**INSTRUCTIONS**

All applicants must fully complete this form, attaching any supporting documentation as necessary.

Applicants are required to **sign the declaration** at the end of this form regarding the accuracy of information and accepting the National prequalification Guidelines andVicRoads Conditions of Prequalification.

All information provided will be treated as confidential in accordance with the **National prequalification Guidelines** **VicRoads Conditions of Prequalification.**

*VicRoads r****equires*** *the following to be provided with this application:*

* Copy of the Certificate of Prequalification and letter from the Assessing Authority;
* copies of management system certificates (Quality, OH&S and Environmental) - Scope of Certification

 must cover the prequalification category(s) sought;

* Workcover certificate
* Completed and signed Industrial Relations checklists and declaration (Appendix A);
* Completed and signed, Supplier Code of Conduct.

**Please indicate the technical categories and financial levels sought for VicRoads mutual recognition, as shown on the Certificate of Prequalification: -**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Road Category | [ ] R1 | [ ] R2 | [ ] R3 | [ ] R4 | [ ] R5 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Bridge Category | [ ] B1 | [ ] B2 | [ ] B3 | [ ] B4 |

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Financial Level | [ ] F1 | [ ] F2 | [ ] F5 | [ ] F10 | [ ] F25 | [ ] F50 | [ ] F100 | [ ] F150 | [ ] F150+ |

**NOTE:** It is the responsibility of the company to:

 - notify of any changes to the company details;

 - renew its prequalification with VicRoads once assessed by the relevant Assessing Authority.

***Please email the completed forms and attachments to :*** ProcurementServicesPrequal@roads.vic.gov.au

(maximum file size of 100Mb or zipped file)

**Organisation Details**

***Please indicate:*** New Application [ ]  **or** Upgrading Existing Application [ ]  **or** Renewal [ ]

|  |  |
| --- | --- |
| Company Name: | Australian Company Number (ACN): |
| Business or Trading Name: (if applicable) | Australian Business Number (ABN): |
| State whether business is; an Individual, a Partnership or a Company: | Company Contact Information: Tel. No. ( ... ) ……………………... |
| Business Address: | Company Contact Person:Title: Mr, Mrs, Ms, Miss, Dr *(Please circle)* |
| …………………………………………………………………… | Name:…………………………………………. |
| …………………………………………………………………... | Position:………………………………………. |
| Postcode: ………. | Mobile No. ……………………...…................Email ………………………………………… |
| Postal Address: (if different from above)………………… ………………………………………………Postcode: ………….. | Email Address:(generic email)……………….…………….………...……Web Address:…………………………………………….. |

Provide details of current directors, company secretary or other senior managers

|  |  |  |
| --- | --- | --- |
| Persons Full Name | Position Held | Address |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Provide names and addresses of all associated, subsidiary and holding companies, including trusts

|  |  |
| --- | --- |
| Business/Company Name | Address |
|  |  |
|  |  |
|  |  |

How many years has the organisation operated:

1. Under its present business name years
2. Under a former business name years

State former name(s): …………………………………………………………………………………………………………

Provide names and addresses of all businesses or companies in which the applicant/organisation has a financial interest:

|  |  |
| --- | --- |
| Business/Company Name | Nature of interest |
|  |  |
|  |  |
|  |  |

**Work Cover Insurance**

Contractors/Consultants that are applying for VicRoads prequalification and/or engaged by VicRoads on contracts must provide evidence that the company is registered as an employer for Workcover Insurance to cover its liability under the Workplace Injury Rehabilitation and Compensation Act 2013 (and amendments).

