

	<h1>Human Resources Policy</h1>	Version No:	6.0
		Issued:	February 2010
		Last Review:	December 2023
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Name of Council	Wudinna District Council
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Responsibility:	Human Resource Management
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Minutes reference:	11.4.3 19 December 2023
Next review date:	Council will endeavour to review this policy every two (2) years, including within 12 months following Council general election.
Applicable Legislation:	<p>Australian Road Rules 1 December 2019 (and as amended)</p> <p>Enterprise Agreement No.2 – 2012 Council & ASU (or as superseded by a future EA)</p> <p>Outdoor Enterprise Bargaining Agreement No.1 – 2021 (or as superseded by a future EA)</p> <p>Fair Work Act 1994, Fair Work (Family and Domestic Violence Leave) Amendment Act 2023</p> <p>Fair Work (Commonwealth Powers) Act 2009 (Federal)</p> <p>Fire & Emergency Services Act 2005</p> <p>Income Tax Assessment Act 1997 (Federal)</p> <p>Local Government Act 1999</p> <p>Local Government Employees Award</p> <p>Long Service Leave Act 1987</p> <p>Motor Vehicles Act 1959</p> <p>Road Traffic Act 1961</p> <p>South Australian Municipal Salaried Officers Award</p> <p>Tobacco and E Cigarettes Products Act 1997</p> <p>Work Health Safety Act 2012</p> <p>Work Health Safety Regulations 2012 (including subsequent variation legislation)</p>
Related Policies & Procedures:	<p>General: Complaints Policy & Procedure; Electronic Communications Facilities Policy; Emergency Management Policy; Fair Treatment Policy & Procedure; Fraud, Corruption Misconduct & Maladministration Prevention Policy; Service Standards Policy; Involvement in Emergency Response Operations Policy; IT Security Procedure & Agreement; Social Media Policy; Employee Conduct Policy; Working from Home Policy</p> <p>Work Health & Safety: Fit for Work Policy and Procedure; Personal Protective Equipment Policy; Volunteer Management Policy; Work Health and Safety & Return to Work Policy; Working from Home Policy</p>
Related Documents	<p>Australian Tax Office Determination TD 2023/3 (or as redetermined annually/from time to time by the ATO)</p> <p>Behavioural Standard for Council Employees</p> <p>SA Municipal Officers Award</p> <p>Local Government Employees Award</p>
Related Procedures:	Work Health & Safety: Incident Reporting Investigation Procedure; Induction & Training Procedure; Remote or Isolated Work Procedure

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1. PURPOSE

The Wudinna District Council is committed to acting in the best interest of its employees and to upholding the principles of honesty, integrity and transparency as key components in its good governance.

2. ABSENCE FROM OFFICE – OFFICERS

All staff below the level of Manager are required to personally notify their Manager before leaving the work place for any reason during normal working hours (other than lunch and tea breaks), this requirement to know who is on the premises is for emergency situations. Estimated time of return will be noted on the office diary or Works Movement Board. On their return to the office they must advise the Manager.

Managers are to advise the front counter staff of similar information before leaving the office.

This ensures that staff can be contacted in an emergency and enable inquirers to be advised when staff will be available.

3. ANNUAL LEAVE

All employees of Council are employed in accordance with either the Local Government Employees Award, the SA Municipal Salaried Officers Award (Award), an Enterprise Bargaining Agreement (EBA), or contract of employment.

Annual Leave must be taken in accordance with either the relevant Award, EBA, or contract of employment.

Applications for leave must be submitted on the Application for Leave form provided, at least fourteen (14) days prior to taking leave with exception of the leave arrangements covered by the Christmas Leave roster and/or authorised by the relevant Manager or CEO.

Ideally, at least two (2) weeks Annual Leave shall be continuous, however other arrangements may be made between the employee and the Chief Executive Officer (CEO) or relevant Department Manager.

- a. The number of staff being allowed to take leave at any time is at the discretion of the Department Manager and the matters of workloads & available relief will be taken into account.
- b. Annual leave provisions for employees are in accordance with the respective Awards, EBAs or contract of employment subject to the discretion of the CEO in regard to when the leave is to be taken.
- c. Staff are entitled to take their annual leave on a pro-rata basis, subject to the respective Awards, EBA's or contract of employment and relevant approvals, after the completion of twelve (12) months of continuous service.
- d. No staff member shall be entitled to take their annual leave in advance of their accrued entitlement, however the CEO may grant annual leave to an employee before the complete entitlement is due in extenuating circumstances at his or her discretion.
- e. The CEO is delegated the authority to grant employees compassionate leave in accordance with the respective awards.
- f. Request for payment for unused and accrued annual leave (cash-outs), (with the exception of termination payments) must be made direct to the CEO. Payment will only be approved for extenuating circumstances. If approved by the CEO the completed application forms are to be given to the Payroll Officer at least five (5) working days prior to the pay date required to enable calculations to be performed and payroll processing.
- g. Annual leave accruals should not exceed 30 days. Where accrual exceeds thirty (30) days, a concerted effort must be made to reduce this balance to below thirty (30) days within the following twelve (12) months.

