




## Modern Slavery Statement FY21



“ We will not tolerate any forms of Modern Slavery in our direct business activities and will work with our subcontractors and suppliers to identify and address instances of Modern Slavery that may exist in the construction and infrastructure supply chains.”

*- Extract from the Joss Modern Slavery Policy Statement*



## STRUCTURE, OPERATIONS & SUPPLY CHAINS

Colin Joss and Co Pty Ltd (Joss, the Company) is a family owned business based in Albury NSW. Originally a Partnership established in 1975 it was converted to a limited liability company in 1988.

Since its inception Joss has established itself as one of regional Australia's premier construction and facility management companies, servicing both government and private Clients throughout New South Wales, Victoria and the Australian Capital Territory.

The growth of the Company can be attributed to the reputation Joss has developed as a trusted and experienced contractor capable of successfully delivering complex and challenging projects.

In response to the changing needs of the industry and our Clients, Joss has established two divisions within the business, **Joss Construction** and **Joss Facility Management** to enable the delivery of specialised services reflective of the experience and skill sets of our staff.

The Company operates 15 regional offices throughout New South Wales and the ACT. The head office, main depot and workshop are located in Albury.





## JOSS CONSTRUCTION



**1,297**  
CONSTRUCTION  
SUBCONTRACTORS  
& SUPPLIERS



**15**  
PROJECTS  
COMPLETED  
DURING THE PERIOD

The commercial construction and civil division of Joss complete a wide variety of projects including commercial and industrial buildings, educational, sporting and health facilities, residential property development, refurbishment and renovation of existing buildings, roads, water treatment and services infrastructure works for a variety of customers including all levels of government and private enterprise. The division employs a permanent team of qualified and experienced personnel who plan, co-ordinate and manage subcontractors to deliver projects under Managing Contractor, Lump Sum, Early Contractor Involvement, Design and Construct, or Design Construct and Manage contract arrangements.

Joss Construction's supply chain includes consultants, subcontractors, material suppliers and indirect suppliers.



## JOSS FACILITY MANAGEMENT



**1,643**  
FACILITY MANAGEMENT  
SUBCONTRACTORS &  
SUPPLIERS



**11,814**  
PROPERTIES SERVICED

The Facility Management division of the Company was established primarily to service NSW Government facilities but has since diversified to provide planned maintenance and reactive maintenance, cleaning, refurbishment works as well as deliver smaller construction projects for all levels of government and private enterprise.

Over the past 23 years, Joss has established a base of 1600 prequalified Subcontractors who, under the co-ordination, supervision and management of Joss, undertake maintenance and servicing works across more than 11,000 sites on behalf of our Clients.

Unlike the Asset Maintenance component of the Facility Management division, the cleaning works undertaken by the division is undertaken predominantly by employees, with specialist Subcontractors only utilised to undertake complex periodic work.

Joss Facility Management's supply chain includes subcontractors, material suppliers, and indirect suppliers.







## RISKS OF MODERN SLAVERY IN THE OPERATIONS & SUPPLY CHAINS

Following on from the high level risk assessment conducted in the previous year, during the FY21 we undertook a more detailed assessment of our subcontractors and suppliers utilising an online survey in order to gain an understanding of potential risks within our Supply Chains:

### Operations

**The scope of operations undertaken by the Company did not change from the previous financial year and Joss have again assessed the risk of Modern Slavery within our Operations to be low.**

A documented assessment was undertaken by the Joss Human Resources team utilising an internally developed tool. The assessment focusses on the identification mechanisms for Child Labour, Forced Labour, Bonded Labour, Human Trafficking and Employment Conditions, as well as Grievance and Redress Mechanisms. This assessment is currently being undertaken annually.