WorkCover Employer Registration Number(s) & expiry date(s):

……………………………………….……………………………………

Relevant details if self-insured

…………………………………………………………………………………………………………………………………

|  |
| --- |
| **Publication of Information** |
| I acknowledge that it is a Condition of Prequalification that details of my company / business name and prequalification category details will be published in the following locations:1. VicRoads Internet website, which is available to the public
2. Austroads website, which is available to the public
3. VicRoads Prequalification Register, which will provide other interested Victorian Government departments with access to prequalification details
 |
| **Name of contact person who will be in a position to answer queries about this application** |
| Name: ……………………………………………….……………………………………………….…………………….Position: ………………………….…………………….……………………..Contact Phone No. ……………………. |
| **DECLARATION** (to be made by a Director / Partner or other authorised person representing the applicant) |
| I accept the *National prequalification Guidelines and VicRoads Conditions of Prequalification* and declare that the particulars shown herein are true and correct.Signed: ……………………………………………………………………….. Date: ………………………………….Print Name: ………….……………………………….……………………….Position: ………………………….…………………….…………………….. |

**Appendix A**

**Detailed Guidance on Industrial Relations Management Criteria**

**Mandatory evaluation criteria for industrial relations management**

The Ministerial Directions for Public Construction Procurement in Victoria at [Evaluation criteria (Direction 3.7)](https://www.dtf.vic.gov.au/public-construction-policy-and-resources/evaluation-criteria-direction-and-instruction-37) establish that mandatory evaluation criteria for industrial relations management must be used when assessing tender submissions for public construction when:

* where the procurement includes supply of Works and the value of the Works (or Works component) exceeds $500,000 (inclusive of GST).

The evaluation criteria are available at [Mandatory evaluation criteria for industrial relations management (Attachment 2 to Instruction 3.7)](https://www.dtf.vic.gov.au/public-construction-policy-and-resources/mandatory-evaluation-criteria-industrial-relations-management-attachment-2-instruction-37). The criteria are also listed in this guide.

**About this Guide**

This guide provides further guidance on the mandatory evaluation criteria for industrial relations management.

This Guide contains the following parts:

|  |  |  |
| --- | --- | --- |
| **Part** | **Contains** | **Page** |
| 1 | Context | 2 |
| 2 | What does a Tender participant\*\* need to have / provide to satisfy the Industrial Relations Management Criteria | 2 |
| 3 | Industrial Relations Management Criteria | 3 |
| Schedule 1: Industrial Relations Management Criteria Self-Assessment Checklist | 6 |
| Schedule 2: Declaration of Compliance with Industrial Relations Management Criteria  | 10 |

\*\* **Also refers to existing prequalified suppliers and applicants for prequalification.**

**Guidance on Industrial Relations Management Criteria**

1. **Context**

All Victorian employers and employees including the public sector are covered by the national industrial relations system established by the **Fair Work Act 2009 (Cth)**. The Victorian Government supports the role of the Fair Work Commission as the national industrial and workplace relations tribunal to carry out a range of functions including:

providing a safety net of minimum conditions, including minimum wages in awards;

facilitating good faith bargaining and the making of enterprise agreements;

granting remedies for unfair dismissal;

regulating the taking of industrial action;

resolving a range of collective and individual workplace disputes through conciliation, mediation and in some cases arbitration; and

functions in connection with workplace determinations, equal remuneration, transfer of business, general workplace protections and right of entry.

1. **What does a Tender participant need to have / provide to satisfy the Industrial Relations Management Criteria?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | When applying for pre-qualification | When prequalified supplier submitting a tender | When non-prequalified supplier submitting tender | Have in place or required to provide | Reference |
| 1. Industrial Relations Policy
 | ✓ |  | ✓ | Have in place | Checklist section A |
| 1. Industrial Relations Plan
 |  | ✓ | ✓ | Have in place | Checklist sections B, E |
| 1. Industrial Relations Self-Assessment Checklist
 | ✓ |  | ✓ | Provide to Agency | Schedule 1 |
| 1. Declaration of Compliance with the Industrial Relations Management Criteria
 | ✓ |  | ✓ | Provide to Agency  | Schedule 2 |

The purpose of the Industrial Relations Self-Assessment Checklist (the **Checklist**) (Schedule 1, below) and Declaration of Compliance with the Industrial Relations Management Criteria (the **Declaration**) (Schedule 2, below) is to assist Victorian Government departments and public bodies establish confidence in the industrial relations management practices of tender participants who seek to undertake work for the Victorian Government.

