



# Council Policy Manual 2018

## Section 8 - Personnel

The policies in this division are taken from Council Policy Manual 2018 and require review



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## 8.9 Leave – Non Award Provision

### STATUTORY CONTEXT

Local Government Officers (Interim) Award 2011

Municipal Employees Award 2011 (Enterprise Bargaining Agreement)

### CORPORATE CONTEXT

Policy Manual 2018 –

- Disciplinary Action

### POLICY STATEMENT

#### 1. Rostered Days Off – Outside Employees

RDOs are accrued by eligible employees working a 9 day fortnight and taking a Friday or Monday depending on works crew as an RDO.

For outside workers RDO's are to be taken on a Friday, excluding the town maintenance employees who will take their RDO on an alternate Friday or a Monday.

#### 2. RDOs – Inside Employees

RDOs are accrued by eligible employees working a 20 day roster cycle, working 19 days of 8 hours and then taking the twentieth day as an RDO.

RDO's will be assigned by agreement between the eligible employee and the Manager Finance and Administration, and will be staggered to ensure adequate coverage of workload.

Notification of the approved nominated day is to be recorded for payroll processing requirements.

The designated RDO day may be changed through agreement under circumstances where required by the operational needs or as response to family/non-work unforeseen circumstances.

#### 3. RDOs – Principle for Accumulation

The arrangements for RDOs are intended to provide opportunity for employees to meet commitments otherwise requiring time off from work, and for personal benefit, and are not a supplement to annual leave.

#### 4. Time In Lieu – Principle for Accumulation

There is a strong presumption against time in lieu arrangements.

### APPLICATION

#### 5. Application

This Policy applies to –

- rostered days off – full time employees only
- time-in-lieu – all employees.

The provision of RDOs are dependent upon the approval of the relevant Manager and can be approved only where working hours are feasible and there is no detriment to the operations of the Shire.

#### 6. RDOs – Accrual on annual leave or personal/carers leave

An employee who takes annual leave or personal/carers still accrues towards RDOs. When an employee takes annual leave or personal/carers leave the rostered hours for that day will be deducted from their leave balance. The employee



will be paid for 7.6 hours and the additional hours will be placed into the employee's RDOs bank. This ensures that at the end of the RDOs cycle an employee will have banked enough time to take an RDO.

#### 7. RDOs – Accrual on a Public Holiday

Employees are entitled to be absent from work on a public holiday and also receive payment for the hours that they would usually have worked on that day. On a public holiday it must be recognised that an employee would ordinarily work on their usual roster on that day. The employee will be paid for 7.6 hours and the additional hours will be placed into the employee's RDOs bank. This ensures that at the end of the RDO cycle, an employee will have banked enough time to take an RDO.

#### 8. RDOs – Accumulation

RDOs are not intended to be accrued as a supplement to annual leave.

In exceptional circumstances and with the specific approval of the relevant Manager, RDOs may be permitted to accumulate to a maximum of 38 hours. RDOs due in excess of this accumulation will be required to be taken, and further accumulation will not be considered.

The employee will be required to take sufficient time off to reduce the accrual to not more than 15.2 hours within 1 month.

If an ETO provision (or similar) is included in the employee's contract, arrangements for RDO are not available to that employee (refer clause 9).

#### 9. Time In Lieu – Purpose

The historical purpose of time in lieu was to permit employees who are required to spend a significant amount of time outside of normal hours, the opportunity to take time off rather than being paid overtime, due to the impact on family life and personal time. The intent was not to accrue additional leave, but to permit some flexibility to relevant staff such as rangers, pool or recreation centre staff, nursing home staff, regular night shift etc, whose work requirements impose heavily on family life.

This principle will continue to apply, and accordingly time in lieu may be permitted for specific relevant employees etc.

#### 10. TIL – Accumulation

Some employees may be required to regularly or occasionally work on weekends or after usual business hours. These requirements are to be taken into account through –

- payment of overtime, as authorised by written agreement with the CEO if regular, or relevant Manager where occasional;
- ordinary hours or shift arrangements as permitted by the Award; or
- provision to be incorporated into the contracts of senior or other staff under contract.

Time in lieu in advance will not be permitted for any reason. Employees are required to take annual leave, personal leave or unpaid leave to cover their circumstance.

