

REVESBY WORKERS' CLUB LTD

ACN 000 348 121

CLUB BY-LAWS

As at May 2021

1. DEFINITIONS

"the **Act**" means the Corporations Act. When any provision of the Act is referred to the reference is to that provision as modified by any law for the time being in force.

"the **Board**" means the members for the time being of the Board of Directors of the Club constituted in accordance with this Constitution.

"**By-laws**" means the By-Laws as set out in this document.

"**Constitution**" means the Constitution of the Club.

"the **Club**" means Revesby Workers' Club Ltd.

"the **Club Notice Board**" means a board designated as such within the Club premises on which notices for the information of members are posted.

"**Director**" means a member of the Board.

"**financial member**" means any member who has paid all money payable by him or her to the Club or in respect of whom there is no such money outstanding for more than 30 days from the due date for payment thereof.

2. NOMINATIONS

- (a) An application for membership shall be made on a form provided for that purpose and the application shall comply with all the requirements set out in the form.
- (b) No person under the age of 18 years shall be nominated as an ordinary member of the Club except as a Junior Sporting Member.

3. BY-LAWS

Every financial member of the Club shall be entitled to a copy of these By-Laws on request from the Club office, including appendices.

4. MEMBERSHIP CARD

Every member on the payment of their subscription shall be supplied with a membership card, which must be shown on entering the Club premises, on driving into the Clubs parking area if required, or to the Chief Executive Officer or their delegate of the Club on request, when on Club premises.

Under no circumstances are membership cards transferable.

Should any member lend his/her card and it becomes known, then both the member and the recipient will be subject to disciplinary proceedings under the Constitution.

Replacing Lost Membership Card

- (a) A membership card can be replaced up to three (3) times without charge, thereafter a charge of \$2.00 will apply, or such other arrangement as decided from time to time by the Board.
- (b) Should a card be issued it will not be valid unless endorsed with the member's signature.
- (c) Should the card be located, the original card is to be returned to the office immediately, as the newest card will be the only active card.

5. TEMPORARY MEMBERS' PERMANENT PLACE OF RESIDENCE

In accordance with rule 28 (a) of the Constitution the Board has determined that the permanent place of residence of a temporary member, who is seeking admission to the Revesby Workers' Club, Tarro Avenue, Revesby premises, is more than 15 kilometres of this club's premises

6. GUESTS

- (a) No person under 18 years of age shall be permitted to remain on Club premises except in the non-restricted areas of the Club and only when accompanied by a responsible adult (parent or carer).
- (b) Members introducing a guest shall be required to enter the guest's name in the guest register.
- (c) The guest shall remain on the Club premises only as long as the introducing member shall remain.
- (d) The member introducing a guest shall be responsible for the guest's conduct.
- (e) No person who has been rejected as a candidate for membership, or who has been expelled or suspended from the Club, shall be admitted as a member's guest.
- (f) The practice of persons asking for members to be paged with the view of signing them in will not be engaged in.
- (g) Guests living within a 15-kilometre radius of the Club shall only be admitted if signed in by a member of this club or if that person is a member of another Workers, Social or Sports club.

7. SPORTING & SOCIAL SUB-COMMITTEES

- (a) A sub-committee may be appointed to conduct each sport played and shall be known as sports & social sub-committee.
- (b) The objective of the sub-committee will be to conduct the sport for which the Club and members appoint them for competitive and social participation in that sport.
- (c) Each sub-committee will consist of at a minimum a Chairman, Secretary and 2 members.
- (d) The members of the sporting group shall appoint members of each sub-committee annually.
- (e) Persons appointed to any sub-committee must be Financial Ordinary members or Life members of the Club.
- (f) Any persons participating in competitive sport, representing the Club, should be Financial Ordinary members or Life members of the Club.
- (g) A fee may be charged by any sub-committee to conduct all matters relative to the actual playing of the sport they represent.
- (h) For the purpose of identification and for brevity in inclusion in competition draws, etc., each sporting section shall be known as the Revesby Workers' Club or similar descriptive title as approved by the Board.
- (i) It will be the duty of each sub-committee to conduct all matters relative to the actual playing of the sport they represent.
- (j) Use of licensed parts of the Club premises in connection with the conduct of any sport shall be subject to the approval of the Board and written application regarding accommodation, entertainment, refreshments, food etc., shall be made through the Chief Executive Officer in sufficient time to allow provision to be made for any requirements.

