

## SOCIAL MEDIA POLICY

### 1. SOCIAL MEDIA POLICY

- 1.1 The Social Media Policy ('Policy') relates to Eureka Sustainability ('Eureka Sustainability') and, where relevant, operates in conjunction with the Internet, Email and Computer Use Policy and the Contract of Employment or contract for service.

### 2. COMMENCEMENT OF POLICY

- 2.1 This Policy will commence from 01/08/2022. It replaces all other policies, if any, relating to access to social media platforms and social networking sites (whether written or not).

### 3. SCOPE

- 3.1 The Policy relates to all full-time, part-time and casual employees of Eureka Sustainability ('Eureka Sustainability Employees'), as well as contractors, temporaries and subcontractors working for or on behalf of either a company or any associated companies in the Eureka Sustainability workplace ('Eureka Sustainability Contractors').
- 3.2 The Policy also applies to Eureka Sustainability Employees and Eureka Sustainability Contractors' participation in social media inside or outside of any Eureka Sustainability workplace and includes use of a Contractor's or an Employee's own device.
- 3.3 The Policy does not form part of any contract of employment with Eureka Sustainability. Nor does it form part of any contract for service with Eureka Sustainability.

### 4. DEFINITIONS

- 4.1 In this Policy:
- (a) **'Blogging'** means the act of using web log or 'blog'. A blog is a frequently updated website featuring diary-style commentary, audio-visual material and links to articles on other websites.
- (b) **'Confidential Information'** includes but is not limited to trade secrets of Eureka Sustainability; non-public information about the organisation and affairs of Eureka Sustainability such as: pricing information such as internal cost and pricing rates, production scheduling software, special supply information; marketing or strategy plans; exclusive supply agreements or arrangements; commercial and business plans; commission structures; contractual arrangements with third parties; tender policies and arrangements; financial information and data; sales

and training materials; technical data; schematics; proposals and intentions; designs; policies and procedures documents; concepts not reduced to material form; information which is personal information for the purposes of privacy law; and all other information obtained from Eureka Sustainability or obtained in the course of working or providing services to Eureka Sustainability that is by its nature confidential.

- (c) **‘Computer’** includes all laptop computers and desk top computers.
- (d) **‘Hand Held Device’** includes all such devices which are used by Eureka Sustainability Employees and Eureka Sustainability Contractors , inside and outside working hours, in the workplace of Eureka Sustainability (or a related corporation of Eureka Sustainability) or at any other place. Such devices include, but are not limited to, mobile phones, Blackberrys, Palm Pilots, PDAs, iPhones, tablets, iPads, other handheld electronic devices, smart phones and similar products, and any other device used to access social networking sites or a social media platform.
- (e) **‘Intellectual Property’** means all forms of intellectual property rights throughout the world including copyright, patent, design, trade mark, trade name, and all Confidential Information and including know-how and trade secrets.
- (f) **‘Person’** includes any natural person, company, partnership, association, trust, business, or other organisation or entity of any description and a person’s legal personal representative(s), successors, assigns or substitutes.
- (g) **‘Social Networking Site’** and **‘Social Media Platform’** includes but is not limited to Facebook, My Space, Bebo, Friendster, Flickr, LinkedIn, XING, Blogger, WordPress, You Tube, Twitter, Yahoo Groups, Google Groups Whirlpool, Instant Messaging Services, Message Board, Podcasts, ‘Wikis’ (e.g. Wikipedia) and other similar sites.

## 5. REPRESENTING Eureka Sustainability IN SOCIAL MEDIA

- 5.1 In consideration of the type of business of Eureka Sustainability, any comments about or in connection with Eureka Sustainability made in a social media platform must be factual and consistent information with Eureka Sustainability’s goals and objectives. This means protecting commercially sensitive information in accordance a Eureka Sustainability Employee’s contract of employment and a Eureka Sustainability Contractor’s contract for service.
- 5.2 All Eureka Sustainability Employees and Eureka Sustainability Contractors are restricted from making comments on behalf of Eureka Sustainability or using Eureka Sustainability’s branding, (including the corporate logo, internal logo and registered trademarks), in any Social media platform unless otherwise authorised.

5.3 Only the following Eureka Sustainability Employees are authorised to speak on behalf of Eureka Sustainability on Social media platforms:

(a) OWNER

5.4 Eureka Sustainability recognises that circumstances may arise in which Eureka Sustainability Employees and Eureka Sustainability Contractors make mention of Eureka Sustainability in social media.

5.5 Unless authorised by Eureka Sustainability, any comments made by Eureka Sustainability Employees and Eureka Sustainability Contractors must contain a disclaimer that they are not representing Eureka Sustainability and do not have authority to speak on behalf of Eureka Sustainability, and the views of the Eureka Sustainability Employee/Eureka Sustainability Contractor do not represent the views of Eureka Sustainability.

