Authority: Local Government Act 1995 (WA) (CI), Division 4

HR 4 – COUNCIL EMPLOYMENT

Objective

- To give practical effect to the requirements of the Local Government Act 1995 (WA) (CI) and employment legislation
- To highlight the importance of good employment policy and practice in the provision of Council services to the community
- To provide and promote a workplace where employees are treated fairly and equally, where diversity is encouraged and Equal Opportunity principles are adhered to

Policy

General Principles

1. The recruitment and promotion of employees will be on the basis of merit and equity. All employees can expect to be treated fairly and consistently, with respect and honesty, culturally appropriately, and without discrimination, favour or patronage.
2. All employees will be provided with a safe, healthy and harassment free work environment.
3. The Shire will consult with employees and the Union on all employment related issues. A Joint Consultative Committee will be maintained for this purpose.
4. Wherever possible, local residents will be engaged, and locally resident employees given opportunities to advance within the Shire, either by promotion or through the creation of higher-level positions.
5. All vacant or newly created positions will be advertised internally prior to any external recruitment. The first level of external recruitment will be on-Island recruitment.
6. Workplace representatives of the Union of Christmas Island Workers will participate in recruitment and selection processes for all vacant or newly created positions, other than the position of Chief Executive Officer. The Union will nominate their representative in each case.
7. External recruitment, where required, will utilise the most appropriate method to effectively target high calibre employees with personal and professional attributes suited to, and an affinity with, the Island and the Shire. Recruitment methods may include public notices, newspaper advertisement, trade paper advertisement, the use of employment agencies such as LOGO, or targeted selection.
8. The Shire will strive to create direct employment opportunities for the performance of its work rather than utilise contractors or consultants, provided it is operationally efficient to do so and the skills required are available internally or on-Island.
9. The Enterprise Agreement and employment-related legislation will be appropriately and accurately applied in the workplace. Wherever possible, conditions of employment will be included in the Enterprise Agreement. The Shire will work with the UCIW to maintain, and enhance where necessary, the Enterprise Agreement conditions.

10. All employees will be subject to an appropriate and effective annual staff performance appraisal.

11. All new employees shall be required, at Council's expense, to undergo a Pre-Employment Medical Assessment that results in a written report to the Chief Executive Officer. All appointment letters for new employees are to be expressed as offers of employment "subject to the receipt of a Pre-Employment Medical Assessment confirming fitness for the required duties of the position".

Creation of positions

1. All proposals to create new positions in the Shire will be referred to the council by the CEO.

2. All proposals will include details about the name of the position, the section the position is to be located in, the salary level to apply, the main position objectives, the nature, type and/or term of employment, including whether the position is to be designated as a senior employee position, and the recruitment method to apply.

3. An organisation chart will accompany the proposal, as will any budget variation required to establish and fill the position. Details should also be provided about consultation with employees undertaken and any other relevant information about the impact of the position on existing employees or their positions.

4. At least annually, the CEO will present the council with an up-to-date organisation chart showing organisational relationships, current incumbents and their salary levels. Any reclassifications, promotions or new appointments that have occurred over the previous year, will be highlighted.

5. As a general rule the council will not designate any position or class of positions as senior employees. The reason for this is that, due to the legislative requirement to employ such people on fixed term contracts, it is not desirable to have some members of a class of employees designated as senior employees and not others. In the alternative, the Shire cannot expect senior staff on permanent employment conditions to change to a fixed term contract. The exception may be in cases where a specialist position is established for a short term and/or has no direct managerial functions.

Recruitment/appointment to positions

1. Except in the case of the CEO, the CEO will be responsible for the recruitment of persons to any vacant or newly created positions.

2. In the case of the CEO, the Shire shall keep an in-currency version of the *Shire of Christmas Island Standards for CEO Recruitment, Performance and Termination 2021*, aligned with the guidance from WALGA, Dept. of Local Government or other external resources as it may to keep abreast of any legislative changes in this area to update as necessary in regards to CEO recruitment.

3. In all cases a new or vacant position will be advertised internally in the first instance. If no suitably qualified person is identified by this method, then the agreed external recruitment process will be followed.

4. Unless a selective recruitment method has been agreed, on-Island advertisement via a public notice will be the second level of recruitment. This advertisement may run concurrently with a wider advertisement process.

5. Selective recruitment may be used in the following circumstances:

(a) Where a person is known to the Shire to be capable of performing the work required to a high standard, through previous work with the Shire or another on-Island employer;

(b) Where a person is known to the Shire to have personal attributes suited to and in affinity with the cultural, social and physical features of the island; and

(c) The work is of a fixed term, temporary or specialist nature; or

(d) The person is known to be the best person for the job through previous experience in the position.

6. Where recruitment extends off Island, prospective employees will be brought to the Island at the final stage in the selection process. This will allow the Shire to assess the personal attributes of the potential employee in the local context as well as allow the prospective employee the opportunity to gain experience of the Island first hand. Although this adds costs to the recruitment process, there is efficiency in ensuring that the candidate most likely to succeed for both the Shire and the Island is chosen.

7. In any position recruited off Island -

(a) Emphasis in the job description will be given to the skill development of local employees.

(b) As a general rule the Shire will provide fully furnished accommodation to reduce the expenses involved in relocating an employee to the Island.

<u>Recruitment for temporary or relief work</u>

1. From time to time the Shire has a requirement to fill positions temporarily due to employees taking leave or to meet short-term additional work requirements.