Any arrangement for time in lieu is to have the approval of the CEO and must be documented and signed off on each occasion.

Time in leave accrual is required to be fully cleared at least annually, at a time mutually agreed between the employee and their Manager.

With the relevant Manager's approval, an exchange of time not exceeding 2 hours may be agreed where the employee requires a small amount of time for personal reasons. Time taken/made up is to be concluded within 1 week. Formal record is not required, but the Manager is to diarise the agreed exchange, and when settled.



Subject to any written agreement with the employee, a maximum accrual of 15.2 hours for time in lieu will be accepted. Should the accrual exceed 15.2 hours, the employee will be required to take sufficient time off to clear the accrual within 1 month.

#### 11. Executive Time Off – Purpose

Executive time off for senior employees is sometimes provided for in their employment contracts permitting an agreed number of days per year that may be taken, if their remuneration package is not structured to take into account out of hours work.

Provision for ETO within the employee's contract replaces arrangements for RDOs and TIL available to other staff. No employee is to have access to both options.

#### 12. Transitional arrangements

This Policy comes into effect 1 month after authorisation by Council. During this period each employee having an accrual in excess of the limits outlined, will be advised in writing of their accrual and requested to make arrangements to bring their accruals into line with the limits.

Other than specified employees or where it is agreed in their employment contract, TIL accruals are to be fully settled within 6 months of authorisation.

Any agreement is to be in writing and a copy placed on the employees personnel file.

#### HISTORY

Former Policy	8.1.8
Replaced	18 July 2018

#### NOTES

RDO and TIL accruals should be reviewed every 3 months and those employees with excessive accrual, or who are likely to have an excessive accrual within the 3 months ahead, are to be advised to the CEO.



## 8.14 Uniforms, PPE and Personal Presentation

### STATUTORY CONTEXT

*Occupational Safety and Health Act 1984*

Australian Taxation Office Fringe Benefits Tax

### CORPORATE CONTEXT

Policy Manual 2018 –

- Disciplinary Action
- Use of Fleet Vehicles – Work and Private Use

### POLICY STATEMENT

#### 1. Introduction

The type of clothing and standard of dress for Shire employees varies according to roles and safety requirements.

The Shire is committed to presenting itself in a professional manner as well as maintaining a safe and healthy working environment for its employees. This Policy aims to fulfil such a commitment by providing clarity in relation to personal clothing and hygiene standards.

#### 2.

#### Provision of Subsidy or Reimbursement

Provi

It is a requirement at the subsidy be utilised or reimbursement claim is made within the year of eligibility.

The provision will not be paid as an allowance, nor is it cumulative from one year to the next.

All orders are to be placed through the Shire from approved suppliers, unless prior arrangements with CEO.

Category	On commencement	Conclusion of Probation	Annually thereafter
Indoor employees	None	\$400 ex GST	\$300 ex GST
Outdoor employees	4 x long sleeve shirts 4 x trousers 1 x pair of boots 2 x pair of safety glasses 1 x wide brim hat Sun screen and lip balm Wet weather gear, including wet boots (when conditions require) 1 x 5L water insulated container	Any initial allocation not claimed  1 x high visibility jacket (then every 2nd year)	As per commencement allocation
Permanent part time employees	Pro rata according to category		
Casual employees	None		

#### 3. Uniform eligibility

To be eligible for claim, the uniform must –

- display the Shire logo, and are therefore exempt from FBT, or



- if not displaying the Shire logo, the value of the clothing purchased as a uniform will have the FBT included as part of the value of the purchase of reimbursement –
  - o FBT rate is currently 47%
  - o Australian Tax Office Fringe Benefit requirements – gross up value of 1.8868
  - o accordingly, a purchase \$100 ex GST has a provision value of \$188.68 ex GST once FBT is factored in.
- the clothing is suitable for work use.

## APPLICATION

### 4. Definitions

For the purposes of this Policy, employees refers to –

- indoor employees who are office, and
- outdoor employees who are based predominantly outdoors.

### 5. Indoor Employees

Participation of indoor employees in wearing of the relevant uniform is recognised as voluntary. However, the Shire requires those employees who elect to wear the uniform, to do so in its entirety or when this is not possible, wear alternative clothing in the same or similar colour range as the uniform.