The tender participant’s compliance with the Industrial Relations Management Criteria may be subject to further assessment by the relevant department or public body. Documentary evidence to substantiate the tender participant’s assessment may be required.

1. **Industrial Relations Management Criteria**

To enable completion of the Checklist and Declaration, and to satisfy the Industrial Relations Management Criteria, a tender participant must have in place the following:

* an Industrial Relations Policy Statement;
* an Industrial Relations Plan (to be developed for each project) which outlines;
	+ proposed approach to managing workplace relations risks;
	+ proposed approach to compliance with legal obligations;
	+ proposed approach to the management of employee’s entitlements; and
	+ proposed approach to managing subcontractors.
* a declaration stating compliance with the Industrial Relations Management Criteria including obligations under Commonwealth and State legislation relating to wages and conditions of employment (see 3.2.2 below).

The Victorian Government encourages industry to adopt a proactive approach to the management of industrial relations at the enterprise level, and to integrate industrial relations management activity into project planning and management.

**3.1 Industrial Relations Policy Statement**

Tender participants must have an Industrial Relations Policy statement that details:

* the organisational structure for each project identifying the senior personnel, their responsibilities and the reporting lines;
* the contact details of the people responsible for managing workplace relations matters;
* the process for consulting and communicating with the workforce, including strategies to communicate with and manage the relationship with employees, subcontractors, construction unions and representatives of building associations;
* the disputes resolution and grievance procedure;
* the process for managing subcontractor compliance with legal obligations.

The policy should be signed by the most senior person within the organisation, for example the Chief Executive Officer, Directors, or Partners (as appropriate) to demonstrate commitment at the most senior levels of the organisation.

**3.2 Industrial Relations Plan**

The objective of the Plan is to ensure each project is delivered on time and on budget, while reducing the likelihood of workplace relations issues.

Tender participants are required to develop Industrial Relations Plans (the **Plan**) for each project that:

* assesses the workplace relations risks specific to that project;
* outlines approaches tailored to manage those specific risks; and
* outline a contingency plan to respond to unforeseen risks.

The Plan must identify industrial relations issues that are relevant to your organisations and actions that will be taken in the event of the following types of incidents:

* grievance disputes;
* inclement weather;
* site issues including site allowances, amenities, clothing and tools;
* potential or actual industrial action; and
* unforeseen risks.

**3.2.1 Compliance with legal obligations**

Tender participants are required to identify and comply with their legal obligations under relevant Commonwealth and State legislation, and industrial instruments including:

* Commonwealth workplace relations legislation;
* applicable enterprise agreements and modern awards;
* applicable project agreements;
* Victorian long service leave legislation;
* Victorian occupational health and safety legislation;
* Victorian workers compensation legislation;
* Victorian and Commonwealth equal opportunity, anti-discrimination and charter of human rights and responsibilities legislation; and
* legislation relating to the operation of superannuation.

Tender participants must have in place policies and procedures to ensure compliance with legal obligations, this may be a statement in the Plan. They will also be required to sign a declaration of compliance with the Industrial Relations Management Criteria, which includes ensuring compliance with their legal obligations.

**3.2.2 Management of Employee Entitlements**

Tender participants are required to provide employees with at least their minimum entitlements for wages and conditions of employment as specified in the relevant modern award, enterprise agreement or employment contract.

Tender participants are required to provide a signed declaration that states compliance in the past 24-month period with obligations under Commonwealth and State legislation relating to wages and conditions of employment.

Tender participants may be required to provide documentary evidence relating to the payment of lawful payment including:

* minimum wages such as penalty rates, overtime and casual rates;
* allowances;
* annual leave;
* long service leave (for example registration with the relevant scheme such as CoINVEST);
* superannuation (for example registration with the relevant scheme such as Cbus);
* workers compensation insurance; and
* other lawful payments where they are specified in a modern award or enterprise agreement (for example payments made to redundancy funds including Incolink).

