**This PART B application is for Traffic data Collection in the Traffic Management Services (Contractors) group.**

**PREQUALIFICATION STATUS**

The categories and levels for each group in VicRoads Prequalification Scheme are shown in the Eligibility Criteria information that is available from the VicRoads website.

Is your organisation currently pre-qualified with VicRoads: YES [ ]

 NO [ ]

**PREQUALIFICATION CATEGORIES AND LEVELS**

Please indicate the new category(s) and level(s) you wish to prequalify for below.

|  |  |  |
| --- | --- | --- |
| **Group** | **Category** | **Level(s)** |
|  |  |  |
|  |  |  |
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|  |  |  |
|  |  |  |

**EXPERIENCE & PERSONNEL INFORMATION**

The eligibility criteria for your nominated categories and levels include requirements for:

* Experience in previous works and
* Experienced key personnel

On the forms enclosed you must provide information to satisfy the eligibility criteria for the categories and levels sought. Ensure that the forms are completed as requested, failure to do so may result in the application being returned. These forms are:

1. the **SUMMARY OF CURRENT & PREVIOUS WORKS** form which requires details of experience in previous works.

Information relating to projects relevant to the pre-qualification categories and levels being applied for must be provided for **the last three years** (or further back if considered necessary to support the application)**.**

 For **three of the larger projects in each level being applied for**, include the name and contact details for a senior company representative of the client who may be contacted as a referee.

1. the **NOMINATED PERSONNEL SUMMARY** form which lists nominated staff, level of experience and their qualification.

**MANAGEMENT SYSTEMS**

**(a) General**

 All contractors seeking prequalification **must** have established Management Systems in Quality, Occupational Health and Safety (OH&S), Environmental Management (EMS) and Industrial Relations (IR).

 Refer to 1.4, of the Management System Guidelines and Checklists included as attachment to Part B.

 *For initial, renewal or upgrading applications, appropriate supporting documentation from approval organisations in the format of certificates and/or declarations must be submitted with the application.*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **SYSTEM** | **Quality** | **OH&S** | **Environmental Management** | **Industrial Relations** |
| **System Standard** | ISO 9001 🞐CCF Code 🞐VR Checklist 🞐 | OHSAS AS18001:2007 🞐AS 4801:2001 🞐CCF Code 🞐SafetyMAP 🞐VR Checklist 🞐 | ISO 14001 🞐CCF Code 🞐VR Checklist 🞐 | **##** VR Self Assessment Checklist and Declaration 🞐 |
| **Approval Certificate****or****Document** | 3rd Party Cert. 🞐CCF Code Cert 🞐VR Declaration 🞐 | 3rd Party Cert. 🞐CCF Code Cert 🞐VR Declaration 🞐 | 3rd Party Cert. 🞐CCF Code Cert 🞐VR Declaration 🞐 |  |
| **Name of Approval Organisation** |  |  |  |  |
| **Approval Date** |  |  |  |  |
| **Expiry Date** |  |  |  |  |
| **Registration File No.** |  |  |  |  |

***## VicRoads Industrial Relations Self-Assessment Checklist and Declaration (refer to Appendix A- located at the end of this document) must be completed and included as part of this application.***

Other applicable comments on the management systems:

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

**SUMMARY OF CURRENT & PREVIOUS WORKS (COMPANY)**

Include projects only relevant to the level/s the company is applying for.

*(Note that multiple copies of this page may be submitted for applicable projects/contracts.)*

|  |  |
| --- | --- |
| **PROJECT HISTORY (COMPANY)** |  |
| **PROJECT OWNER** | **PROJECT DURATION**(i)Start Date(ii)Completion Date | **CONTRACT****VALUE** | **WORK DETAILS** Project Description and Location (Attach RFQ or project contract detailing project scope of works):*Include information as per Item (a), Page 1, Part B.*  | **REFERENCE CONTACT DETAIL**(*Name, Position, Email and Phone Number)* |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**NOMINATED PERSONNEL SUMMARY**

List the nominated personnel in the table below.

*Detailed experience summary of each nominated employee to be provided.*

|  |
| --- |
| **NOMINATED PERSONNEL SUMMARY** |
| **NAME** | **PROFESSIONAL/TECHNICAL QUALIFICATION** | **AREA OF EXPERTISE****(CCS, CCC, CTT, CTM, COS, CSS)** |
|  |  |  |
|  |  |  |
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**MANAGEMENT SYSTEM GUIDELINES - CONTRACTORS**

1. **Management Systems - General**

 All contractors wishing to obtain initial prequalification, renewal or upgrading of their existing prequalification, must have established Management Systems in Quality, Occupational Health and Safety (OH&S), Environmental Management (EM) and Industrial Relations (IR) and must provide details as specified below.

 **Prior to submission** of an initial, renewal or upgrading application for prequalification, all **applicants** are required to have their Management Systems in Quality, Occupational Health and Safety (OH&S) and Environmental Management (EMS) reviewed and approved by one of the following methods:

 • Third Party Certification (3rd Part Cert.) to relevant AS / NZS / ISO Standard - Certified by a JAS-ANZ accredited Conformity Assessment Body

 • Certification to the Civil Construction Management Code (CCF Code) - Certified by a Conformity Assessment Body accredited by JAS-ANZ to undertake audits against this Code

 • Audited against the VicRoads checklist by a suitably qualified auditor and confirmed by the auditor on the VicRoads Declaration Form (*refer to 1.3 )*

 **Contractors are responsible for the cost of these audits/reviews.**

**1.1 Management Systems - Third Party Certification**

 Certification of the Quality, OH&S or Environmental management systems are required to the following standards:

**NOTE:** Proof of certification including scope must be provided with the application.

 Scope must be applicable to the level(s) / category(s) sought.

 **(i) Quality System**

 • AS/NZS ISO 9001:2016 Quality management systems – Requirements

 **(ii) OH&S**

 • AS 4801:2001 Occupational health and safety management systems – Specification with guidance for use

* OHSAS 18001:2007 Occupational Health and Safety Management Systems – Requirements
* SafetyMAP

 **(iii) Environmental Management**

 • AS/NZS ISO 14001:2016 Environmental management systems – Requirements with guidance for use

**1.2 Management Systems -Certification to the Civil Construction Management Code (CCF Code)**

 Contractors whose systems are certified **to the Civil Construction Management Code (CCF Code)** are required to submit a copy of the current certificate with the application.