4. APPLICATION FOR EMPLOYMENT FORM, MEDICAL ASSESSMENT AND FUNCTIONAL CAPACITY EVALUATION

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An 'Application for Employment' form shall be completed with each application for employment with Council.

Applicants who have been offered a position with Council will be required to undertake a Pre-Employment Medical Assessment which may include drug and alcohol testing. Works and Infrastructure Services workers will also be required to undertake a Pe-Employment Functional Capacity Evaluation.

Medical assessments should be completed prior to commencing employment. The cost of these assessment will be borne by Council.

5. APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

In the absence of the CEO, he or she will appoint an Acting CEO pursuant to Section 102(b) of the Local Government Act 1999 as appropriate. This appointment will be noted in the Council Minutes when CEO leave is approved by Council.

6. CALL OUTS – EMERGENCY SERVICES

Reference is made to separate "Involvement in Emergency Response Operations Policy".

Council is committed to ensuring employees are not disadvantaged if they wish to volunteer their time as a CFS volunteer or other emergency response agency.

Council will grant paid leave to employees to attend emergency call-outs in accordance with the Involvement in Emergency Response Operations Policy:

- a. They must be a registered volunteer of an Emergency Service pursuant to the Fires & Emergency Services Act 2005;
- b. The emergency must be located within the boundaries of the Wudinna District Council;
- c. Leave will only be paid up to a maximum of three (3) calendar days from the time the leave was taken, for each specific call-out;
- d. The employee receives no remuneration for the call-out;
- e. The call-out occurred during work hours (see exception below);
- f. The employee is listed on the Emergency Response Support Register;
- g. The employee signs an acknowledgement form – "Activation of Emergency Leave Provision".
- h. If a call-out occurs outside of normal working hours and runs into normal working hours, leave may be granted on application by the employee to their supervisor/manager on a case-by-case basis, having regard to the above conditions. In such cases, contact should be made by the employee to their manager prior to the start of their normal shift if that is reasonably possible or during their normal working hours if not reasonably possible.
- i. Paid leave will also be granted to employees to attend recognised training sessions under the following circumstances:
- j. They must be a registered volunteer of an Emergency Service Response Agency pursuant to the Fires & Emergency Services Act 2005; The training is conducted during normal working hours, attended in order to maintain or improve skills and/or knowledge as a volunteer of the Emergency Service Response Agency and is recognised & accredited by that Emergency Service;
- k. No more than 2 separate instances in each Calendar year will be granted, with no more than one (1) normal working day paid at a time.

Further leave may be granted, on application, on a case-by-case basis, at the discretion of the CEO.

7. CASUAL AND PART TIME STAFF – PERIOD OF EMPLOYMENT

Persons employed on a casual basis may be engaged for a period of eight hundred (800) hours or less in any year (measured from the anniversary date of the employee's commencement of employment) Any employee employed on less than the established full-time hours for Council, may be engaged as a part time employee. The provisions of the relevant Award applies to any non-full time employee on a pro rata basis.

8. CHIEF EXECUTIVE OFFICER – AUTHORITY AND RESPONSIBILITY

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Pursuant to the Local Government Act 1999, the CEO is responsible for the overall management and control of Council's affairs in accordance with delegations and directions from the Elected Members. All officers either directly or indirectly, are responsible to the CEO for the whole of their duties.

9. CHRISTMAS LEAVE

The administration office is closed on all working days between Christmas Day and the New Year's Day public holiday. Admin staff and Works and Infrastructure staff are granted 'ex gratia' leave for this period. Staff required to work during this period are to be granted equivalent time off later.

10. COUNCIL FUNCTIONS

Officers are to be reimbursed expenses incurred in attending any special Council function as per the relevant Award plus any out-of-pocket expenses.

11. COURSES AND CONFERENCES

The CEO may arrange for himself/herself and any other staff member to attend seminars, conferences, meetings, courses of education and any other functions which he/she considers will further the knowledge, skills and abilities of the person or persons so attending for the benefit of the Council and its residents and ratepayers.

Costs associated with such attendances will have been provided for in the budget, but where the CEO considers that attendances would be worthwhile and budget provision has not been made – such additional expenditure will be subject to the CEO, Mayor or Council approval, as appropriate.

It is policy of Council to encourage employees to actively pursue current and future courses and programs that increase expertise of this Council's employees.

Applications to enrol in courses and programs must be lodged with the appropriate Manager and be approved by the CEO. Approval will be subject to prevailing workloads and maintaining staff numbers at acceptable levels.

12. EMPLOYMENT FROM WITHIN THE DISTRICT

Provided that all other matters including, but not limited to qualifications, experience, aptitude for the job, etc. are equal, Council will employ staff who reside within the Council district.

13. HOURS OF WORK

Normal working hours for Administration staff shall be in accordance with Clause 19 of the Enterprise Bargaining Agreement #2 (or in terms of any superseding EBA)

Normal working hours for Works staff shall be 7:00am to 5:00pm for four (4) days per week with thirty (30) minutes for lunch plus fifteen (15) minutes for morning tea to be taken as arranged. Variations of these times for Gardeners and Waste Collection/Operations duties will be approved by the Manager Works & Infrastructure Services.