#### a) Corporate Uniform –

The Shire will contribute towards the purchase of corporate uniforms for employees required to wear corporate attire or a uniform in the following circumstances –

- after the employee has successfully completed their probation period;
- up to the maximum allowance determined by Council Policy; or
- any other amount as stated in an employee's Contract.

Employees on a fully grant funded scheme are not entitled to provisions of a uniform unless the applicable grant will pay for it.

#### b) Corporate Uniform Supplier –

The Shire endorses the corporate wardrobe companies currently on the WALGA preferred supplier register (Uniform Supplier).

#### c) Provision/reimbursement administration –

The provision or reimbursement will be made upon proof of purchase through approval of the Manager Finance and Administration.

#### d) Personal Protective Equipment –

PPE and clothing will be provided to indoor employees as appropriate or required as part of their role.

#### e) Standard of Dress –

The standard for both men and women is smart business dress. Smart business dress for work may include, trousers, skirts, collared business shirts, shorts, jackets, dresses, blouses, smart/business shoes, socks, appropriate underwear, belts and ties.

#### f) Casual Dress Days –

On “casual dress” days, “smart casual” is the minimum required standard. Further guidance is available from the relevant manager/supervisor.

### 6. Outdoor Employees

The uniform prescribed below for the outdoor employees is compulsory.



- a) Wearing of PPE and Clothing is mandatory.
- b) Personal Protective Equipment  
Personal Protective Equipment and Clothing will be provided to outdoor employees and other employees as appropriate or required to wear PPE as part of their role.

#### 7. Conditions of Use of PPE and Uniforms

The following applies to Shire uniforms and PPE –

The employee is responsible for ensuring their uniform is kept clean and presentable. Any employee who fails to wear the required PPE or uniform when presenting for duty shall be sent home to change:

- Any employee who fails to wear or use additional protective clothing or equipment where required at work will be in breach of this Policy and subject to disciplinary action.
- Uniforms shall be replaced if it is determined by the relevant Manager that they are no longer suitable for use due to ordinary wear and tear.
- If an employee's uniform is damaged the employee may be entitled to a replacement uniform. An employee may not be entitled to a replacement uniform if their uniform has been damaged due to neglect or misconduct. In such cases the employee will be responsible for the replacement costs of the uniform.

#### 8. Cessation of employment

Uniforms/clothing and PPE supplied by the Shire directly or by reimbursement and bearing the Shire logo remain the property of the Shire.

Employees who are ceasing work with the Shire may be required to –

- return the item bearing the logo prior to the completion of their final working day, or
- re-pay to the Shire a pro-rata amount of any reimbursement made for uniform/clothing

#### 9. Consultation

The Shire acknowledges that PPE worn by employees is of considerable importance to them so these employees will be consulted with respect to changes in style, type and fabric of clothing as issued, in accordance with good management practice.

Wherever practicable, the Shire will ensure that the style and fabric garments are acceptable and appropriate to the relevant workforce.

#### 10. Acceptable Standards of Dress

Employees who are not required to wear PPE or uniforms must present for work in a professional manner and be suitably attired for their work activities.

Acceptable standards of dress for work does not include and is not limited to –

- low cut or sheer tops, tops that expose the midriff;
- shorts that expose the buttocks;
- rubber thongs
- bare feet;
- singlets;
- faded or frayed jeans; or
- board shorts
- other items of clothing deemed unsuitable by their relevant Manager.

The following items may be acceptable provided they do not pose any possible hazard to health and safety at work or deviate significantly from the image required in the given work area –





- clothing worn to comply with cultural or religious practices;
- tattoos or body piercings; and
- jewellery.

An employee's hair should be neat and tidy and kept in a clean condition. Employees with long hair may be required to tie it back or in some instances wear a hair net at the request of their Manager.

#### 11. Unacceptable Standards of Dress

The following items are unacceptable at the Shire –

clothing that contains messages or designs that maybe offensive to others including but not limited to items of clothing which may be considered racist, sexist or derogatory.

- body tattoos that contain messages or designs that may be offensive to others including but not limited to tattoo's which may be considered racist, sexist or derogatory;
- shoes that may pose an OSH risk.

#### 12. Wearing of Uniform Out of Hours

Employees wearing clothing or PPE displaying the Shire logo in public or out of hours, are identified by the community as employees, and are seen as representing the Shire.

