

EMPLOYEE PROVISIONS POLICY

POLICY OBJECTIVE

This official council policy deals with employment provisions that are provided to Wentworth Shire Council employees, and more particularly, clearly highlight any variations or additional considerations to entitlements that are provided within the Local Government State Award. This official council policy deals with employment provisions that are provided to Wentworth Shire Council employees, and more particularly, clearly highlight any variations or additional considerations to entitlements that are provided within the Local Government State Award.

1. POLICY STATEMENT

The intent of this policy to provide a summary of the employment provisions that are provided to employees of Council and to establish applicable limitations, terms and conditions to the benefits provided by either the Award or through this policy.

2. POLICY COVERAGE

This policy applies to all areas of Council's operations and covers all employees under the provisions of the Local Government State Award 2020. Where there is a contradiction between the policy and the Award, the Award conditions shall prevail.

3. DEFINITIONS AND ABBREVIATIONS

Term/Word	Definition
Award	Local Government (State) Award 2020 and any subsequent amendments
The Act	Local Government Act 1993 and regulations and amendments

4. POLICY CONTENT

It is the policy of this Council that:

- The provisions outlined in this policy apply to employees who are employed under the Local Government State Award.
- Where an employee is retained on a Senior Service Contract employment provisions shall be stipulated within each contract. Where the contract is silent, this policy and the Award conditions shall prevail.
- Where Council makes provisions under this policy that are over and above the Award provisions their continuance is not guaranteed and may be amended, reviewed or revoked by Council at any time.
- The requirements and application timeframes for staff leave are shown in Schedule 1 (which may be amended by the General Manager from time to time). All Employees must adhere to the requirements and application periods set out in Schedule 1 of this policy.
- All new employees must acknowledge that they have read this policy by signing a copy of the policy and such copy will be placed on the personnel file.
- In addition to the previous requirements of the Award, Council stipulates the following:

4.1. Standard Hours of Employment

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4.1.1. In accordance with the Award, standard hours of employment, including start and finish times and days worked, will be established in the employee's letter of offer.

4.1.2. Any changes to the standard hours of employment must be approved and documented by the General Manager.

4.2. Payment for Relief Duties/Work

4.2.1. Higher duties for all positions except those of a Director or that of the General Manager are as per the provisions of the Award Section 10.

4.2.2. Where an officer (who is not employed under a Senior Executive Contract) is appointed by Council to the position of Acting General Manager or Acting Director, higher duties will be paid at a negotiated, pre-determined rate of pay that will reflect the actual duties undertaken during that period.

4.2.3. All higher duty arrangements must be agreed to in writing prior to the commencement of the position. No payments will be back-dated.

4.3. Higher Duties – Plant Operations

The operational classifications of plant items (which may be amended from time to time by the General Manager) are shown in Schedule 2 of this policy.

The provisions of the Award will apply to Labourers employed under Operational Band 3 who are requested to operate an Operational Band 4 item of plant for a period of not less than 1 hour and not more than five days. In all such cases, the following applies:

4.3.1. Other than in extenuating circumstances, no higher duties payments will be made or back-dated unless the higher duties have been approved by the immediate supervisor prior to the commencement of work.

4.3.2. Higher duties payments are not made where an employee is receiving supervised training in the use of plant items.

4.4. Overtime and Time in Lieu Provisions

Overtime provisions are as per the Award, noting that:

4.4.1. Overtime will only be paid where an employee is specifically requested to commence work before the agreed commencement of ordinary time, or later than the agreed completion of ordinary hours.

4.4.2. Approval to work overtime must be in writing and approved prior to being taken (and only those with an authorized delegation can approve overtime). Any work conducted without prior approval may not be paid as overtime.

4.4.3. In accordance with Section 20(vi) of the Award, employees may elect to be paid at the appropriate overtime rate, or be granted time in lieu equivalent to actual hours worked.

4.4.4. It is Council policy that accrued time in lieu is taken before any other voluntary leave is granted, and must be used within three months of it being accrued.