Alternative hours and lunch breaks may be approved by the relevant Manager on a case by case assessment. The lunch and/or morning tea break time or duration is not to be exceeded except in special circumstances and only with the specific prior approval of the Manager or CEO.

14. INTOXICATING LIQUOR, ALCOHOL OR DRUGS

The consumption of intoxicating liquor or alcohol by staff on any premises of the Council during normal working hours (including lunch or tea breaks) is strictly prohibited except for:

- a. Official entertainment of guests with the prior approval of the Council Mayor or CEO.
- b. Other special occasions as may be agreed to in advance by the CEO from time to time.

The use of any drug other than a drug prescribed by a registered medical practitioner or an 'over the counter' drug, during normal working hours including lunch or tea breaks is strictly prohibited.

Workers taking prescription or over the counter drugs are not to exceed the nominated dosage and must not operate motor vehicles, plant or equipment contrary to any warning on the packaging of the drug.

The possession, sale, purchase or consumption of any illicit drug during normal working hours, including lunch or tea breaks will lead to disciplinary action or dismissal.

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15. JUNIORS

It is a desire of the Council to recruit and train as many junior staff as practicable provided legislative, qualifications, knowledge, experience and operational constraints can be met. The CEO and senior staff are to consider this desire when replacement staff are recruited, or new positions are created.

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16. LEAVE FOR SPECIAL FORCES TRAINING

Council supports the South Australian Committee for Employer Support of Reserve Forces. This means that those members of staff enlisted in the Defence Forces Reserves will be permitted to take leave up to and not exceeding twenty (20) days in any one year for the purpose of training and that the leave will be in addition to annual holiday leave. Leave granted under this policy will be treated as unbroken service.

17. LOCAL GOVERNMENT ASSOCIATION CONSULTATION – INDUSTRIAL RELATIONS

It is desirable that the Industrial Advocate and consultant of the Local Government Association is consulted prior to Council entering into any agreement with Unions including Enterprise Bargaining Agreements.

18. LONG SERVICE LEAVE

The provisions of the Long Service Leave Act 1987 (as amended) will apply to all Council employees.

Request for payment for unused and accrued long service leave (cash-outs), (with the exception of termination payments) must be made direct to the CEO. Payment will only be approved for extenuating circumstances. If approved by the CEO the completed application forms are to be given to the payroll officer at least five (5) working days prior to the pay date required to enable calculations to be performed and payroll processing.

Long Service Leave accruals should not exceed sixty (60) days. Where accrual exceeds this, a concerted effort must be made to reduce the balance to below sixty (60) days within the following 12 months.

19. NAME BADGES – ADMINISTRATION STAFF

Name badges will be provided on request for Council's Administration staff.

20. OVERTIME AND TIME OFF IN LIEU

With the exception of Admin staff connected with the outside work force, Council does not engage in the working of overtime by staff and employees in addition to the normal week's working period.

Admin staff connected with the Works Gang may only work overtime at the discretion of the Manager Works & Infrastructure providing expenditure is kept within the budget estimates.

The CEO will authorise such overtime as considered necessary from time to time to meet Council's requirements. Managers must obtain the approval of the CEO before working overtime.

Time off in lieu leave (TOIL) may be arranged by prior arrangement with CEO or Line Manager. TOIL may be banked with the consent of the CEO/Line Manager prior to working additional hours and be claimed in the normal leave management procedure.

21. PARKING / TRAFFIC INFRINGEMENTS

All parking and traffic infringement fees issued pursuant to any legislation including but not limited to the *Road Traffic Act 1961*, *Motor Vehicles Act 1959*, & *Australian Road Rules 19/03/2018* or as amended incurred as a result of the use of Council vehicles are to be borne by the driver of the vehicle.

It is the driver's responsibility to ensure that any Council vehicle they use in a public place or on a public road is currently registered, roadworthy, fit for the proposed use, loaded correctly and is safe to operate.

All Council vehicles not permanently allocated to a particular employee, will be equipped with a logbook or daily log sheet to record the driver or operator's details, location of use, distance travelled, hours of use, plus time and date of use.

All drivers and operators are to ensure that the logbook or sheet is accurately filled out at the completion of their use of vehicle. The incoming driver or operator will be responsible for ensuring that odometer/hour meter reading on the vehicle match the last entry in the log and will be required to note any variation in writing on the log.

In the event that an infringement notice is received in the mail for any Council vehicle, the logbook or sheet will be used to identify who was the driver or operator at the relevant time.

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In the event that an infringement notice is received in the mail for a vehicle permanently allocated to a Council employee, that employee shall be responsible for the payment of the fee or identification of the driver.

Council will not pay the “Corporate Rate” for any infringement notice unless:

- a. All efforts to identify the actual user of the vehicle at the time of the alleged offence have failed to identify the responsible person AND
- b. Council has considered the matter and resolved to pay the increased fee AND
- c. Council has determined which Budget line is to be debited for that payment.

Drivers of Council vehicles detected exceeding the prescribed concentration of alcohol or driving under the influence of alcohol or a prescribed drug pursuant to the *Road Traffic Act 1961* will be required to report the circumstances of the incident to the CEO or Mayor and may be subject to disciplinary action.