**In addition to this documented assessment, the following factors supported the determination of a low risk rating:**

1. The Company employs a qualified and experienced team of Human Resources personnel that have created, implement, monitor and continually develop our robust employment policies and procedures. These systems have been established to both ensure and demonstrate compliance with legally mandated employment entitlements and awards across our entire workforce.
2. The Company has established a diverse and layered approach to site inspections comprising of Senior Management Inspections, Site Manager/Supervisor Inspections and HSEQ personnel inspections/audits to monitor work practices on our sites. Joss also periodically engage the services of external consultants, predominantly Health and Safety Consultants, to inspect our sites and review our systems and practices.
3. As a result of the industries we work in, and the Clients we perform work for, Joss is regularly subject to external assessment of our workplace practices and employment arrangements. These assessments may be by external Health and Safety Audits for State or Territory prequalification schemes, third party surveillance audits of our Certified Management Systems by SAI Global Assurance Services, Client initiated audits, visits by the Australian Building and Construction Commission and the NSW Code Compliance Unit, ACT's Secure Local Jobs Certification, annual financial audits required by ASIC or periodic state government payroll tax audits.
4. For more than two decades, Joss has utilised consultation as a mechanism to identify issues, obtain feedback, disseminate information and explore improvements. The Company's support of a Consultation Committee made up of elected Health and Safety Representatives from the various workgroups, combined with documented and communicated Grievance Procedures, facilitates a worker safety net that may be utilised directly or anonymously.

**In addition to the documented self-assessment these entrenched practices and mechanisms all assess for common indicators of Modern Slavery.**

## Supply Chains

During the reporting period, Joss conducted 135 Modern Slavery Surveys of subcontractors and suppliers, who represent more than 50% of the Company's turnover in the previous reporting period. These subcontractors and suppliers, by their classification in the largest spend category, were predominantly the larger firms with the greater number of employees compared to the balance of businesses comprising of often less than 4 employees.

### The surveys identified:

- Only 3 businesses in the assessed supply chain were subject to the Modern Slavery Legislation and only 5 others turn over more than \$50M per annum.
- 6,324 workers employed by those assessed, but removing the largest employer (a National Consultancy firm of 3,361), the remaining 134 businesses averaged only 22 employees.
- None of the businesses are participants in any responsible sourcing third party certification schemes.
- Only 21 businesses had a policy, process or other commitment to eliminate Modern Slavery and only 10 of those firms had undertaken any form of Modern Slavery Training.
- 13 businesses did not have mechanisms for workers to confidently raise concerns related to labour conditions or workplace grievances.
- 77 were aware they were utilising imported materials, but only 10 firms were importing materials directly themselves.
- Steel, Steel Products, and Electrical Components were the most common materials imported, but also commonly mentioned were HVAC plant, plumbing fixtures and tapware. Other reported imported items included flooring products, nuts, bolts, screws and other fixings, door hardware, joinery surfaces and glass.

The surveys and direct research online confirm that Joss may have exposure to Modern Slavery in our supply chains through the engagement of Subcontractors and Consultants as well as through the procurement of goods and materials (plant, equipment, vehicles, consumables and building materials).





## Subcontractors and Consultants

The Assessment identified that there was a very low level of understanding of the potential for Modern Slavery within our subcontractor's supply chains and simply the survey itself, and the clauses now included in our Subcontract Agreements had, to a small extent, raised the awareness within these businesses. Common feedback was that there is a limited amount of information available for many materials and that often the imported materials were specified or nominated within contractual documents by designers or clients. This highlights that in secondary levels of our supply chain, we have a lack of visibility of overseas manufacturing and may be exposed to risks of Modern Slavery.

As noted in our previous Modern Slavery Statement, Colin Joss and Co Pty Ltd is a regional contractor who utilise predominantly local regional Subcontractors. More than 99% of these are classified as Small and Medium Enterprises (SME's). Being regional ourselves, our permanent staff in our regional offices have the benefit of becoming familiar with the firms and their employees. This background knowledge, either directly or by referral, supplements our existing assessment and induction processes.

Joss' ongoing monitoring of insurance arrangements and declarations relating to wages and entitlements, supervision on our sites and structured inspections provides some level of assurance to the correct employment practices by our subcontractors.

