

YN PBC ACTIVITIES AGREEMENT (CODE OF CONDUCT)

This agreement is about looking after country and looking after each other. It's about making a safe working environment for everyone – this is required by law.

1. All Activities

1.1. This Agreement is between you and YN PBC. It covers all Activities you participate in whether you are paid, unpaid, on country, in town, on telephone or email.

1.2. Activities include

- | | |
|---|---|
| (a) Surveys | (f) Cultural heritage and other projects |
| (b) Site Visits | (g) Consultation (formal and informal meetings) |
| (c) Environment Protection Act social surrounds | (h) Mobilisation (all the phone calls, texts, emails and meetings with YN PBC Staff to organise participants, accommodation, payroll, timesheets, travel, food etc) |
| (d) Cultural heritage management plans | |
| (e) Monitoring | |

2. Everyone involved in Activities (YN Participants, YN PBC, YN PBC Staff, Consultants & Proponents)

- 2.1. YN Participant is you – a Yugunga-Nya Common Law Holder.
- 2.2. YN PBC is the Board of Directors – elected by all the Yugunga-Nya Common Law Holders who are also members.
- 2.3. YN PBC Staff are employed by YN PBC – this includes the staff in Perth who organise the mobilisation and the staff on YN country.
- 2.4. Consultants include anthropologists, archaeologists, facilitators, environmentalists, botanists and their staff.
- 2.5. Proponents include mining companies, developers, government and their staff.

3. No Unacceptable Behaviour by anyone

- 3.1. Everyone involved in Activities has the right to respect, appreciation, courtesy and professionalism.
- 3.2. You agree that you will not engage in Unacceptable Behaviour towards YN PBC Staff, Consultants, Proponents or other YN participants.
- 3.3. Everyone else involved in Activities has an agreement or code that deals with Unacceptable Behaviour.

3.4. **Unacceptable Behaviour makes someone feel physically unsafe, emotionally unsafe or disrespected (professionally or personally).**

Examples are:

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|---|---------------------------------|
| (a) Swearing aggressively or rudely | (i) Personal insults |
| (b) Yelling | (j) Professional insults |
| (c) Sexual or Physical Harassment or Intimidation | (k) Unfair accusations |
| (d) Standing too close in an aggressive way | (l) Pointing fingers |
| (e) Verbal threats | (m) Being late |
| (f) Physical threats | (n) Leaving early |
| (g) Written threats | (o) Being on drugs or alcohol |
| (h) Cultural threats | (p) Not participating |
| | (q) Being on the phone too much |

4. **Pay**

- 4.1. YN PBC can only pay for the number of YN Participants that the Proponent pays for.
- 4.2. Excess YN Participants are welcome to participate in the Activity, but they cannot be paid.
- 4.3. Paid YN Participants will receive pay for the first day of the Activity. Then they will receive pay every Friday in arrears until the end of the Activity.
- 4.4. Paid YN Participants who join sometime during the Activity will receive pay every Friday in arrears until the end of the Activity.

5. **Delaying, shortening or cancelling an Activity for Unacceptable Behaviour**

- 5.1. YN PBC Staff are required by the Board to delay, shorten or cancel an Activity if a YN Participant does Unacceptable Behaviour.
- 5.2. Paid YN Participants will not receive pay for the period that an Activity is delayed.
- 5.3. Paid YN Participants will not receive any 'lost pay' if an Activity is shortened or cancelled.

6. **Ban during an Activity**

- 6.1. YN PBC Staff are required by the Board to ban a YN Participant for Unacceptable Behaviour during an Activity.
- 6.2. If they are a Paid YN Participant, they will receive pay up until the ban. They will not receive any 'lost pay' after they have been banned.

7. Ban for future Activities

- 7.1. If a YN Participant does Unacceptable Behaviour, the Board may decide to ban them from future Activities for a specific time period.
- 7.2. The time period for the ban will depend on the seriousness of the Unacceptable Behaviour.
- 7.3. The Board will advise the YN Participant in writing of
 - (a) the Unacceptable Behaviour
 - (b) the time period for the ban
 - (c) whether there are any Activities that the YN Participant can do
 - (d) any conditions they must follow in future.

8. Policies for how this Agreement is enforced

- 8.1. YN PBC staff will consult with YN Participants to make policies for how this Agreement is enforced. For example:
 - (a) How an Activity is delayed, shortened or cancelled for Unacceptable Behaviour in clause 5.1
 - (b) How a YN Participant is banned during an Activity for Unacceptable Behaviour in clause 6.1
 - (c) How a YN Participant is banned for future Activities for Unacceptable Behaviour in clause 7.1.

SIGNED BY YN PARTICIPANT

YN Participant Signature _____ Date _____

Name _____

Date of Birth _____ Family Group _____

SIGNED BY YN PBC

The Yugunga-Nya Native Title Aboriginal Corporation (ICN 9509) in accordance with its rules and section 99.5(1) of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth):

Signature of Director

Signature of Director

Full name of Director

Full name of Director

Date

Date