Shire of Esperance

ORDINARY COUNCIL MEETING

25 FEBRUARY 2020

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LANDFILL SITE, ESPERANCE

CONCEPTUAL
HYDROGEOLOGICAL MODEL

REPORT FOR SHIRE OF ESPERANCE

NOVEMBER 2018

Rockwater
HYDROGEOLOGICAL AND ENVIRONMENTAL CONSULTANTS

Report No 419-0/18/02b

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1. INTRODUCTION

The Shire of Esperance is planning a new landfill at Lot 12 Kirwan Road, located about 16.5 km north-east of Esperance.

A detailed hydrogeological investigation of the site was completed by Talis Consultants (2017) that included the drilling of 18 cored holes and completing them as monitoring bores (Fig. 1); geological logging of the cores; conducting falling-head permeability tests; monitoring groundwater levels on several occasions and determining groundwater gradients and flow velocities; and monitoring groundwater quality.

Rockwater was engaged by the Shire of Esperance to review and update the conceptual hydrogeological model of the planned landfill site to cover comments raised by Government agencies as part of the EPA environmental scoping document preparation. This report presents the conceptual hydrogeological model. It is largely based on site investigations (Talis Consultants, 2017) in particular Sections 3.5 and 6 of that report, and the geological logs and core photographs which are included in the report appendices. Figure 20 of the 2017 report gives a good visual depiction of the hydrogeological model, which is described in detail below.

2. GEOLOGICAL SETTING

The planned landfill site is covered by a thin layer (1 to 3 m) of silty aeolian sand, overlying the Pallinup Siltstone of Tertiary age.

The Pallinup Siltstone is a shallow marine sediment that was deposited in low-lying coastal areas between emergent Proterozoic granitic hills. Deposition is considered to have taken place under tropical to warm temperate conditions in shallow water embayments that were sheltered by shoals and small islands (Darragh, 2017). The upper part of the formation is rich in siliceous sponge spicules, and includes bivalves and gastropods which probably were predators of the sponges (Darragh, 2017).

At the planned landfill site, the spongolite member of the Pallinup Siltstone extends down to about 25 m depth, and overlies siltstone and clay with few fossils; and possibly coarse-grained sediments (sand and gravel) of the Werillup Formation at depth.

The spongolite consists mainly of partially silicified siltstone, with some clay and variably clayey and silty fine-grained sandstone. It is commonly vuggy, where sponge spicules and other fossils have been dissolved out; and the vugs are probably also the remnants of burrows, and cavities left by tree roots. The vugs typically range in diameter from around 1 mm to 1 cm, but may be up to around 50 cm in size. Some core loss in the diamond holes was attributed to large cavities, but this may not be the case as core loss is common in cored drilling programmes.

The vugs are commonly filled or partially filled with clay, and can be interconnected or isolated.

The surface of the spongolite is commonly clayey, probably resulting from weathering and the infiltration of fine-grained particles from the overlying sand.
3. CONCEPTUAL HYDROGEOLOGICAL MODEL

3.1. NATURE OF AQUIFER

The Pallinup Siltstone is generally considered to be a minor aquifer, i.e. locally can be developed for small groundwater supplies. However, the spongolite member is moderately permeable and can produce moderate groundwater yields. It extends from about 6 km west of the landfill site to at least 80 km to the east (Johnson and Baddock, 1998); and from 15 km north of the site to an old shoreline about 1 km south of Lot 12. Springs and wetlands occur in low-lying areas where the water table intersects ground level.

Test-pumping of two bores in Lot 12 that are screened in the spongolite, indicated transmissivities of 21 to 36 m²/d, and average hydraulic conductivities of 1.7 to 2.6 m/d (Rockwater, 2018), within the range typical of a silty sand. These values show that even though the spongolite is vuggy, it is not particularly permeable, and so many of the vugs are probably blocked or isolated and do not form part of continuous flow channels.

The only other pumping tests known in the spongolite member are two that were conducted in the Water Corporation’s Bremer Bay borefield (Rockwater, 2000) where one bore in the spongolite had a transmissivity of 50 m²/d and a hydraulic conductivity of 5.3 m/d; and the other bore was screened in spongolite and sandstone and had a transmissivity of 61 m²/d and a hydraulic conductivity of 2.6 m/d. These values are quite similar to those calculated at Lot 12, and indicate that the aquifer in bulk is relatively homogeneous and so is not complex in nature.

Groundwater in the aquifer is unconfined at the water table, but is generally semi-confined or confined by clay or siltstone beds at greater depth.

3.2. WATER TABLE DEPTH, GROUNDWATER FLOW DIRECTION

The water table depth (March 2017) ranged from 2.5 m below ground level (mbl, GW03) at the south-eastern corner of Lot 12, to 14.8 mbl (GW02) at the south-western corner of the property. Water levels in GW04 and GW13, in the area planned for waste cells, were 13 to 14 m (bgl).

Water levels in the bores have varied seasonally by between 0.3 m and 0.7 m (Figs 2 and 3) with lows between January and early June, and highs in September of October.

The groundwater flows to the south-south-west (perpendicular to the groundwater-level contours) under a hydraulic gradient in August 2018 (Fig. 4) ranging from about 0.004 near the centre of Lot 12, to 0.010 in the south-western corner of the property. The directions of flow and the hydraulic gradients indicate that groundwater discharges to springs and wetlands along the creek that flows southwards from the south-eastern corner of Lot 12 (referred to as Doombup Creek by Tallis Consultants) and within the Doombup Lake catchment area. Very little of the groundwater flow (if any) from beneath Lot 12 is towards the Mullet Lake wetlands.

The discharge areas in wetlands and rates of groundwater discharge will be greater at times of high groundwater levels, i.e. at the end of winter, than at the end of summer. Also, in summer or after extended dry periods some springs may naturally stop flowing until groundwater levels rise again.

Water levels in the wetlands range from 21 m to 28 m AHD east of the granite quarry, considerably higher than the level of 17 m in the wetlands west of the quarry, indicating the granite forms a barrier between the two wetland systems (Mullet Lake/Lake Warden to the west and Doombup Lake to the east).
Groundwater levels and hydraulic gradients are likely to be lower in the future with the predicted drying climate, with average rainfalls at Esperance in year 2100 predicted to be between 5% (wet scenario) and 40% (dry scenario) lower than in the baseline period 1961 to 1990 (Department of Water, 2015). This would reduce the areas and number of groundwater springs and wetlands, and wetland water levels, whether or not a landfill is constructed on Lot 12.

3.3. GROUNDWATER RECHARGE AND DISCHARGE

Groundwater in the spongolite is recharged by the infiltration of rainfall and runoff following heavy rainfalls; mainly in areas north and east of Lot 12. There is probably very little recharge in areas of blue gum which cover most of Lot 12, as these trees are known to intercept most of the rainfall that reaches the ground, or else their roots draw water from the water table, negating any recharge that does reach the water table.

Clearing trees in the central part of Lot 12 to construct the landfill will result in increased recharge to groundwater in that area. Recharge is likely to amount to about 15 percent of the average annual rainfall, or about 90 mm, mostly in the months of May to September. The cleared area is to be about 50 hectares (ha) of which 19.4 ha will be sealed or lined areas (landfill, leachate ponds, surface water pond and sealed road) that will restrict recharge from runoff (although runoff from the road could infiltrate via sumps). At present there are about 4 ha cleared in the planned landfill area. An analysis using a simple groundwater model which assumes a specific yield of 0.1, a hydraulic conductivity of 2.1 m/d and recharge of 90 mm over 153 days over an additional 27 ha cleared within a larger area of 50 ha; indicates that the additional clearing could result in a water-level rise of about 0.35 m in the centre of the cleared area by the end of winter each year (compared to pre-clearing levels).