Where an organisation has implemented remedial measures to address non-compliance with their legal obligations, evidence must be provided to demonstrate the strategies put in place to rectify the relevant problem and ensure compliance in the future with lawful requirements.

The proposed approach to the management of employee’s entitlements may be specified in the Plan.

**3.2.3 Management of subcontractors**

Tender participants are required to have in place policies and procedures that detail the approach that will be taken to the selection, engagement and management of subcontractors. The policies must also detail the strategies that will be put in place to ensure subcontractors comply with their legal obligations.

Departments and public bodies may require tender participants to demonstrate that the subcontractors they engage comply with their legal obligations. One way to meet this requirement could be to require subcontractors to provide documentation similar to the Checklist and Declaration detailed below in Schedules 1 and 2.

The proposed approach to managing subcontractors may be specified in the Plan.

**Schedule 1: Industrial Relations Management Criteria Self-Assessment Checklist**

|  |  |  |
| --- | --- | --- |
| 1. Industrial Relations Policy

Note: All prequalified suppliers must have an Industrial Relations Policy in place. |  Yes | No |
| 1. Does your organisation have an industrial relations policy statement, that is signed by most senior person in the organisation, that details:
 |  |  |
| * the organisational structure for each project identifying the senior personnel, their responsibilities and the reporting lines;
 | [ ]  | [ ]  |
| * the contact details of the people responsible for managing workplace relations matters;
 | [ ]  | [ ]  |
| * the process for consulting and communicating with the workforce, including strategies to communicate with and manage the relationship with employees, subcontractors, officers, delegates and other representatives of building associations;
 | [ ]  | [ ]  |
| * the disputes resolution and grievance procedure;
 | [ ]  | [ ]  |
| * the process for managing subcontractor compliance with legal obligations.
 | [ ]  | [ ]  |
| 1. Industrial Relations Plan

A fully complying Industrial Relations plan must be provided when submitting tenders. Refer 3.2 of this guide. |  **Yes** |  **No** |
| 1. Does your organisation have an industrial relations plan that identifies the following:
 |  |  |
| * the industrial relations issues that are relevant to your organisations;
 | [ ]  | [ ]  |
| * actions that will be taken in the event of the following types of incidents:
* grievance disputes;
* inclement weather;
* site issues including site allowances, amenities, clothing and tools;
* potential or actual industrial action; and
* unforeseen risks.
 | [ ]  | [ ]  |
|  |  |  |
| 1. Compliance with legal obligation
 |  **Yes** |  **No** |
| 1. Does your organisation have policies and procedures to ensure compliance with the following categories of legislation:
 |  |  |
| * Commonwealth workplace relations legislation (including the Building and Construction Industry (Improving Productivity) Act 2016 (Cth) and where applicable the Code for the Tendering and Performance of Building Work 2016 and the Fair Work Act 2009 (Cth))
 | [ ]  | [ ]  |
| * Long service leave (including the Construction Industry Long Service Leave Act 1997 (Vic) and Long Service Leave Act 1992 (Vic))
 | [ ]  | [ ]  |
| * Occupational health and safety (including the Occupational Health and Safety Act 2004 (Vic))
 | [ ]  | [ ]  |
| * Workers compensation (including the Workplace Injury Rehabilitation and Compensation Act 2013 (Vic))
 | [ ]  | [ ]  |
| * Equal opportunity (including the Equal Opportunity Act 2010 (Vic))
 | [ ]  | [ ]  |
| * Anti-discrimination (including the

