



OFFICE POLICY MANUAL

SIWATIBAU & SLOAN



TEAM SAS:

This manual sets out the Firm's policies that apply to all employees, and it may be amended from time to time.

This is important for you because the policies in this manual form the terms and conditions of your employment.

If this manual is amended the amendment will be notified to all employees.

This means if there is anything in this manual that you do not understand you are encouraged to let either Atu or James know as soon as possible.

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PART 1 - CORE PRINCIPLES

This section sets out the key principles and philosophy of our firm. We want you to be professionally fulfilled and develop in your careers as professionals. We intend our firm to be a place where you feel personally responsible for your own actions and where you feel able to work creatively and independently or as part of a team to seek solutions and provide excellent service delivery to our clients.

a. Our vision and Our principles

Vision:

Our vision is for everyone in SAS to feel welcomed and part of the team. Our main aims are to:

- Provide the right environment to develop your legal skills and knowledge
- Assist you to progress professionally in your career
- Provide an environment where you are encouraged and you feel comfortable to take responsibility for good service delivery to clients
- Reward you fairly for good service delivery to clients.

Principles:

Our firm was founded on the following principles:

- Trust – we trust all our employees to do the right thing and behave responsibly
- Fairness – this includes sharing the profits of our business fairly and treating all our employees fairly
- Equality – our firm does not discriminate against any person regardless of their religion, ethnicity, sexual orientation, age or for any other reason.

b. Our Work

We want to maintain the highest professional standards in our work. Our aim is not just to deliver the best legal services to all our clients in Fiji, but to deliver the best legal services that we are capable of.

c. We value you and your feedback and comments

We recognise that our firm would not be anything without everyone who works here. Everybody who is in our firm has made and continues to make an essential contribution to the firm.

This means – If you have any questions, or queries, or any suggestions, recommendations or feedback on the manual – you are welcome to ask – anytime.

It also means that you should tell us how you think our firm could improve any aspect of its service delivery or working environment.

d. Employee expectations

We expect you to do your best at all times. This means that you should consistently strive to:

- Deliver the best legal services to clients that you can
- Work towards anticipating our clients issues and problems and delivering solutions to meet those issues and problems
- Meet high standards of professional conduct in everything we do
- Treat each other and professional colleagues with respect at all times.

Everyone is encouraged to support each other and assist each other in all aspects of work life – we do not want to create an atmosphere of “competition” within our firm and put the highest value on providing assistance to each other to provide the best service delivery to clients.

If at any time you feel that you are having difficulty in meeting the above you are encouraged to discuss it with colleagues or with James or Atu.

We recognise that your work can, at times, be stressful and we will do all we can to assist you in these times.

e. Assisting your work

All employees will undergo a formal performance review with Atu and/or James at least once a year. The purpose of this meeting is to hear from you and to identify areas that you are interested in pursuing as well as give you feedback about your performance.

If for any reason your performance falls below professional standards we will discuss this with you and look for ways for you to improve.

If for any reason it becomes necessary to follow a disciplinary process, we will ensure that we respect your rights to explain to us your views (have your say) and follow a process of natural justice in accordance with the law.

At all times we will respect your rights to privacy in relation to any disciplinary matter or personal matter that you choose to disclose to us.

If you are ever in doubt about anything you do, you are encouraged to question and seek assistance. We encourage questions and do not expect anyone to “know everything”.

f. Professional development

Your professional development is one of the most important and significant things for us. You are encouraged to continually consider ways to improve your skills and abilities and wherever possible undertake further courses leading to further qualifications.

Atu and James will assist you with any training opportunities that you identify provided that it is discussed and assessed to be of a real and direct benefit to you and the firm.

Part 2 - YOUR BENEFITS AND RIGHTS

This section sets out your benefits and rights as an employee of the Firm. In addition to the rights set out in this section the firm will accord and give effect to and respect any additional legal rights that you have in law that are not included here.

a. Your rights to equal treatment

Our firm is an equal opportunities employer. We do not care what race, gender, or sexual orientation you have. We are interested only in your attitude and performance at work, and the respect that we show each other.

We have a zero tolerance attitude to any employee that discriminates against or treats any other employee differently based on their race, gender, religion, age, HIV/AIDS status or sexuality. Any such treatment should be reported by anyone who considers that they have been treated differently based on their race, gender, religion, age, HIV/AIDS status or sexuality and this issue will be investigated and disciplinary action may result against the perpetrator of any discriminatory behaviour.

b. Your rights to salary and benefits

You will be paid every fortnight in accordance with your salary scale.