Water levels measured intermittently in five shallow bores on Lot 12 indicate that some water perches temporarily on shallow clayey layers before working its way down to the water table. Water levels have been monitored on 20 occasions from October 2016 to August 2018. Of the five shallow monitoring bores:

- Bore SW01 screened to a depth of 5 m was always dry;
- Bore SW02 screened to depth of 5.5 m contained perched water on 10 occasions;
- Bore SW03 screened to depth of 5.5 m contained perched water on 14 occasions;
- Bore SW04 screened to depth of 5.5 m contained perched water on 2 occasions; and
- Bore SW05 screened to depth of 5 m contained perched water on 9 occasions.

The occurrence of perched water in fine-grained sediments is not unusual, and should not present a risk to the landfill as landfills are commonly constructed in such materials.

The August 2018 groundwater-level contour plan (Fig. 4) includes wetland elevations which have been estimated from a 2 m interval topographic contour plan provided by Tails Consultants. The contours demonstrate that wetlands east of the granite quarry at about 410420 mE, 6259940 mN to Doombup Lake in the east, form part of the groundwater flow system down-gradient of the planned landfill site and are areas of groundwater discharge. Springs sustained by groundwater discharge probably also include those that have been reported in Doombup Creek which extends south from near the south-eastern corner of

Rockwater

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Lot 12. There will also be water discharged by evapotranspiration in areas near the wetlands where the water table is close to ground surface.

The steepening of the groundwater level contours to the south and south-west of Lot 12 is attributed to thinning of the aquifer and the reduction in through-flow resulting from groundwater discharge to the springs and wetlands.

The lakes west of the granite quarry that include Mullet Lake are interpreted to be zones of groundwater discharge from areas of spongolite north and west of the granite high that is interpreted to extend from the quarry to the outcrop in the south-western corner of Lot 12.

The landfill on Lot 12 will not reduce groundwater flows towards these wetlands, as the landfill cells will all be above the water table. However, the higher recharge rates resulting from clearing for the landfill will partially offset the impacts of a drier climate described in Section 3.2 above. The landfill is designed to prevent any contaminants from seeping into the groundwater and then discharging to springs, wetlands or any bores down-gradient of the site and so is of low risk to the wetlands. It is understood there will be remedial measures in case, for example, there was a leak in cell liners.

3.4. GROUNDWATER FLOW VELOCITY

Groundwater flow velocity is given by a form of the Darcy Equation:

\[ V = KH \times \frac{i}{n} \]

where:

- \( V \) = Velocity (m/d);
- \( KH \) = horizontal hydraulic conductivity (m/d);
- \( i \) = hydraulic gradient (m/m); and
- \( n \) = effective porosity (i.e. the portion of the rock volume comprising interconnected pores that enable groundwater flow).

Whereas the total porosity of the Pallinup Siltstone might be 0.3 (30% of rock volume), its effective porosity is likely to be about 0.1. This assumed value is used in the calculations below. Hydraulic conductivity values were determined from the pumping tests on Nth Production and Sth Production bores (Fig. 1) (Rockwater, 2018). The test sites were chosen to represent the spongolite aquifer down-gradient of the landfill footprint and within Lot 12.

3.4.1. NTH PRODUCTION

At Nth Production, \( KH = 2.6 \text{ m/d} \) (Rockwater, 2018), \( i = 0.0041 \) (March 2017 groundwater level contours, Talis Consultants, 2017).

Therefore, \( V = 2.6 \times 0.0041/0.1 = 0.107 \text{ m/d or 39 m/yr} \). With a distance of 1.6 km from the planned landfill to the southern property boundary, the travel time would be about 41 years.

3.4.2. STH PRODUCTION

At Sth Production, \( KH = 1.65 \text{ m/d} \) (Rockwater, 2018), \( i = 0.0065 \) (March 2017 groundwater level contours, Talis Consultants, 2017).
Therefore, \( V = 1.65 \times 0.0065/0.1 = 0.107 \text{ m/d or 39 m/yr} \) (as at Nth Production). Again, the travel time from the planned landfill to the southern property boundary would be about 41 years.

The low travel time, and the pumping capacity of the production bores (indicated from the test-pumping to be about 120 m³/d each), indicate that any leachate from the landfill should be readily recoverable, as described in Rockwater (2018).

### 3.5. POSSIBILITY OF A SOLUTION CHANNEL EXISTING

The possibility that a continuous karstic solution channel could exist and cause rapid transport of groundwater from the landfill site to wetlands over a distance of 1 to 2 km has been raised as a concern.

Such features do exist in limestone terrain such as the Tamala Limestone, which occurs in the Perth Basin. Limestone is quite soluble, and so solution channels can form and act as paths of preferred flow.

The Pallinup spongolite contains sponges, bivalves and gastropods – many of the sponges have dissolved away, resulting in the vugs which have been seen in the drill core. The formation has been partly silicified – the silica is much less soluble than limestone, but can dissolve. However, most of the formation is silts tone, clay and fine sandstone and this is not subject to solution or erosion by groundwater. Although there are micro solution features (vugs), it is very unlikely that a long, continuous solution channel could have formed in the formation.

There is no evidence of solution channels in the drill core, nor in the groundwater-level contours which form a regular pattern typical of a normal, porous, and moderately permeable aquifer. Also, with the exception of one sample from GW03 taken on 28 January 2017 (Talis Consultants, 2017), groundwater samples are brackish to saline, indicating they have been resident in the aquifer for a long time. The GW03 water sample was fresh (320 mg/L TDS), possibly indicating there is local infiltration of rainfall runoff in the adjoining hollow. Another sample from GW03 had a salinity of 3,700 mg/L TDS, within the range of the other deep bores.

Tracer tests have been raised as a possible means of detecting solution channels. These would be very unlikely to achieve this aim because:

- No sink-holes have been identified on Lot 12 that might form an opening into a solution channel;
- The possibility of intersecting a solution channel in any bore drilled for the tracer test is extremely low, and
- At the measured hydraulic conductivities and hydraulic gradients it would take about six months for the tracer to travel between bores only 20 m apart (Rockwater, 2018).

In conclusion there is no evidence of macro (greater than millimetre to centimetre scale) solution channels in the spongolite or other parts of the Pallinup Siltstone on Lot 12, and it is very unlikely that any exist or could exist in the future. Also, none are known in other areas of the spongolite.

### 3.6. GROUNDWATER QUALITY

The 1:250 000 geological sheet (Baddock, 1996) shows groundwater salinity in the general area being variable and ranging from 3,000 to 7,000 mg/L TDS, i.e. slightly saline to saline.
Sampling of the deep GW-series monitoring bores (Talis Consultants, 2017) shows electrical conductivity (EC) ranging from 2.05 mS/cm (GW02) to 6.67 mS/cm (GW03), equivalent to about 1,300 to 4,700 mg/L TDS. Most bores had an EC of about 3.5 mS/cm, or about 2,300 mg/L TDS, generally lower than indicated on the map referred to above.

Field pH ranged from 5.48 (GW04) to 6.91 (GW12) i.e. the water is slightly acidic.

Water samples from the bores were analysed for a wide range of parameters: the results are tabulated in Appendix 1 of Talis Consultants (2017). With the exception of the one freshwater sample from bore GW03, the deep bore analyses had the following results:

Salinity (TDS, mg/L) ranged from 1,100 to 3,700;

The water is of a sodium chloride type, with relatively high sulphate (76 to 330 mg/L) and moderate bicarbonate concentrations (21 to 159 mg/L);

Nutrient levels are moderately low: total phosphorus <0.02 to 0.07 mg/L, and total nitrogen 0.15 to 5.4 mg/L.

Metals in filtered samples are low or below levels of reporting: copper <0.001–0.022 mg/L; iron 0.011–0.76 mg/L; manganese 0.003–0.017 mg/L; nickel 0.003–0.025 mg/L; aluminium <0.005–0.72 mg/L; zinc <0.005–0.063 mg/L; and lead 0.006 mg/L (one sample).

BTEX and other hydrocarbons, phenols, PAH, pesticides, and solvents were generally below levels of reporting, except for 4-Terphenyl-d14 where high values of 9.1 to 136 mg/L were recorded. The source is not known but the chemical could possibly be a constituent of PVC adhesive/solvent.