Age Discrimination Act 2004 (Cth), Sex Discrimination Act 1984 (Cth), Racial Discrimination Act 1975 (Cth) and Disability Discrimination Act 1992 (Cth)) | [ ]  | [ ]  |
| * Charter of human rights and responsibilities (including the [Charter of Human Rights and Responsibilities Act 2006](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/54d73763ef9dca36ca2571b6002428b0%21OpenDocument) (Vic) and the Australian Human Rights Commission Act 1986 (Cth))
 | [ ]  | [ ]  |
| * Superannuation (including the Superannuation Guarantee Administration Act 1992 (Cth))
 | [ ]  | [ ]  |
| 1. Management of Employee Entitlements
 |  **Yes** |  **No** |
| 1. Does your organisation only employ employees in accordance with an enterprise agreement approved by the Fair Work Commission, modern award or employment contract?
 | [ ]  | [ ]  |
| 1. Does your organisation have an applicable or proposed project agreement in place?
 | [ ]  | [ ]  |
| 1. Does your organisation have policies and procedures that allow employees to access information about the relevant enterprise agreement or modern award?
 | [ ]  | [ ]  |
| 1. In the past 24-month period, has your organisation complied with its obligations under Commonwealth workplace relations legislation?
 | [ ]  | [ ]  |
| 1. In the past 24-month period, has your organisation made the following payments relating to minimum wages and employment conditions?
 |  |  |
| * wages including penalty rates, overtime and casual rates;
 | [ ]  | [ ]  |
| * allowances;
 | [ ]  | [ ]  |
| * annual leave;
 | [ ]  | [ ]  |
| * long service leave;
 | [ ]  | [ ]  |
| * superannuation;
 | [ ]  | [ ]  |
| * workers compensation insurance;
 | [ ]  | [ ]  |
| * other lawful payments where they are specified in a modern award or enterprise agreement, for example, payments made to redundancy funds.
 | [ ]  | [ ]  |
| 1. In the last 24-month period, has your organisation been subject to:
 |  |  |
| * any findings against it by a court or tribunal regarding breach of an industrial instrument, including a breach of a non-confidential consent order?
 | [ ]  | [ ]  |
| * any current proceedings in respect of a breach of an industrial instrument?
 | [ ]  | [ ]  |
| 1. Management of subcontractors
 |  **Yes** |  **No** |
| 1. Does your organisation have in place policies and procedures to ensure that relevant contractual documentation, arrangements or agreements that require subcontractors to comply with their legal obligations?
 | [ ]  | [ ]  |

**Statement of Non-Compliance**

If you have answered no to any of the above questions (or yes to part D(6)), please provide a detailed explanation of the extent of non-compliance for each question below.

|  |
| --- |
| **Criteria** |
| **A** |  |
| **B** |  |
| **C** |  |
| **D** |  |
| **E** |  |

**Schedule 2: Declaration of Compliance with Industrial Relations Management Criteria**

|  |  |  |
| --- | --- | --- |
| Legal name of organisation |  | (the **tender participant**) |
| ABN / ACN |  |

|  |  |  |
| --- | --- | --- |
| Authorised Representative (name)\* |  | (the **Authorised Representative**) |
| Authorised Representative (title)\* |  |

I, the Authorised Representative of the tender participant, declare that the tender participant will comply with the Industrial Relations Management Criteria.

I acknowledge that all the information provided by or on behalf of the tender participant as part of the pre-qualification or tender process is current, accurate and provided in good faith. I acknowledge that those applying the **Industrial Relations Management Criteria Self-Assessment Checklist** may rely on the information and hereby indemnify the Victorian Government for any costs or liabilities incurred from or associated with use of the information.

I acknowledge that the Victorian Government may further assess the tender participants compliance with the Industrial Relations Management Criteria and may require the tender participant to provide documentary evidence to assist in such further assessment.

If the tender participant has not complied with their legal obligations in the past 24-months, and remedial measures have been implemented to address the non-compliance, I will attach evidence to this declaration to demonstrate the strategies put in place to rectify the non-compliance.

Signature of authorised representative:

................................................................................................................................

Name of authorised representative:

.................................................................................................................................