8. DRESS REGULATIONS

Patrons must be presentably attired at all times. Whilst on the Club premises the following items of clothing are not permitted in the club:

- (a) Revealing;
- (b) Dirty, unkempt, soiled;
- (c) Offensive or gang related.

As dress is subjective, Management reserves the right to refuse entry to any person who in its opinion is not suitably attired.

9. USE OF THE CLUB

The club premises shall be open 7 days a week. The Club's trading hours will be as determined by the Board and Management from time to time.

10. CONDUCT

- (a) Members must conduct themselves in an orderly and responsible fashion at all times in accordance with the requirements of the Liquor Act and Registered Clubs Act. Members must not become intoxicated, indecent, violent, or quarrelsome.
- (b) Any member found selling or using/administering illegal drugs on the Club premises, including the Health Mates Fitness Centre shall be immediately suspended and removed from the Club's premises and the incident reported to the Police.
- (c) No member or guest shall bet illegally on the premises.
- (d) No games of hazard or chance, nor any game which shall be considered by the Board to be gambling, with the exception of those that are run by the Club or contractors engaged by the Club, shall be played on Club premises.
- (e) Whenever a complaint is made against a member, the Board shall as necessary conduct disciplinary proceedings against the member under the Club's Disciplinary Policy as stated in the Constitution.

11. CORE CLUB OPERATIONS POLICY & PROCEDURES

The Club has accepted its obligation to deliver, advertise and promote core club services in a lawful and responsible manner, having regard to the potential for harm that may be caused by these services and the community concerns about the conduct of activities such as gambling and alcohol consumption. The Club is a member of Betsafe, Betsafe is considered a leading program of its kind in the world to assist operators to provide the service of gambling and alcohol in a responsible manner and to offer assistance to those patrons in need of help due to the use of these services. The Clubs Board has adopted the Betsafe Policies & Procedures Manual (appendix 1) and the Gaming Machines Playing Conditions (appendix 2), these documents should be read in conjunction with the By-Laws to give an understanding in how the Club delivers the below services, but not limited to:

- (a) Gaming Machines
- (b) Service of Alcohol
- (c) Trade Competitions
- (d) Responsible Service of Gambling & Alcohol (including voluntary and involuntary exclusion processes).

12. DISCRIMINATION & HARASSMENT POLICY

Objective

The Club is committed to providing an environment which is free of discrimination, harassment and sexual harassment.

Policy

To achieve this, it is the policy of the Club to conduct all its business activities without discriminating or harassment against or of any member or guest on the grounds set out in Federal and applicable State laws.

The Club aims to provide an environment where everyone feels comfortable, differences are respected and all employees and officers of the Club, members and guests are treated with dignity, courtesy and respect.

The Club will strive to identify and eliminate all discriminatory practices both direct and indirect and eliminate all harassment. The support of all employees, officers of the Club, members and guests is sought in achieving this.

Each employee, officer of the Club, member and guest is responsible for the successful implementation and application of this policy. Every employee and officer of the Club has the responsibility to respect the rights of members and guests and every member and guest has the responsibility to respect the rights of other members and guests and of employees and the Club's officers.