4. GROUNDWATER RISKS AND FURTHER WORK REQUIREMENTS

4.1. NUMERICAL MODELLING

The Landsim modelling software is a risk assessment tool and one-dimensional solute transport model which was written by Golder Associates under contract to the UK Environmental Agency, and is an analytical modelling system designed to calculate the potential impact of a landfill on groundwater. In guidance in the use of analytical and numerical models published by that agency (McMahon et. al., 2001) it is stated that the required sophistication of analysis and the acceptable level of uncertainty in model results will depend on the sensitivity of the receptor and the magnitude of potential impacts.

With the small size of the landfill, controls on the wastes to be emplaced, the double lining planned for cells, and the potential for adsorption, biodegradation, dilution and potential recovery of any contaminants, it is unlikely there could be any unacceptable impact to receptors. Provided this low risk is confirmed by the Landsim modelling, there should be no need for more-complex numerical solute-transport modelling. Groundwater monitoring shows that the landfill cells will be well above the water table, and has enabled groundwater flow directions and indicated areas of groundwater discharge to be defined.

Numerical flow and solute transport modelling could possibly be needed in the future if a leak in the liners occurred, to assist in designing a means of contaminant recovery or to predict the impact on receptors.
4.2. WERILLUP FORMATION

The Werillup Formation is the main, or one of, the main aquifers in the region, and so a drillhole is recommended to determine whether that formation occurs (at one location) beneath the site, and its local characteristics.

The hole should be completed as a monitoring bore so that groundwater quality in the Werillup Formation can be monitored. Although the Pallinup Siltstone would restrict the vertical movement of groundwater, some flow down to the Werillup Formation could occur.

A suitable site would be between GW02 and GW17, in the western part of the southern boundary of the property, down-gradient of the planned landfill.

5. CONCLUSIONS

The spongolite member of the Pallinup Siltstone that underlies the landfill site (Lot 12) is moderately permeable and can produce moderate groundwater yields.

Test-pumping of two bores that are screened in the spongolite, indicated average hydraulic conductivities of 1.7 to 2.6 m/d (Rockwater, 2018), within the range typical of a silty sand. These values show that even though the spongolite is vuggy, it is not particularly permeable, and so many of the vugs are probably blocked or isolated and do not form part of continuous flow channels. Similar hydraulic conductivities have been measured in the Spongolite at Bremer Bay, and indicate that the aquifer in bulk is relatively homogeneous and so is not complex in nature.

Groundwater in the spongolite is recharged by the infiltration of rainfall and runoff following heavy rainfalls; mainly in areas north and east of Lot 12. There is probably very little recharge in areas of blue gum which cover most of Lot 12. Clearing trees in the central part of Lot 12 to construct the landfill will result in increased recharge to groundwater in that area, and a small rise in groundwater levels.

Groundwater levels in the area planned for waste cells are 13 to 14 m below ground level; and the levels vary seasonally by between 0.3 m and 0.7 m. The groundwater flows to the south-south-west under a hydraulic gradient which in August 2018 ranged from about 0.004 near the centre of Lot 12, to 0.010 in the south-western corner of the property.

The groundwater is brackish to slightly saline.

The directions of flow and the hydraulic gradients indicate that groundwater discharges to springs and wetlands along the creek that flows southwards from the south-eastern corner of Lot 12 (referred to as Doombup Creek) and within the Doombup Lake catchment area. Very little of the groundwater flow (if any) from beneath Lot 12 is towards the Mullet Lake wetlands.

Water levels in the Doombup Lake wetlands range from 21 m to 28 m AHD just east of the granite quarry, considerably higher than the level of 17 m in the wetlands west of the quarry. This indicates the granite forms a barrier between the two wetland systems.

The landfill will not reduce groundwater flows to the wetlands, as the landfill cells will all be above the water table. However, the higher recharge rates resulting from clearing for the landfill will partially offset the impacts of a predicted drier climate which will reduce wetland areas and levels, and spring flows.
Groundwater flows very slowly through the spongolite, as indicated by the hydraulic gradient and hydraulic conductivities determined by test-pumping. There have been no solution channels detected in the spongolite (that if present, could result in high-velocity flows), and it is very unlikely that any such channel exists.

The Landsim modelling being carried out for the planned landfill is designed to assess the risk of leakage from the landfill and potential impacts. Provided a low risk is confirmed by the Landsim modelling, there should be no need for more-complex numerical solute-transport modelling. Numerical flow and solute transport modelling could possibly be needed in the future if a leak in the liners occurred, to assist in designing a means of contaminant recovery or to predict the impact on receptors.

It is recommended that a hole be drilled through the Pallinup Siltstone near the southern boundary of Lot 12 to determine whether the Werriup Formation occurs, and its local characteristics. The hole would be completed as a monitoring bore so that groundwater quality in the formation can be monitored.

Dated: 8 November 2018

Rockwater Pty Ltd

P H Wharton
Principal

REFERENCES


Rockwater, 2000, Bremer Bay town water supply – Results of exploratory drilling and testing (Bores 1/00 – 10/00), and review of hydrogeology. Report to Water Corporation.

FIGURES
HR 001: MOTOR VEHICLES

Objective
To provide a framework for the allocation of vehicle benefits to employees structured as a hierarchy relevant to organisational position.

To outline conditions to be applied for the private use of Council vehicles by those employees who are issued with a Council vehicle.

Policy:
Level One Use
Full private use within the Western Australia and full private use outside Western Australia. Whilst the vehicle is on private use outside the Shire boundary of Western Australia, the employee is to meet the cost of fuel. Private use includes periods of annual and long service leave.

Level Two Use
Full private use within Western Australia, provided that, whilst the vehicle is on private use outside the Shire boundary the employee is to meet the cost of fuel. Private use is permitted during period of annual and long service leave.

In relation to private use outside the Shire boundary such use is granted subject to the CEO maintaining satisfaction that the employee’s use outside the district is not frequent or regular in nature.

Level Three Use
Full private use within Western Australia south of the 26th parallel, provided that whilst the vehicle is on private use outside the Shire boundary, the employee is to meet the cost of fuel. Private use is permitted during period of annual but not long service leave.

In relation to private use outside the Shire boundary such use is granted subject to the CEO maintaining satisfaction that the employee’s use outside the district is not frequent or regular in nature and that during period of annual leave the operational needs of the relevant service area have been considered and satisfied.

Level Four Use
Restricted private use only within the Shire boundaries.

Level Five Use
Restricted private use only within a 70km radius of the Esperance Townsite.
Level Six Use

Restricted private use only within the Esperance Townsite confines.

Level Seven Use

Community use only, no private use.

Requirements applicable to all Levels

1. Vehicles are to be maintained in a clean condition relevant to recent usage and subject to a regular basic check of the level of engine lubricants and the engine cooling system.

2. Where possible, vehicles in the after-hours custody of employees are to be parked off the street, under cover, or garaged.

3. Employees provided with private use are to source and maintain tax invoices for all fuel contributions made and deliver these documents to Financial Services as soon as possible.

4. In extenuating circumstances the CEO may extend the private use of any vehicle to outside Western Australia during period of leave.

The following conditions apply to private use at all levels but may include conditions for specific levels:

1. Senior Staff who have negotiated their private use of a Council Vehicle may utilise the vehicle in line with their negotiated Employment Contract. If no reference is implied within their Employment Contract to the conditions of use of the vehicle then the following guidelines will apply ie Level 2 use of vehicle on annual leave, payment for private vehicle fuel, etc.

2. Employees to whom vehicles are allotted and in accordance with their current terms of employment, may use them for their own private purposes, including weekends provided that the employee meets the cost of fuel. The vehicle is not available for periods of long service leave.

3. The vehicle may be driven by the following persons:
   - An authorised officer of the Council.
   - Outside of normal working hours by the spouse or partner of the employee allocated the use of the vehicle.
   - The holder of an appropriate current driver’s licence when accompanied by an authorised officer but limited to emergency or extenuating circumstances (ie. long distance driving or sickness).
   - Other such persons as authorised by the Chief Executive Officer.

