



CONDITIONS OF EMPLOYMENT POLICY & PROCEDURE

Adoption Date: 27 August 2019

Review Date: August 2020

Responsible Officer: Human Resources Officer

POLICY STATEMENT

WSC is committed to providing a workplace that is free from discrimination with fair and equitable conditions of employment that attract and retain highly skilled staff, promotes self development and ethical behavior and transparency in the conduct of its activities.

OBJECTIVES:

- To ensure that Council complies with relevant industrial requirements, the Anti Discrimination Act 1977 and all other relevant statutory employment requirements.
- To provide consistent and transparent procedures and guidelines for all employment related issues.
- To maintain a fair and equitable salary system that recognizes relativities between positions, develops organisational competencies and considers market factors in order to ensure that salary levels have the ability to attract and retain appropriately skilled staff.
- To ensure that programs are implemented that promote Aboriginal employment opportunities.
- To promote a high level of ethics and transparency in all facets of service delivery and decision making.

Statutory Requirements

Work Health & safety Act 2011

Anti Discrimination Act 1977

Local Government (State) Award 2017

Related WSC Policies

Higher Duties Policy

Recruitment and Selection Policy

Equal Employment Policy

Training Policy

Employee Travel Expenses Policy

Harassment Policy

Protected Disclosure Policy

Flexible Work Practices

Staff Uniform

Leave Policy

Statement of Business Ethics

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Outside Employment

Council will consider applications from staff who seek to engage in part-time employment outside Council.

Staff are not to engage in any outside employment or involvement where the hours worked or the nature of the duties are:

- such that his/her personal health or efficiency could be impaired;
- contrary to the best interests of Council; or
- in conflict with the provisions of Section 353 of the Local Government Act or with any specific term of appointment

Staff wishing to engage in outside employment must submit a written application to the General Manager through their Director. Applications should include details of the nature of the work, the name of the employer, an estimate of the hours involved and an outline of any possible conflict of interest.

Council reserves the right to review any decision made should the employee's Council work performance become affected by outside employment.

Private Works by Council

Any staff member wishing to privately carry out works which will be subject to approval by Walgett Shire Council must seek written approval prior to carrying out, or contracting to do, any such works.

Permission will be given by the General Manager only in situations where:

- a) the staff member concerned will not be involved in the processing or approval of such plans once received by Council;
- b) where resources of Council are not used; and
- c) where work is done in the staff member's own time

Cashiers Shortage

Managers are to ensure that all staff appointed to cash handling positions receive training in procedures for handling cash and that staff understand that they are responsible for the money that they handle.

Any cashier surpluses are to be banked to the general bank account and appropriately reported.

All cashier deficits are to be investigated by the Management Accountant in the first instance. In cases where the amount is less than \$50.00, the Management Accountant shall consider the circumstances and make a decision regarding the waiving or recovery of the shortage. The Management Accountant is to refer deficits exceeding \$50.00 to the Chief Financial Officer who will make a decision regarding the waiving or recovery of the shortage.

In accordance with the Financial Regulations of the Local Government Act, payment of the shortfall from Council funds is a reasonable course of action when fraud, misappropriation or gross or repeated negligence is not suspected and where:

- small amounts are involved
- busy operations occur
- the particular staff member does not experience regular or repeated cash shortages or
- the staff member has only been in the position for a short time

Shortages will normally be met from any accumulated cashiering surpluses.

Staff Uniform

Walgett Shire Council (WSC) is committed to providing all staff with access to a professional uniform standard of dress and personal protective equipment (PPE) in accordance with [Staff Uniform](#) procedures.

Service Awards

Council appreciates the contribution made by long serving employees and has established the following formal award system to recognise extended and valued service.

Certificates of Service for long serving employees will be presented at:

- 10 Years - Certificate of Service
- 20 Years - Certificate of Service and gift to the value of \$100.00 (at General Managers discretion)
- 30 Years - Certificate of Service and a gift to the value of \$200.00 (at General Managers discretion)
- 40 Years - Certificate of Service and suitable presentation gift at General Managers discretion.