- (a) Discrimination, harassment and sexual harassment will not be tolerated under any circumstances.
- (b) Any member or guest may complain about discrimination, harassment or sexual harassment to the General Manager or Duty Manager, or to a State or Federal Authority. In some circumstances, a complaint may need to be made by a member on behalf of his or her guest.
- (c) All discrimination, harassment and sexual harassment complaints will be treated seriously and dealt with quickly and privately.
- (d) All discrimination, harassment and sexual harassment complaints will be investigated fairly and impartially.
- (e) Action will be taken to ensure that discrimination, harassment and sexual harassment ceases.
- (f) People making complaints, and witnesses, will not be victimised in any way for making complaints.
- (g) Any person who engages in discrimination, harassment or sexual harassment will be subject to appropriate disciplinary action.

Legislation

Federal and State law prohibit discrimination and harassment. This legislation includes:

Federal

- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Disability Discrimination Act 1992
- Fair Work Act 2009

New South Wales

- Industrial Relations Act 1996
- Anti-Discrimination Act 1977

Under the NSW Anti-Discrimination Act, it is unlawful to discriminate against a person in, among other things, the provision of goods or services and accommodation, refusal or failure to accept membership applications and subjection of members to any other detriment (either directly or indirectly) because of their:

- Sex
- Pregnancy
- Marital or domestic status
- Race, colour, nationality, descent, ethnic or ethno-religious background
- Disability (actual or presumed, past, present or future) - both physical or mental - partial or temporary
- Homosexuality (male or female, actual or presumed)
- Transgender identity
- HIV/AIDS status
- Age
- Compulsory retirement
- Parental or carer responsibility

What is Discrimination?

Forms of Discrimination

Acknowledging that these forms of discrimination are prohibited by law, the Club is opposed to and will take all possible steps to eliminate the following kinds of discrimination:

1. Direct Discrimination

This is where a person is treated "less favourably" than another person simply because the person belongs to a particular category. An example of this is refusing to provide goods or services to someone just because they are of a particular ethnic background.

2. Indirect Discrimination

This is where a requirement - a policy, practice or law which applies to all groups has an unequal or disproportionate effect or result on one particular group. For example, it might be claimed that scheduling meetings regularly in the evenings or on weekends discriminates against people with family responsibilities, particularly women.

3. Victimisation

This is where someone is treated less favourably because he or she has made a complaint about discrimination or has taken action against the Club under the relevant legislation.

4. Harassment

This is any form of behaviour that is not wanted and not asked for and that humiliates, offends or intimidates.

5. Racial Vilification

Under the Federal Racial Discrimination Act, it is unlawful to do an act, otherwise than in private, if:

- (a) the act is reasonably likely, in all the circumstances to offend, insult, humiliate or intimidate another person or group of people; and
- (b) the act is done because of the race, colour, nationality or ethnic origin of the other person or some or all of the people in the group.

6. Vilification

Vilification is defined in the NSW Anti-Discrimination Act as inciting, by public act, hatred towards, serious contempt for, or severe ridicule of, a person or group of persons.

Vilification of a person because of their:

- Race
- Homosexuality

- HIV/AIDS status
- Transgender identity

is unlawful under the NSW Anti-Discrimination Act.

What is Harassment?

Most types of harassment are against State and Federal anti-discrimination law and may also be an offence under the Crimes Act.

Harassment is any behaviour which is unwelcome and is based on a person's sex, transgender, race, age, pregnancy, marital status, disability or homosexuality.

Harassment will often be repeated behaviour, but can also consist of a single act.

Harassment can offend, upset, humiliate or intimidate another person. It interferes with the person's work performance by creating an intimidating or hostile work environment.

Harassment is not always intended - acts or behaviour which are thought to be funny or do not mean much to one person may hurt or offend another.

Harassment often happens when power is used wrongly.

What is not harassment?

A relationship or behaviour that is freely accepted by all persons involved is not harassment.

Types of harassment

Harassment can take many forms. It can be overt (obvious) or subtle, direct or indirect (for example where a hostile feeling/environment is created without any direct attacks being made on a person).