**NOTE:** Certificate must include scope applicable to the level(s) / category(s) sought.

 **1.3 Management Systems - VicRoads Checklists (Quality, OH&S & EM)**

 Contractors whose Management Systems **are not certified as per 1.1 or 1.2** must provide evidence to demonstrate their commitment to and implementation of the required management systems.

 **Prior to submission** of an initial, renewal or upgrading application for prequalification, contractors are required to submit their Quality, OH&S and Environmental management systems to a suitably qualified auditor**\*** for review against the VicRoads checklists for the management system as follows:

Contractors must submit a completed and signed declaration from suitably qualified auditor**\*** verifying that their management systems satisfy VicRoads requirements (refer to the VicRoads Declaration Form).

  **(i) Quality**

 Quality Management System Checklist

(based on AS/NZS ISO 9001:2016)

 **(ii) OH&S**

 OH&S Management System Checklist

 (based on AS/NZS 4801:2001)

 **(iii) Environmental Management**

 Environmental Management System Checklist

(based on AS/NZS ISO 14001:2016)

 **Contractors are responsible for the cost of these reviews.**

 **\* Suitably qualified auditor is deemed by VicRoads to be the appropriate management system auditor as follows:**

 • JAS-ANZ accredited 3rd Party Conformity Assessment Body, employing auditors experienced in the Civil Construction industry. A list of companies is available on the JAS‑ANZ website <http://www.jas-anz.com.au> (go to the JAS-ANZ Register and select: Accredited Bodies).

 OR

* Auditors engaged by a JAS-ANZ accredited Conformity Assessment Body and approved to assess to the CCF Code. A list of Conformity Assessment Bodies is available on the JAS-ANZ website http:[www.jas-anz.com.au](http://www.jas-anz.com.au)

 OR

 • Exemplar Global registered auditors experienced in the Civil Construction industry.

 Exemplar Global website: [www.exemplarglobal.org](http://www.exemplarglobal.org) select: “Find an Auditor”, “Find an Auditor/ Training”

**1.4 Management System - Industrial Relation (IR)**

 To ensure that Contractors can demonstrate industrial relations management practices, a checklist was developed by the Victorian Government.

 All Contractors must complete and comply with the requirements of the VicRoads document "Industrial Relations Self-Assessment Checklist". A completed and signed IR Self-Assessment Checklist and Industrial Relations declaration must be submitted with the initial, renewal or upgrading applications.

***Refer to Part B of the application form:***

**Appendix A**-Detailed Guidance on Industrial Relations Management Criteria;

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

**Schedule 2 -** Declaration of Compliance with Industrial Relations Management Criteria.

**VICROADS DECLARATION FORM**

**FOR AUDITOR CONDUCTING MANAGEMENT SYSTEM REVIEWS**

|  |  |
| --- | --- |
| **Company Name** being audited:  |  |
| **Trading Name** (if applicable):  |  |
| **ACN No**. of company being audited: |  |

|  |  |
| --- | --- |
| Name of Audit Company: |  |
| Name of Auditor: |  |
| Auditor’s qualifications anddate qualified: |  |
| Body certifying Auditor’s qualifications: |  |

**VicRoads Checklists**

|  |  |  |
| --- | --- | --- |
| Quality Version Date: | OH&S Version Date: | EMS Version Date: |

**DECLARATION:**

I have reviewed the company’s systems against the relevant VicRoads checklists above and certify that the systems satisfy the requirements of the checklists.

|  |  |  |
| --- | --- | --- |
| **System** | **Company Document No. and Revision No.** | **Complies** |
| Quality |  | Yes / No |
| OH&S |  | Yes / No |
| EMS |  | Yes / No |

Signature: Date:

Note: This declaration expires 3 years after the issue date.

**Comments:**

**QUALITY MANAGEMENT SYSTEM CHECKLIST – AS/NZS ISO 9001:2016**

**Note: This checklist must be read in conjunction with the standard**

(STATUS A = Acceptable; N = Not Acceptable; N/A = Not Applicable)