If you ever have any issue related to pay you are requested to discuss it with Atu and James at the earliest opportunity.

Everyone's pay scales are supposed to be private and confidential.

It is our intention to pay you at or above market rate and reflect your performance and commitment to the firm. If you consider that you are not receiving sufficient salary then you are encouraged to discuss this with Atu and/or James.

c. Bonuses

Employees may be eligible for bonuses for their performance or their contribution to the firm's performance. The firm will always aim to pay bonuses at least once a year. However, bonuses are at the sole discretion of Atu and/or James. If we have agreed a particular bonus formula with any individual this will be honoured by Atu and James in the manner agreed.

d. Your health benefits

We will make every effort to provide private medical insurance coverage to you.

SAS will have the sole discretion to determine the period, scope, coverage and any other detail of the medical insurance provided to the employees.

The firm believes in the health and welfare of its employees and has a medical policy allowing employees to claim medical expenses up to \$200 for each calendar year or any other sum as determined by SAS from time to time.

The medical expenses claim applies to doctor's consultation visits or the cost of medicine for the employee or their children only. You will have to pay for anything of this nature above the \$200 limit.

We encourage you all to engage in regular exercise and healthy eating and will assist where we can to accommodate anyone who wants to engage in regular exercise during the day by providing extended lunch breaks provided that this does not interfere with work or professional commitments.

e. Your rights to fair treatment arising from pregnancy

Please inform us as early as possible if you are pregnant. You will not be treated any differently and provided that you were working with us when you became pregnant our firm will provide 3 months fully paid maternity leave that may be taken up to six weeks before the birth.

Options to reduce hours by going part time or to change duties, undertake rotated tasks, provision of a particular chair and provision of additional breaks will be considered if anyone who is pregnant requests it.

f. Rights to annual Leave

All employees are entitled to 20 days paid annual leave from 1 January to 31 December each year.

This must be taken during the course of the year and cannot be carried over into the next year.

Please provide as much advance notice as possible relating to when you are taking annual leave so that we can ensure that there is not a shortage of personnel at any given time.

Atu and James have the discretion, in exceptional circumstances, to refuse annual leave at a particular time if granting it would result in a shortage of personnel in the firm.

g. Rights to sick leave

We do not have a limit on sick leave. If an employee is too sick to attend work, he or she is encouraged to stay at home and visit the doctor as soon as possible.

Please notify us by telephone, email or text message as soon as possible if you are unable to attend work due to illness or injury and keep the firm updated via an update each day you are away.

If at any time you consider that you simply need a rest day to "recharge" then you are encouraged to take annual leave rather than sick leave.

h. Right to compassionate/bereavement leave

Our firm is flexible relating to compassionate leave, and may discuss additional compassionate leave on a case-by-case basis. While you are entitled to 1 day compassionate leave in the event of the death of a

family member, if any employee requires an extended period of compassionate leave then this may be taken as annual leave.

i. Rights to unpaid leave

If any employee would like to take a longer period of leave for any reason, you are encouraged to discuss this with Atu and James and following full discussion unpaid leave will, in most cases, be granted.

j. In all forms of leave please note: Leave forms must be completed

Please ensure that for all forms of leave the leave forms are completed as for reasons of fairness proper records relating to leave must be kept by us.

k. Your rights to fair disciplinary and grievance procedures

Disciplinary process:

If for any reason disciplinary action becomes necessary Atu or James will:

- Hold a preliminary discussion with you to hear from you
- Undertake further investigations as necessary
- Provide you with further details that emerge from any further investigation, if any
- Provide you with a further opportunity to comment on any further information.

Disciplinary action:

Following this process you will be informed of any disciplinary action and the reasons for it. Depending on the seriousness of the incident that gave rise to disciplinary action the following actions may be taken:

- Informal warning
- Written warning
- Suspension from duties without pay for up to 1 week
- Dismissal.

You will be provided with a further opportunity to dispute any finding or decision by us.

l. Your rights to protection from discrimination, sexual harassment or bullying

Our firm is committed to providing a workplace free from discrimination, sexual harassment and bullying. Behaviour that constitutes discrimination, sexual harassment or bullying will not be tolerated and will lead to action being taken, which may include dismissal.

Employees must report any behaviour that constitutes sexual harassment, bullying or discrimination to Atu or James.

Employees will not be victimised or treated unfairly for raising an issue or making a complaint.

Atu and/or James will determine what constitutes sexual harassment, bullying or discrimination based on the relevant law and facts of each case after a full investigation into each case.