As a result, although a low possibility, Joss does recognise the potential within the Subcontractors we engage for practices that may lead to Modern Slavery.



## Goods and Materials

Despite being a very small component of the Company's expenditure (less than 5%), the Company does procure directly vehicles, small plant and equipment, cleaning consumables and IT equipment being the major contributors to this spend. Although not significant, uniforms and apparel also represented a portion of expenditure.

As a building and maintenance contractor, building materials, plant and equipment are utilised extensively to deliver the projects we construct and the services we provide. The surveys of our own immediate subcontractors and suppliers confirmed the use of imported materials within the Company's supply chain and although we have not determined any specific evidence of transgressions, it would be naïve to discount the potential existence of Modern Slavery in some portion of these.

Colin Joss and Co Pty Ltd is aware that the three predominant manufacturers of its directly procured IT equipment (Hewlett Packard, Apple and Samsung) have all acknowledged the potential of Modern Slavery in their supply chains and the Company shall continue to monitor the steps they are taking to eradicate its prevalence.



## Case Study

**Subcontractor 1** is a multigenerational family owned and run business specialising in structural steel fabrication. They have operated in a small regional town for more than 30 years', have 25 employees and have worked on multiple contracts for the Joss Construction division.

Despite its regional location, the business is well organised and well aware of the expectations of the industry for the projects that they undertake. The Company has a vision and strategic planning that encompasses education, training and support of its staff, investment in infrastructure and management systems that create control over their operations and facilitate continued improvement.

The firm recognises they have an economic and social responsibility to contribute in a positive way to the community and support local sporting and social groups. They also recognise and allow the flexibility for many of their employees to make personal contributions with their time and expertise to a range of community activities and projects.

More than a decade ago, the Company committed to the Australian Steel Institute's Environmental Sustainability Charter (ESC), which aims to promote steel as a sustainable form of construction and that the steel industry can operate in an environmentally responsible way.

Despite their efforts, Subcontractor 1 was initially flagged in our Assessment as a concern because of a practice that they had initiated to help their staff purchase tools. Further clarification revealed that they in fact enter into a documented agreement with their employees to deduct an agreed amount from their wages, over a set period of time, for personal tools that young or new employees entering the industry would not otherwise be able to afford.



## **ACTIONS TAKEN TO ASSESS AND ADDRESS THESE RISKS**

The work undertaken in FY20 was furthered in the FY21 period with the establishment of our Modern Slavery Advisory Group made up of representatives from various divisions and roles within the Company to provide advice, input and oversight of the Company's Modern Slavery Policy and Procedures.

With the Group's assistance, Modern Slavery Assessments were undertaken targeting the largest contracts and most frequently used subcontractors in order to get a realistic idea of the scope and knowledge of our supply chains. This approach has identified limitations:

- changing project needs and locations of construction works
- the high labour elements of Facility Management and Cleaning, and
- 'like with like' or 'deemed to comply' requirements of a number of existing Facility Maintenance contracts.

In order to address these limitations and implement more effective controls, the Group determined specific approaches for each division reflecting the primary risks and limiting factors identified:

### **Construction and Civil**

Actions focussed on assessing all subcontracts and purchase orders over a set limit, the allocation of a risk rating and, depending on that risk rating, proceeding with procurement, escalation for further consideration or the identification of alternatives to eliminate or reduce the risk of supporting Modern Slavery to a lower level.

### **Facility Management**

Due to the nature of the Facility Management works being predominantly labour intensive it was determined to continue to utilise the extensive prequalification process coupled with contractual clauses, declarations, inspections and toolbox talks to monitor and facilitate the identification of Modern Slavery issues.

It was also determined to initiate further consultation with clients to identify and explore options for high risk materials and equipment that we may be repairing, replacing or installing in order to minimise the support of Modern Slavery practices in the supply chains.

