

HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON ECONOMICS

REVIEW OF THE FOUR MAJOR BANKS AND OTHER FINANCIAL INSTITUTIONS SUPERANNUATION SECTOR

Sunsuper

SS59QW:

How do you define employee misconduct?

Answer:

Sunsuper's employment contracts describe specific misconduct events within 'Termination of Employment' clauses as follows:

- 1.1 *Sunsuper may terminate Your employment without notice for reasons including, but not limited to:*
- a. *misconduct, dishonesty or breach of fiduciary duties (including breach of Sunsuper's policies);*
 - b. *failure to disclose, or the misrepresentation of any material fact or matter relevant to Your employment or performance of Your duties;*
 - c. *wilful or deliberate behaviour that is inconsistent with the continuation of the contract of employment;*
 - d. *conduct that causes serious and imminent risk to the health and safety of a person, or the reputation, viability or profitability of Sunsuper's business;*
 - e. *theft;*
 - f. *fraud;*
 - g. *assault;*
 - h. *being intoxicated (due to alcohol or drugs, other than prescribed drugs) at work;*
 - i. *negligent or incompetent performance of Your duties, or refusal to carry out a lawful and reasonable instruction that is consistent with Your contract of employment.*