If the complaint is made against Atu or James then an independent mediator may be appointed to determine the complaint.

All complaints shall be treated as confidentially as possible.

m. Your right and the procedure to make a complaint

If you believe you are being, or have been, discriminated against, sexually harassed or bullied by any person within the firm, you should follow this procedure.

1. Tell the offender the behaviour is offensive, unwelcome, and against business policy and should stop (only if you feel comfortable enough to approach them directly, otherwise speak to another person within the firm). Keep a written record of the incident(s).
2. If the unwelcome behaviour continues, contact the most senior independent person within the firm.
3. If you continue to feel uncomfortable, or the behaviour persists, alert the most senior person within the firm that you may make a complaint to the Ministry of Labour.
4. If you feel that the issue has not been properly addressed by the firm or through any mediation process then make a complaint to the Ministry of Labour.

Employees should feel confident that any complaint they make is to be treated as confidential as far as possible.

What will the firm do when it receives a complaint?

If you decide to make a complaint to Atu and/or James we will:

1. Listen to the complaint seriously and treat the complaint confidentially
2. Seek all details that we consider are necessary and undertake all further necessary investigations
3. Follow up by providing the person or persons against whom the complaint is made with an opportunity to respond to the complaint and provide his or her version of events.

Possible outcomes

If after investigation the complaint is justified then this will be followed through by taking appropriate disciplinary action against the person(s) who have acted unfairly or wrongly.

Further, all potential avenues to assist the person who has been the victim of discrimination, sexual harassment, or bullying will be explored, including the option to take leave and receive counselling.

n. Your rights to lodge a grievance against the firm

Every employee is entitled to lodge a grievance or complaint if the employee believes any decision, behaviour or action affecting their employment is unfair, or their treatment by any other person in the firm has been unfair or unprofessional.

Any complaint or grievance will be treated confidentially, although if the complaint is against another person in the firm that person will generally be informed about the complaint and from whom it came from and be provided with their opportunity to comment.

We will apply the following principles to any grievance or complaint lodged:

- It will be treated objectively and fairly
- We will attempt to resolve it as promptly as possible
- We will attempt to mediate and resolve any grievance or complaint amicably – unless it is the complaint relates to a criminal action in which case it will be reported to the police.

o. Your Social club rights including Fiji Club membership

The office has a social club and all employees are encouraged to be part of the social club.

The social club may plan events and functions for the employees of the firm from time to time that includes lunches/tea, social activities etc.

The social club shall have the following officers - a President and Secretary/Treasurer each of whom shall be appointed by SAS each year. The officers of the social club must actively work to achieve the aims of the social club including having regular meetings (with proper records), engaging in fund raising and organising social club events that will not adversely effect the image of the firm.

Fiji club membership is provided to all employees and everyone is encouraged to make use of these facilities including holding regular social club events there.

p. General rights to reimbursement

The firm will ensure it pays for / or reimburses you for the following:

- Any travel costs incurred on firm business other than travelling to and from work
- Practising certificates for lawyers
- Courses undertaken for the purpose of obtaining CLE points
- Any money spent entertaining clients or colleagues provided such activities are approved by Atu or James.

Please note that in relation to travel costs you are encouraged to utilise taxis and approved drivers rather than personal vehicles. If you have to use a personal vehicle for firm business, and this is approved by Atu or James then the firm will reimburse you at the rate of 50 cents per kilometre travelled.

Part 3 - GENERAL FIRM POLICIES

Objective of this section: This section sets out certain rules and procedures that must be followed by all persons to assist with the smooth running of the firm. While we trust all our employees implicitly and have always operated on the principle of trust - the intention is to provide fairness to all persons by setting out the basic rules and procedures clearly. We also ask you to respect the firm and its property that is intended and provided to the benefit of all. Please tell us if you think that there is anything that is unclear in this section.

a. Office hours

Our office hours are from 8.30 am to 5.00pm from Monday to Friday. Employees are permitted to attend the office at any time outside office hours for the purposes of undertaking office work but please ensure:

- You disarm and arm the alarm and ensure the office is secure before you leave
- You communicate with ADT to explain your presence so that ADT don't call Atu or James outside of office hours wherever possible
- You do not bring persons who are not known to the firm into the office premises.

Please inform the office of any delays that any employee may have at arriving to work by 8.30am (Monday to Friday).