4.4.5. Overtime is not payable whilst an employee is undertaking training.

Time in Lieu accruals will not be paid out and must be taken as leave, except in the situation where the employee resigns and it is not possible for the leave to be taken prior to their termination date.

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4.5. Rostered Days Off (RDO's)

- 4.5.1. The entitlement to RDO's shall be established in the employee's letter of offer, and is generally available to staff working 75 hours per fortnight (whose standard hours of employment will be 8.30am to 5.00pm, five days per week with a one-hour unpaid meal break).
- 4.5.2. Where an employee is entitled to RDO's, they shall work 75 hours in the fortnight and be paid for 70 hours each fortnight. The remaining five hours each fortnight is accrued towards the RDO.
- 4.5.3. An employee will normally accrue 15 RDO's at the ordinary rate of pay each year, with three of these being expected to be taken over the Christmas break. Leave will be deducted from other leave entitlements. Where all leave entitlements have been exhausted, the employee will be required to take leave without pay over the Christmas break.
- 4.5.4. Staff will not be permitted to accrue more than five RDO's at any given time, unless specifically agreed to by their Director.
- 4.5.5. RDO arrangements are to be authorized within each Directorate in accordance with departmental requirements.
- 4.5.6. Staff with excess of five RDO's will be requested to provide their Directorate with a plan to reduce the RDO hours to an acceptable level within the calendar year.
- 4.5.7. RDO accruals will not be paid out and must be taken as leave, except in the situation where the employee resigns and it is not possible for the leave to be taken prior to their termination date.

4.6. Leave Provisions – Annual Leave

As per the award, refer to Schedule 1 for requirements.

It is to be noted that Part B West of the Line Provisions includes the Wentworth Shire Council.

- 4.6.1. An employee will normally be allowed to accrue a maximum of 8 weeks of Annual Leave. Staff who have in excess of 8 weeks of Annual Leave will be requested to provide their Director with a plan to reduce the excess Annual Leave hours to an acceptable level.
- 4.6.2. Any request for leave without pay must be forwarded to the Manager of Human Resources for assessment, then to the General Manager for approval.

4.7. Leave Provisions – Sick Leave

As per the award, refer clause 22A for requirements.

4.8. Leave Provisions – Carers Leave

As per the award, refer clause 22B for requirements.

4.9. Bereavement and Compassionate Leave

Leave is granted as per section 22J of the award.

If the relationship of the deceased person is not set out in Section 22, Item J of the Award, leave taken including for attendance at a funeral is to be taken from other voluntary leave entitlements.

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4.10. Corporate Uniform & Personal Protective Equipment (PPE)

The intent of providing a corporate uniform and personal protective clothing is to promote a professional and corporate image of all staff employed by Wentworth Shire Council. Councils corporate uniform is compulsory.

4.10.1. Staff will be provided with an initial uniform/PPE allocation and a limited annual allocation of replacement items, which will be subject to annual budget determinations. Council has a contract for the provision of uniform items. All items purchased must have the corporate logo attached.

4.10.2. Part time staff shall receive a pro-rata allowance based on the conditions of their work. Temporary and casual staff shall be considered on an individual basis subject to positional requirements and duration of employment. The initial uniform/PPE allocation is set out in Schedule 3 of this Policy.

4.10.3. Corporate uniform allocations will not be carried over from one financial year to the next or transferred to other employees. The allocation amount will be reviewed periodically and revised, considering the consumer price index (CPI) and clothing/supplier costs.

4.10.4. Additional items may be purchased from Councils contracted provider at the employee's expense, however the employee must pay the full cost of the additional uniforms purchased in excess of the allocation. Payment by payroll deduction is available for those who wish to take advantage of this facility with a minimum deduction payment of \$50 per pay. Employees are not entitled to reimbursement for clothing items purchased from any other retailer. If an employee ceases employment with Council with an amount owing for uniforms, the amount owing will be deducted from the employees' final pay.