4. Such vehicles are to be brought onto the job every working day (except those days an officer concerned is on paid leave), and used for all normal organisational duties. The vehicle is to be available for use by other Council drivers during normal working hours and on occasions, may be required outside working hours.

5. All employees to whom vehicles are allotted are responsible for their care, including interior and exterior cleaning.

6. No modifications are to be made to the vehicle without the approval of the Chief Executive Officer.
7. The vehicle will not be used to compete in any car rally or competition.

8. At the discretion of Council, an authorised person or officer convicted of drink, drugs, careless, dangerous or reckless driving following an accident in a Council vehicle may be required to pay the cost of associated repairs.

9. The vehicle is to be parked after hours within the employee's property in a secure manner and, when appropriate, in a garage.

10. Discretion is to be used when any Council vehicle is used for private purposes so as not to cause any poor public relations in the community.

11. In the event of an accident, the employee using the vehicle must report the accident immediately to their supervisor and complete the necessary insurance claim.

12. The Chief Executive Officer may impose any additional condition on the private use of Council motor vehicles as the Chief Executive Officer considers appropriate.

13. In the event that an employee fails to comply with any condition/s imposed on private use by this policy or by the Chief Executive Officer, the Chief Executive Officer may remove any benefit or privilege enjoyed by the employee. This includes reducing the level of private use to commuting use only or removing all private use benefits.

**Smoking in Council Vehicles**

Smoking is not permitted in any Council Vehicle.

----------------------------------------------------------------------------------------------- Policy Ends -----------------------------------------------------------------------------------------------
HR 002: STAFF ENTITLEMENTS

Document Status: Current
Document Controller/Responsibility: Manager Human Resources
Version No: 3
Date Adopted: July 2010
Date Reviewed: June 2018
Resolution #: O1008-1325
Resolution #: 00618-022

Objective
This policy details benefits and entitlements for Shire of Esperance Employees.

Policy:
Employee Relocation Expenses
This policy has been designed to:

- assist with attracting of suitably qualified and experienced employees to vacant positions;
- outline guidelines and procedures for relocation expenses; and
- allow for co-contributions of relocation expenses.

Only employees who are permanent full-time or on fixed term contracts of at least three years may be considered for entitlement to the Shire’s relocation allowance.

The Chief Executive Officer may approve a housing benefit for employees relocating to Esperance by either –

- providing a 50% rental subsidy to a maximum of $125 per week or
- a contribution towards Mortgage payment, paid as an allowance, to a maximum of $125 per week (gross).

These options to be available for a maximum of six months from the commencement of employment.

Subject to ATO rulings, rental payments may be salary sacrificed.

The Shire of Esperance may reimburse, up to the maximum amounts specified in the Policy, all or part, of the removal expenses that an employee incurs when relocating from other areas of Western Australia or other states of Australia as a result of accepting a position with the Shire of Esperance.

Any relocation expenses are at the discretion of the Chief Executive Officer. It is not an automatic right for employees to receive any allowance or reimbursement prescribed by this policy, however the Chief Executive Officer agrees to apply this policy fairly and equitably within the workforce.

Associated Procedure – Relocation Expenses
1. The amount payable by the Shire of Esperance for relocation expenses shall be at the discretion of the Chief Executive Officer and may be negotiated during the offer of employment.

2. The employee is responsible for obtaining and providing to the Chief Executive Officer or other authorised officer at least three separate quotes for the relocation expenses for determination. One quote must be from an Esperance based removal business.

3. Employees will be responsible to provide and pay for their own insurance cover for the consignment of their furniture and personal effects.

4. The cost of removal of cars, boats, caravans and similar items will be the responsibility of the employee and will not be met by the Shire.

Reimbursement Criteria

The Shire may meet the costs of relocation based on the following –

1. Cost of removal of personal effects within Western Australia will be limited to $5,500.
2. Cost of removal of personal effects from outside Western Australia will be limited to $9,000.

Leaving employment

The employee will reimburse relocation expenses to the Shire of Esperance, if the employee does not provide two (2) years continuous satisfactory service to the Shire.

All staff receiving assistance under this Guideline will be required to sign an undertaking to repay 100% of the removal costs should the staff member leave within twelve (12) months and 50% of the removal costs should the staff member leave within two (2) years. This undertaking will also give the Shire the right to deduct any such monies from the final payment.

Staff Access to Bay of Isles Leisure Centre

In order to promote physical activities which will contribute to productivity in the workplace, full-time and permanent part-time Council employees may use the Bay of Isles Leisure Centre facilities free of charge (other employees at the Chief Executive Officer’s discretion).

The free use of the facilities includes:

- One free personal fitness assessment each financial year; and
- Free crèche during crèche opening hours while the employee is using the facilities,

but does not include programmed activities where a fee is normally charged.

Staff Salary Packaging

Salary packaging is a process whereby existing salary is renegotiated by an employee, with the approval of the Shire of Esperance, into a combination of “cash” and benefits, to provide a higher nett salary for the employee.

Council’s salary packaging program is designed to assist staff to tax effectively structure their remuneration package.

Costs

The salary packaging program must be at nil cash cost to the Council. The components of salary packaging are:
a) The Benefits payable;

b) The FBT and GST payable, where applicable;

c) All other government taxes, levies and/or duties; and

d) Any abnormal costs associated with the implementation or operation of the salary packaging program.

What can be packaged?

Any earnings that are not subject to superannuation such as leave loading, overtime, casual payments and higher duties allowances may not be packaged.

The following items are available for packaging:

Superannuation — is already available for salary sacrificing.

Laptop/Notebook/PDA/Portable Printers — employees may salary sacrifice the cost of one laptop/PDA and/or portable printer per FBT year (1 April to 31 March) and be exempt from FBT.

Only hardware and basic software required to make the unit operational can be packaged in line with Australian Taxation Office regulations. Only portable printers designed specifically for use with a notebook computer, a laptop computer or a similar portable computer are exempt and may be salary packaged. They must be marketed as a portable printer.

The total cost of the laptop/PDA/portable printer to the employee is the cost of the laptop/PDA/portable printer minus the Goods and Services Tax (GST). Repayments will be over a maximum term of one year.

If the employee’s employment is terminated for any reason prior to the end of the repayment schedule, the total outstanding must be recouped to the Shire during the last full payroll period.

Relocation expenses not provided by the Shire of Esperance — an employee may salary package the actual costs associated with relocation, or the difference between the amount provided by the Shire’s relocation policy and the total relocation expenses.

Expenses associated with relocation must be directly related to an employee accepting an appointment with the Shire of Esperance. Under certain conditions these expenses may be exempt from Fringe Benefits Tax (FBT).

Expenses associated with relocation should be discussed with the HR/Payroll Officer in the first instance, who will determine if they are exempt from FBT and, therefore, able to be salary packaged. Typical expenses associated with the relocation that may be packaged include:

- Removal and storage of household effects as a result of relocation that are not covered by the Shire —
  - applies to the employee and their immediate family;
  - the removal or storage commences no later than twelve (12) months after the employee commenced employment with the Shire.

The employee must provide the HR/Payroll Officer with documentary evidence of this expenditure on relocation costs associated with taking up employment at the Shire.

The employee is responsible for insuring any items involved in the relocation that are not covered by the Shire’s relocation policy.
The total cost of the relocation to the employee, will include the cost of the relocation expense minus the Goods and Services Tax (GST).

An employee who leaves the Shire prior to repaying the costs associated with the relocation, will be required to repay the outstanding costs immediately.

Novated car leases – a Novated Lease is a tripartite agreement between the employee, the employer and a financier. Firstly, an employee enters into a finance lease and then by way of a Novation Agreement, transfers the lease to his/her employer. The employer undertakes to meet the lease rentals whilst the employee remains employed by the employer.