Dated: ………./………../……….

**\* The authorised representative must be nominated and must have the authority to complete the declaration and answer questions.**

The Victorian Government (State) is committed to ethical, sustainable and socially responsible procurement and we expect the same high standards of our Suppliers. We view our Suppliers as partners and we care about the way they do business when providing goods or services, including construction works and services, to the State.

The Supplier Code of Conduct (Code) describes the minimum expectations in the areas of: integrity, ethics and conduct; conflict of interest, gifts, benefits and hospitality; corporate governance; labour and human rights; health and safety; and environmental management. Suppliers to the State are advised to review the Code and ensure that relevant areas of their business and supply chain meet these standards.

**Application of this Code**

The State seeks to work with its Suppliers to meet and exceed minimum expectations as outlined in this Code and continuously strives to improve the standard of its business practices. By Supplier, the State means any entity that supplies goods or services, including construction works and services, to the State. Where the Code refers to workers, it includes employees, contractors, agency and temporary staff of the Supplier and its related entities. Where the Code refers to the law it means the laws in the jurisdiction that apply where the goods are procured, or services are performed.

Fundamental to this Code is an expectation that all Suppliers operate in full compliance with all laws, rules and regulations of the jurisdictions in which they do business.

The expectations outlined in the Code are not intended to supersede or alter the Supplier's regulatory and contractual obligations. The State expects all existing and new Suppliers to commit to the Code. Suppliers should check their respective contracts, agreements and purchase orders as they may contain additional obligations or higher standards than those set out in this code.

The State expects Suppliers to communicate the Code to their related entities, Suppliers and subcontractors who support them in supplying goods and services to the State, so that they are aware of, understand and comply with the Code.

**Reporting misconduct, unethical behaviour or suspected corruption**

If a Supplier considers that another Supplier has deviated from or breached their obligations under this Code or that a State employee has breached Victorian Public Sector Codes (VPS Codes), it is expected to report these concerns to one of the following bodies:

1. in relation to other Suppliers, the relevant department or agency Chief Procurement Officer (CPO), or if there is no such appointed person then either the appointed manager under the contract or the primary State contact in relation to the goods or services or construction works and services being provided;
2. in relation to State personnel breaching VPS Codes or in relation to serious misconduct of State personnel, the relevant public body head or the Independent Broad-based Anti-Corruption Commission; or
3. in relation to allegations of suspected corruption involving Suppliers or State personnel, to the Independent Broad-based Anti-Corruption Commission.

**Corrective action process**

Suppliers are expected to self-assess their compliance with the Code and lake timely action to correct any deficiencies or breaches reported or identified by an audit, assessment, inspection, investigation or review. Suppliers are encouraged to raise any concerns, discuss and seek clarification accordingly to any elements of the Code with the relevant department or agency CPO or if there is no such appointed person then the State manager under their contract or the primary State contact in relation to the goods or services or the construction works and services, they are providing. If requested by the State, Suppliers must provide evidence and confirmation of their compliance with the Code, including the provision of documents and records that support their compliance. Suppliers are expected to support the State in reviewing compliance with the Code.

1. **Integrity, ethics and conduct**

The State expects high standards of ethical conduct and compliance with all applicable laws. Suppliers are expected to be ethical in their business activities, including relationships, practices, sourcing and operations.

**Business integrity**

Suppliers are expected to comply with all anti-bribery, anticorruption and anti-money laundering laws. Suppliers must not engage in, either directly or indirectly, fraudulent, corrupt or collusive activities.

**Record keeping and documentation**

Suppliers are expected to maintain adequate records that accurately record all financial transactions and information regarding its business activities, labour, health and safety and environmental practices in accordance with applicable laws, policies and procedures. Disclosure of information is expected to be undertaken without falsification or misrepresentation.

**Professional conduct**

Suppliers are expected to conduct themselves in a manner that is fair, professional and that will not bring the State into disrepute.