2. As a general rule, the CEO will be guided by the following principles in the filling of temporary vacancies:

a. The Shire will provide higher duties opportunities to permanent employees and recruit relief employees into the lowest level position made vacant by higher duties arrangements. Opportunities for a temporary transfer from one section of the Shire to that section requiring a relief employee will be encouraged provided that it is operationally efficient to do so.

b. The Shire may contact the local employment services provider for a list of residents seeking employment on the island for consideration. Alternatively, the Shire may establish and maintain a list of residents seeking work with the Shire and to offer casual work to people on this list with the required skills. The Shire may advertise for interested residents to put their names on this list along with details about previous work experience and the like.

c. Where a temporary position is to be filled by a more formal recruitment process, a workplace representative of the Union of Christmas Island Workers will participate in the interview and selection process.

<u>Handover between positions</u>

1. Wherever possible, a handover period will be arranged between the incoming and outgoing employee. Where positions involve off-Island recruitment, such a hand- over will involve additional cost, particularly accommodation and salary costs, which will need to be budgeted for. However, the usefulness of such a handover in terms of

general familiarisation and the handover of projects and information justifies this additional cost.

2. In the case of the CEO, council will ensure that a handover period occurs. This handover will include the completion of the compliance return to the point of departure of the out-going CEO and a period in which the incoming CEO takes over the position. The requirement to participate in a handover process will be included in the contract of the CEO.

Employment Conditions - CEO

1. In accordance with the Local Government Act 1995 (WA) (CI) the CEO will be employed on a contract of no more than 5 years' duration. The contract will include the following provisions:

    a. An option to extend the term at the council's discretion
    b. Performance criteria and the process and timing of performance appraisals
    c. Job description
    d. Handover requirement
    e. Conditions of employment

2. Conditions of employment for the CEO will be determined by the council using the following as a guide:

    a. A salary rate inclusive of a consideration for living in the district of an amount comparable to CEO positions in remote areas of WA.
    b. Provision of subsidised housing
    c. Superannuation on comparable terms to other Shire employees
    d. Provision of a suitable vehicle with private use at no cost
    e. Relocation assistance on comparable terms to other Shire employees
    f. Provision for leave on comparable terms to other Shire employees
    g. Provision for leave airfares on comparable terms to other Shire employees

3. Where the position is advertised, the total value of all remuneration and benefits payable to the position will be included in the advertisement and detailed job information.

Employment Conditions – all other employees

1. In applying employment conditions to all employees the CEO will observe the provisions of the Shire of Christmas Island – UCIW Enterprise Agreement in force.

2. All relevant employment related legislation will apply, as will any conditions determined by Council policy, eg vehicle policy and subsidised housing.

3. As a general rule the minimum conditions specified in the Enterprise Agreement will apply. Where the CEO is of the view that above minimum conditions should apply, for example a negotiated salary, these conditions will be determined consistent with the Enterprise Agreement. Proposed conditions that are wholly outside the Enterprise Agreement must be referred to Council for endorsement.

Performance appraisal as per 5.38 of the Act

1. All employees will be subject to performance appraisal annually as per s 5.38(2) of the Act. Such an appraisal may or may not be tied to an incremental salary increase, depending on the conditions that apply.

2. Performance appraisal criteria for the CEO will be included in his or her contract.

3. The CEO, or the person(s) to whom this role has been delegated by the CEO, will undertake the performance appraisal for all employees other than the CEO.

4. Performance Review of the CEO shall be conducted as per the statutory policy required by all local governments under s5.39(a) of the Act.

5. The Shire shall keep an in-currency version of the *Shire of Christmas Island Standards for CEO Recruitment, Performance and Termination 2021*, aligned with the guidance from WALGA, Dept. of Local Government or other external resources as it may to keep abreast of any legislative changes in this area to update as necessary in regards to CEO performance appraisals.

Finishing work policy as per 5.50 of the Act

1. As a general rule, the Shire will only pay the Enterprise Agreement and/or contractual entitlements to employees who finish work with the Shire such as payment of accrued sick leave, RDO hours, long service leave and annual leave.

2. Under s5.50 the CEO may consider a proposal to pay an additional benefit to an employee finishing work with the Shire:

    a. CEO believes an additional payment is merited on the basis that the employee has performed their work to an outstanding degree, and made a contribution over and above what was expected of them in their job.

    b. The employee has served at least 10 years continuously with the Shire and has shown exemplary service during their employment.

    c. The additional payment proposed is no more than the equivalent of 6 months' salary for the employee concerned, whether as a cash or non-cash benefit.

    d. This policy does not apply to the presentation of a gift to an employee leaving the Shire of $50 or less value.

    e. CEO will ensure that the community is notified of this policy in accordance with section 5.50(5) of the Act.

    f. Any decision to vary this policy in a particular case will also be the subject of notification to the community in accordance with section 5.50(2) of the Act.

    g. Where this policy is applied, the CEO is to document the assessment of the employee against each of the eligibility criteria in clauses 2(a) and 2(b), including the reasons for the decision, and retain this record on the employee's personnel file.

h. If the Council chooses to utilize this policy for the CEO at the end of their time with Shire, the Council must assess under (2)(a)(b) and comply with (f) and (g). The CEO is expressly prohibited from approving their own application of this policy unto themselves.

Key Performance Indicators	Extent of adherence to the policy Employee satisfaction with work at the Shire
Keywords	
Related Policies	HR Policy & Procedure Manual

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
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2	Approved	24/07/2001	GRPG	109/01			2.11.7
3	Approved	26/9/2017	GRPG	88/17		Sept 2019	2.11.7
4	Approved	26/7/2022	GRPG	67/22		July 2024	2.11.7
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