Motor vehicles are concessionally treated for tax purposes which may result in some major savings when you salary package a vehicle. Essentially you pay Fringe Benefits Tax as opposed to Income tax. If your FBT liability is less than your income tax liability you have the opportunity to save money. Employees are able to access Fleet Discount Rates/State Govt pricing for vehicles under a novated lease scheme.

Novated car leases for new or used cars may be packaged by employees. A car classified as ‘luxury’ by the Australian Taxation Office cannot be salary packaged.

The lease may be finance only, partly maintained or fully maintained. At the end of the period of the lease the employee can elect to purchase the vehicle for the residual price or have the finance company sell the vehicle. If the vehicle is sold for less than the residual price the employee must pay the difference.

Fringe benefits tax (FBT) applies to novated car leases but can be offset if an employee makes a personal contribution towards the car out of after tax salary.

Goods & Services Tax (GST) is applicable to car leases. An employee will be eligible to have the GST credited back to them provided the Shire receives a tax invoice provided by the Novated Lease provider. The GST on the residual due at the end of the lease period or on employee contributions made after tax will not be able to be claimed back.

It is not intended to provide employees with Council vehicles access to allow a higher standard than Council’s Fleet Management Plan, other than the supply of additional private use vehicle/s for themselves or their immediate families.

Council is prepared to accept a prior novated lease that a new employee has with another employer.

General Conditions

1. Any information provided by the Shire of Esperance, its officers or employees is intended to provide only a summary of the subject matter covered. No person should act on the basis of any information provided. Each person should obtain his or her own professional advice.

2. An employee will have to terminate the salary packaging arrangement in order to take leave without pay.

3. Paid leave taken during the term of the salary packaging agreement will not affect the salary packaging arrangement.

4. During any period of sick leave without pay the employee would be responsible for paying items packaged if required – in particular, novated car lease and rent payment.

5. An employee may only package a total maximum of 50% of an employee’s substantive, annual, base salary unless the employee can demonstrate that he/she can afford to sacrifice more of their income.
6. The Shire of Esperance retains the right to refuse to process an employee's application for salary sacrificing if this could increase the Shire's administration or other costs and liabilities in any way.

**Staff Uniforms**

That unless otherwise negotiated in salary considerations, the following be Council policy to assist with the provision of recognised uniforms to staff members:

1. That permanent officers be offered an annual uniform contribution for an approved staff uniform as per the Corporate Uniform Management Practice.

2. Those officers claiming Council's staff uniform contribution will be obliged to wear them for working purposes whilst in the employ of the Shire of Esperance.

3. Pro rata allowance for a staff uniform is extended to permanent part-time staff.

**Staff Travel Allowance**

Staff attending conferences, training courses and workshops/seminars will be paid appropriate allowances to cover reasonable costs and expenses. CEO approval is required for interstate conferences, workshops and training with reasonable costs and expenses approved on a case-by-case basis with the staff member providing a written report on the course/conference that they attended. Allowances and reimbursements for meals will be paid as per the Staff Training and Travel Management Practice.

The CEO is to ensure that all interstate attendances are reported in the monthly Human Services-Resources report.

It is recommended all travel, accommodation and conference/training registration fees be arranged by Shire staff with additional incidental costs inclusive of taxi fares and general expenses reimbursed on production of receipts. Patrol costs when using Shire vehicles are to be booked against corporate fuel card.

**Alternative private arrangements** will be based on the following:

- **Private Accommodation** – A general allowance of $120 per overnight stay without production of evidence of expenditure to cover all expenses.

- **Private Use of Motor Vehicle** – Director's approval is required for employees proposing to travel to Perth by private motor vehicle and travel time is to be negotiated with the Director. The employee will be reimbursed the equivalent of a single return flight to Perth (equivalent to the cost of a Rex Community Fare) for travel by private motor vehicle.

**Employee Assistance Program**

It is recognised that employees may suffer a range of personal problems, which can have effect on work or performance. Where such personal problems are identified by a Manager or Supervisor, appropriate counselling is the preferred form of intervention to help an employee restore their performance to a satisfactory level.

Employee assistance programs are aimed at providing assistance for a wide range of personal problems including alcohol and drug use, marital and family problems, financial and legal issues, interpersonal or social problems, physical or health problems and stress.

**Responsibility**
Council Policy
HR 002: Staff Entitlements

It is the Supervisor’s responsibility to ensure that the Employee Assistance Program is made available within the context of this policy. Employees or Supervisors wishing to utilise the Employee Assistance Program will first consult the Manager Human Resources who will make the necessary arrangements. The Shire will pay for up to three counselling sessions.

Administration Staff Rostered Day Off (RDO)

The Shire of Esperance supports the implementation of a 19-day month to allow its administration staff the flexibility of working hours subject to the mandatory 152 hours per 4-week cycle (for full-time employees) is maintained. A rostered day off may be taken in each 4-week cycle. This equates to 13 rostered days off per calendar year.

Associated Procedure – RDOs

Purpose

- To give staff a better balance between private and work life.
- A contributing factor towards staff recruitment and retention.
- The potential for increasing staff morale, job satisfaction and working effectiveness.
- To improve Customer Service to the community.

Availability

Adjusted working hours are available to staff at any level where it can be applied without detriment to the Shire’s operations. Adjusted working hours are generally not available to:

- Employees who already have set rosters and their hours cannot be adjusted.
- Employees engaged in part-time and job-share positions.
- Casual employees.

How to make it work

The success of this Policy depends on cooperation of all staff to ensure that:

- The BEST possible levels of working efficiency and service to internal and external customers are maintained.
- Hours worked are correctly recorded.
- Adequate staffing requirements are maintained at all times [team leaders’ responsibility].
- Communication and plenty of notice is given to ensure the needs of the Shire and the employee can be met.

Standard hours

A standard day for full-time employees is 7 hours 36 minutes (7.6 hours). The week’s standard is 38 hours. Four (4) weeks total is 152 hours.

Rostered Day Off (RDO)

To have a Rostered Day Off (RDO) an employee is required to work 152 hours in a 4-week period. That means 8 hours a day for 19 days in a 4-week period.
Council Policy
HR 002: Staff Entitlements

A full RDO for a 4-week period may also be reduced in part or forfeited if the equivalent of 152 hours worked or paid has not been completed.

Administration opening and working hours

The front door opening hours of the Administration Building are:

<table>
<thead>
<tr>
<th>Day</th>
<th>Opening Hours **</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>8:30 – 4:45</td>
</tr>
<tr>
<td>Tuesday</td>
<td>8:30 – 4:45</td>
</tr>
<tr>
<td>Wednesday</td>
<td>9:30 – 4:45</td>
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<tr>
<td>Thursday</td>
<td>8:30 – 4:45</td>
</tr>
<tr>
<td>Friday</td>
<td>8:30 – 4:45</td>
</tr>
</tbody>
</table>

* The late opening on Wednesdays will enable staff to have team meetings, general staff meetings or training.

** To ensure face-to-face and telephone coverage, each team member will need to share the customer service for opening and office hours (8:30am to 5pm) so that you work 8 hours a day with shorter lunch break, if necessary.

Other Shire services outside of the Administration Building may achieve the same objectives so long as customer service requirement are still met.

When to take RDOs

Generally, RDOs should be taken once, at an agreed time, per 4-week period. One RDO may be taken in two half-days by consultation with your Managers.

No more than 5 RDOs may be accrued at any given time without the express approval of the Chief Executive Officer. 13 RDOs may be taken during a calendar year.

Annual Leave and Public Holidays

Annual leave or public holidays do not stop eligible employees from accruing their RDO within each 4-week period.

Sick Leave and Long Service Leave

There is no accrued RDO during periods of Sick Leave or Long Service Leave. That means the standard 7.6 hours per day applies to full days of Sick Leave or Long Service Leave.

Therefore, the equivalent of 152 hours must be worked or paid in a 4-week period in order to claim an RDO.

Overtime

For those staff where overtime payments are applicable, hours worked daily or weekly outside the working hours (8 hours a day or 40 hours a week) and approved by your Supervisor are still considered as overtime.