| **Item****No.** | **ISO****Ref** | **Standard Requirements** | **Status****A,N,N/A** | **Comments** |
| --- | --- | --- | --- | --- |
|  | **4** | **Context of the organization** |  |  |
|  | **4.1** | **Understanding the organizations and its context**Has the organization monitored and reviewed information about external and internal issues that are relevant to its purpose and its strategic direction that affect its ability to achieve the intended result of its quality management system (QMS)? |  |  |
|  | **4.2** | **Understanding the needs and expectation of interested parties**Has the organization determined the contract and legal requirements of VicRoads and other Victorian statutory authorities relevant to the QMS? Does the organization monitor and review this information? |  |  |
|  | **4.3** | **Determining the scope of the QMS**Has the organization established the scope of the QMS by considering the boundaries and applicability of items 4.1 and 4.2 above and the product and services provided by the organization?Is this scope available and maintained as documented information? |  |  |
|  | **4.4**4.4.1 | **QMS and its processes**Are the QMS’s required and relevant processes for this standard, implemented maintained and continually improved by the organization?Have these processes been developed considering items 4.4.1 (a) to 4.4.1 (h) of this standard? |  |  |
|  | 4.4.2 | Is documented information maintained and retained to support operation of processes as planned? |  |  |
|  | **5** | **Leadership** |  |  |
|  | **5.1**5.1.1 | **Leadership and commitment**GeneralHas leadership and commitment to the QMS been demonstrated by top management? Refer to items 5.1.1 (a) to (j)? |  |  |
|  | 5.1.2 | Customer focusHas leadership and commitment to the customer focus been demonstrated by top management? Refer to items 5.2.1 (a) to (c)? |  |  |
|  | **5.2**5.2.1 | **Policy**Establishing the quality policyHas top management established, implemented and maintained a quality policy that incorporates the requirements of items 5.2.1 (a) to (d)? |  |  |
|  | 5.2.2 | Communicating the quality policyIs the quality policy:- available and maintained as documented information;- communicated , understood and applied internally;- available to relevant interested parties, as appropriate? |  |  |
|  | **5.3** | **Organizational roles, responsibilities and authorities**Does top management ensure that responsibilities and authorities for relevant roles are assigned, communicated and understood internally?Has top management assigned the responsibility and authority for items 5.3(a) to (e)? |  |  |
|  | **6** | **Planning** |  |  |
|  | **6.1**6.1.1 | **Actions to address risks and opportunities**Have the risks and opportunities that need to be addressed been determined for issues in item 4.1 and requirements of items 4.2 to address items 6.1.1(a) to (d)? |  |  |
|  | 6.1.2 | Has the organization planned:- actions to address these risks and opportunities;- how to integrate, implement and evaluate these actions?  |  |  |
|  | **6.2**6.2.1 | **Quality objectives and planning to achieve them**Has the organization established quality objectives at relevant functions, levels and processes needed for the QMS that incorporate items 6.2.1 (a) to (g)?Is documented information maintained on the quality objectives? |  |  |
|  | **6.3** | **Planning of changes**Are changes carried out in a planned manner (refer item 4.4) and with consideration of items 6.3 (a) to (d)? |  |  |
|  | **7** | **Support** |  |  |
|  | **7.1** | **Resources** |  |  |
|  | 7.1.1  | GeneralHas the organization determined and provided resources needed to establish, implement, maintain and continually improve the QMS?  |  |  |
|  | 7.1.2 | PeopleHas the organization determined and provided the persons necessary for the effective implementation of its QMS and for the operation and control of its processes? |  |  |
|  | 7.1.3 | InfrastructureHas the organization provided and maintained the infrastructure necessary for the operation of its processes and to achieve conformity of products and services? |  |  |
|  | 7.1.4 | Environment for the operation processesHas the organization provided and maintained the environment necessary for the operation of its processes and to achieve conformity of products and services? |  |  |
|  | 7.1.5 | Monitoring and measuring resourcesHas the organization provided the resources needed to ensure valid and reliable results when monitoring or measuring is used to verify conformity of products and services to requirements?Has the organization retained appropriate documented information as evidence of fitness for purpose of monitoring and measuring resources? |  |  |
|  | 7.1.5cont. | Is measuring equipment:* calibrated or verified, or both at specified intervals, prior to use to applicable standards and documented information retained;
* identified in order to determine its status;
* stored appropriately?
 |  |  |
|  | 7.1.6 | Organizational knowledgeHas the organization determined the knowledge necessary for the operation of its processes and to achieve conformity of products and services? |  |  |
|  | **7.2** | **Competence**Has HaHas the organization:* determined the necessary competence of person(s) under its control that affects the performance and effectiveness of the QMS?
* ensured these persons have appropriate competency?
* retained appropriate documented information as evidence of competence?
 |  |  |
|  | **7.3**  | **Awareness**Has the organization ensured that persons are aware of:* the quality policy;
* relevant quality objectives;
* their contributions to the effectiveness of the QMS;
* the implications of not conforming with the QMS requirements?
 |  |  |
|  | **7.4**  | **Communication**Has the organization determined the internal and external communications relevant to the QMS including on what, when, with whom, how and who? |  |  |
|  | **7.5** | **Documented Information** |  |  |
|  | 7.5.1 | GeneralDoes the organization’s QMS include documented information:* required by this standard;
* determined by the organization as being necessary for the effectiveness of the QMS?
 |  |  |
|  | 7.5.2 | Creating and updatingWhen creating and updating documented information has the organization ensured appropriate:* identification and description
* format
* review and approval for suitability and adequacy?
 |  |  |
|  | 7.5.3 | Control of documented informationIs documented information required by the QMS and this standard controlled to ensure:* it is available and suitable for use;
* it is adequately protected?
 |  |  |
|  | 7.5.3cont. | For the control of documented information are the following activities addressed:- distribution, access, retrieval and use;- storage and preservation;- control of changes; - retention and disposition? |  |  |
|  | 7.5.3cont | Is external documented information applicable to the QMS appropriately identified and controlled? |  |  |
|  | 7.5.3cont | Is documented information retained as evidence of conformity protected from unintended alterations? |   |  |
|  | **8** | **Operation** |  |  |
|  | **8.1** | **Operational planning and control**Does the organization plan implement and control the processes (see item 4.4) needed to meet the requirements for the provision of products and services, and to implement the actions determined in item 6,by:* determining the requirements of the products and services;
* establishing the criteria for the process and acceptance
* determining the resources for conformity
* implementing control of the processes
* determining, maintaining and retaining documented information ?