1. Some forms of verbal harassment

- Making fun of someone
- Imitating someone's accent
- Spreading rumours
- Obscene telephone calls/unsolicited letters, faxes or via other messaging service or social media
- Repeated unwelcome invitations
- Offensive jokes
- Belittling someone's contribution in front of other Workers'
- Threats or insults

- The use of language that is not suitable in the workplace.

2. Some forms of non-verbal harassment

- Unwelcome practical jokes
- Displaying or circulating racist cartoons or literature
- Mimicking someone with a disability
- Offensive hand or body gestures
- Ignoring someone.

3. Some forms of physical harassment

- Assault or attempted assault
- Pushing, shoving or jostling.

4. What Complainants should do if they are harassed

- Not ignore harassment thinking it will go away.
- Make it clear that such behaviour is offensive and unacceptable. This is important as the harasser might interpret the Complainant's silence as tacit consent. If, however, the Complainant is too frightened or embarrassed to say anything, this does not mean the complaints will not be taken seriously.
- If the Complainant can, tell the person to stop.
- The Complainant should keep a note of any harassment that happens, with dates, times, witnesses if any, what happened and what he/she said, did or felt.
- Seek advice from the Duty Manager or People & Culture Team members.
- Make a complaint under the Club's Complaints and Grievance Handling Procedure.

What is sexual harassment?

Sexual harassment is against State and Federal Anti-Discrimination Law and may also be an offence under Crimes Act.

Sexual harassment is any unwanted unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms including physical contact, verbal comments, jokes, propositions, the display of offensive material, or other behaviour which creates a sexually hostile working environment.

Examples of sexual harassment include:

- Uninvited touching
- Uninvited kisses or embraces
- Smutty jokes or comments
- Making promises or threats in return for sexual favours
- Display of sexually graphic material including posters, pin ups, cartoons, graphics or messages left on notice boards, desks or common areas
- Repeated invitations to go out after prior refusal
- "Flashing" or sexual gestures
- Sex - based insults, threats, teasing or name calling
- Staring or leering at a person or at parts of their body
- Unwelcome physical contact such as massaging a person without invitation or deliberately brushing up against them
- Touching or fiddling with a person's clothing eg lifting up skirts or shirts, flicking bra straps or putting hands in a person's pockets
- Requests for sex
- Sexually explicit conversation
- Persistent questions or insinuations about a person's private life
- Offensive phone calls letters or messages via all messaging services
- Stalking

What Is Not Sexual Harassment?

Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcomed and reciprocated it is not sexual harassment.

What Complainants Should Do If They Are Sexually Harassed

- Not ignore sexual harassment, thinking it will go away.
- Make it clear that such behaviour is offensive and unacceptable.
- If they can, tell the person to stop.

- If it does not stop, or if the Complainant is not satisfied, seek advice from the Duty Manager or People & Culture Team.

Keep a note of any sexual harassment that occurs, with dates, times, witnesses (if any), what happened and what you said, did or felt.

Responsibility

1. The Club

Legally the Club may be responsible for what happens in its premises. The Club will endeavour to ensure all employees, officers of the Club, members and guests understand that discrimination, harassment and sexual harassment will not be tolerated in the Club's premises, that complaints will be taken seriously and handled in the way set out in the sub heading titled "Complaint/Grievance Handling Procedure".

Action will be taken to make sure that the discrimination, harassment or sexual harassment stops. Appropriate warnings or disciplinary actions will be taken if the conduct is found to have occurred.

Complainants will not be victimised or treated unfairly for having made a complaint.

2. Employees & Officers of the Club

Employees and officers of the Club are legally obliged to ensure that they do not discriminate against, harass or sexually harass members or guests of the Club. The Club is committed to providing a pleasant environment for all members and guests. Employees and officers of the Club may be personally liable for acts of discrimination or harassment.

3. Members and Guests

Members and guests are bound by the Constitution of the Club and any by-laws made under the Constitution.

Where to go for More Information

Further information may be obtained from the Duty Manager or People & Culture Team.