22. PERFORMANCE – STAFF & CEO

All officers are expected to discharge their work and responsibilities in a proper, diligent and conscientious manner in accordance with their training, experience, abilities, instructions, policies, practices and procedures of the Council.

Managers are to ensure that all employees under their supervision participate in a formal performance review and appraisal process at least every twelve (12) months.

The CEO shall ensure that each Manager participates in a formal performance review and appraisal process at least every twelve (12) months.

Council may require the CEO to participate in a formal performance review and appraisal as often as it deems necessary but should endeavour to undertake at least one review during each four (4) year term of Council.

23. PERSONAL INTEREST

Section 120 of the Local Government Act 1999 sets out the provisions regarding Conflict of Interest for employees of Council, including the CEO.

The broad interpretation of this provision is that, if any officer has any interest in any matter under consideration by Council, then they have a duty to disclose that interest prior to the matter being considered by Council.

If any officer has any doubts regarding the interpretation of Section 120, then they should consult with their Manager or CEO, who may provide or obtain further advice as required.

24. PERSONAL PROTECTIVE EQUIPMENT AND CLOTHING (PPE)

PPE is provided in accordance with the relevant awards, EBA or Work Health & Safety requirement for the task being undertaken. All workers are to ensure that they correctly wear and/or use the appropriate PPE while undertaking any task requiring it. Failing to wear and/or use the supplied PPE may result in disciplinary action. Workers are responsible for maintaining/inspecting PPE and requesting replacement PPE as appropriate/required.

25. POLICIES AND PRACTICES

All staff including the CEO are to ensure that they and any staff member under their control obey all Council Policies and Procedures including Work Health & Safety Policies, Procedures, Standard Operating Procedures (SOP), Safe Working Instructions (SWI), Safe Work Method Statements (SWMS) and all other Safe Works Practice Statements & Guides at all times.

Legislative requirements of the *Work Health & Safety Act 2012* provides that all staff have a duty to report suspected breaches of those Policies and Procedures to the relevant Manager, CEO or Mayor as appropriate.

The Manager, CEO or Mayor (in the case of the CEO) shall investigate or cause to be investigated, any complaint. The investigating officer shall provide a report of their findings to the next management level and advise the person making the complaint of the outcome.

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Disciplinary action may be undertaken by the CEO or Council if that is the recommendation of the investigation.

26. PROBATION

A probationary period enables Council and a new employee to assess their own positions relating to the offer of employment to ensure both parties are satisfied that mutual demands and objectives are attainable.

During the probationary period the Manager and the new employee will review performance every week or more frequently if required. Any deficiencies in the new employee's performance will be recorded and every effort will be made to provide guidance and training to overcome those issues.

At the conclusion of the probationary period the Manager will provide the new employee a written notice confirming either:

- a. Their successful completion of the probationary period; or
- b. The extension of the period for a defined time to allow identified specific deficiencies to be rectified; or
- c. The withdrawal of the offer of employment including reasons for the decision.

Offers of employment are not to be withdrawn without the prior written approval of the CEO (or Council as applicable) and only after every reasonable effort has been taken by the Manager or CEO to ensure the required standards are met by the new employee.

Nothing within this Policy shall detract from or disadvantage the new employee's rights pursuant to any legislation, Award, EBA, Contract of Employment or other Council Policy.

27. PUBLIC RELATIONS

Officers are at all times to endeavour to promote good public relations and a favourable image of the Council in all contacts with the public and outside authorities and organisations.

Only the Mayor or CEO are authorised to speak for and on behalf of Council and other staff are not to comment on decisions or actions of Council unless authorised by the CEO or Council.

28. RECRUITMENT & PROMOTION

Council is committed to the principle of 'promoting from within' wherever possible, while ensuring that it employs the best person for the job. The following process will apply where any position, (other than the CEO's) becomes vacant (**Note** if the position is declared redundant this process will not apply):

- a. All workers are to be formally advised of the vacancy at the earliest opportunity;
- b. Workers wishing to be considered for the vacancy are to lodge a written 'Expression of Interest' (EOI) with their manager or CEO within seven (7) days of the formal announcement;
- c. A position description (PD) (incorporating any minor amendments) is to be created and provided to all workers who lodged an EOI;
- d. The CEO & manager are to consider all EOI's, may ask for additional information & may hold interviews to determine if the position could be filled internally or should be advertised externally;
- e. All candidates are to be promptly advised of the decision to fill the position or advertise externally;
- f. No further action is taken if the vacancy is filled internally;
- g. EOI's may be withdrawn at any time & unless advised otherwise, the CEO will also consider internal applicants where the vacancy is advertised externally;
- h. If no EOI's are received, the position is to be advertised externally, and existing workers may apply.

Council is also committed to appointment on merit and the CEO may arrange to advertise a position externally when it is considered appropriate even if an internal expression of interest has been lodged.

The Local Government Act 1999 requires any vacancy in the CEO's position to be advertised externally.

This clause does not detract from any worker's rights pursuant to any other Council Policy, State or Federal Legislation, Award, Enterprise Bargaining Agreement or contract of employment.