Has the organization ensured that outsourced processes are controlled? |  |  |
|  | **8.2** | **Requirements for products and requirements** |  |  |
|  | 8.2.1 | Customer communicationDoes customer communication include items (a) to (e)? |  |  |
|  | 8.2.2 | Determining the requirements for products and servicesWhen determining the requirements for the products and services to be offered to customers, has the organization ensured:* the requirements are defined including legal and organizational
* the organization can meet customer requests?
 |  |  |
|  | 8.2.3 | Review the requirements for products and servicesTo ensure that the organization can meet its ability to meet the requirements for product and services to be offered to the customer, the organization shall conduct a review to include items (a) to (e)?  |  |  |
|  | 8.2.3(cont.) | Has the organization retained documented information as applicable on the results of the review or on any new requirement for the product and services? |  |  |
|  | 8.2.4 | Changes to requirements for products and servicesFor changes to products and services has the organization ensured that relevant documented information is amended and that relevant persons are made aware of the changed requirements?  |  |  |
|  | **8.3** | **Design and development planning**Not applicable  |  |  |
|  | **8.4** | **Control of externally provided processes, products and services** |  |  |
|  | 8.4.1 | GeneralHas the organization determined the controls to be supplied to externally provided processes, product and services when:* they are intended for incorporation into the organization’s products and services;
* they are provided directly by the customer by external providers on behalf of the organization;
* a process or part of a process is provided by an external provider as a result of a decision of the organization?
 |  |  |
|  | 8.4.1(cont) | Does the organization determine and apply criteria for the evaluation, selection, monitoring of performance, and re-evaluation of external providers?Does the organization retain documented information of these activities and any necessary actions arising from the evaluations?  |  |  |
|  | 8.4.2 | Type and extent of controlDoes the organization ensure that externally provided processes, product and services do not adversely affect the organization’s ability to consistently deliver conforming products and services to its customers?For the type and extent of control, does the organization follow items (a) to (d)? |  |  |
|  | 8.4.3 | Information for external providersDoes the organization ensure the adequacy of requirements prior to their communication to external providers?Does this communication include requirements (a) to (f)? |  |  |
|  | **8.5**  | **Production and service provisions** |  |  |
|  | 8.5.1 | Control of production and service provisionDoes the organization implement production and services provisions under controlled conditions?Do these controlled conditions include, as applicable items (a) to (h)? |  |  |
|  | 8.5.2 | Identification and traceabilityDoes the organization use suitable means to identify outputs when it is necessary to ensure conformity of products and services? Does the organization identify the status of outputs with respect to monitoring and measurement?Does the organization control the unique identification of the outputs when traceability is required? |  |  |
|  | 8.5.3 | Property belonging to customer or external providersDoes the organization identify, verify, protect and safeguard customers’ or external providers property provided for use or incorporation into products and services? |  |  |
|  | 8.5.4 | PreservationDoes the organization preserve the outputs during production and service provision? |  |  |
|  | 8.5.5 | Post-delivery activitiesDoes the organization meet requirements for post-delivery activities associated with the products and services to the extent as considered in (a) to (e)? |  |  |
|  | 8.5.6  | Control of changesDoes the organization review and control changes for production or service provision?Does the organization retain documented information describing the review of the changes, authorization and actions arising from the review? |  |  |
|  | **8.6** | **Release of products and services**Does the organization implement planned arrangements, at appropriate stages, to verify that the product and services requirements have been met?Has the organization retained documented information on the release of products and services to provide evidence of conformity and traceability to the person authorizing the release? |  |  |
|  | **8.7** | **Control of nonconforming outputs**Does the organization ensure that outputs that do not conform to their requirements are identified and controlled to prevent their unintended use or delivery and are they dealt with in one or more of the following ways as listed in (a) to (d)?Does the organization retain documented information covering items listed (a) to (d)? |  |  |
|  | **9** | **Performance Evaluation** |  |  |
|  | **9.1** | **Monitoring, measurement, analysis and evaluation** |  |  |
|  | 9.1.1 | General Does the organization determine items (a) to (d) and evaluate the performance and effectiveness of the QMS?Is appropriate documented information retained as evidence of the results? |  |  |
|  | 9.1.2 | Customer satisfactionDoes the organization monitor customer’s perception of requirements? |  |  |
|  | 9.1.3 | Analysis and evaluation Does the organization analysis and evaluate appropriate data and information arising from monitoring and measurement?Are the results of analysis used to evaluate items (a) to (g)? |  |  |
|  | 9.2 | **Internal Audit** |  |  |
|  | 9.2.1 | Does the organization conduct internal audits at planned intervals to provide information on whether the QMS:* conforms to its requirements and the standard;
* Is effectively implements and maintained?
 |  |  |
|  | 9.2.2 | Does the organization follow items (a) to (f) for internal audits? |  |  |
|  | **9.3**  | **Management Review**Does the top management review the organizations QMS at planned intervals and carried out taking into considerations inputs listed in item 9.3.2 (a) to (f)? |  |  |
|  | 9.3.1 | GeneralHas top management reviewed their QMS at planned intervals, to ensure its continuing suitability, adequacy, effectiveness and alignment with the strategic direction of the organization? |  |  |
|  | 9.3.2 | Management review inputsIs the management review planned and carried out taking into considerations items (a) to (f) inclusive? |  |  |
|  | 9.3.3 | Management review outputsDoes the management review outputs include decisions and actions related to: * opportunities for improvement
* any need for changes to the QMS
* resource needs

and are these outputs documented? |  |  |
|  | **10** | **Improvement**  |  |  |
|  | **10.1** | **General**Does the organization determine and select opportunities for improvement and implement any necessary actions to meet customer requirements and enhance customer requirements? Do these include:* improving products and services to meet requirements;
* correcting, preventing or reducing undesired effects;
* improving performance and effectiveness of the QMS
 |  |  |
|  | **10.2** | **Nonconformity and corrective action** |  |  |
|  | 10.2.1 | When nonconformity occurs, including any arising from complaints, does the organization follow items (a) to (f) inclusive? Are corrective actions appropriate to the effects of the nonconformities encountered? |  |  |
|  | 10.2.2 | Does the organization retain documented information of evidence of:* the nature of the nonconformities and any subsequent actions taken
* the results of any corrective action?
 |  |  |
|  | **10.3**  | **Continual Improvement**Does the organization continually improve the suitability, adequacy and effectiveness of the QMS? |  |  |