**Confidentiality**

Suppliers must not improperly use any private, confidential or commercially sensitive information in its possession relating to or in connection with its dealings with the State.

**Codes of Conduct for Victorian Public Sector employees**

The VPS Codes (Code of Conduct for VPS Employees, Code of Conduct for Victorian Public Sector Employees of Special Bodies and Code of Conduct for Directors of Victorian Public Entities) describe the behaviours that exemplify the public sector values contained in the *Public Administration Act 2004,* that the State, and the community, expect of all public sector employees. The VPS Codes apply to, and are binding on, public sector employees, and a contravention may constitute misconduct. The public sector values are: responsiveness, integrity, impartiality, accountability, respect, leadership and human rights. Suppliers should respect these obligations in their dealings with public sector employees.

1. **Conflict of interest; gifts, benefits and hospitality**

The State believes that all business activities should be undertaken with impartiality and any conflict of interest should be raised and managed.

**Conflict of interest**

Suppliers must:

1. declare to the relevant department or agency CPO (or if there is no such appointed person, then the appointed State manager under their contract, or the primary State contact in relation to the goods or services or construction works and services being provided), any situation that raises an actual, potential or perceived conflict of interest related to or in connection with its dealings with the State; and
2. avoid financial, business or other relationships which may compromise the performance of their duties under their business arrangement with the State. Under the VPS Codes, public sector employees are expected to avoid actual, perceived and potential conflicts of interest wherever possible. Any conflicts of interest that cannot be avoided are expected to be declared and managed appropriately.

**Gifts, benefits and hospitality**

State personnel must:

1. conduct themselves with the highest standards of integrity, impartiality and accountability; and
2. perform public duties without favouritism, bias or for personal gain.

The appropriate handling of offers of gifts, benefits and hospitality is critical to earning and sustaining public trust. As such, Suppliers are expected not to:

1. offer State personnel gifts or benefits, either directly or indirectly, and offers of hospitality will be limited to token offers of basic courtesy (such as tea and coffee during a meeting); or
2. take any action to entice or obtain any unfair or improper advantage.
3. **Corporate governance**

Commitment to sound management administration, risk and corrective action systems, are key to a reliable supply chain for the State. Suppliers are expected to maintain sound administration processes.

**Risk assessment and management**

Suppliers should develop and maintain a process to identify, manage and control relevant risks associated with its operations. These include supply chain risks and risks relating to labour and human rights, health and safety, the environment, business ethics, and corporate governance.

**Critical incident management**

Suppliers should:

1. identify and assess potential critical incident, emergency situations and business continuity risks; and
2. develop and implement emergency plans and response procedures that minimise harm to life, environment and property, while minimising disruption lo business continuity.

**Audits and assessments**

To ensure compliance with this Code and the applicable laws, Suppliers are expected to:

1. perform periodic evaluations of their facilities and operations, and the facilities and operations of their subcontractors; and
2. cooperate openly and honestly with any State audit, assessment or review.
3. **Labour and human rights**

The State believes that all workers in its supply chain deserve to be treated with dignity and respect. Suppliers are expected to provide a fair and ethical workplace, which upholds high standards of human rights and integrates appropriate labour and human rights policies and practices into its business.

**Anti-discrimination**

Subject to applicable laws, Suppliers are expected not to discriminate against any worker based on age, disability, ethnicity, gender, marital status, political affiliation, race, religion, sexual orientation, gender identity, union membership, or any other status protected by law, in hiring and other employment practices.

**Anti-harassment**

Suppliers are expected to commit to a workplace free from workplace bullying, harassment, victimisation and abuse. Suppliers are expected not to bully workers or threaten workers with, or subject them to, unlawful or inhumane treatment. This includes, but is not limited to, abuse and harassment which can be verbal, physical, sexual or psychological.

**Human rights**

Suppliers are expected to provide goods and services in a manner consistent with any applicable human rights obligations.

