevant languages; and
- any deductions for travel, accommodation or other benefits comply with the relevant award, are and are at fair market rates.

6. PREMIER's Approved Supplier Program

PREMIER's human resources department is also responsible for completing annual audits for all labour hire contracting companies who undertake work at any PREMIER site, as part of PREMIER's Approved Supplier Program.

The Approved Supplier Program is extended to PREMIER's network of grower partners. As a condition of doing business with PREMIER, suppliers (including suppliers within our extended supply chain) will be required to undertake certain monitoring and auditing activities as part of the Approved Supplier Program. These activities may include but are not limited to the following:

- ethical sourcing performance, through an online supplier portal such as the supplier ethical data exchange (SEDEX)
- undertake a desktop or on-site audit, administered by PREMIER;
- undertake a desktop or on-site audit, administered by an independent third party, at the supplier's expense, to monitor compliance with our policy and requirements;

- participation in training and development programs.

7. Seeking Assistance and Handling of Grievances

PREMIER supports open and transparent working relationships, where concerns can be safely voiced. We encourage all our stakeholders to raise concerns where they observe or suspect adverse impacts on people, communities, or environment within PREMIER's supply chain.

All employees who feel they have experienced a human rights violation at work are strongly encouraged to raise their concerns with an eligible recipient, their manager, senior manager, nominated Contact Officer or any member of the human resources department, hrrsupport@premierfresh.com.au.

If there is a concern with reporting to any of the listed eligible recipients, for example he or she reasonably believes that the Eligible Recipient is involved in the Improper Conduct, the employee should contact PREMIER's Disclosure Coordinator. PREMIER's Disclosure Coordinator can be contacted on the following details: Telephone: +61 3 9448 0646 or +61 428 942 637, Email: faircall@premierfresh.com.au.

All concerns raised are assessed to determine how they should be investigated. Where remedy is necessary, this may be provided by PREMIER directly, or in collaboration with third parties. We provide several mechanisms for concerns and complaints to be raised confidentially and/or anonymously. More information can be found in our whistle-blower policy.

All complaints will be treated seriously by PREMIER and investigated internally. Where a complaint may involve criminal offences (such as sexual assault, indecent exposure or stalking) the matter may be referred to the authorities.

If an employee feels they are unable to raise their concern with PREMIER internally, they are encouraged to contact the Fair Work Commission and/or the Australian human rights commission, which are operated externally, securely and confidentially and can investigate and resolve complaints of discrimination, harassment and bullying covered by federal discrimination law.

The fair work commission can be contacted on 1300 799 675.

The Australian Human Rights Commission can be contacted on 1300 656 419.

8. Review of this Policy

This Policy will be reviewed at least every 2 years by the Audit Committee in consultation with the Chief Executive.

9. Approval

This Policy and Procedure was reviewed by the Audit Committee and approved by the Board on 20th May 2021.

10. Availability of the Policy and Related Documents

This Policy will be made available on PREMIER's Intranet and a written copy will be available on request.

Related Documents

HRPP0005	Equal Employment: Discrimination, Harassment and Bullying Policy
HRPP0001	Conditions of Employment Policy
HRPP0002	Recruitment
HRPP0028	Workplace Grievance & Complaints Handling Policy
CGPP0004	Whistleblower Policy