**OH&S MANAGEMENT SYSTEM CHECKLIST - AS 4801:2001**

**Note: This checklist must be read in conjunction with the standard**

**(STATUS A = Acceptable; N = Not Acceptable; N/A = Not Applicable)**

| **Item****No.** | **ISO****Ref** | **Standard Requirements** | **Status****A,N,N/A** | **Comments** |
| --- | --- | --- | --- | --- |
|  | 4.1 General Requirements | Has the organisation an established and maintained OHSMS |  |  |
|  | 4.2 | OHS policy |  |  |
|  | 4.2 | Is there an OH&S policy authorised by the organisation’s top management that clearly states overall OHS objectives and demonstrates a commitment to improving OHS performance. |  |  |
|  | 4.2 (a) | Is the policy appropriate to the nature and scale of the organisation’s OHS risks |  |  |
|  | 4.2 (b) | Does the policy shall include the commitment to establish measurable objectives and targets to ensure continued improvement aimed at elimination of work‑related injury and illness |  |  |
|  | 4.2 (c) | Does the policy include a commitment to comply with relevant OHS legislation and with other requirements placed upon the organisation or to which the organisation subscribes |  |  |
|  | 4.2 (d) | Is the policy documented, implemented, maintained and communicated to all employees |  |  |
|  | 4.2 (e) | Is the policy available to interested parties |  |  |
|  | 4.2 (f) | Is the policy reviewed periodically to ensure it remains relevant and appropriate to the organisation |  |  |
|  | 4.3  | Planning |  |  |
|  | 4.3.1 | Planning Identification of hazards, assessment and control of risksHas the organisation established, implemented and maintained documented procedures to identify the OHS hazards/risks and access and control the associated hazard/risks of activities, products and services over which an organisation has control or influence, including activities, products or services of sub-contractors and suppliers. |  |  |
|  | 4.3.1 (cont.) | Has the organisation developed its methodology for hazard identification, hazard/risk assessment and control of hazards/risks, based on its operational experience and its commitment to eliminate workplace illness and injury. Is the methodology kept up‑to‑date. |  |  |
|  | 4.3.2 | Legal Requirements Has the organisation established, implemented and maintained procedures to identify and have access to all legal and other requirements that are directly applicable to the OHS issues related to its activities, products or services, including relevant relationships with contractors or suppliers. |  |  |
|  | 4.3.2 (cont.) | Does the organisation keep this information up‑to‑date. Is relevant information on legal and other requirements communicated to employees. |  |  |
|  | 4.3.3 | Objectives & TargetsHas the organisation established, implemented and maintained documented OHS objectives and targets, at each relevant function and level within the organisation.Are the organisations objectives and targets consistent with the OHS policy, including the commitment to measuring and improving OHS performance. |  |  |
|  | 4.3.4 | OHS Management PlansHas the organisation established and maintained management plans for achieving its objectives and targets. Do they include:a) designation of responsibility for achievement of objectives and targets at relevant functions and levels of the organisation; andb) outlining the means and timeframe by which objectives and targets are to be achieved. |  |  |
|  | 4.3.4 (cont.) | Are procedures established to ensure that current plans are reviewed, and if necessary amended to address such changes at regular and planned intervals, and whenever there are changes to the activities, products, or services of the organisation or significant changes in operating conditions. |  |  |
|  | 4.4. | Implementation |  |  |
|  | 4.4.1 | Structure and responsibility |  |  |
|  | 4.4.1.1 | ResourcesHas management identified and provided the resources required to implement, maintain, and improve the OHSMS. Do resources include human resources and specialised skills, technology and financial resources. |  |  |
|  | 4.4.1.2 | Responsibility & AccountabilityDoes the organisation define, document and communicate the areas of accountability and responsibility (including those imposed by OHS legislation) of all personnel involved in the OHSMS's operation.Where sub-contractors are involved, are these areas of accountability and responsibility clarified with respect to those sub-contractors.Has the organisation’s top management appointed a specific management representative(s) who, irrespective of other responsibilities, has defined roles, responsibilities and authority for:a) ensuring that OHSMS requirements are established, implemented and maintained in accordance with this Standard; andb) reporting on the performance of the OHSMS to top management for review and as a basis for improvement of the OHSMS. |  |  |
|  | 4.4.2 | Training and competency |  |  |
|  | 4.4.2 | Has the organisation in consultation with employees identified training needs in relation to performing work activities competently, including OHS training.Are procedures in place to ensure that OHS competencies are developed and maintained. Are personnel assessed as competent, on the basis of skills achieved through education, training or experience, to perform assigned tasks taking into account the OHS obligations, hazards and risks associated with the work activities. |  |  |
|  | 4.4.2 (cont) | Have procedures been developed for providing OHS training. Do these procedures take into account:a) the characteristics and composition of the workforce which impact on occupational health and safety management; andb) responsibilities, hazards and risks. |  |  |
|  | 4.4.2 (cont) | Does the organisation ensure that all personnel (including sub-contractors and visitors) have undertaken training appropriate to the identified needs. |  |  |
|  | 4.4.2 (cont) | Is the training carried out by persons with appropriate knowledge, skills and experience in OHS and training. |  |  |
|  | 4.4.3 | Consultation, communication and reporting |  |  |
|  | 4.4.3.1 | ConsultationAre employees involved in the development, implementation and review of policies and procedures hazard identification, hazard/risk assessment and control of hazards/risks |  |  |
|  | 4.4.3.1 (cont.) | Are employees consulted where there are any changes that affect workplace OHS |  |  |
|  | 4.4.3.1 (cont.) | Do employees select those who will represent them on OHS matters |  |  |
|  | 4.4.3.1 (cont.) | Are employees informed as to who is/are their employee OHS representative(s) and specified management representative(s). |  |  |
|  | 4.4.3.1 (cont.) | Are there documented procedures, agreed to by employees, for employee involvement and consultation in OHS issues. Is information regarding the arrangements made available to interested parties. |  |  |
|  | 4.4.3.1 (cont.) | Do those representing the employees and employer receive appropriate training to undertake effectively their involvement in the development, implementation and review of OHS arrangements. |  |  |
|  | 4.4.3.2  | CommunicationDoes the organisation have procedures for ensuring that pertinent OHS information is communicated to and from employees and other interested parties. |  |  |
|  | 4.4.3.3 | ReportingAre appropriate procedures for relevant and timely reporting of information established to ensure the OHSMS is monitored and performance improved. |  |  |
|  | 4.4.3.3 (cont.) | Do reporting procedure cover the following:- OHS performance reporting (including results of OHS audits and reviews).- Reporting of incidents and system failures.- Reporting on hazard identifications.- Reporting on hazard/risk assessment.- Reporting on preventive and corrective action.- Statutory reporting requirements. |  |  |
|  | 4.4.4 | Documentation |  |  |