Staff Awareness

The Club will endeavour to ensure that its staff and officers, members and guests are made aware of the Club's objectives and its desire to eliminate discrimination, harassment and sexual harassment.

Those responsible for recruitment will receive training in equal opportunity in employment principles and guidance will be available to all staff.

Review Policies and Procedures

The Club will monitor its policies on a regular basis to determine its effectiveness.

Disciplinary and Grievance Procedures

Unlawful acts of discrimination, harassment or sexual harassment will not be tolerated and may lead to dismissal, disciplinary action or counselling of employees and officers of the Club (where the act of discrimination or harassment was carried out by an employee or officer against a member or guest) or eviction, refusal or entry or disciplinary action against a member or guest (where the act of discrimination or harassment was carried out by the member or guest against another member or guest or an employee or officer of the Club). There will be no victimisation of the complainant.

Complaints will be investigated quickly and confidentially in accordance with the Club's complaints and grievance handling procedures.

No Victimisation of Complainants

Under the NSW Anti-Discrimination Act it is unlawful for a person to subject another person to "any detriment in the circumstances" because the person has:

- brought proceedings under equal opportunity legislation;
- given evidence in connection with such proceedings;
- alleged that another person has breached equal opportunity legislation;
- indicated that he or she is intending to do any of the above.

There will be no victimisation of complainants by the Club and victimisation of complainants by employees or officers of the Club will not be tolerated.

Grievance/Handling Procedure

1. What is a grievance

A grievance is any type of problem, concern or complaint related to discrimination, harassment or sexual harassment occurring in the Club's premises. A grievance may be about any act, omission, situation, or decision that you think is unfair, discriminatory or unjustified.

The Club's Discrimination & Harassment Policy outlines the types of behaviour that are and are not acceptable within our Club's premises.

The Club's Grievance Procedure is:

a. Completely Confidential

Only the people directly involved in making or investigating a complaint will have access to information about the complaint.

b. Impartial

If a complaint is made, it will be investigated in a fair and impartial manner.

Both sides will have an opportunity to tell their side of the story. No judgments or assumptions will be made and no action will be taken until all relevant information has been collected and considered.

c. Free of Repercussions

No action will be taken against anyone for making a complaint or helping someone to make a complaint. The company will take all necessary steps to ensure that no victimisation occurs against anyone who makes a complaint.

d. Timely

Each complaint will be finalised within as short a period as possible. Our aim is that most complaints should be finalised within 1 month, however some may take a little longer.

The grievance handling procedure sets out the way in which the Club will handle a complaint. Complainants should use it if they need to.

2. What A Complainant Should Do If He/She Has A Grievance

- (a) If they can, try to sort it out directly with the person involved. Sometimes, people do not mean to do things that hurt or offend others. This does not mean that it is acceptable. However, it does mean that if the Complainant can, he/she should tell the person who is acting in a hurtful or unsuitable way that his or her behaviour is not acceptable and/or is offensive so that they have the chance to stop or to change what they are doing.
- (b) If this does not work, or the Complainant feels that he/she cannot sort it out directly themselves, they should go to the Duty Manager or the People & Culture Team.

All complaints that are taken to managerial level will be treated privately.

3. Procedure

Discrimination or harassment grievances will be handled by the Executive Manager People & Culture with the Chief Executive Officer. Grievances will be handled:

- Confidentially
- Impartially
- Quickly

Full information will be obtained from the Complainant about their grievance and how they want it resolved.

The other person/people involved will be interviewed separately and impartially; they will be given the opportunity to respond fully to the allegations.

Witnesses, if any, will be interviewed to establish the facts.