29. SALARY & WAGE ADVANCES

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No advance payments of salaries or wages to employees will be made except for Annual and Long Service Leave, unless the CEO or Council has approved such advance.

30. SALARY WHEN ACTING IN HIGHER POSITIONS

Provision is made in the various Awards and EBAs or contract of employment for salary adjustment when acting in higher positions. The Council however, may make special arrangements in certain cases.

31. SICK, FAMILY OR CARERS LEAVE

The entitlement of seventy six (76) hours per annum for sick leave shall accumulate from year to year in accordance with the various Awards and EBAs or contract of employment.

Where possible, staff are required to advise their Manager by their normal designated start time on days when taking sick leave. Close associates of the ill employee may advise the Manager of the absence if necessary.

Managers may request a medical certificate for any sick leave of three (3) or more continuous days or if circumstances indicate an abuse of the leave provisions, e.g. absences occurring regularly on particular days, adjacent to Public Holidays or other approved leave, or when specific duties are to be performed.

Family and Carers Leave may be taken in accordance with any relevant, Award, EBA or contract of employment. Where possible this type of leave shall be taken with the prior approval of the relevant Manager.

Unless prior agreement has been reached, the employee shall advise their Manager by their normal designated start time on days when taking Family or Carer's leave.

Answering machine messages, faxes, e-mails and Short Messages via mobile phone (SMS) are acceptable forms of advising the manager. The use of Social Media e.g. Facebook, Twitter etc to convey the message is not acceptable.

32. FAMILY AND DOMESTIC VIOLENCE LEAVE

All employees (including casual employees) are entitled to fifteen (15) days of paid family and domestic violence leave in a twelve (12) month period, noting that this leave does not accrue from year to year.

Employment contracts that do not provide for an entitlement to family and domestic violence leave will automatically be taken to provide for fifteen (15) days as standard.

Employees may apply for paid family and domestic violence leave for any of the following purposes arising from or in relation to family and domestic violence:

- to attend medical appointments;
- to seek and receive legal advice;
- relocate residences or make other safety arrangements; or
- for any other purpose relating to the employee dealing with the impact of family and domestic violence.

Employees must, as soon as practicable in the circumstances, give notice to Council that they are taking family and domestic leave. Such notice must include the employee's intention to take the leave, the purpose for which the employee intends to take the leave and the time the employee expects to be absent.

Council may ask an employee to provide evidence that would satisfy a reasonable person that the leave is for one of the purposes listed above, however, Council must not request and the employee is not required to provide, information relating to the details, nature or extent of the family and domestic violence.

Employees taking family and domestic violence leave are entitled to be paid at their full rate of pay for that period, including any overtime, allowances or applicable loadings. Casual employees are to be paid their full rate of pay in accordance with their rostered hours, had those hours been worked.

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As far as reasonably practicable, Council must take steps to ensure information obtained in relation to an employee's experience of family and domestic violence is treated confidentially. This includes ensuring that pay slips provided to employees do not contain any information indicating that they have taken family or domestic violence leave, or how much was paid in respect of the family and domestic violence leave taken.

Council is not prevented from disclosing information if:

- consent is granted by the individual to whom the information relates to;
- required by law; or
- necessary to protect the life, health or safety of the employee or another person.

All applications for family and domestic violence leave are to be addressed to the Chief Executive Officer

33. SMOKING – Prohibited & Designated Smoking Areas

Wudinna District Council is a Smoke Free workplace, there is to be no smoking of tobacco or other substance in any open or enclosed area which constitutes a workplace as defined in the *Work Health and Safety Act 2012*. (An open area includes sites with a roof but no walls) other than designated smoking areas.

Designated smoking areas have been established as follows:

Works Depot: Two (2) parking bays closest to the Cocata Road gate of the carport;
 Admin Office: Two (2) parking bays of the carport farthest from the car shed door;
 Open Workplaces: More than seven (7) metres from the nearest workplace.

Provision of designated smoking areas shall not contravene Part 4 (Section 46) of the *Tobacco and E Cigarettes Products Act 1997* as amended from time to time:

S46 (1) - "Smoking is banned in an enclosed public place, workplace or shared area" (version 31 August 2023).

34. SPECIAL LEAVE

Special leave without pay may be granted in extenuating circumstances by the CEO on the recommendation of the relevant Manager.

35. STUDY TIME

Council is committed to enhancing the skills of its workforce through the provision of training, both internal (on the job) and external (through attending courses) and will support and encourage employees who undertake work related private study.

Council shall grant study time to officers in accordance with any award provisions and associated prevailing EBA applicable to the particular officer.

36. SUPERANNUATION

In accordance with the relevant Award, EBA or contract of employment, Wudinna District Council will contribute the mandatory subscription to a superannuation policy held in the name of each worker.

Individuals may sacrifice an additional portion of their pre-tax salary, or co-contribute to that superannuation policy at their discretion. Payroll staff are to be requested in writing to make contributions, while salary sacrificing arrangements must be approved by the CEO or Mayor when the CEO wishes to sacrifice salary.

Staff are urged to seek sound financial management advice prior to undertaking salary sacrifice or contribution arrangements.