Employee of the Year Award

Each year in December, the General Manager and Executive Team will select an employee nominated by staff to be the recipient of the Employee of the Year Award. The employee will be presented with a **\$250.00** gift voucher from a local business/businesses.

Travel Expenses

Staff will be reimbursed reasonable travel and related expenses where appropriate in accordance with [Employee Travel and Related Expenses](#).

Employee Reference/Letter of Service

An employee, having submitted his/her resignation, will be given, on request, a reference outlining the length of service, details of position(s) held and any other relevant comments relating to the employee's service with Council.

References will be prepared and signed by either the General Manager or the relevant Director or Human Resources and issued on Council letterhead.

References written by staff other than the above are not to be issued on Council letterhead.

In the event that an employee's service is terminated on disciplinary grounds, a statement of service will be prepared and issued on request by Human Resources. The statement of service will only include details of the period of service, the nature of the employment and the position held at the time of ceasing duty.

This may be varied under special circumstances as determined by the General Manager.

Mobile Phones

Certain employees will be allocated a mobile phone either on a full time basis or on a part time basis when on call for Council. These mobile phones remain the property of Walgett Shire Council at all times. Mobile phones are strictly for business use only except in emergency situations where employees are allowed to use the phone for personal use at a minimal cost to Council. Employees who are absent from their homes on council business are also permitted limited personal use.

Grievances and Disputes

Where a grievance or dispute arises in the area of job evaluation, performance review, EEO or any other general matter, Clause 35 of the Local Government (State) Award 2017 is to be followed. Disciplinary matters will be dealt with in accordance with Clause 36 of the Local Government (State) Award 2017.

Hours of Duty

Outdoor Staff

The standard hours of work for outdoor staff are as follows for a 76 hourly fortnight schedule:

- 8 days from 7am to 4:30pm
- 1 day from 7am to 4pm (Thursday payday)
- 1 day flexi (Friday following payday)

Indoor Staff

All staff are offered flexible work practices as provided in [Flexible Work Practices](#) policy and procedure.

Exit Interviews

Information obtained by conducting exit interviews is useful in identifying factors that affect Council's human resources and may help to identify trends and/or problems which lead to an increased turnover, dissatisfaction and poor staff morale.

1. Exit interviews will be undertaken in an effort to determine the real reasons for separation. A summary of the interview shall be prepared on the *Formal Exit Interview Sheet* immediately following the interview and a copy made available, if requested, to the departing employee. An exit interview is not compulsory.
2. The information contained within this summary shall remain strictly confidential.
3. Completed forms are to be submitted to Human Resources to be filed confidentially.
4. An annual Summary Report of Exit Interviews is to be prepared in July and submitted to the General Manager and Management team by the Human Resources Officer.

Loss/Damage of Council Property

Staff who lose or damage Council property as a result of repeated failure to take reasonable care may be required to pay Council the book value of the loss and/or be disciplined according to the extent of any negligence.

It shall be the responsibility of each Manager/Supervisor to investigate any loss of, or damage to Council property. The Manager/Supervisor is to discuss the loss or damage with the staff member or the team responsible for the relevant property and make an assessment as to whether the matter should be referred to the Director of the department.

Where the Director considers that action should be taken to recover costs for the loss or damage, a report is to be forwarded to the General Manager for a decision. The Director may take appropriate disciplinary action if negligence is deemed to have occurred separate from the General Manager's decision on the subject of recovery of costs.

Employee Interstate and Overseas Travel

Interstate Travel

There are occasions when employees will need to travel interstate or overseas to attend conferences, seminars, study tours and training courses or to represent the interests of their local area.

The General Manager is to approve all interstate travel for staff members and a detailed report presented to Council outlining:

- who is to take part in the travel
- the objectives to be achieved in undertaking it, including an explanation of what community benefits will accrue as a result of the visit
- details of costs, including any amounts expected to be reimbursed to participants

Where exceptional cases arise and travel is to be undertaken at short notice before a report can be considered at the next Council meeting, the above details should be reported to the General Manager for decision and the outcomes, costs and attendances should be included in a report to the next Council meeting for the information of Councillors.

