

## Policy for employing or engaging overseas workers

**We believe in earning our customers' trust by acting responsibly and doing the right thing for our people, our customers, our communities and we expect the same from our suppliers.**

Woolworths Limited (**Woolworths**) is committed to upholding human rights, not only with respect to its own employees but also for workers in its supply chain. To this end Woolworths has a long established Ethical Sourcing Policy, which forms part of our standard Terms of Trade. All Woolworths' suppliers are expected to comply with our Ethical Sourcing Policy regardless of their geographic location.

Woolworths Ethical Sourcing Policy includes criteria for the protection of Overseas workers in our global supply chain. This **Policy** applies to our domestic supply chain in Australia and New Zealand.

### 1. Definition

In the context of this Policy, overseas worker refers to any worker who is not a citizen or permanent resident of the country of employment (Australia or New Zealand), and may include 'backpackers', seasonal workers, or international students. In order to work in Australia or New Zealand, they must have a visa with the legitimate work right for that country.

### 2. Objectives

With increasing use of overseas workers domestically, we are implementing this additional Policy. This Policy will help ensure that the rights of overseas workers in Woolworths' supply chain in Australia and New Zealand are protected, whether they are employed by our suppliers directly or through labour hire agencies or subcontractors.

### 3. Scope

This Policy is in addition to Woolworths Ethical Sourcing Policy and it applies to Woolworths domestic supply chain in Australia and New Zealand.

This Policy applies to the use of Overseas workers:

- o at Woolworths' own sites (e.g. distribution centres and stores);
- o by service providers to Woolworths (e.g. trolley collection, cleaning, security, etc); and
- o by suppliers of fresh produce, meat & poultry, seafood, bakery and deli products, and any product produced under Woolworths Own Brand labels.

### 4. Compliance Criteria

Woolworths' suppliers who directly employ overseas workers must:

- ensure full compliance with all workplace laws, including the Fair Work Act 2009 (in Australia) and the Employment Relations Act 2000 (in New Zealand); and
- have documented systems and processes in place for monitoring compliance with workplace laws with respect to overseas workers, including, without limitation, the minimum rights and conditions at work outlined in paragraph 5 of this Policy.

Suppliers who engage overseas workers through a contractor or labour hire agency must:

- implement processes to enable adequate oversight of the contractor, sub contractor or labour hire agency with regards to its compliance with workplace laws, including, without limitation, correct rates of pay and hours of work and the minimum rights and conditions at work outlined in Section 5 of this Policy.

## 5. Minimum rights and conditions at work

All people working in Australia or New Zealand are entitled to basic rights and protections in the workplace. This includes workers who are not Australian or New Zealand citizens or permanent residents, and may include 'backpackers', seasonal workers, or international students. In order to work in Australia or New Zealand, they must have a current visa with the right to work in that country.

Overseas workers must not be required to lodge deposits or their identity papers with their employer and are free to leave their employer after reasonable notice. Employers must not disguise an employment relationship as an independent contracting arrangement for the purpose of avoiding responsibility for overseas workers' employee entitlements.

In Australia:

- All overseas workers must have the legal right to work in Australia. Suppliers must validate the legal right to work for workers on their sites by either doing a VEVO check [www.border.gov.au/Busi/Visa](http://www.border.gov.au/Busi/Visa) (and retain that right through the duration of their employment) or by requiring workers to provide documentary proof of their working rights and must maintain current records of such working rights.
- Employment conditions of workers must meet or exceed the 10 basic minimum entitlements known as the National Employment Standards (NES) set by the Fair Work Act 2009 which apply to all employees covered by the national workplace relations system. For further information, refer to the "Fair Work Information Statement" and fact sheets "Introduction to the National Employment Standards" and "Foreign workers – Know your workplace rights!" on Fair Work Australia's website [www.fairwork.gov.au](http://www.fairwork.gov.au).
- In addition to complying with all applicable workplace laws, Woolworths requires its suppliers to ensure that all workers receive an induction before starting work, in a language they understand or with an interpreter present. The induction as a minimum must include an explanation of workers' basic rights, safety at work and contact details for Fair Work Australia and the Australian Government's Translating and Interpreting Service (TIS) [www.tisnational.gov.au](http://www.tisnational.gov.au).
- All overseas workers must be provided a copy of the Fair Work Information Statement and 'My employment checklist' available from [www.fairwork.gov.au](http://www.fairwork.gov.au) in a language they understand.
- All overseas workers must be provided information about the Pay and Conditions Tool, available for mobile devices from [www.calculate.fairwork.gov.au](http://www.calculate.fairwork.gov.au) and be informed of their employment level to enable them to use the Pay and Conditions Tool.