|  | 4.4.4 | Does the organisation establish, implement and maintain information, in a suitable medium such as in print or electronic form, to:a) describe the core elements of the management system and their interaction; andb) provide direction to related documentation. |  |  |
|  | 4.4.5 | Document & Data Control |  |  |
|  | 4.4.5 | Has the organisation established, implemented and maintained procedures for controlling all relevant documents and data required by this Standard. |  |  |
|  | 4.4.5 (cont.) | a) Can documents and data readily located. |  |  |
|  | 4.4.5 (cont.) | b) Are documents and data periodically reviewed, revised as necessary and approved for adequacy by competent and responsible personnel. |  |  |
|  | 4.4.5 (cont.) | c) Are current versions of documents and data available at all locations where operations essential to the effective functioning of the OHSMS are performed. |  |  |
|  | 4.4.5 (cont.) | d) Are obsolete documents and data promptly removed from all points of issue and points of use or otherwise assured against unintended use. |  |  |
|  | 4.4.5 (cont.) | e) Are archival documents and data retained for legal or knowledge preservation purposes or both, suitably identified. |  |  |
|  | 4.4.5 (cont.) | Have procedures and responsibilities been established and maintained concerning the creation and modification of the various types of documents and data and does this preclude the use of obsolete documents. |  |  |
|  | 4.4.6 | Hazard identification, risk assessment and control of risks |  |  |
|  | 4.4.6.1 | GeneralHas the organisation established, implemented and maintained documented procedures to ensure that:a) hazards are identified;b) hazards/risks are assessed;c) hazards/risks are controlled; and thend) steps (a) to (c) are evaluated. |  |  |
|  | 4.4.6.2 | Hazard IdentificationDoes the identification of hazards in the workplace shall take into account:a) the situation or events or combination of circumstances that has the potential to give rise to injury or illness;b) the nature of potential injury or illness relevant to the activity, product or service; andc) past injuries, incidents and illnesses. |  |  |
|  | 4.4.6.2 (cont.) | Does this identification process also include consideration of:i) the way work is organised, managed, carried out and any changes that occur in this;ii) the design of workplaces, work processes, materials, plant and equipment;iii) the fabrication, installation and commissioning and handling and disposal (of materials, workplaces, plant and equipment);iv) the purchasing of goods and services;v) the contracting and subcontracting of plant, equipment, services and labour, including contract specification and responsibilities to and by contractors; andvi) the inspection, maintenance, testing, repair and replacement (of plant and equipment). |  |  |
|  | 4.4.6.3 | Risk assessmentAre all risks associated with each identified hazard assessed and have risk control priorities been assigned, based on the established level of risk. |  |  |
|  | 4.4.6.4 Risk Control | Risk ControlAre all risks, identified through the assessment process as requiring control, controlled through a preferred order of control methods (commonly referred to as a hierarchy), based on reasonable practicability. Is elimination the first control method to be considered. |  |  |
|  | 4.4.6.5 Evaluation | EvaluationAre the hazard identification, hazard/risk assessment and control processes of hazards/risk subjected to a documented evaluation of effectiveness and modified as necessary. |  |  |
|  | 4.4.7 | Emergency preparedness and response |  |  |
|  | 4.4.7 | Are all potential emergency situations identified and emergency procedures documented for preventing and mitigating the associated illness and injury.Has the organisation periodically tested such procedures. |  |  |
|  | 4.5 | Measurement and evaluation |  |  |
|  | 4.5.1 | Monitoring and measurement |  |  |
|  | 4.5.1.1 | GeneralHas the organisation established, implemented and maintained documented procedures to monitor and measure on a regular basis the key characteristics of its operations and activities that can cause illness and injury. Is the effectiveness of these measures evaluated. |  |  |
|  | 4.5.1.1 (cont.) | Is appropriate equipment for monitoring and measurement related to health and safety risks identified, calibrated, maintained and stored as necessary.Are records of this process retained according to the organisation’s procedures. |  |  |
|  | 4.5.1.1 (cont.) | With regard to the **OHSMS**, has the organisation established, implemented and maintained procedures to monitor:a) performance, effectiveness of relevant operational controls and conformance with the organisation’s objectives and targets; andb) compliance with relevant OHS legislation. |  |  |
|  | 4.5.1.2 | Health SurveillanceHas the organisation identified those situations where employee health surveillance is required and implemented appropriate systems.Do employees have access to their own individual results.Where specified by legislation, is the health of employees exposed to specific hazards monitored and recorded. |  |  |
|  | 4.5.2 | Incident investigation, corrective and preventative action |  |  |
|  | 4.5.2 | Has the organisation established, implemented and maintained procedures for:a) investigating, responding to, and taking action to minimise any harm caused from, incidents;b) investigating and responding to system failures; andc) initiating and completing appropriate corrective and preventive action.Has the organisation implemented and recorded any changes in the OHSMS procedures resulting from incident investigations and corrective and preventive action. |  |  |
|  | 4.5.3 | Records and records management |  |  |
|  | 4.5.3 | Has the organisation established, implemented and maintained procedures for the identification, maintenance and disposition of OHS records, as well as the results of audits and reviews.Are OHS records legible, identifiable and traceable to the activity, product or service involved.Are OHS records stored and maintained in such a way that they are readily retrievable and protected against damage, deterioration or loss. Are their retention times established and recorded. |  |  |
|  | 4.5.4 | OHMS audit |  |  |
|  | 4.5.4 | Has the organisation shall established, implemented and maintained an audit program and procedures for periodic OHSMS audits to be carried out by a competent person, in order to:a) determine whether the OHSMS: i) conforms to planned arrangements for OHS management including the requirements of the current version of AS/NZS 4801; ii) has been properly implemented and maintained; and iii) is effective in meeting the organisation’s policy as well as objectives and targets for continual OHS improvement; andb) provide information on the results of audits to management and employees.Is the audit program, including any schedule, based on the OHS importance of the activity concerned, and the results of previous audits.Do the audit procedures cover the scope, frequency, methodologies and competencies, as well as the responsibilities and requirements for conducting audits and reporting results. |  |  |
|  | 4.6 | Management review |  |  |
|  | 4.6 | Has the organisation’s top management, at intervals that it determines, reviewed the OHSMS, to ensure its continuing suitability, adequacy and effectiveness.Does the management review process ensure that the necessary information is collected to allow management to carry out this evaluation and is this review documented.Has management reviewed the continued relevance of, and changed where appropriate, policy, objectives, responsibilities and other elements of the OHSMS, in the light of OHSMS audit results, changing circumstances and the commitment to continual improvement. |  |  |

