

EMPLOYEES' OUT OF HOURS CONDUCT POLICY



POLICY

While all Ergon Energy employees have a right to privacy, criminal or otherwise inappropriate conduct occurring outside of the workplace and negatively impacting upon Ergon Energy, may result in disciplinary action or a requirement that the particular private conduct cease.

Examples of such conduct include, but are not limited to:

- criminal offences involving stealing, or other dishonesty regarding cash or goods
- violence, harassment or discrimination towards other Ergon Energy employees, that occurs outside of the workplace, and not during working hours.

Disciplinary action may be taken where the conduct of the employee outside the workplace:

- brings Ergon Energy into disrepute
- damages the interests of Ergon Energy
- is incompatible with the employee's duty of good faith to Ergon Energy
- damages the relationship between Ergon Energy and the employee, or other employees.

Disciplinary action is dealt with in accordance with the guidelines for Discipline/Dismissal (HR000604R100). Employees should note that dismissal is a potential outcome of such behaviour and will also be dealt with in accordance with the abovementioned documentation.

In determining the nature of disciplinary action to be taken, Ergon Energy will take into account the following:

- the nature of the conduct
- whether the conduct adversely impacts on the business or public reputation of Ergon Energy
- the connection of the conduct with the employment relationship
- the effect of the conduct on the relationship between Ergon Energy and the employee
- any remedial action taken by the employee
- any mitigating circumstances
- the employee's work history
- any other matter Ergon Energy considers relevant.

This Policy should be read in conjunction with Policy EP07, Employees' Code of Conduct.