

Busways Group Modern Slavery Statement

01/07/2020 - 30/06/2021



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Reporting Entity

This Joint Modern Slavery Statement (**Statement**) is made pursuant to sections 14 and 16 of the Modern Slavery Act 2018 (Cth) (**the Act**). The Statement covers the reporting period from 1 July 2020 to 30 June 2021 and addresses the mandatory reporting criteria, as required by section 16 of the Act.

The entities covered by this Statement are:

- (a) Bhaajayu Pty Ltd (ACN 084 980 263)
- (b) Busways Blacktown Pty Ltd (ACN 000 173 437)
- (c) Busways Australia Pty Ltd (ACN 643 586 225)
- (d) Busways North West Pty Ltd (ACN 643 586 770)
- (e) Busways South Australia Pty Ltd (ACN 613 309 185)
- (f) Galbrock Pty Ltd (ACN 078 310 657)
- (g) Busways Pacific Pty Ltd (ACN 106 202 340)
- (h) Busways Campbelltown Pty Ltd (ACN 000 572 145)
- (i) Busways Camden Pty Ltd (ACN 003 081 230)
- (j) Busways Wyong Pty Ltd (ACN 000 044 726)
- (k) Busways Gosford Pty Ltd (ACN 055 471 782)

(When referring to all entities, they will be referred to as the '**Busways Group**').

The Busways Group acknowledges it has both a legal and a moral responsibility to promote transparency in its operations and implement procedures that minimise the chances that modern slavery practices could exist within its business and supply chain.

The entities forming part of the Busways Group have an annual consolidated revenue of over \$100 million in its financial year from 1 July - 30 June each financial year.

Structure, operations, and supply chains of the Busways Group

The Busways Group is a wholly Australian owned operation. The main business of the Busways Group is providing and operating bus passenger transportation services.

The bus operations of the Busways Group are contracted from the state governments of New South Wales and South Australia. To operate its business, the Busways Group employs staff in the positions of bus drivers, mechanics, cleaners as well as administration staff.

Supply chains

The Busways Group presence is wholly Australian, and it only provides services within Australia. As such, all the Busways Group's employees are based in Australia.

The Busways Group purchases goods and services from suppliers who are almost exclusively Australian based. The Busways Groups engages with these suppliers for tyres, spare parts and other goods and services required to operate its bus fleet.

While these suppliers are based in Australia, some of their products and services may be, partly or wholly, manufactured in other countries in the Asian, North American and European region.

Risks of modern slavery practices in the operations and supply chains, and any entities the Busways Group owns or controls

The Busways Group does not consider that it has a high risk of directly causing or contributing to modern slavery practices. The Busways Group workforce is employed directly by the Busways Group entities under enterprise agreements, awards, and contracts. Busways Group does not use external labour hire agencies.

Busways Group has high visibility over its own employees and must comply with Australian workplace laws, including the Fair Work Act 2009 (Cth) and work health and safety legislation. Busways Group is confident there are no modern slavery practices within operations directly under its control.

Busways also regularly engages with the Transport Workers Union (TWU) and Rail, Tram and Bus Union (RTBU), acting in their capacity of representing their members, to ensure it is complying with its legal obligations under the various legislation and enterprise agreements.

Busways Group recognises some of the inputs used in their operations may be, partly or wholly, manufactured in other countries in the Asian, North American and European regions. In addition, a small number of suppliers to the Busways Group are based in North America which supply specialised consultancy and technical advice. Accordingly, Busways Group is very confident that such suppliers, who provide highly specialised technical advice, are not subject to modern slavery practices.

Most of the Busways Group's larger suppliers have issued their own Modern Slavery statements. For instance, Busways Group's fuel supplier and vehicle suppliers have robust modern slavery statements. For these reasons, Busways Group believes the risks of modern slavery is low in its suppliers.

However, Busways Group recognises that it cannot definitively ensure that there are no risks of modern slavery that may exist within its supply chain network. This is because Busways Group does not have the same level of oversight over its suppliers that it can exercise over its own employees and operations.

Actions by the Busways Group to assess and address those risks, including due diligence and remediation processes.

Busways Group has multiple levels of regulation that applies to the engagement of its employees as described below:

Enterprise Agreements

Busways Group has multiple enterprise agreements that apply to its operations. These enterprise agreements have been negotiated with staff who were represented at the vast majority of negotiations by a trade union.

In order for an enterprise agreement to be approved by the Fair Work Commission (**FWC**), FWC must ensure that the terms of the enterprise agreement are better off overall when compared to the relevant underlying modern award. FWC will not approve the enterprise agreement unless it is satisfied all employees will be better off overall under the enterprise agreement when compared to the terms of the relevant modern award.