Payment associated with RDOs
The nature of a Rostered Day Off (RDO) is that it is a non-working day which means it is not paid as additional hours. Therefore, RDOs must be taken as unpaid. Any accrued RDOs at the time of termination of employment will be paid as ordinary hours of employment.

**Employee Study Assistance**

The Shire of Esperance encourages employees to pursue professional/personal development by enhancing skills, qualifications and knowledge required to:

- Meet the key responsibilities of their position.
- Achieve the Shire’s strategic and operational objectives.
- Maximise personal and professional potential.
- Reduce personnel turnover and maintain high morale levels through providing satisfying and challenging professional growth opportunities.
- Enable the Shire of Esperance to continually improve the level of advice and standard of service provided to the Esperance community.

**Guidelines**

The Shire of Esperance is supportive of reimbursing Study Expenses, within budgetary constraints, for employees who are undertaking studies relevant to their Shire of Esperance role and responsibilities. All permanent employees are eligible for consideration for study assistance. Permanent part time employees are eligible for consideration on a pro-rata basis.

A Training Plan will be formulated each year during the Annual Performance Review process, or in the case of new appointments, proposed training will be agreed upon at the time of appointment. Training assistance required must be identified during the performance appraisal process so that budgetary allowance can be made for the following financial year.

Education (being the acquisition of general, tertiary and professional skills and qualifications) is the responsibility of the individual employee. This does not preclude the Shire from assisting an employee (e.g. assistance with tertiary fees) but such assistance is extended at the discretion of the Shire and is not an employee right.

Training (being the extension and/or enhancement of skills and knowledge to enable employees to be more effective in their jobs and/or provide for future progression) is the joint responsibility of the Shire and the employee.

A maximum of $3,000 per annum may be paid by the Shire for approved training or education.

**Professional Qualifications**

The Shire of Esperance supports career path progression. Directors have an ongoing responsibility to consider the training and development needs of their employees and to identify deficiencies and emerging skills gaps.

In all instances, staff must seek approval prior to commencing studies. Subject to prior approval, the fees for relevant professional education may be met or subsidised by the Shire on the following basis:

- The course must be relevant to the employee’s position and assist in achieving the objectives of the key responsibility areas of the position description.
- The course must be of benefit to the Shire either in the employee’s current role or future area of work.
Council Policy
HR 002: Staff Entitlements

- The Shire is committed to providing options for permanent employees to improve their skills. In instances where the proposed training is deemed to have a greater benefit to the employee than the Shire, the employee will be expected to make a contribution towards the cost of the training. This contribution will be at the discretion of the CEO. For example, if it is considered that the employee and the Shire will both benefit by 50%, the employee will be expected to contribute 50% of the cost of the training.

- Employees must pay for the approved unit(s) up front and pass the unit(s) prior to requesting reimbursement of fees.

- The Shire of Esperance may consider reimbursement of non tuition fees such as books up to a maximum of $200 per semester.

- Student fees, parking and incidental expenses are the responsibility of the student and do not qualify for assistance under this Guideline.

- When an Employee is required to attend an examination held during normal working hours for a subject receiving assistance under this Guideline, paid leave will be granted for the time of the examination as well as one half day prior to the examination for study.

- Staff must be mindful of the fact that achieving a higher level of qualification does not automatically entitle the staff member to a higher classification.

- Termination Clause – if the Shire agrees to cover the cost of elective education, it is on the condition that the staff member undertakes to remain in the employment of the Shire of Esperance for a period of twelve (12) months from the successful completion of the course. All staff receiving assistance under this Guideline will be required to sign an undertaking to repay fees should the staff member leave within twelve (12) months. This undertaking will also give the Shire the right to deduct any such monies from the final payment. The reimbursement sum will be based on a sliding scale of eight percent (8%) per month.

Training

Training expenditure will be allocated according to the needs of the Shire and reviewed on an annual basis. The CEO will have final arbitration over training priorities according to the Shire’s strategic requirements.

Directors have an on-going responsibility to consider and identify the training and development needs of their employees through the performance and development review process. Any training approval must be considered in conjunction with the training plan established at the employee’s performance review.

The Shire of Esperance will actively encourage employees to attend training courses or further education to enhance skill levels, as required by the staff review process.

Associated Procedure – Employee Study Assistance

1. Applications for study assistance must be submitted to the relevant Director prior to commencement of study.

2. The Director will review the application and make a recommendation to the Chief Executive Officer.

3. Approval of study assistance shall be at the discretion of the Chief Executive Officer. Approval to be provided to the staff member in writing.
Council Policy
HR 002: Staff Entitlements

Policy Ends
HR 003: STAFF RETENTION & RECRUITMENT

Objective

1. To ensure the attraction and retention of the most suitably qualified and experienced staff.

2. To determine the basis of entitlements to the Shire of Esperance's recruitment and retention allowance in relation to its employees.

Policy:

To ensure the attraction and retention of the most suitably qualified and experienced staff, the Chief Executive Officer be authorised to negotiate the appropriate market-based remuneration packages within the Council budget. Council is to be advised of the outcome of such negotiations via an information report to the next available round of monthly meetings.

That during the staff recruitment process the Chief Executive Officer be authorised to utilise discretion in the following areas:

Provision of a vehicle

In instances where it is customary for the level of the officer within the industry to be provided with a vehicle, that the officer at the discretion of the CEO, be offered the option of salary sacrificing vehicle contributions under lease arrangements.

Provision of housing benefits

The CEO has discretion to offer new employees housing benefits via salary packaging.

Recruitment & Retention Allowance

The staff recruitment and retention allowance was initiated by the Council to provide a level of remuneration that would enable it to secure and retain experienced and valued staff in today's competitive workplace environment. In this respect, Council passed the following resolution in January 2005:

Resolution Number: O1204-1003

"That the Council implement a recruitment and retention allowance to be paid to all full-time and permanent part-time employees (Pro-rata) excluding wholly funded grant employees in Homcare Services and Volunteer Management Program which are to be the subject of a separate review to the levels specified in the Human Resources Remuneration (December 2004) Report with the allowance to be paid in two (2) equal installments commencing on the first pay period on or after the 1st January 2005 and 1st January 2006."

Details of the salary rates are specified in the Shire of Esperance Enterprise Agreement.
Allowance status under the Awards

The allowance is an above award payment that is paid to employees as a weekly allowance. This allowance does not constitute part of the employee’s hourly rate and as such is not subject to overtime calculations. The allowance is applicable to annual leave, personal leave and long service leave entitlements. The allowance will not apply to termination payments.

Eligibility to receive the allowance

The allowance is payable to the following classes of employees:

- Permanent full-time employees;
- Permanent part-time employees (pro-rata); and
- Fixed term employees at the discretion of the CEO.

The allowance is not payable to the following classes of employees:

- Casual employees;
- Volunteer Resource Centre Staff (subject of review);
- Home-Care employees (subject of review);
- Contracted Employees; and
- CEO or Directors.

The allowance may be withdrawn at any time from an employee in part or fully in the event that their status as an employee changes to an employee classification that is ineligible for the allowance.

Timing

The allowance is payable upon commencement of employment including the probationary period or as determined at the time of offer of employment to an employee.

Basis of Calculation

The allowance is provided in levels that are similar to those applicable under the Local Government Industry Award. The allowance increases in line with Enterprise Agreement. If an employee is classified into another level under the Award their allowance level will be reclassified accordingly.

The allowance is made voluntarily by the Council over and above the applicable Awards. It is paid upon the employee maintaining satisfactory performance as determined by the Senior Management Group.

Process for withdrawal of the allowance

The allowance may be withdrawn, in total or in part, at the complete discretion of the Senior Management Group, in accordance with this policy, for the following reasons:

- sustained and/or unsatisfactory work performance;
- sustained and/or breaches of the Occupational Health & Safety requirements;
- sustained and/or breaches of the Shire’s Code of Conduct;
Council Policy
HR 003: Staff Retention & Recruitment

- sustained and/or breaches of Council, Local Laws, and Management Policies (including the Customer Service Ground rules);
- an inability to undertake duties as set out in the employee’s position description. (e.g. loss of driver’s licence); or
- misconduct (see definition below).