**ENVIRONMENTAL MANAGEMENT SYSTEM CHECKLIST – AS/NZS ISO14001:2016**

**Note: This checklist must be read in conjunction with the standard**

 (STATUS A = Acceptable; N = Not Acceptable; N/A = Not Applicable)

| **Item****No.** | **ISO****Ref** | **Standard Requirements** | **Status****A,N,N/A** | **Comments** |
| --- | --- | --- | --- | --- |
|  | **4** | **Context of the organization** |  |  |
|  | **4.1** | **Understanding the organizations and its context**Has the organization determined external and internal issues that are relevant to its purpose and that affect its ability to achieve the intended outcomes of its environmental management system (EMS? Do such issues include environmental conditions being affected by or capable of affecting the organization? |  |  |
|  | **4.2** | **Understanding the needs and expectation of interested parties**Has the organization determined the following:* the interested parties that are relevant to the EMS;
* the relevant needs and expectations of these interested parties;
* which of these needs and expectations become its compliance obligations?
 |  |  |
|  | **4.3** | **Determining the scope of the EMS**Has the organization determined the boundaries and applicability of the EMS in establishing its scope?Have item 4.3 (a) to (e) been considered in determining this scope?Is this scope available and maintained as documented information? |  |  |
|  | **4.4** | **EMS**Has the organization established, implemented and maintained and continually improved an EMS, including the processes needed and their interactions to achieve the intended outcomes, including enhancing its environmental performance?Has the knowledge gained in 4.1 and 4.2 been considered when establishing and maintaining the EMS? |  |  |
|  | **5** | **Leadership** |  |  |
|  | **5.1** | **Leadership and commitment**Has leadership and commitment to the EMS been demonstrated by top management? Refer to items 5.1(a) to (i). |  |  |
|  | **5.2** | **Environmental Policy**Has top management established, implemented and maintained an environmental policy that within the defined scope incorporates the requirements of items 5.2(a) to (e)? |  |  |
|  | 5.2.cont | Is the environmental policy:- maintained as documented information; - communicated within the organization;- available to interested parties? |  |  |
|  | **5.3** | **Organizational roles, responsibilities and authorities**Does top management ensure that responsibilities and authorities for relevant roles are assigned and communicated internally?Has top management assigned the responsibility and authority for: - ensuring the EMS conforms to the standard; - reporting on the performance of the EMS to top management? |  |  |
|  | **6** | **Planning** |  |  |
|  | **6.1**  | **Actions to address risks and opportunities** |  |  |
|  | 6.1.1 | GeneralHas the organization established, implemented and maintained the processes needed to meet the requirements in 6.1.1 to 6.1.4?Has the organization when planning for the EMS considered the following:* issues referred to in 4.1;
* requirements referred to in 4.2;
* scope of its EMS

and determined the risks and opportunities, related to its environmental aspects(see 6.1.2), compliance obligations (see 6.1.3) and other issues and requirements, identified in 4.1 and 4.2 that need to be addressed to: * give assurance that the EMS can achieve its intended outcomes;
* prevent or reduce undesired effects;
* achieve continual improvement?
 |  |  |
|  | 6.1.1 cont. | Has the organization, within the scope of the EMS, determined emergency situations, including those that can have environmental impact? |  |  |
|  | 6.1.1cont. | Has the organization maintained documented information on its: * risks and opportunities that need to be addressed;
* process(es) needed in 6.1.1 to 6.1.4 to have the confidence that they are carried out as planned?
 |  |  |
|  | 6.1.2 | Environmental aspectsHas the organization, within the defined scope of the EMS, determined the environmental aspects of its activities, products and services and their associated environmental impacts? |  |  |
|  | 6.1.2cont. | Has the organization taken into account, when determining environmental aspects: * change, including planned or new developments, and new or modified activities, products and services?
* abnormal conditions and reasonably foreseeable emergency situations?
 |  |  |
|  | 6.1.2 cont. | Has the organization determined those aspects that have or can have a significant environmental impact and communicated these aspects internally? |  |  |
|  | 6.1.2 cont. | Has the organization maintained documented information on its:* environmental aspects and associated impacts;
* criteria used to determine its significant aspects;
* significant environmental aspects?
 |  |  |
|  | 6.1.3 | Compliance obligationsDoes the organization: * determine and have access to the compliance obligations related to its aspects;
* determine how these compliance obligations apply;
* taken these compliance obligations into account in managing the EMS?

Has the organization maintained documented information on its compliance obligations? |  |  |
|  | 6.1.4 | Planning actionHas the organization planned1. to take actions to address its:
* significant environmental aspects;
* compliance obligations;
* risks and opportunities identified in 6.1.1?
1. how to;
* integrate and implement the actions into the EMS processes (see 6.2, 7, 8 and 9.1);
* evaluate the effectiveness of these actions (see 9.1)
 |  |  |
|  | **6.2**  | **Environmental objectives and planning to achieve them** |  |  |
|  | 6.2.1 | Environmental objectives Has the organization established environmental objectives at relevant functions and levels, taking into account the organization’s significant environmental aspects and associated compliance obligations and considered its risks and opportunities? |  |  |
|  | 6.2.1cont. | Are the environmental objectives:* consistent with the environment policy;
* measurable (if practicable);
* Monitored;
* communicated;
* updated as appropriate?
 |  |  |
|  | 6.2.1cont. | Does the organization maintain documented information on the environmental objectives? |  |  |
|  | 6.2.2 | Planning actions to achieve environmental objectivesWhen planning how to achieve its environmental objects does the organization determine:* what will be done;
* what resources will be require;
* who will be responsible when it will be completed;
* how results will be evaluated?

Has the organization considered how actions to achieve its environmental objectives can be integrated into its processes? |  |  |
|  | **7** | **Support** |  |  |
|  | **7.1** | **Resources**Has the organization determined and provided the resources needed to establish, implement, maintain and continually improve the EMS? |  |  |
|  | **7.2** | **Competence**Has the organization:1. determined the necessary competence of person(s) doing work under its control that affects the environmental performance and its ability to fulfil its compliance obligations;
2. ensured that these persons are competent on the basis of appropriate education, training or experience;
3. determined training need for managing the EMS;
4. where applicable, taken actions to acquire the necessary competence, and evaluate the effectiveness of these actions?