37. TEA BREAKS

All staff shall be entitled to take tea breaks in accordance with their relevant Award, EBA or contract of employment. Such breaks are to be taken at times that the individual or work team and Manager have agreed upon.

38. TELEPHONES

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The CEO, Manager Works and Infrastructure Services (MWIS), Manager Environmental Services (MES) can have a landline telephone connected to their residence for the purpose of conducting Council business out of normal business hours.

The connection fees, line and handset rental (fixed costs) and all Council calls shall be paid for by the Council on submittal of an itemised account and reimbursement form to the Creditors Officer. This reimbursement is an offset to the after-hours calls and business which these Officers are required to take from time to time.

The CEO, MWIS, MES and Economic & Community Development Manager (ECDM) can be provided with a Council owned mobile telephone and the connection fees, rentals and all business calls for that handset shall be paid for by the Council.

Officers will be obliged to reimburse to Council the costs of any private calls made on either landline or mobile phone.

Where the CEO, MWIS, MES or ECDM 'bundles' the landline telephone service provided by Council with ancillary services including additional handsets, connection points, internet connection (Tablets, I Pods, Laptop Computers), mobile phone service etc for private use, Council shall reimburse the officer for the current fixed costs of one (1) standard residential landline telephone service plus the actual costs of outgoing work-related calls.

Officers receiving this reimbursement may make alternative arrangements with the CEO or Council.

The CEO has access to the business internet connection instead of home phone line, (refer motion 10.4.1 Dec 2015).

39. TEMPORARY STAFF

The CEO shall have the authority to employ temporary staff as required from time to time providing that the costs of such temporary postings are within budgetary limits.

40. TRAINING

Reference is made to the separate WHS Induction & Training Procedure

In accordance with Policies, Council is dedicated to ensuring that its staff are competently trained in their day to day tasks and receive training to encompass:

- a. Professional career development;
- b. Attaining and retaining of work related qualifications;
- c. Overall professional enhancement;
- d. Minimising Council's exposure to risks including health & safety, financial & statutory; and
- e. Ensuring safety of Council workers while at work.

Council has developed and follows a Training Plan which reflects the training needs identified during staff performance reviews and appraisals.

Department Managers shall check that the core competencies for job functions have been identified on an annual basis as part of a Training Needs Analysis (TNA) process.

Council to develop and implement an annual Training Plan that reflect the training needs identified in the TNA during staff performance reviews and as part of the Verification of Competencies (VOC) process.

Employees are encouraged to participate in training in areas which best provide for the individuals career advancement.

41. TRAVEL ALLOWANCES - EMPLOYEE

This policy relates to approved business travel, both for part of a day and overnight, outside of the Council area and must be read in conjunction with any relevant Award or EBA on this topic.

The expenditure limits shall not be exceeded unless prior approval of the Manager or CEO has been obtained.

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Accommodation

Except as shown below, accommodation and transport (if required) should be booked through administration staff prior to departure, who shall make all bookings using a corporate credit card for payments or shall raise purchase orders as appropriate.

Managers may directly book discounted accommodation via the internet using a corporate credit card providing that a tax invoice in the Councils name is obtained at the time of booking.

Purchases for travel and accommodation with a corporate credit card do not require a purchase order. Where pre-booking is not possible staff are required to obtain tax invoices and/or receipts for reimbursement, including where payments are made via a corporate credit card.

Where employees earn less than \$138,790 per annum, the maximum amount claimable for accommodation at a bona-fide hotel, motel or boarding house in South Australia is \$158.00 (ex GST) as defined in the annual Australian Tax Office Determination TD 2023/3 (or subsequent determinations made annually).

Where it is desirable for business purposes to stay at a conference venue but the cost of accommodation at that venue is higher than the maximum specified, prior approval to exceed the limit must be obtained from the CEO.

Meal Expenses

Meal expenses will be reimbursed to officers required to travel outside the district over meal times. Tax invoices or receipts are required to be obtained for all meals claimed.

Reimbursement will not be provided where meals are included as part of the costs of enrolling or attending a meeting, training, conference or similar arrangement, at no additional charge.

Where it is desirable for business purposes to attend a conference dinner and the cost of the dinner is higher than the maximum allowance, then, with the prior approval of the CEO, the full amount of the conference dinner will be prepaid with the conference registration or reimbursed as necessary.

Maximum amounts claimable and eligibility detailed in TD 2023/3 (as amended):

- Breakfast \$32.10 per meal GST inclusive (leave home before 7:30am)
- Lunch \$36.10 per meal GST inclusive (return after 1:00pm)
- Dinner \$61.50 per meal GST inclusive (return after 6:30pm)

Incidental Allowance

The incidental Allowance is only payable where an overnight stay away from home is required. Tax invoices or receipts are not required to be submitted.

- Normal Intrastate Travel \$23.00 per day (per TD 2023/3 as amended)

Interstate Travel

With prior approval, increased rates for accommodation and meals are payable at the discretion of the CEO where accommodation/meal costs in interstate capital cities can be shown to be clearly higher than in South Australia.

Reimbursement

Officers are required to complete a 'Reimbursement Claim Form', obtainable from the Creditors Officer, for all expenditure claimed plus credit card payments and incidental allowance.