In the case of unsatisfactory work performance the allowance will not be withdrawn without the employee being provided with a written warning that continuation of the unsatisfactory performance would result in a loss of the allowance.

The Senior Management Group shall, in relation to unsatisfactory performance, have regard to Occupational Health & Safety requirements as set out in the Council’s Induction manual.

Misconduct Definition

Misconduct essentially occurs if an employee:

- corruptly acts or corruptly fails to act — in the performance of the functions of the employee’s employment;
- corruptly takes advantage for own benefit or detriment to another — an employee corruptly takes advantage of the employee’s office or employment as a public officer to obtain a benefit for himself or herself or for another person or to cause a detriment to any person or;
- commits an offence in official capacity — an employee whilst acting or purporting to act in his or her official capacity, commits an offence.

OR

An employee engages in conduct that:

- adversely affects, or could adversely affect, the honest or impartial performance of the functions of an employee whether or not acting in their official capacity at the time;
- involves the employee performing his or her functions without honesty or impartiality;
- constitutes or involves a breach of the trust placed in the employee by reason of his or her office or employment;
- suggests that the employee misused information for personal benefit or the detriment of another person and constitutes or could constitute an offence against any other written law; or
- brings the organisation’s credibility into disrepute.

Process for reinstatement of the allowance

The Senior Management Group shall set a timeframe for the withdrawal and subsequent reinstatement of the allowance and any conditions and review process that are considered appropriate.

.......................................................................................................................................................................................... Policy Ends..................................................................................................................................................
**HR 004: STAFF ANNUAL AND LONG SERVICE LEAVE MANAGEMENT**

**Objective**

1. To facilitate consistency throughout the organisation in administering the leave provisions for employees.

2. Reinforce the positive benefits of taking leave when it becomes due.

3. Manage all leave to ensure that employees endeavour to utilise their entitlement when they become due to minimise the accrual of leave and to reduce the financial liabilities of Council.

**Policy:**

Employees are entitled to Annual Leave and Long Service Leave consistent with the provisions of their relevant employment contract and Local Government (Long Service Leave) Regulations (WA) (LGLSLR).

The primary reason for both annual and long service leave is to allow employees to rest and recuperate in order to remain fully productive. In order to ensure this, all employees should be encouraged to take leave as soon as practicable after it has accrued.

The Chief Executive Officer and/or Directors will endeavour to approve leave applications consistent with the employee’s requirements, however, the requirement must be considered in the context of the organisation’s commitments and its liability to meet its obligations.

Staff employed on a permanent basis, either full time or part time are entitled to accrue both Annual and Long Service Leave. Staff employed on a casual basis are not entitled to accrue Annual Leave but are entitled to accrue Long Service Leave.

**Annual Leave**

1. An employee should endeavour to take annual leave within one year from the date in which the leave is accrued.

2. In accordance with the Shire’s Enterprise Agreement, employees can accrue up to eight weeks of leave. Should more than eight weeks of leave be accrued, the Shire can give notice to the employee that they are required to take leave.

**Long Service Leave**

1. Notwithstanding the provisions of the LGLSLR, the Shire of Esperance will allow an employee a period of up to one year after their Long Service Leave has come due to clear that leave.
2. Should an employee wish to carry over any portion of their entitlement after that one-year period a request must be submitted in writing to the Chief Executive Officer for approval.

3. Where commencement of the Long Service Leave has been postponed to meet the convenience of the employee beyond a period of six months after becoming entitled to take leave, the rate of payment for that leave shall be at the rate applicable to the employee for ordinary time (excluding allowances) at the 10 year and 6 month mark, unless agreed in writing between the Local Government and the employee.

.........................................................Policy Ends.........................................................
HR 005: RECOGNITION OF LONG TERM SERVICE

Objective
To acknowledge the appreciation of employees who have provided long-term continuous service to the organisation.

Policy
For all employees exceeding 15 years continuous service with the Shire of Esperance, the Shire of Esperance will pay, in addition to the statutory Superannuation Guarantee Contribution amount, an additional 2.5% contribution to the Employee's nominated Superannuation Fund.

The additional contribution will be paid independent of any additional contributions already being made into the Employees nominated Superannuation Fund by the Shire.

In addition, any Shire of Esperance employee who has given twenty (20) years satisfactory service will be presented with their choice of either a gold watch or a framed/unframed picture depicting Esperance, or other suitable gift in recognition of such service.

Associated Procedure
The Manager Human Resources is to advise the CEO annually (at the time of preparation of the draft financial budget to ensure that sufficient funds are included within the Members Section of the Draft Budget) the number of employees who will attain their 20-years of continuous service during the relevant financial year.

The Manager of Human Resources will then advise the CEO of employees as they reach this milestone to enable a gold watch/picture or other suitable gift to be purchased and a date/time of presentation to be organized.

The gold watch, picture or other suitable gift is to be purchased locally and will be up to a value of $500. The watch or picture is presented by the Shire President either:

1. At the next scheduled monthly Ordinary Meeting of Council (if this is agreed to by the employee) to which the recipient and his partner are invited to join Councillors at dinner with the presentation being made prior to the commencement of the meeting; or

2. At a staff function either at the Depot for the outside workers or in the staff room for inside workers; or

3. If the milestone is reached late October through to end December then it would be more appropriate to have the presentation undertaken at the Staff/Councillor Christmas function.
Council Policy
HR 005: Recognition of Long Term Service

Policy Ends

Page 2 of 2
HR 007: EQUAL OPPORTUNITY, DISCRIMINATION, HARASSMENT & BULLYING

Objective:
The Shire of Esperance is committed to providing an environment of equal opportunity in its workplace. The Shire and its employees are committed to providing a workplace where every employee is treated equally, fairly and without prejudice. Council believes that equal opportunity creates a more harmonious and productive workplace, which not only benefits Council, but also, the wider community. For the purpose of this policy the term employee will extend to cover contractors, volunteers and any person performing work for or with the Shire of Esperance.

Policy:
The Shire of Esperance aims to provide an environment of equal opportunity in its workplace. Council believes that equal opportunity creates a more harmonious and productive workplace, which not only benefits Council, but also, the wider community.

Council considers it the right of every individual to carry out his or her job in an environment which promotes job satisfaction, maximises performance and provides economic security. Such an environment is dependent on it being free from all forms of harassment and victimisation.

Council operates under the following State and Federal legislation (as amended):

- The WA Equal Opportunity Act 1984;
- The Racial Discrimination Act (Cth) 1976;
- The Sex Discrimination Act (Cth) 1984;
- The Human Rights Commission Act (Cth) 1986 and Equal Opportunity Commission Act (Cth) 1987; and

In accordance with the WA Equal Opportunity Act 1984, the Shire of Esperance shall develop and maintain an Equal Opportunity Management Plan.

Definitions:
Discrimination is treating someone unfairly or less favourably than another person due to their race, sex, marital status, pregnancy, impairment, religious or political conviction, age, family responsibility or family status, physical or mental disability, criminal record, breastfeeding, gender identity, impairment, national extraction or social origin or trade union activity. These grounds may change as legislation is amended.
Bullying is defined as repeated and unreasonable behaviour directed towards an employee or a group of employees that creates a risk to health and safety. Unreasonable behaviour amounts to behaviour that a reasonable person in the circumstances would see as unreasonable including behaviour that is victimising, humiliating and intimidating or threatening.

Bullying is also unlawful under the Occupational Safety and Health Act 1984 (WA) and the Occupational Safety and Health Regulations 1986 (WA).

Harassment is defined as any unwelcome, offensive comment or action relating to the grounds of discrimination. It is behaviour towards another employee that is offending, humiliating or intimidating. It shall not be condoned and if necessary, disciplinary action shall be taken. Any individual who experiences harassment should immediately make it clear to the person(s) concerned that such behaviour is unwelcome. However, if the individual has difficulty in doing this, then assistance should be sought from others to confront the person(s) concerned.