If the complaint is substantiated, both parties will be advised and appropriate action will be taken. Options include:

- apology - verbal or written, private or public
- an official warning on misconduct
- counselling
- closer supervision of conduct
- In the case of discrimination or harassment by employees or officers of the Club, transfer to other duties with no job advantage
- In the case of discrimination or harassment by employees or officers or the Club, supervision
- In the case of discrimination or harassment by employees or officers of the Club, dismissal
- In the case of a member or guest, eviction and/or refusal of entry from or to the Club's premises
- In the case of a member, disciplinary proceedings which might result in a cancellation or suspension of membership

There will be regular assessments of the effectiveness of the agreed strategies.

If the complaint is not substantiated, the findings will be explained to both parties. If the complaint is frivolous i.e. it did not happen, it may also result in disciplinary action.

Records will be maintained in a separate complaints/grievance file.

13. ELECTIONS FOR THE CLUB'S BOARD OF DIRECTORS

- (a) Any nominee for election to the Board of Directors shall be required to:
 - i. complete a statutory declaration in the form nominated for the time being by the Board of Directors for this purpose, and shall, in accordance with the timetable as provided, lodge the completed form with the Company Secretary/CEO of the Club.
 - ii. submit a biography of not more than 200 words and a passport photograph for use during the ballot.
- (b) A member, including any nominee for election to the Board of Directors, agrees not to distribute, or cause any person to distribute, how-to-vote material on any of the Club premises (including the Revesby Village Centre, any car parks owned or occupied by the Club, and any car parks attached to the Revesby Village Centre) except as permitted under paragraph 13 (c).
- (c) A member, including any nominee for election to the Board of Directors, is permitted to distribute how-to-vote material at either of the two entrances to the Club only on ballot days in respect of the election.

- (d) Each nominee for election to the Board of Directors agrees to comply with the Directors' Code of Conduct.
- (e) If a nominee requests and is given a copy of the Club's membership register he or she agrees to abide by the Corporations Act particularly in relation to the prohibitions on the use of information on the membership register.
- (f) Once a member has been validly nominated the nomination cannot be withdrawn. If a nominee dies prior to the declaration of the results of the election, the nominee will remain a valid candidate for election and may be elected to the Board of Directors posthumously.

14. UNAUTHORISED NOTICES AND PETITIONS

No notice, publication, picture, document or petitions shall be distributed, posted to the members or displayed within any of the Club's premises or their precincts without the authority of the Chief Executive Officer.

15. FOOD AND BEVERAGE

Members, guests of members or temporary members are prohibited to bring food or beverages for consumption onto the premises of the Club. This prohibition does not apply to members who bring sports or health drinks for consumption while exercising in the Health Mates Fitness Centre, or to approved functions.

16. STAFF MEMBERSHIP

An employee of the Revesby Workers' Club Ltd who has signed the conditions of employment approved from time to time by the Board and who has made application for membership of the Club in accordance with the requirements of the Club's Constitution may be admitted to Staff Membership of the Club.

Similarly, a member of the Club who subsequently becomes an employee of the Club will be transferred to Staff Membership of the Club.

Staff Members shall be entitled to the social privileges of the Club only as determined by the Board from time to time and shall not be eligible to hold office on the Board of the Club or on any committee of the Club, vote at the election of the Board, vote at meetings of the Club.

The membership and privileges of Staff Member shall be subject to the Registered Clubs Act 1976, the relevant industrial instrument and the conditions of employment of the Club as amended from time to time.

Staff members are entitled to members discount but are not entitled to participate in the following:

- Revesby Workers' Club membership points program
- Trade competitions

- Raffles

Any Staff Member who ceases to be an employee of the Club shall have their Staff membership revert to the category of Ordinary membership, unless their conduct as a Staff Member, warrants a charge under the Constitution in which case, he or she shall be cited to appear at a disciplinary meeting where such charge shall be heard in accordance with the Constitution.

17. SATELLITE CLUBS PATRONS

The Board may appoint Mooney Mooney Club Patrons and Revesby Workers Sports' Club Patrons from time to time to represent the Board at events determined to be in the interest of Revesby Workers' Club. Any such patron may be removed from their appointment by the Board.