Supporting tax invoices/receipts must be attached to the claim form for all expenditure, with the exception of the incidental allowance. The authorising signature of the claimant's supervisor is required on the claim form before it is submitted for payment.

Note 1: The allowances payable under this policy will be amended from time to time to equate with the allowances provided as per the Income Tax Assessment Act 1997. All reimbursement shall be paid at the rate in operation at the time of incurring the expense.

Note 2: TD 2023/3 provides for alternative limits where the employee earns more than \$138,790 per annum or where travel to "High Cost Country Centres" or international destinations is required.

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42. TRAVEL EXPENSES - JOB APPLICANTS

Travel expenses to the equivalent of an Adelaide return bus fare may be available to persons attending job interviews with Council from the Adelaide area.

The CEO's discretion may be exercised when this policy appears inappropriate or travel from interstate or beyond 250km is required. The CEO's use of their discretion to offer or reimburse travel expenses is not subject to review.

43. UNIFORM

Administration

In accordance with any Award, EBA or contract of employment, full time, permanent staff or permanent part time staff are entitled to a \$400 (including GST) uniform allowance at the commencement of employment. An amount of \$330 (including GST) per financial year (non- cumulative) is available to employees, including trainees, for corporate uniform purchases. Such payments are for purchase of approved corporate wardrobe garments via designated suppliers only.

Full time contract staff employed for twelve (12) months or more may be entitled to this allowance at the CEO's discretion.

Works

In accordance with any Award, EBA or contract of employment, all new works employees will upon appointment, receive an allocation of uniform and Personal Protective Equipment relevant to their duties. Works staff will receive a further allocation each year or replacement as an item becomes unfit for use.

All staff will be required to maintain their uniform in a neat and tidy condition having fair regard for their duties.

44. UNION ACTIVITIES

ASU, AWU or other union representatives will, during normal working hours:

- a. Be permitted to conduct union business in the specific terms of the applicable Award or EBA;
- b. Be permitted to attend to any urgent union business with the prior specific consent of the CEO;
- c. Not be permitted to attend to ordinary typing of minutes, letters, telephone calls, etc. regarding union matters except when such work will not be to the detriment of normal Council duties and only then with the prior specific approval of the CEO in the case of Managers and in the case of all other staff with the prior specific approval of the Manager.

Visit to Worksites by Union Officials

Union officials will be permitted to visit Council worksites in accordance with any relevant Award, EBA or contract of employment or by prior written agreement with the CEO.

Union Subscription Fees

Subject to the relevant Union's Policies, Union subscription fees may be paid via payroll deductions upon written application to the Payroll Officer.

45. VEHICLE ACCIDENTS

In accordance with Council's Incident Reporting and Investigation Procedure and all relevant legislation, all staff shall, if involved in an accident whilst driving or operating a Council vehicle:

- a. As soon as is reasonably and safely possible, stop the vehicle and turn off the engine;
- b. Comply with all legislative requirement pursuant to the Road Traffic Act 1961 or its equivalent legislation if the accident occurs outside of South Australia;
- c. Report the matter immediately to the Manager or CEO, who will ensure that an insurance claim form is completed by the driver. The form is to be forwarded promptly to the CEO;
- d. Report the accident to the Police within twenty four (24) hours;
- e. Comply with any other legislative requirements including breath analysis or taking of blood samples;
- f. Complete an internal Incident Report and
- g. Comply with any relevant Council WHS Policy and Procedure.

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Where the driver/operator of the Council vehicle is unable to perform these duties for any reason, any other Council employee present in the vehicle, arriving at the scene or becoming aware of the accident shall ensure that these duties are undertaken to the best of their ability and knowledge at the time.

46. VEHICLE ALLOWANCE

Officers are not to use their private vehicles for Council related business unless by prior arrangement with the CEO. Where such use is authorised reimbursement shall be paid pursuant to the relevant Award, EBA or contract of employment.

Officers are directed to explore all possible alternatives, including the use of other Council vehicles including depot vehicles, taxis, public buses, airlines or commercially available hire vehicles before requesting use of their private vehicle for Council business.

47. VEHICLE POOL

All functioning Council vehicles are to be regarded as being in a vehicle pool and are to be available to be used for Council purposes when not already in use or permanently allocated to an employee.

Line Managers are instructed that Council vehicles are to be used on a priority needs basis overall and shall permit use by any Department if the need arises.

Line Managers are not authorised to permit the use of private vehicles for Council business unless in accordance with a contract of employment or contract for provision of services.

48. VEHICLE – USE OF COUNCIL

Subject to any Award, EBA or contract of employment and to facilitate garaging, attendance after hours at Council, Committee and Public Meetings, after hours call-outs and other out of hours Council business, the following officers of the Council:

- a. CEO
- b. Manager Works and Infrastructure Services (MWIS)
- c. Manager Environmental Services (MES)
- d. Economic & Community Development Manager (ECDM)
- e. Mechanic
- f. Gardener

shall each be permitted to take a Council vehicle home during evenings, weekends or periods of leave.

The CEO, MES, ECDM and MWIS may each have a vehicle permanently allocated to them in accordance with the EBA or contract of employment which may include private use of that vehicle.