### **Joss Cleaning**

The Cleaning division of Joss is characterised by a predominantly in house labour force undertaking contract works. Joss do utilise a small number of specialist subcontractors and suppliers and because of this the most appropriate action was to utilise (in combination) the Modern Slavery Surveys, Modern Slavery Statements, site monitoring actions, offsite visits to supplier/subcontractor premises and subcontractor declarations to both identify and monitor Modern Slavery risks.

## Case Study

**Subcontractor 2** is a small plumbing company in Regional NSW who perform emergency and planned maintenance to properties for Joss' Facility Management Division. The business has three employees, is reliable and provides quality work at rates consistent with other plumbers in regional NSW.

The small business has been operating for 15 years and with only trade qualifications, the husband and wife team struggle to stay aware of the changing expectations of the industry they work in. The husband is predominantly on the tools during the day and when he is not, he is quoting work or assisting his wife with administration. Due to the lack of other contractors in the area Joss often assists and provides guidance in relation to licencing, insurances and has on occasions had to prompt them for work to be invoiced.

Subcontractor 2 is often required to respond to emergency callouts that have client imposed timeframes for completion (2hr, 4hr, 8hr, 24hr or 48hr). Repairs are to be undertaken utilising 'like for like' materials or by selection from a 'deemed to comply' list prepared by the client. Due to the diverse nature of works performed by the business, each vehicle carries a small amount of commonly used materials but they predominantly procure items on an as-needed basis from local plumbing or hardware supply businesses, either in their town or one of the several surrounding townships where they may be contracted to undertake work.

Subcontractor 2 does not know where the materials he uses are manufactured, he often has limited selection options and a tight timeframe in which he has to procure and undertake the repairs. It is also unlikely the client made any assessment of the risk of Modern Slavery when selecting 'deemed to comply' materials.





## THE EFFECTIVENESS OF THESE ACTIONS

Undoubtedly, the introduction of the Commonwealth Modern Slavery Act 2018 has helped to raise the level of awareness and commitment by the Australian business community to pursue more sustainable procurement practices. As a result of this initial legislation, and other legislation such as the NSW Modern Slavery Act 2018 No 30, and the NSW Modern Slavery Amendment Bill 2021, it is hoped that the concerted worldwide pressure on Supply Chains will translate to a reduction and the eventual eradication of Modern Slavery.

For the construction industry in Australia where supply chains are both extensive and complex, progress will remain slow whilst there isn't a single consolidated approach to validate the origins of materials and practices utilised within these supply chains.

Colin Joss and Co Pty Ltd has established milestones and KPI's within its own Modern Slavery strategy to assist in the monitoring and measurement of the actions and initiatives that it undertakes in order to determine if they are effective. For the FY21, all of the established milestones were achieved including:

- ✔ **The establishment of a Modern Slavery Advisory Group comprising of a Modern Slavery Champion from each of the Company's operational divisions and supporting departments.**
- ✔ **Extending Modern Slavery Awareness training to encompass training for all personnel in procurement positions.**
- ✔ **Development and use of a Modern Slavery Internal Assessment tool to periodically record our internal assessment of employment and monitoring practices.**
- ✔ **Development and deployment of Subcontractor and Supplier Questionnaires to help Joss have a better understanding of the potential risks in its supply chain and the action, if any, our subcontractors are taking to minimise that risk.**
- ✔ **Assessment of the data obtained from our Subcontractors and Suppliers to assist in our decision making regarding Subcontractor engagement and procurement.**
- ✔ **Interaction with industry bodies and clients to raise awareness of the potential of Modern Slavery practices in the manufacture of products and materials that may be nominated in designs, specifications, or contracts.**

Colin Joss and Co Pty Ltd shall continue to implement actions, report against milestones and KPI's, and identify further initiatives and outcomes in future Modern Slavery Statements.

This Statement was approved by the Joss Board on 15th December 2021.

**Paul Joss**  
Managing Director  
15th December 2021



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