Has the organization retained appropriate documented information as evidence of competence? |  |  |
|  | **7.3**  | **Awareness**Has the organization ensured that persons doing work under its control are aware of:1. the environmental policy;
2. the significant aspects and related or potential impacts associated with their work;
3. their contribution to the effectiveness of the EMS;
4. implications of not conforming with the EMS, including not fulfilling its compliance obligations?
 |  |  |
|  | **7.4** | **Communication** |  |  |
|  | 7.4.1 | GeneralHas the organisation established , implemented and maintained process(es) needed for internal and external communication relevant to the EMS, including:1. on what;
2. when to;
3. with whom;
4. how to?
 |  |  |
|  | 7.4.1cont. | Has the communication process(es);* taken into account its compliance obligation;
* ensured that environmental infor.communicated is consistent with info. generated within the EMS and is reliable?
 |  |  |
|  | 7.4.1cont. | Has the organisation responded to relevant communication on its EMS and retained documented info of its communication, as appropriate? |  |  |
|  | 7.4.2 | Internal communicationHas the organisation:1. Internally communicated info relevant to the EMS and changes as appropriate
2. Ensured that its communication process(es) enable persons to contribute to continual improvement?
 |  |  |
|  | 7.4.3 | External communicationHas the organisation externally communicated information relevant to the EMS as required by its compliance obligations? |  |  |
|  | **7.5** | **Documented Information** |  |  |
|  | 7.5.1 | GeneralDoes the organization’s EMS include documented information:* required by this standard;
* determined by the organization as being necessary for the effectiveness of the EMS?
 |  |  |
|  | 7.5.2 | Creating and updatingWhen creating and updating documented information has the organization ensured appropriate:* identification and description
* format
* review and approval for suitability and adequacy?
 |  |  |
|  | 7.5.3 | Control of documented informationIs documented information required by the EMS and this standard controlled to ensure:* it is available and suitable for use;
* it is adequately protected?
 |  |  |
|  | 7.5.3cont. | For the control of documented information are the following activities addressed:- distribution, access, retrieval and use;- storage and preservation- control of changes - retention and disposition ? |  |  |
|  | 7.5.3cont. | Is external documented information applicable to the EMS appropriately identified and controlled? |  |  |
|  | **8** | **Operation** |  |  |
|  | **8.1** | **Operational planning and control**Does the organization establish, implement, control and maintain the processes needed to meet the EMS requirements, and to implement the actions identified in item 6.1 and 6.2,by:* establishing operating the criteria for the process(es);
* implementing control of the processes, in accordance with the operating criteria?
 |  |  |
|  | 8.1(cont.) | Does the organisation control planned changes and review the consequences of unintended changes as necessary? |  |  |
|  | 8.1(cont.) | Does the organisation ensure that outsourced processes are controlled or influenced as defined in the EMS? |  |  |
|  | 8.1(cont.) | Has the organisation consistent with a life cycle perspective done (a) to (d)? |  |  |
|  | 8.1(cont. | Does the organisation maintain documented info to the extent necessary to have confidence that the processes have been carried out as planned? |  |  |
|  | **8.2** | **Emergency preparedness and response**Does the organisation establish, implement and maintain processes needed to prepare for and respond to potential emergency situations identified in 6.1.1? |  |  |
|  | 8.2(cont.) | Does the organisation do (a) to (f) with regard to emergency situations? |  |  |
|  | 8.2(cont.) | Does the organisation maintain documented info to the extent necessary to have confidence that the processes have been carried out as planned? |  |  |
|  | **9** | **Performance Evaluation** |  |  |
|  | **9.1** | **Monitoring, measurement, analysis and evaluation** |  |  |
|  | 9.1.1 | GeneralDoes the organization determine items (a) to (e) and monitor, measure analyse and evaluate its environmental performance? |  |  |
|  | 9.1.1(cont.) | Does the organization ensure that calibrated or verified monitoring and measurement is used and maintained as appropriate? |  |  |
|  | 9.1.1(cont.) | Does the organization evaluate its environmental performance and the effectiveness of its EMS? |  |  |
|  | 9.1.1(cont.) | Has the organisation communicated relevant environmental performance info both internally and externally, as identified in its communication processes and as required by its compliance obligations? |  |  |
|  | 9.1.1(cont.) | Does the organisation retain appropriate documented info as evidence of the monitoring, measurement, analysis and evaluation results? |  |  |
|  | 9.1.2 | Evaluation of complianceHas the organisation established, implemented and maintained the process(es) needed to evaluate fulfilment of its companies obligations including the frequency, action if needed and maintenance of knowledge and understanding of its compliance status? |  |  |
|  | 9.1.2(cont.) | Has the organisation retained documented info as evidence of the compliance evaluation results? |  |  |
|  | **9.2** | **Internal Audit** |  |  |
|  | 9.2.1 | GeneralDoes the organization conduct internal audits at planned intervals to provide information on whether the EMS:1. conforms to its requirements and the standard
2. is effectively implemented and maintained?
 |  |  |
|  | 9.2.2 | Internal audit programmeHas the organisation established and maintained an internal audit programme as required and that considers the importance of environmental processes and results of previous audits?Does the organization follow items (a) to (c) for internal audits? |  |  |
|  | **9.3**  | **Management Review**Has top management reviewed their EMS at planned intervals, to ensure its continuing suitability, adequacy, effectiveness and does the management review include consideration of (a) to (g)? |  |  |
|  | 9.3(cont.) | Does the management review outputs include:* conclusions on the continuing suitability, adequacy and effectiveness of the EMS;
* decisions related to continual improvement opportunities;
* decisions related to any need for changes to the EMS, including resources;
* actions, if needed, when environmental objectives have not been met;
* opportunities to improve integration of the EMS with other business processes, if needed;
* any implications for the strategic direction of the organization?
 |  |  |
|  | 9.3(cont.) | Has the organisation maintained documented info as evidence of management reviews? |  |  |
|  | **10** | **Improvement** |  |  |
|  | **10.1** | **General**Does the organization determine opportunities for improvement and implement any necessary actions to achieve the intended outcomes of its EMS? |  |  |
|  | **10.2** | **Nonconformity and corrective action** |  |  |
|  | (cont.) | When nonconformity occurs does the organization follow items (a) to (e) inclusive? Are corrective actions appropriate to the effects of the nonconformities encountered, including the environmental impacts? |  |  |
|  | (cont.) | Does the organization retain documented information as evidence of:* the nature of the nonconformities and any subsequent actions taken
* the results of any corrective action?
 |  |  |
|  | **10.3**  | **Continual Improvement**Does the organization continually improve the suitability, adequacy and effectiveness of the EMS to enhance the environmental performance? |  |  |

**Appendix A**

**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** |  |
| 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.**