The lunch break of 1 hour may be taken between 12pm to 2.00pm although employees may take their lunch breaks at a different time provided you ensure that the firm knows that you are doing this.

b. Office Security

Security of the office is every employee's responsibility and all employees should take steps that the office is secure. This includes closing/locking windows before leaving office, drawing curtains to prevent outsiders peeking into the office after hours and similar reasonable steps.

The office has an active alarm system and the first employee to arrive at work must follow the proper deactivation of the alarm procedure. This includes disarming the alarm and receiving the call from ADT to verify that the disarming of the alarm is authorised.

The last employee leaving the office must ensure that the lights to the balcony are switched on and the alarm is activated. The employee must also ensure that the curtains for the front office are drawn properly. The door and the gate must be properly locked before leaving.

c. Petty Cash Policy

Any petty cash used must be accounted for and the employee should fill the petty cash voucher each time he or she uses funds from the petty cash. The voucher must state the date, the sum taken, the reason for taking the sum and the relevant file reference where applicable.

Receipts should be sought for all petty cash expenses whenever possible and should be attached to the petty cash voucher.

d. Use of cheques

All cheques should be completed and seek a signature from Atu or James or Artika.

e. Trust Account

We operate several trust accounts for the benefit of our clients. All money in these trust accounts belongs to our clients and every transaction related to our trust accounts must be expressly authorised by Atu, James or Artika.

If you consider that any client will need to utilise the trust account for any reason please discuss this with Atu, James or Artika before providing approval to the client.

f. Personal communications policy – telephone and email and Internet use policy

We trust all our employees to not abuse the telephone, email or internet. This means that personal use of these facilities should be kept to a sensible and reasonable level.

Everyone is encouraged to restrict playing games or using Facebook, Youtube, Twitter etc. to certain times of the day.

We do not monitor your internet use, or your emails. We respect your privacy. But we ask that you repay this trust by being responsible. In particular please do not forward any material that anyone could find offensive via the firm's email system.

g. Personal Printing and firm resources

Employees are encouraged to keep personal printing to a minimum, and where it happens to discuss with our accounts person and make a contribution towards the cost of this service.

As a general point all employees are asked to respect and not abuse the firm's resources by using only what is needed.

h. Firm stationery policy

Everyone is asked to utilise office stationery carefully and take care of it, it belongs to the firm and should be treated as such.

i. OHS policy

Our firm has an OHS policy and an OHS officer. We also have a first aid box situated in the upstairs kitchen.

Every employee must familiarise themselves with all the exits and ensure that during the day padlocks are left open, and closed last thing at night. The person whose desk is situated closest to the padlock is the person responsible of ensuring that the padlock is open.

The Office Manager is responsible for undertaking a spot check on all padlocks at 9am each morning.

If you think that your work environment is uncomfortable or could be improved in anyway please discuss this with the Office Manager who will report directly to Atu or James.

Please **do not** lift heavy things in the office. If you consider that there is something heavy that requires moving please contact the Office Manager.

j. Injury at work policy

If anyone is injured then it is the responsibility of those who are around that person to assess the person and if necessary call for assistance. Do not hesitate and/or put off medical attention if any injury is suffered.

If anyone has any sort of "near miss" then this should be reported to the Office Manager.

k. Smoking

We have a no-smoking policy. If you wish to smoke then please do so outside the view of clients and outside the office building. Please do not throw cigarette butts on the ground.

We encourage all our employees to quit smoking and if any employee requires any assistance to do this our firm will try to assist in every way that we can.

l. Alcohol and Drugs Policy

We have a no alcohol policy at the office.

We have a no illegal drugs policy at the office and if any illegal drugs are taken at the office this will result in immediate termination.

If any employee considers that they have an alcohol or drugs problem they are encouraged to discuss this with us and we will provide support to that employee as appropriate.

m. Environmental best practice

It is everyone's duty to respect the environment as much as possible.

We should attempt to print only when required, and read as much as we can on the computer. Recycling paper is recommended for draft printing to minimise paper wastage.

Each employee must switch off lights, air conditioners and computers before leaving the office for the day.

Please do not leave windows open while air conditioning units are running.

n. Kitchen Use Policy

The firm has a fully equipped kitchen for use by all employees. Please ensure that appropriate safety precautions are taken when using the kitchen including precautions against fire and hot water/food.

Remember to turn off the gas cylinder after using the gas burner.

All employees should clean up after they finish using the kitchen including dirty utensils. Employees using the kitchen must also ensure that any leftover food is either properly covered up or put in the fridge.

The kitchen table is used for meeting with clients from time to time and as such, it is important to maintain a clean kitchen.