In New Zealand:

- All overseas workers must have the legal right to work in New Zealand. Suppliers must validate the legal right to work for workers on their sites by either doing a VisaView check <http://www.immigration.govt.nz/employers/resources/visaview/> or by requiring workers to provide documentary proof of their working rights and must maintain current records of such working rights.
- All workers must receive the minimum employment rights and obligations as set out at [www.employment.govt.nz](http://www.employment.govt.nz).
- In addition to complying with all applicable workplace laws, Woolworths requires its suppliers to ensure that all workers receive an induction before starting work, in a language they understand or with an interpreter present. The induction as a minimum must include an explanation of workers' basic rights, safety at work and contact details for the Ministry of Business, Innovation & Employment in New Zealand and the New Zealand government's Language Line service <http://ethniccommunities.govt.nz/browse/language-line>.

## 6. Compliance Monitoring

### Service providers to Woolworths

Any labour hire agency or service provider contracted by Woolworths to provide Overseas workers for the provision of services to Woolworths (e.g providers of trolley collection services or labour hire agencies who provide distribution centre workers) must have in place a Quality Management System which has been:

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- independently accredited to either AS/NZS ISO 9001:2008 Quality Management Systems, Recruitment Consulting Services Association (RCSA) Service Delivery Standard SDS:2010; or
- independently audited (as agreed by Woolworths) and approved by Woolworths in its absolute discretion.

The Quality Management System must address compliance with all applicable workplace laws including, without limitation, the minimum rights and conditions at work outlined in paragraph 5 of this Policy. Relevant sections of the Quality Management System audit report must be provided to Woolworths annually to demonstrate that the service provider and their subcontractors (if any) or the labour hire agency (as applicable) has complied with the criteria in this Policy.

Woolworths reserves the right to conduct random and unannounced audits to verify compliance with this Policy.

### For-retail suppliers

Requirements for for-retail suppliers to evidence compliance with criteria stated in this Policy will be incorporated in the existing Woolworths Quality Assurance (WQA) Audit process.

For-retail suppliers will be required to sign a Supplier Declaration confirming that they have received a copy of this Policy and have systems and processes in place to meet the compliance criteria stipulated in paragraphs 4 and 5 of this Policy. If a supplier engages labour hire companies or contractors, the supplier must verify compliance of their labour hire company or contractor either through their internal processes or through an independent audit process.

Where allegations of non-compliance with the compliance criteria stipulated in this Policy are brought to Woolworths' attention, we reserve the right to require the supplier to investigate and provide Woolworths with additional evidence of compliance, including, but not limited to, self-assessment against our Policy questionnaire or provision of independent audit reports undertaken by credible third parties of supplier, subcontractor and/or labour hire agency operations.

### **Key Contacts**

For more information on Woolworths Limited's Ethical Sourcing Policy visit our website at [www.woolworthslimited.com.au](http://www.woolworthslimited.com.au).

If you are an existing or prospective service provider with questions or comments, please contact us at [consumergoodsquality@woolworths.com.au](mailto:consumergoodsquality@woolworths.com.au).

If you are a current for-retail supplier with questions or comments, please contact us at [quality@woolworths.com.au](mailto:quality@woolworths.com.au)