Once approved, the enterprise agreement becomes legally binding on Busways and any breaches of the enterprise agreement could result in Busways being in breach of the Fair Work Act 2009 (Cth). Accordingly, Busways has systems in place to ensure it is compliant with the minimum terms and conditions of the various enterprise agreements at all times, including employing industrial relations specialists and engaging external counsel on interpretation and application matters.

Modern Awards

For employees who are not subject to the applicable Busways Group enterprise agreements, they may be covered by modern awards, including but not limited to, the Passenger Vehicle Transportation Award 2020 and the Clerks - Private Sector Award 2020.

For these modern award covered employees, Busways Group ensures that employees receive at least the minimum entitlements under the applicable modern award including the minimum rates of pay for their applicable classification and annual leave, personal / carer's leave, shift allowances, overtime and weekend penalty rates etc, where they are applicable.

Other Employees

For employees who are not covered by an enterprise agreement or modern award, Busways Group is aware that it must pay at least the federal minimum wage to these employees for each hour worked and ensure that the terms of the national employment standards (NES) are applied to their employment and not in any way undermined.

Many employees of Busways Group are paid well above the relevant enterprise agreement, modern award and federal minimum wage base rates to ensure that Busways Group can remain competitive and employ the best employees in the industry.

Busways Group is acutely aware that should it not pay the relevant minimum wages and entitlements that it could be in breach of legislation such as the Fair Work Act 2009 (Cth) so it has robust systems in place to ensure it always meets the relevant legislative entitlements.

The Busways Group also has the relevant systems and processes in place to ensure matters such as taxation, superannuation, workers compensation and all other statutory and contractual entitlements are properly attended to. The Busways Group regularly engages with external legal advisors in order to ensure it is meeting its various legal obligations.

The Busways Group is in the process of establishing a robust new supplier engagement form and setting up supplier engagement questions to ensure that the Busways Group are only working with suppliers with appropriate values and internal governance systems. The new supplier form will include a number of questions to determine the approach taken around sourcing materials, goods and services.

The Busways Group is currently developing employee awareness material to share with persons making purchasing decisions and those involved in tender processes. The Busways Group is currently in the process of developing a Modern Slavery policy and employee education awareness.

How the Busways Group assesses the effectiveness of such actions

For the Busways Group's own employees, the Busways Group employs payroll specialists to ensure that all employees are being paid at least the appropriate minimum rates of pay as well as, but not limited to, the applicable overtimes and penalty rate, allowances, loadings.

The Busways Group also seeks external legal advice from specialist employment lawyers to ensure that its employees receive the correct entitlements.

These are effective to the extent that very rarely does the Busways Group, and the broader have any issues around the underpayment of staff or complaints about the non-payment of other entitlements such as annual leave, long service leave etc.

Process of consultation between the Busways Group

All of the entities in the Busways Group are family owned. For consultation purposes, the Busways Group reporting entities have common directorships. One entity of the Busways Group, Galbrock Pty Ltd, is a sole directorship.

This Statement has been reviewed and approved by the directors of the Busways Group entities. The development of this Statement was done and reviewed by executive/senior management group comprising representatives of the Busways Group.

Further information

During 2020/2021 financial year, the development of some activities in our action plan were hindered by the COVID-19 pandemic. The onset of the pandemic required an immediate shift in focus not only to be flexible in our operations but also to the very real health and safety risks in Busways Group's operations, particularly given the daily and constant interaction our employees have with the public and ensuring Busways Group could keep employees safe so far as reasonably practicable.

The Busways Group is also committed to ongoing work on its systems and controls to assess and manage modern slavery risks in our operations and supply chains. Action plans for the coming financial year include:

1. Establishing a robust new supplier engagement form and setting up supplier engagement questions to ensure that the Busways Group are only working with suppliers with appropriate values and internal governance systems.
2. Developing employee awareness material to share with persons making purchasing decisions and those involved in tender processes.
3. Developing a Modern Slavery policy and training employees in the Policy.

Busways Group recognises the importance of developing and implementing a model of continuous improvement by assessing and addressing risks stemming from our business.

Busways Group understands internal systems and processes need to be regularly reviewed and improved to effectively mitigate against risks of modern slavery.

This Statement was approved by the boards of each of the three reporting entities covered by this Statement.

The Board of:

Bhaajayu Pty Ltd
Busways Blacktown Pty Ltd;
Busways Australia Pty Ltd
Busways North West Pty Ltd
Busways South Australia Pty Ltd
Busways Pacific Pty Ltd
Busways Campbelltown Pty Ltd
Busways Camden Pty Ltd
Busways Wyong Pty Ltd
Busways Gosford Pty Ltd

approved this statement on: 07 June 2022



Byron Rowe, Director
07 June 2022



Richard Rowe, Director
07 June 2022

The board of Galbrock Pty Ltd approved this statement on 07 June 2022



Byron Rowe, Director
07 June 2022



Busways

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