

Authority:

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

## **AD 3 – MANAGER CONDITIONS**

### **Objectives**

- Provide standard conditions for Managers above those contained in the Shire of Christmas Island – UCIW Enterprise Agreement 2021-2023
- Enable Council to set and review conditions in accordance with the Local Government Act 1995 (WA) (CI)

### **Policy**

#### General Principles

1. Consistent with the Shire of Christmas Island – UCIW Enterprise 2021-2023, manager positions are those classified at Levels 8 to 11 of the classification structure. Positions at these levels can be subject to negotiated salaries and salary packaging.
2. Council recognises that employees employed in these levels are professional employees with managerial responsibilities that require attendance to work matters beyond the ordinary operating hours of the Shire. For these reasons a number of additional conditions apply to this group of employees.

#### Professional Association Fees

3. The Shire will reimburse the cost of relevant professional association memberships up to a maximum amount of \$650 per year on the provision of receipts.
4. The maximum amount will be reviewed as required; taking into consideration any increases to relevant membership fees in the period and the extent to which managers are utilising this entitlement.
5. The Chief Executive Officer will refer any recommended change to the maximum amount to Council.

#### Use of Shire vehicles

6. Where a management employee is allocated a vehicle for work purposes, they will be entitled to private use of this Shire vehicle within the terms of the Shire's vehicle policy as determined from time to time.
7. The Chief Executive Officer is delegated with the authority to make a decision whether to allocate management employees with a vehicle or not.

#### Subsidised Housing

8. The Shire will provide subsidised housing for employees who are recruited off-Island and may also do so for employees recruited on-island at the CEO's discretion.

9. The type of housing provided will be at the discretion of the Chief Executive Officer but will ordinarily be provided from the Shire's housing stock.
10. Management employees in subsidised housing will contribute towards their accommodation at the rate of-
  - \$209.50 per fortnight for single room accommodation
  - \$349.31 per fortnight for house accommodation
11. The level of contribution from employees will be reviewed from 1 July 2022 in accordance with the percentage increases in wages for the corresponding year.
12. Employees in subsidised housing will be responsible for all utility costs (including connection to their premises in their own name), breakages and the like consistent with tenants' responsibilities under the Residential Tenancies Act 1987 (WA). However, employees will not be required to enter into a formal tenancy agreement with the Shire or to lodge a bond with the Shire. The Shire, as landlord, will ensure that housing provided is of a satisfactory standard and that employees can expect quiet enjoyment of the housing provided.

#### Negotiated Salaries

13. The CEO has the authority to decide whether or not to enter into negotiations with a management employee about their salary.
14. The scope for considering the amount of a negotiated salary will be within the following parameters:

EA 2021-23 PROVISION	SCOPE/NEGOTIATED SALARY VALUE
<u>Clause 16.6.3 (a)</u> The range of responsibilities inherent in the position including the size and range of work of the section as measured by revenue and/or expenditure, number of employees, number and range of clients, range of programs, or any other relevant factors.	Depending on significance, up to \$1,000 above the minimum classification rate.
<u>Clause 16.6.3 (b) &amp; (c)</u> The requirement to attend Council meetings and the requirement to work management hours, having regard to the extent to which the hours of work provision adequately compensates for this requirement.	Depending on significance, up to \$1,000 above the minimum classification rate.
<u>Clause 16.6.3 (d)</u> Negotiated change to the number of RDO's taken and the way in which such days are taken off.	Up to cost saving per day change.
<u>Clause 16.6.3 (e)</u> Any requirement to deputise for higher positions and the extent to which this occurs. [NB HDA not paid when a negotiated salary	Up to cost of HDA paid in previous year(s) on an average annual basis.

includes recognition for this component].	
<u>Clause 16.6.3 (f)</u> Whether the contract of employment is fixed term or continuous.	Up to 10% above the minimum for the 1 <sup>st</sup> range of the minimum classification rate.

15. The CEO is delegated the authority to negotiate and apply a salary above the minimum rate where the negotiated salary is within the salary range set by the Council. For example, if the Council endorsed that a management position is to be advertised at the salary range \$75,000 - \$80,000 then the CEO can negotiate a salary up to \$80,000 without requiring Council endorsement.
16. Where the CEO proposes a salary above the maximum set by Council or where there is no benchmark set by the Council for the position, the CEO must recommend the salary proposed to Council. In considering such a recommendation, Council will have regard to the parameters used by the CEO.
17. Where a negotiated salary is agreed, increments will apply to that salary, taking into account their years of service and performance over that period.
18. General flat or percentage wage increases available through the Enterprise Agreement will apply to a negotiated salary.

#### Relocation Conditions

19. The Enterprise Agreement provides for relocation costs to and from the Island for employees recruited from the mainland. For employees to which this condition applies, the terms of relocation will be as follows:
  - (a) On termination, an employee must leave the Island within 6 months of the termination date to be eligible for relocation payments. Employee still has to contribute the fortnightly rent contributions as per section 12 during this time.
  - (b) If the employee decides to terminate their contract within the initial term, and less than two-thirds of that term has been worked, the employee will be responsible for their own relocation costs.
  - (c) If an employee's contract is extended such that the term of employment is at least 5 years, or they become permanent, relocation costs will be paid to any nominated place on the mainland irrespective of where the employee was recruited from or that the nominated place is a greater distance than the original place of recruitment.

#### Recognition of Management Hours – Flexible Leave

22. Managers are entitled to flexible leave in addition to other leave entitlements, subject to the following provisions:
  - (a) Flexible leave amounts to a total of 10 days per year plus an additional 3 days to be taken during the Christmas shutdown.

- (b) Managers are not entitled to be paid out in lieu of this leave
- (c) Flexible leave will not accumulate from year to year.
- (d) For the purpose of calculating the balance of flexible leave, a year means from 1 January to 31 December. While flexible leave may be taken when due on a pro-rata basis, no advanced flexible leave can be taken.

Mobile Phone Provision

23. Where a manager is issued a mobile phone by the Chief Executive Officer for use, the manager shall follow the Mobile Phone Policy set by Council and applicable to all employees who are issued mobile phones by Council, or who utilise a Council mobile phone.

Primarily, personal calls on a work phone are to be kept to a minimum, with the cost of all personal calls and messages reimbursed to the Shire at the end of each billing period via the Finance section.

Variation to Manager Conditions

24. The CEO is to notify Council of any proposed variations to manager conditions before they are to be applied in an employment agreement with a manager.

Key Performance Indicators	The extent to which the policy is applied effectively
Keywords	Manager, above Enterprise Agreement conditions
Related Policies	<a href="#">Parking Local Law</a> Health Local Law Dog and Cat Local Law
Related Procedures/ Documents	EM 7 – Council Employment Policy

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1	Approved	9/01/2001	CEO	05/01			2.11.9
2	Approved	26/9/2017	GRPG	88/17		Sept 2019	2.11.9
3	Approved	26/7/2022	GRPG	67/22		July 2024	2.11.9