Accordingly, if wearing clothing or PPE identifying the Shire such as logo or name badge, outside of work hours, it is necessary for the good reputation of the Shire that the employee conducts themselves in accordance with the Shire's Code of Conduct, policies and procedures. Failure to adhere to the Code of Conduct, or behaviours that cause offence or bring the Shire into disrepute may lead to disciplinary action in accordance with the Policy, against that employee.

#### 13. Use of Fleet Vehicles Out of Hours

Refer to Policy for Use of Fleet Vehicles – Work and Private Use

#### 14. Personal Hygiene

Employees are responsible for ensuring that they maintain good standards of personal hygiene whilst at the workplace. Clothing should be laundered to a reasonable standard and employees should be respectful of others and minimise strong body odour, perfumes and colognes when attending the workplace.

Where problems are identified in working arrangements or facilities or with the health and safety of the individual, these must be reported to a responsible person immediately. All matters relating to personal hygiene will be handled sympathetically and discreetly.

#### HISTORY

Former Policy	8.1.13
Replaced	18 July 2018

#### NOTES



## 8.20 Employee Superannuation

### OBJECTIVE

To detail the arrangements and contributions the Shire will make to employee superannuation

### STATUTORY CONTEXT

Superannuation Guarantee Contribution (Administration) Act 1992

### CORPORATE CONTEXT

None

### POLICY STATEMENT

1. This Policy applies to all employees whether the full-time, part-time or casual.
2. Employees will have freedom of choice over the complying fund that their Superannuation Guarantee Contributions (SGC) are paid into.
3. Employees may elect to contribute additional superannuation, either as a deduction (after tax) or as salary sacrifice (before tax).
4. The Shire will pay –
  - a) the statutory SGC amount, and
  - b) match an employee's contribution to a maximum of 5% of the employee's gross salary; subject to the combined total contribution from the Shire not exceeding 15% of the employee's salary.

Accordingly, it should be noted that as the SGC component increases, the maximum matching contribution by the Shire will decrease once the SGC component is more than 10%.

5. Employees can voluntarily contribute more than the threshold but will not receive a further contribution from the Shire.

### APPLICATION

6. The additional contribution and the voluntary contribution can be deposited in to the employee's fund of choice.
7. The superannuation default fund shall be the WA Super.

### HISTORY

Former Policy 8.1.11

Replaced 19 September 2018

Amended 17 October 2018

### NOTES



## 8.21 Equal Employment Opportunity

### OBJECTIVE

To ensure a safe and equitable work environment

### STATUTORY CONTEXT

WA Equal Opportunity Act 1984 Equal Opportunity Act 1986 Racial Discrimination Act 1975 Sex Discrimination Act 1984 Disability Discrimination Act 1992

### CORPORATE CONTEXT

Policy 8.2 – Discrimination, Harassment and Bullying Policy 8.4 – Grievance

Policy 8.10 – Recruitment and Selection Policy 8.13 – Training, Study and Education

### POLICY STATEMENT

#### 1. Introduction

The Shire is committed to equal opportunity and diversity and promotes a work environment that is free from discrimination and harassment, and where individuals are treated with fairness, respect, equality and dignity.

This involves the improvement in the skills and competency levels of employees to provide equal access to further employment or career path progression. The Shire acknowledges and celebrates diversity and commits to continuing to actively and flexibly seek to appoint and accommodate the unique needs of many different employees.

#### 2. Application

adopted that apply to employees, potential employees, volunteers and contractors/consultants.

#### 3. Environment

The Shire recognises that when conflict, discrimination and harassment occurs in the workplace, job satisfaction, morale and productivity suffers. A healthy and safe work environment free from unnecessary discrimination, harassment and bullying is the a primary objective of the Shire.

#### 4. Diversity

The Shire appreciates the value inherent in a diverse workforce. Diversity may result from a range of factors; origin, age, gender, race, cultural heritage, lifestyle, education, physical ability, appearance, language or other factors.

#### 5. Awareness

Upon appointment all employees are to be given a full copy of this Policy and ensure this Policy is easily accessible electronically and in other forms as requested.

#### 6. Monitoring

Employment related practices are to be periodically reviewed in accordance with this Statement, with particular consideration of practices and policies.



#### APPLICATION

N/A

#### HISTORY

Former Policy 8.1.14

Replaced 19 September 2018

#### NOTES