The firm has a "round table" policy whereby any employee may consume food left on the kitchen table. If you have food items that you do not wish to be part of the round table, please put the food item in the fridge, on the counter and specifically mark it with your name. Food left on the round table should be properly covered up.

The firm provides basic supplies for tea and coffee as well as drinking water. If the supplies become low, please inform the Office Manager so that the supplies may be replenished before the supplies run out. The supplies include:

- Drinking water
- Coffee
- Tea (green and black)
- Milk
- Sugar

o. Car park Policy

The car park is to be used on a "first come first serve" basis.

If any employee damages another car whilst using the car park please inform the owner of the damaged car and Atu or James immediately.

p. Employee loans and prudent financial management

The general policy is that employees will not be provided with loans unless exceptional circumstances apply. The reason for this is because:

- We do not want employees to be indebted to the firm and then receive reduced pay packages
- All employees are encouraged to manage their finances carefully.

In exceptional circumstances the firm will provide a loan to an employee where an unplanned or emergency financial situation arises. Please note that things like school fees are not "unplanned emergencies" as these are expenses that recur each year and loans will not be provided for this reason.

The firm is able to assist with good financial planning by holding onto end of year bonus payments for use in the New Year.

If any employee finds himself or herself in a difficult financial situation for any reason you are encouraged to discuss this with Atu and/or James and we will make efforts to assist you with prudent financial management.

q. People who attend the firm without an appointment

If any person attends the firm without an appointment to see any lawyer, the person who meets this person should determine whether this person is a client of the firm. If this person is not a client of the firm then he or she should be asked to make an appointment outside core office hours.

Core office hours are between 9am and 12pm and 2pm and 5pm – and appointments with non-clients must not take place during core office hours.

r. Recruitment

The firm will only recruit on a needs basis and once that need has been identified, discussed and agreed within the relevant team being Litigation team, Commercial Team, PIIPS team.

s. Employment Probation Policy

The standard probation period for all new employees is 3 months. During this time both the firm and the employee on a probationary period can determine whether they and the firm are the “right fit”.

At the end of the 3 month probationary period the probationary employees employment contract automatically terminates. If the employee has successfully completed his or her probationary period and wishes to join the firm as a full time employee, and provided that a vacancy still exists the employee will be offered a contract of employment for an indefinite term.

t. Birthday policy

The Firm has a proud tradition of celebrating birthdays. If it is your birthday ensure that the Office Manager is informed so that a cake and appropriate morning tea can be provided for the enjoyment of all and so Happy Birthday can be sung to you. Remember to be especially vigilant around **22 July** each year because this is a double birthday.

PART 4 - Professional duty policies

This section is intended to reflect that our firm is a professional law office and as such there are particular duties and responsibilities that apply to us. Of these duties the most important is the duty of keeping all firm matters confidential. You should be aware that this duty applies to you even if you leave the firm.

a. Conflict of Interest Policy

Employees must be aware of the potential for a conflict of interest to arise.

If an employee is in doubt if a conflict exists, they should raise the matter with either James or Atu and we can discuss.

Employees are generally discouraged from doing work for friends and family, but this is not a hard and fast rule. If any friend or family approaches you to do work for them, we ask that you discuss this first with Atu or James to determine whether you should take on the work and on what basis.

Employees must never do anything dishonest or encourage any other person to do anything dishonest. If you have any concerns relating to any requests made of you please discuss it immediately with Atu and James.

If you ever think that you have been asked to do anything that you consider to be morally or legally wrong you should discuss your concerns with Atu and James immediately.

b. Intellectual Property and Security policy

All intellectual property developed by employees during their employment with SAS, including discoveries or inventions made in the performance of their duties related in any way to the business of SAS, will remain the property of SAS.

You are requested not to disclose any information belonging to SAS to any third parties.

If anyone asks you for any information relating to SAS or its clients you are requested to discuss this with Atu or James.

c. Duty of Confidentiality

Every lawyer owes a professional duty of confidentiality to their clients. Our firm owes a duty of confidentiality to every client of the firm. It is very important that we respect and understand these duties.

Our clients trust us with personal information and confidential commercially sensitive information in every matter.

Every person in the firm must ensure that they do not discuss anything about our clients outside the firm. This extends to not discussing anything with friends or relatives.

You are encouraged to discuss this with Atu and James if you have any concerns or queries about what confidentiality means.

d. CLE point duties

Every lawyer has the professional duty to ensure that he or she obtains 10 CLE points per annum. This is separate obligation from professional development.