4.10.5. Where safety footwear is not provided by Council all footwear worn to work by employees must:

- (a) Be appropriate for the task to be performed
- (b) Reduce risk of injury
- (c) Have a back or strap

4.10.6. The following is not acceptable attire:

- Thongs or slip-ons
- Shorts
- Stiletto shoes
- Active wear

4.10.7. It is a condition of employment that a corporate uniform/PPE provided under this policy shall be worn whilst on duty or representing Council. The General Manager may from time to time approve casual dress days for special occasions or fundraising events.

4.10.8. Due to the nature of some positions within Council, individuals can seek variation from the choice of uniform clothing, but all variations must be approved by the General Manager. To comply with Work Health and Safety requirements, staff must at all times wear clothing that is safe and suitable for the tasks that are being performed. Staff who work both indoors and outdoors will be required to have appropriate outdoor uniform and indoor uniform within the budget provided.

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- 4.10.9. Employees are required to return all uniforms branded with Council's logo (and paid for by Council) to their supervisor/manager on resignation/termination.

4.11. Superannuation and Superannuation Seminars

- 4.11.1. In accordance with the provisions of the *Industrial Relations Act (1996)* Section 124, Wentworth Shire Council offers staff the ability to choose the superannuation fund to which they contribute.
- 4.11.2. Council will grant paid time to employees to attend superannuation seminars, provided that such seminars do not unduly interfere with the day to day running of the Council.

4.12. Recognition of Service

Council values the contribution and commitment of its employees and officially recognises employees who exceed five years continuous service.

In recognition of various employment milestones, a presentation will be made to employees in line with the limits established in Schedule 4 of this policy. In the case of employees who resign or retire after more than 5 years of continuous service they will be presented with a corporate gift to the value of \$50, with increments of \$10 thereafter for each year of service.

4.13. Staff Gratuity Scheme

- 4.13.1. Staff employed on or after 19 June 2013 do not have any entitlements to the gratuity scheme.
- 4.13.2. Staff employed prior to 19 June 2013 shall maintain an entitlement to the staff gratuity scheme as follows.
- Employees who complete 10 years of service are eligible for a gratuity of \$1500 and for every completed year thereafter a gratuity of \$300 be paid.
 - Employees are not permitted to cash out gratuity scheme entitlements.

4.14. Working from Home

- 4.14.1. The consideration of a working from home arrangement will be done so on the completion and submission of the relevant paperwork (found on Council's Intranet) to the Office of the General Manager. Employees entering into an approved working from home arrangement will need to agree to pre-defined measure to ensure the arrangement provides benefits both operationally and the employee. This may include, but is not limited to:
- a) Keeping logs of work completed at home;
 - b) Defining the scope of work that is due to be completed while working from home;
 - c) Random network access checks to ensure compliance with the working from home agreement.
- 4.14.2. Council requires an ergonomic assessment of the home workspace, and an assessment regarding the WHS risks/hazards associated with the home working area. If it is determined that the workspace could increase the employee's risk of harm, Council will notify the employee and refuse the application.
- 4.14.3. If an employee is found to be not performing their duties at an acceptable level while working from home, Council retains the right to terminate the working from

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home agreement through the performance management process and requires the employee to work from Council's designated office location.

4.14.4. Council retains the right to refuse or cease a working from home agreement request on reasonable business grounds.

5. RELATED DOCUMENTS & LEGISLATION

Nil.

6. POLICY IMPLEMENTATION

6.1. Policy Responsibilities

The General Manager, Directors, Managers and Team Leader are responsible for making sure staff are informed about the content and enforcing the provisions of this policy.

All staff are responsible for complying with the content of this policy.

6.2. Breaches

Breaches of this policy may be dealt with as performance management issues, and/or may result in Council applying the progressive disciplinary procedure of the Award.

Misconduct and serious misconduct relating to this policy such as, but not limited to, claiming hours not actually worked, may result in Council applying penalties to employment up to and including dismissal, in accordance with the Award.