**Prevention of involuntary and underage labour**

Suppliers are expected to:

* 1. ensure that all work is undertaken without coercion;
	2. not use any form of forced, bonded or indentured labour; and
	3. employ only workers who are the applicable minimum legal age.

All use of temporary and outsourced labour should be within the limits of the law. Suppliers are therefore expected to:

1. use all reasonable endeavours to ensure that the third-party recruitment agencies it uses are compliant with the provisions of this Code and applicable law; and
2. be responsible for payment of all recruitment-related fees and expenses in recruiting foreign contract workers either directly or through third party agencies.

**Working hours, wages and benefits**

Suppliers must:

1. follow all applicable laws and regulations with respect to wages, working hours and workers compensation insurance;
2. ensure that all workers receive their legally mandated minimum wages, benefits, superannuation, leave entitlements and time off for legally recognised holidays; and
3. pay workers' wages as required under applicable laws in a timely manner and not be expected to use wage deductions as a disciplinary measure. All overtime is expected to be reasonable and paid at the rate and in accordance with the applicable laws.

**Freedom of association and collective bargaining**

Suppliers are expected to freely allow workers to associate with others, form and join (or refrain from joining) industrial organisations or associations of their choice and bargain collectively, or engage in any lawful industrial activity without interference, discrimination, retaliation or harassment.

1. **Health and safety**

Worker health, safety and well-being is important to the State. Suppliers are expected to provide a healthy and safe work environment and integrate sound health and safety management practices into its business.

**Workplace health and safety management**

Suppliers must comply with all applicable laws relating to workplace health and safety.

Suppliers are expected to:

1. manage occupational health and safety hazards; and
2. provide workers with job-related training and consult with employees in relation to the provision of information and training.
3. **Environmental management**

The State is committed to promoting environmental responsibility. Suppliers are expected to minimise the environmental impact of their operations and maintain environmentally responsible policies and practices.

**Environmental impacts**

Suppliers must comply with all applicable laws and regulations relating to the environment, including any management and reporting obligations. Suppliers are expected to manage the environmental impact of their operations by:

1. ensuring the safe storage, transportation and disposal of hazardous substances including hazardous waste;
2. maintaining policies and practices for the efficient use of energy, water and natural resource consumption; and
3. maintaining policies and practices that reduce the risk of pollution, loss of biodiversity, deforestation, damage to ecosystems and greenhouse gas emissions

**VICROADS PREQUALIFICATION SCHEME**

**COMMITMENT TO THE VICTORIAN STATE GOVERNMENT SUPPLIER OF CONDUCT**

1. I acknowledge that:
	1. the Victorian State Government (the State) is committed to ethical, sustainable and socially responsible procurement
	2. the State has a Supplier Code of Conduct (Code) the describes the State’s minimum expectations of the conduct of its suppliers in relation to:
		1. integrity;
		2. ethics and conduct;
		3. conflicts of interest;
		4. gifts, benefits and hospitality;
		5. corporate governance;
		6. labour and human rights;
		7. health and safety and
		8. environmental management.
	3. the expectations set out in the Code are not intended to reduce, alter or supersede any other obligations which may be imposed by any applicable contract, law, regulation or otherwise;
	4. to ensure that the Code remains current and relevant, it may be amended or updated by the State and
	5. the Code includes an ongoing expectation that suppliers (including my organisation) will raise concerns or otherwise seek clarification in relation to any aspects of the Code, including any updates or amendments of the Code.
2. On behalf of my organisation, I:
	1. confirm that the State’s expectations of suppliers as set out in the Code are understood
	2. provide a commitment that if selected to supply goods or services to any State department or public body my organisation will:
		1. periodically check with reasonable frequency for updates and amendments to the Code and
		2. aspire to meet the State’s expectations of suppliers as set out in the Code including as updated or amended by the State.

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Organisation \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**\*\*\*This declaration must be completed and submitted by all contractors and consultants prequalified or applying for prequalification under the VicRoads Prequalification Scheme.**