

# Telescopic Handler Industry Code of Conduct

TELESCOPIC HANDLER ASSOCIATION OF AUSTRALIA

## Introduction

Adopting a Code of Conduct, which includes business ethics, is a means of expanding the thinking of the member companies of the Telescopic Handler Association of Australia (TSHA) from the predominant plans of “returns to the shareholders” to actions that incorporate other issues such as corporate social responsibilities and corporate governance.

By adopting such a Code the TSHA is endeavouring to instil wider values into the access equipment industry to generate an environment of good corporate citizenship for the benefit of everyone associated with the industry.

No code will cover every possible situation however it is intended that it will provide some guidance and thereby cultivate an awareness of the behaviour that the industry can expect from its member companies.

## Adoption of the Code of Conduct

The TSHA has adopted this Code through its members to indicate their declaration to maintain the highest levels of responsibility and ethics in their relationships with other members, customers and the public in general. The purpose of the Code is to promote and maintain high standards to further the good name of the access equipment industry and the trade as a whole.

It is the intent of this Code to provide principles for the conduct of TSHA members which will promote and nurture respect for their integrity, expertise and reliability and thereby assure the public of high standards when dealing with members of the Association.

A condition of membership of the TSHA is that all members will comply with this Code by agreeing with these principles. Members will not knowingly misrepresent facts or mislead any customers, employees or suppliers in reference to any aspects of the goods and services they provide.

**Enforcement of this Code of Conduct is through regular meetings of the Code of Conduct Committee of the TSHA National Executive and any member who wilfully breaches the Code may be subject to sanctions up to and including expulsion from the Association.**

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## The TSHA Code of Conduct

The members of the TSHA have agreed to comply with the TSHA Code of Conduct. The Code is specific in terms of; management system; personnel; health and safety; the environment; business ethics; and in complying with the Code the TSHA expects that, in general, members will:

- Pledge honesty and reliability in all business transactions
- Maintain the highest standards of equipment safety and reliability as stated in AS1418 and AS2550 and the Occupational and Workplace Health and Safety Acts
- Encourage the exchange of information between members on practical, technical and safety matters
- Co-operate with manufacturers, hirers, suppliers and regulatory authorities in the EWP industry

## Management System

Excellence is the most important obligation in any profession. A management system is required that ensures compliance with applicable laws, regulations and customer requirements related to the products and services offered. The system should be compliant with this Code and be able to identify and mitigate operational risks. A means of continual improvement should also be facilitated. The company must make it clear to managers and employees that it is committed to compliance with this Code.

## Operations

Member companies are expected to maintain the highest standards of business, professional and personal conduct in their day to day operations.

## Code of Conduct

Members are expected to abide by this Code and recognise the authority of the TSHA Code of Conduct Committee in all matters relating to the Code interpretation and enforcement. Members are required to notify the TSHA of any matter which may adversely affect the reputation of the industry or the Association.

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## Laws

Members must be aware of and comply with State and Federal laws governing the industry and in particular the Trade Practices Act to ensure responsible fair trading.

Members are encouraged to establish within their business a Trade Practices Compliance program which will involve, amongst other things, training of staff and monitoring of staff conduct to ensure compliance with all applicable laws.

## Dealings with Customers

Members are required to demonstrate honesty and transparency in pricing, in constructing contracts and in preparing invoices.

## Dealing with Other Members

Other members are entitled to be dealt with in an honest and businesslike way.

## **Personnel**

Member companies are expected to uphold the human rights of their workers and treat them with dignity and respect. Open communication between workers and management without fear of reprisals is the most effective way to resolve workplace issues.

## Non-Discrimination

Members should be committed to ensuring that their workforce is free from harassment and unlawful discrimination. Companies shall not engage in discrimination based on race, colour, age, gender, sexual orientation, ethnicity, disability, pregnancy, religion, political affiliation, union membership or marital status.

## Wages and Benefits

Members will be aware of and comply with the relevant local employment, remuneration and Industrial Relations laws.

## **Health and Safety**

The maintenance of high safety standards is imperative to minimise harm to people and property related to the access industry. The industry is intrinsically safe and it is up to members to promote and foster all safety issues as they form a major part of the good will that makes the industry viable.

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### Occupational Health and Safety

Members are to be aware of and comply with all laws and regulations governing occupational health and safety in the workplace.

### Employees and Sub-Contractors

Members are responsible for the conduct and performance of all personnel employed or sub-contracted by their company. All relevant personnel must be qualified and competent to ensure the correct safe operation of machines and be able to provide accurate information for the safe use and correct application of machines to other potential users.

### Compliance

Members are to comply with the requirements of AS2550.19 and are to ensure that telehandler machines comply with AS1418.19, or achieve an equivalent level of safety as that required by AS1418.19, to provide correct machine safety measures for the protection of TSHA members, end users and the general public.

### Training

Members are to ensure that all personnel using telehandler machines are properly trained in their specific safe use.

### Response to Safety Issues

Members are to deal promptly with enquiries related to safety of equipment and must take effective action where appropriate including a notification to the TSHA of such issues that may affect others in the Association or the general public. Members are to follow and comply with all related instructions, guidance notes or advice issued by the TSHA from time to time.

### **The Environment**

Members will comply with all applicable environmental laws. Members are also expected to be proactive in looking for ways to improve the contribution of the industry to a better world environment.

Members will make every effort to recycle or dispose of waste materials and fluids in an environmentally friendly manner. Sufficient wash bays and procedures for recycling or disposing of materials such as earth, fluids, gases, batteries and oils should be factored in to the branch operations of members, in compliance with the relevant Australian Standards

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## **Business Ethics**

Ethics is a topic that covers such issues as right and wrong, good or evil and responsibility and can be applied in many forms, one of which is business ethics. The demand for more ethical business practices is increasing world wide and businesses are consequently under a high degree of pressure to improve their values in non-economic areas including moral issues such as avoiding harm to others, contributing to society well being, honesty and fairness.

Members are required to uphold the highest standards of business ethics including but not limited to:

### Business Integrity

The highest standards of integrity are expected in all business interactions. Improper business interactions including any form of corruption such as the payment of bribes, price collusion or embezzlement is against this Code. Honesty is an essential component of trust and without trust an organisation cannot operate effectively.

### Self Regulation

Members are required to self regulate their business to ensure that the values, controls and principles of the TSHA are observed including but not limited to compliance with this Code of Conduct.

### Interference with Existing Contracts

Whilst competition between members is encouraged in accordance with the law, this Code is breached where any member intentionally and wrongfully induces a customer to breach an existing contract with another supplier. Such action may also lead to civil liability where a contract is actually breached as a result of it, and the original supplier suffers damage.

### Maintenance of Privacy

Members are to respect the privacy of others including fellow members, employees and customers. Honesty extends to maintaining promises to keep confidentiality or not disclosing confidential material obtained inadvertently.

### Property Rights

Members are to honour copyrights, patents, trade secrets and terms of licence agreements in accordance with the applicable laws. Unauthorised duplication of materials including software is not to be condoned.