Overseas Travel

Proposals for overseas travel for staff and/or Councillors on Council business should be documented in the annual management plan. Community input about the proposed visit can therefore be considered as part of the management plan review and budgetary process.

Proposals should indicate:

- who is planned to take part in the travel
- the objectives for undertaking it, including an explanation of what community benefits will accrue from the exercise, with an approximate budget
- detailed costs including a statement of any amounts expected to be reimbursed by the participants

A detailed report should be given in the Annual Report for the year in which the visit took place, outlining how the objectives were met and what quantifiable benefits have/will flow to the community.

Council will consider proposals and resolve whether or not the travel is to take place.

Protected Disclosures

Council recognises the need to have an appropriate internal reporting procedure to encourage and facilitate the disclosure, in the public interest, of cases where corrupt conduct, maladministration and serious and substantial waste occurs within Council. Protected Disclosures procedures in accordance with the Protected Disclosures Act 1994 are contained in [Protected Disclosures](#).

Complaints against Council Employees

Occasionally a complaint may be lodged against an employee by a member of the public or external organisation. Council will investigate written complaints at an appropriate level and employees will be given the opportunity to respond to the complaints made against them.

Only *signed written* complaints will be investigated except where Council's legal duty of care may be questioned or where there has been an allegation of corruption or fraudulent activity.

Details of verbal or anonymous complaints shall be discussed with the employee(s) involved but will not be investigated nor be acted upon in any other way.

All complaints must be registered in TRIM and referred to the relevant Director or General Manager. The General Manager or relevant Director will acknowledge the complaint in writing and advise the complainant that an investigation will be undertaken immediately.

The General Manager will initiate an investigation through the relevant Director by directing the Director to discuss the complaint with the employee(s) involved and any other persons involved or witness to the alleged incident.

The Director must prepare a report to the General Manager which will outline the findings of the investigation and any recommendations for any further action considered appropriate.

Where investigations reveal that a complaint is justified and that an employee has acted in a manner contrary to accepted Council standards, the normal disciplinary process shall be initiated.

At the conclusion of the investigation, the complainant will be informed in writing that the investigation has been completed and shall be advised, in broad terms, of the outcome.

Overtime

All overtime is to be paid in accordance with Section 19 of the Local Government (State) Award 2017 only where employees are directed to work before the commencement of ordinary hours or later than the agreed completion of ordinary hours.

All planned overtime must be approved in writing by the relevant director prior to performing the overtime. Payment of overtime will only occur where prior authorisation has been obtained.

Outdoor Staff

Outdoor staff will on occasions be directed to work planned overtime to maintain assets and infrastructure and are also required to respond to break downs, repairs and other emergencies outside normal working hours. Regular overtime must be approved in advance by either the Director of Engineering/Technical Services or immediate supervisor who will notify human resources and payroll in writing. Regular overtime must be regularly reviewed and may be reduced or withdrawn at any time in the event that service levels or resources are altered.

Unplanned overtime is to be authorised by the Team Leader or the relevant Manager/Director who must notify Human Resources and payroll in writing.

Indoor Staff

Indoor staff work in accordance with [Flexible Work Practices](#) and the Staff Flexitime agreement and any overtime will generally be accrued as time in lieu. Any paid overtime must be approved by the relevant director in writing prior to the overtime occurring.

Leave Provisions

All leave provisions are in accordance with Local Government (State) Award 2017 except for the provision of five (5) weeks annual leave for all indoor staff. Leave Policy

Annual Leave

Council employees are encouraged to take annual leave within two (2) years of accrual. Annual Leave should not be accumulated beyond two (2) years entitlement which is 40 days for outdoor staff and 50 days for indoor staff unless authorised in writing by the General Manager.