The CEO shall have access to a Council vehicle at all times in accordance with their contract of employment which includes private use of that vehicle.

Any variation of this arrangement is at the discretion of the CEO or Council.

Except as provided for in a specific contract of employment, hire agreement or by prior direction of the CEO or Council:

- a. Council employees are not permitted at any time to use Council vehicles for any private purposes;
- b. Council pool vehicles shall not be driven by anyone other than an employee, elected member, registered volunteer or agent of the Council;
- c. Council vehicles permanently allocated to an officer may be driven by the immediate family members of that officer;
- d. Only persons approved by the CEO or nominated on any hire agreement may drive Council vehicles.

CEO, ECDM & MES must keep log records of personal/business travel for Fringe Benefits Tax reporting purposes.

Employees allocated a Council vehicle may take out annual membership with the Royal Automobile Association (RAA) to assist with remote retrieval/repair of the vehicle. Cost of membership may be treated as a reimbursement or when possible, Council will pay the RAA directly whilst a vehicle remains allocated to an employee.

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MWIS vehicle is treated as an item of plant and therefore logs of use are recorded through the Machinery Hire process. FBT is calculated using the operating cost method.

Any vehicle garaged at Council administration or depot will not attract FBT.

All officers having private use provisions of a Council Vehicle must sign the Tool of Trade Vehicle Agreement which details the terms for vehicle operation and maintenance.

49. WITNESS, JURY AND LECTURE FEES

Lecture, jury and witness fees received as a result of officers attending Court during normal paid working hours as required by the Policy, as jurors or giving lectures shall be:

- a. Paid to Council in the event of the lectures or attendances in Court occurring during normal working hours.
- b. Retained by the officer in the event of the lectures or attendances in Court occurring outside of normal working hours or during approved periods of time off without pay.

50. WORK OR EMPLOYMENT FOR REMUNERATION – EXTERNAL & ADDITIONAL TO COUNCIL DUTIES

In accordance with and without limiting any legislation to the contrary; any relevant Award, EBA or contract of employment; in accordance with the Code of Conduct for Council Employees, the following conditions of external employment shall apply to all employees of Council:

CEO

- a. Shall not undertake any external employment for remuneration without the express prior consent of the Council;
- b. Council may not wilfully withhold its consent, but ensure that it explores, considers and records all actual, perceived or potential conflicts of interest prior to providing consent;
- c. Any consent must be in writing and may be conditional;
- d. Failing to comply with any conditions of the consent may result in its withdrawal;
- e. Council may request the CEO to provide regular reports of remuneration received if it has granted consent where a conflict of interest was identified.

Managers

(Subject to any existing Award, EBA, or contract of employment)

- a. Shall not undertake any external employment for remuneration without the express prior consent of the CEO;
- b. The CEO may not wilfully withhold consent, but must ensure that he/she explores, considers and records all actual, perceived or potential conflicts of interest prior to providing consent;
- c. Any consent must be in writing and may be conditional;
- d. Failing to comply with any conditions of the consent may result in its withdrawal;
- e. The CEO may request the Manager to provide regular reports of remuneration received where consent was granted when a conflict of interest was identified.

All other Employees

- a. All employees other than the CEO or Managers may undertake external employment for remuneration provided they advise their Manager of their intent to do so.

General Conditions of External Employment

- a. All external employment shall:
 - Be undertaken away from Council's worksites;
 - Be undertaken outside of the normal working hours of the employee;
 - Not adversely impact on the normal working duties of the employee;
 - Not involve the use of Council resources, plant, equipment, vehicles or facilities unless a current written agreement allows such use and commercial rates are paid by the employee for such use;
- b. The individual employee shall be solely responsible for any tax implications arising from the external employment;

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- c. Where any injury arises from the performance of the external employment for remuneration, the Council, CEO or Manager (as is relevant) may, if there is a reasonable risk of aggravating the injury and in accordance with Council's responsibilities pursuant to the Work Health and Safety Act 2012, direct that the employee not attend their regular Council employment until cleared for full time return to their regular duties by a qualified medical practitioner;
- d. The LGAWCS shall be notified of the injury;
- e. If any employee of Council is unable to perform their regular Council duties because of sub clause 'c', the Council or CEO shall have the absolute discretion to allow paid or unpaid leave for the duration or any portion of the injury time;
- f. Annual or Long Service Leave entitlements may be used to supplement income in the event of sub clause 'd' being implemented. Sick Leave entitlements may not be used and the individual employees will be responsible for lodging any claims under any Insured Income Protection Scheme in operation at the time of the injury.

Individuals seeking to undertake external employment are encouraged to seek independent legal, financial, taxation and industrial advice prior to commencing such employment.

General exemptions regarding external employment

Nothing in this Clause shall relate to genuine unpaid voluntary employment undertaken for Council, State or Federal Government Agencies, Service Clubs, Sporting Clubs, Religious Organisations, Care and Support providers, Registered Charities and the like.

Payments received from such bodies to reimburse council employees for travel, meals, accommodation or registration fees etc associated with such voluntary service shall not be classified as remuneration pursuant to this clause.

51. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website www.wudinna.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.