7. ATTACHMENTS

SCHEDULE 1 – LEAVE REQUIREMENTS AND APPLICATION PERIODS

Type of leave / entitlement	Requirements and Application period
Higher duties	<ul style="list-style-type: none"> To be agreed to in writing prior to the commencement of the higher duties.
Overtime & Time in Lieu	<ul style="list-style-type: none"> Refer section 4.4 of this policy
Unexpected Sick Leave, Carers leave and compassionate leave.	<ul style="list-style-type: none"> Immediate Supervisor to be notified (by phone or email) of the need to take leave and expected duration. Leave form to be completed immediately upon return and accompanied by appropriate evidence, as outlined within the Award.
Extended Sick Leave & Carers leave	<ul style="list-style-type: none"> Request / Notification to be accompanied by appropriate medical evidence and submitted at the earliest possible time before leave is taken, or shortly thereafter.
All other leave up to 2 weeks	<ul style="list-style-type: none"> Request to be received between 1 and 4 weeks prior to first day of leave.
All other leave in excess of 2 weeks	<ul style="list-style-type: none"> Request to be received 4 weeks in advance.

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SCHEDULE 2 – OPERATION CLASSIFICATIONS OF PLANT ITEMS

<u>Operational Classifications of Plant Items</u>	
Operational Band 3	Operational Band 4
Car/Ute	Grader
Medium Ridged Truck and below	Heavy Ridged Truck and above
Load-all	Water Cart
Bobcat	Dozer
Front End Loader below 938	Front End Loader 938 and above
Forklift	Scraper
Ride on Mower	Jet-patcher
Tractor	Street Sweeper
Excavator 12 tonne and below	Excavator above 12 tonnes
Roller	
Back-Hoe	

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SCHEDULE 3 – INITIAL UNIFORM/PPE ALLOCATIONS

POSITION	INITIAL ALLOCATION	ANNUAL REPLACEMENT ALLOCATION
Permanent Full Time Employees	\$750	\$300
Part-Time Employees - FTE up to 0.8	\$600	\$240
Part-Time Employees - FTE up to 0.6	\$450	\$180
Part-Time Employees - FTE up to 0.4	\$300	\$120
Part-Time Employees - FTE up to 0.2	\$150	\$60

Outdoor staff uniform & Personal Protective Equipment
<p>Standard issue of: -</p> <ul style="list-style-type: none"> • 5 Shirts; 5 trousers, 2 jumpers, 1 jacket and 1 hat all from Council's range • 1 pair safety boots or shoes <p>Additional Items (as determined by risk assessment of task)</p>

SCHEDULE 4 – RECOGNITION OF SERVICE AWARDS

5 Years	Recognition of Service Certificate
10 Years	Recognition of Service Certificate <u>and</u> a gift or voucher to the value of \$100
15 Years	Recognition of Service Certificate <u>and</u> a gift or voucher to the value of \$150
20 Years	Recognition of Service Certificate <u>and</u> a gift or voucher to the value of \$200
25 Years	Recognition of Service Certificate <u>and</u> a gift or voucher to the value of \$250
30 Years	Recognition of Service Certificate <u>and</u> a gift or voucher to the value of \$300
35 Years	Recognition of Service Certificate <u>and</u> a gift or voucher to the value of \$350
40 Years	Recognition of Service Certificate to be presented at a Council meeting whereby the employee will join the Councillors & the senior management team at morning tea <u>and</u> a gift or voucher to the value of \$400

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8. DOCUMENT APPROVAL

This document is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on [Click here to enter a date..](#) All previous versions of this policy are null and void.

This policy may be amended or revoked by Council at any time.

A PDF copy of the signed document can be accessed from Council’s record management system and Reliansys.

Signed: 
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15 November 2023

General Manager Wentworth Shire Council

Date

Version	Date	Author	Changes
4.00	15/11/2023	Ken Ross	4.10. Corporate Uniform & Personal Protective Equipment (PPE)