All approved leave forms must be given to the Payroll Officer as soon as practicable to enable timely processing. Annual leave is to be approved in advance and at least two (2) weeks' notice should be given by employees.

The Payroll Officer must present an *Employee Leave over 40 days* report to the General Manager and Chief Financial Officer annually in October. The Chief Financial Officer will then notify the relevant Directors which staff members must be directed to take annual leave.

Sick Leave

Employees who are unable to attend for work due to genuine personal illness/ injury are required to notify their Team Leader or Manager as early as possible and, in any case, no later than 30 minutes after normal commencement time unless special circumstances apply. Notification is to include the employee's reason for absence and the anticipated duration.

Proof of illness to justify payment will be required after 2 days absence or after 4 separate periods (irrespective of the duration of those absences) in each service year.

An application for sick leave must be completed upon returning to work.

Where an employee is unable to make an appointment due to unavailability of a medical practitioner, the employee may obtain a note from the medical receptionist stating that no appointments were available at the required time.

Leave Without Pay

Periods of leave without pay may be taken at a time convenient to Council and the employee and in accordance with Local Government (State) Award 2017 and [Flexible Work Practices](#). Leave without pay can only be approved by the General Manager with a recommendation from the relevant Director.

Higher Duties

Employees who are required to relieve in positions which have greater responsibilities and requirements within Council's staff structure will be fairly remunerated and paid for that work in accordance with [Higher Duties](#).

Additional Duties

The General Manager may offer an employee an allowance when that employee temporarily performs significant additional duties and takes on responsibilities that are not within their Position Description and not considered to be higher duties over an extended period of time. Payment will be made in accordance with [Payment for Additional Duties](#).

Aboriginal Employment

Council is committed to the development and implementation of an Aboriginal Employment Strategy. This strategy will be developed by Human Resources and the Manager Community Development. The results should be reported annually to Council and in the Annual Report.

Private Use of Motor Vehicles

Council has established procedures and guidelines for the provision of motor vehicles recognising that operational requirements and staffing arrangements of Council may vary from time to time. Vehicle selection, private use arrangements, and the Motor Vehicle policy and procedures are based upon the operational needs of the organisation and cost benefit to the Council in accordance with [Motor Vehicle](#).

Relocation Expenses

Relocation expenses for the following specified positions may be considered at the discretion of the General Manager:

- Chief Financial Officer
- Director Engineering/Technical Services
- Director Environmental Services
- Senior Health and Building Surveyor
- Employees appointed to a position within a recognised skill shortage profession

Removal Expenses

Reasonable expenses for the removal of furniture and effects on taking up an appointment will be paid by Council. Three quotations are to be submitted and the reimbursement will be based on the lowest quote.

50% of any re-imbusement will be repayable to Council in the event that the employee terminates their employment within two years of commencement.

The General Manager has the discretion to consider removal assistance for other unspecified positions on the basis of a twelve month interest free loan of an amount equivalent to the lower of three quotes.

Loss of Drivers License

Staff who have their license cancelled either fully or partially must immediately notify their supervisor. Failure to notify will be considered a serious misdemeanor, which may result in suspension or termination of employment. The supervisor must then report the cancellation to the General Manager in writing.

Where an employee requires a license to carry out their work and they have their license cancelled the following provisions may apply:

- Reasonable consideration will be given with regard to redeployment into another position until such time as that employee's license is returned.
- Disciplinary procedures as per the Local Government (State) Award 2017 will apply for a repeated offence(s).
- Where the cancellation is for an extended period, of more than three (3) months, if the cancellation significantly impacts on an employee's capacity to undertake their duties, their employment may be terminated by the General Manager.
- In the event that an employee is imprisoned, the employee's employment will be terminated.

Any rights to the use of a Council vehicle shall be terminated.

Procedure Review History

Date	Changes Made	Approved By
	Procedure Developed	Ray Kent - General Manager
July 2019	Revised	Greg Ingham – General Manager
August 2019	Formally Adopted	Council