## 6. ACKNOWLEDGEMENT

6.1 All Eureka Sustainability Employees and Eureka Sustainability Contractors acknowledge that:

- (a) they are not to make comments which might reflect negatively on Eureka Sustainability's reputation or make deliberately false or misleading claims about Eureka Sustainability, or its products or services. Any recognised inaccurate comments must have all reasonable efforts made by the Eureka Sustainability Employee or Eureka Sustainability Contractor to correct the statement;
- (b) they must not disclose confidential or commercially sensitive information about Eureka Sustainability including Eureka Sustainability's Confidential Information or Intellectual Property. This obligation continues after the employment or engagement ceases;
- (c) they must not endorse or cite any client, partner or supplier of Eureka Sustainability without the explicit prior permission of the Shane Arundell;
- (d) they must observe the relevant privacy, defamation and copyright laws; and
- (e) they must comply with relevant discrimination laws and Eureka Sustainability policies that relate to discrimination and harassment.

## 7. MATERIAL POSTED BY OTHERS

7.1 Inappropriate or disparaging content and information stored or posted by others (including non-employees) in the social media environment may also damage Eureka Sustainability's reputation.

7.2 If you become aware of any such material which may damage Eureka Sustainability or its reputation, you must immediately notify your manager and Shane Arundell on [ContactofDirectorMedia].

## **8. EXTERNAL SOCIAL MEDIA PLATFORMS**

- 8.1 When using external Social Media Platforms, including, but not limited to, social networks and Blogging sites, Eureka Sustainability Employees and Eureka Sustainability Contractors should not disparage or make adverse comments about Eureka Sustainability, any Eureka Sustainability Employee or any Eureka Sustainability Contractor. This includes where such comments are made whilst a Eureka Sustainability Employee or Eureka Sustainability Contractor is contributing to a Social Media Platform using a Eureka Sustainability computer and internet resources and similarly whilst using a non-Eureka Sustainability computer or hand held device.
- 8.2 Eureka Sustainability Employees and Eureka Sustainability Contractors should be aware that, in accordance with the Internet, Email and Computer Use Policy, internet usage is continuously logged and archived by Eureka Sustainability for monitoring purposes on an ongoing basis.
- 8.3 If it comes to Eureka Sustainability's attention that a Eureka Sustainability Employee or Eureka Sustainability Contractor has made inappropriate and/or unauthorised comments about Eureka Sustainability or a Eureka Sustainability Employee or Eureka Sustainability Contractor, Eureka Sustainability may choose to take action against such person as outlined in the Policy. Action will not be limited to contributions made on a Social Media Platform made whilst using Eureka Sustainability computer and internet resources but may include action taken as a consequence of inappropriate and/or unauthorised contributions made about Eureka Sustainability, a Eureka Sustainability Employee or Eureka Sustainability Contractor via a non-Eureka Sustainability computer or Hand Held Device.

## **9. Eureka Sustainability EMPLOYEES' AND Eureka Sustainability CONTRACTORS' RESPONSIBILITIES**

- 9.1 Eureka Sustainability Employees and Eureka Sustainability Contractors are personally responsible to report any inaccurate, misleading or deceptive information they encounter about Eureka Sustainability and its products and services to the Shane Arundell.

## **10. WARNING**

- 10.1 Apart from the potentially adverse effects a blog or social networking entry may have on Eureka Sustainability, inappropriate blogs on internal or external sites can also have adverse consequences for a Eureka Sustainability Employee or Eureka Sustainability Contractors in terms of future career prospects, as the material remains widely and permanently accessible to other site users.

10.2 Eureka Sustainability may use and disclose an Employee's or Contractor's social media posts where that use or disclosure is:

- (a) for a purpose related to the employment of any employee or related to Eureka Sustainability's business activities; or
- (b) use or disclosure to a law enforcement agency in connection with an offence; or
- (c) use or disclosure in connection with legal proceedings; or
- (d) use or disclosure reasonably believed to be necessary to avert an imminent threat of serious violence to any person or substantial damage to property.

10.3 While users are permitted to use Eureka Sustainability's computer network for limited and reasonable personal use, Employees and Contractors must be mindful that any information (personal or other) they disclose while using Eureka Sustainability's computer network may be used and/or disclosed as provided for in clause 10.2 above. An Employee or Contractor is taken to have consented to the use and disclosure of any information (personal or otherwise) that is disclosed during personal use of Eureka Sustainability's computer network.

## **11. CONSEQUENCES OF BREACHING THE SOCIAL MEDIA POLICY**

11.1 Any breach of the Policy may result in disciplinary action, including, but not limited to, issue of a warning, demotion, suspension or termination of employment (or, for Eureka Sustainability Contractors, the termination or non-renewal of their contract for service).

## **12. Eureka Sustainability CONTACT**

12.1 Any questions about this Policy should be directed to Shane Arundell.

## **Variations**

*Eureka Sustainability reserves the right to vary, replace or terminate this Policy from time to time.*