The Equal Opportunity Act 1984 (WA) and the Sex Discrimination Act 1984 (Cth) provide that it is unlawful to engage in sexual harassment. Sexual harassment can be defined as any unwelcome conduct of a sexual nature, such as an unwelcome sexual advance or an unwelcome request for sexual favours, in circumstances in which a reasonable person would anticipate that the person harassed would be offended, humiliated or intimidated.

Procedure

It is the responsibility of all staff to ensure that proper standards of conduct are upheld in the workplace. Management and staff in supervisory positions shall ensure that the work environment is free from all forms of harassment.

Employees subject to discrimination or harassment may obtain advice and assistance from the Manager Human Resources or the Chief Executive Officer.

Complaints of harassment shall be considered seriously and sympathetically and authorised and trained mediators shall attend to them promptly and confidentially. In all cases, the utmost care shall be taken to investigate complaints impartially by recognising the rights of all parties. However, if an employee is dissatisfied with the outcome of any conciliation attempt, they may take the matter up with the Equal Opportunity Commission or their Union.

Where an employee makes a threat of violence or assaults another employee, the Police should be called.

Equal Employment Opportunity

In accordance with the Local Government Act 1995 (as amended) the Council shall recruit in accordance with the principles of merit and equity and shall ensure that discrimination does not occur. All employment training with the Council shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.

All promotional policies and opportunities with the Council shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

The equal employment opportunity goals of the Council shall be designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

Consequences of Breaching this Policy

Any breach of this Policy, may result in disciplinary action up to and including termination of employment.
HR 008: EMERGENCY VOLUNTEER AND RESERVE SERVICES LEAVE

Objective
To recognise that some staff members are members of Emergency Services and Defence Reserves.

Policy
In recognition of the important voluntary community role performed by staff who are members of Emergency Services and Defence Reserves Council will allow staff who are registered volunteer members of the Defence Reserve or an emergency service to respond to official emergency situations during normal working hours and where approval has been given in accordance with the current Management Practices, Council will protect staff by ensuring that their normal salary or wages are maintained.

.............................................................. Policy Ends ..............................................................
## HR 009: JURY DUTY

**Objective**

To acknowledge that from time-to-time staff members may be summoned to attend for jury duty or be subpoenaed as witnesses.

**Policy**

Those employees summoned to attend for jury duty or subpoenaed by the Crown as witnesses at Court Hearings be paid normal wages during such absences from work, on production of satisfactory proof of attendance.

Employees attending Court either voluntarily, or subpoenaed by parties other than the Crown, shall not be paid wages, except where such attendance is on behalf of Council, at Council’s request or on account of employees position with the Council.

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Policy Ends

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HR 010: OCCUPATIONAL SAFETY & HEALTH

Objective

Aim: To provide and maintain a safe and healthy workplace for, and in consultation with, all Esperance Shire Council employees, contractors, volunteers and visitors.

VISION

The Shire of Esperance is committed to achieving the highest standard of Occupational Safety and Health performance by developing a culture which emphasises active involvement in Safety and Health initiatives as part of daily work and business practice.

OBJECTIVES

The Shire of Esperance strives to ensure an ongoing commitment to continual improvement aimed at the elimination of work related injury and illness is maintained. Work shall be conducted in accordance with the Occupational Safety and Health Act 1984, respective Regulations, Codes of Practice, Statutory Requirements, Shire of Esperance Safety Procedures and Local Laws relevant to the nature of work being undertaken.

To achieve this aim Council will:

1. Ensure there are systems, resources and clear responsibilities to implement and review the Safety and Health Policy and continuously improve its application;

2. Ensure measurable Health and Safety objectives and targets are established and planning is undertaken to achieve objectives and monitor results;

3. Implement risk management systems that identify existing and potential hazards, assess the associated risk and implement effective control strategies to lower the risk to as low as reasonably practicable.

4. Ensure that all employees and contractors are fully informed, instructed, trained, supervised and verified as competent in the tasks they are required to perform so as to ensure they are able to execute their duties in a safe and efficient manner.

5. Communicate and consult with Safety Representatives, employees and contractors in regard to safety and health related matters, to ensure feedback and involvement is sought from all personnel.

6. Ensure there are systems in place for the identification of legal and other requirements relevant to the Shire’s operations and processes established to monitor compliance.
7. Ensure all employees and contractors are fully aware of their responsibility to take reasonable care to safeguard their own health and safety at work and avoid adversely affecting the health and safety of others through any act or omission at work.

8. Achieve the best level of recovery and return to the workplace for injured employees by implementing rehabilitation and injury management initiatives.

The Council will provide the time and resources necessary to implement this policy.

This policy will be kept under review by the Shire’s Senior Management and its employees. It will be formally reviewed annually.

Signed copies of this policy shall be displayed in the workplace.

_________________________________________    ________________________________
Chief Executive Officer                      Employee Representative

Dated this ______ day of ________________________ 20____

........................................................................................................... Policy Ends ..............................................................................................................
HR 011: TERMINATION OF EMPLOYMENT

Objective
1. To ensure that where applicable correct procedure is followed in relation to severance payments.
2. To ensure that appropriate procedures are applied in instances of redundancy to employees.
3. To ensure that an employee is given substantiative and procedural fairness when the need arises to discipline or terminate.

Policy
For the purpose of Section 5.50(1) of the Local Government Act 1995 (the 'Act') this policy will set down circumstances and manner of assessment upon which the Shire of Esperance will pay an employee an amount (severance payment) in addition to any amount to which the employee is entitled under a contract of employment, award, Industrial agreement or order by a Court or Tribunal.

A terminating employee is entitled to severance pay and benefits in accordance with:

1. Any federal or state award or industrial agreement applicable to that employee;
2. Any applicable provisions within the employee's contract of employment;
3. Any applicable award or order made by a federal or state industrial tribunal arising from the circumstances of that employee being specifically brought before that tribunal, subject to any right of appeal;
4. Where Council so agrees, any recommendation made by a federal or state Industrial Commissioner arising from the circumstances of that employee being specifically brought before that Commissioner.

Where a dismissed employee has taken or is proposing to take legal action, Council may decide to settle to avoid expensive litigation. Matters to be taken into consideration by Council as to whether it will seek a settlement and if so, the extent of any financial offers may include:

- possible exposure to litigation;
- the cost of legal advocacy and support;
- the cost of witnesses;
- the cost of travel and accommodation in running the case;
Council Policy
HR 011: Termination of Employment

- the cost of having staff tied up in the preparation and hearing of the case; and
- the disruption to operations.

Council may decide to settle in a situation where an employee, due to illness or impairment is unable to perform his/her job and there has been mutual agreement that employment must end.

Matters to be taken into consideration by Council in determining the extent of any financial offers may include:

- the length of service;
- the conscientiousness of the employee over the past employment;
- the value of the employee’s service having regard to position(s) held and the regard given by Council to the employee’s contribution;
- the personal circumstances of the employee including family responsibility, future employment prospects and alternative sources of income; and
- possible exposure to litigation if the employee was dismissed having regard to obligations of Council under the State Equal Opportunity Act, the Commonwealth Disability Discrimination Act and the Commonwealth Workplace Relations Act.

- circumstances of the severance

The term 'weeks' pay' means the normal weekly salary or wage payable to the employee including any penalty rates normally paid but excluding overtime or intermittent payments. The term also includes salary or wages specifically sacrificed for additional non-award benefits but does not include the value of any non-award benefit normally provided for the employee's position (such as a vehicle in the case of a senior position, the normal superannuation provided to all employees etc.).

Nothing in this Policy prevents Council from determining that in special circumstances, terminating employees may be paid additional moneys or provided with additional benefits where justified. If Council so determines, details of the severance pay and benefits shall be published in accordance with Section 5.50 (2) of the Act.

Staff Redundancy

The appropriate award provisions and adopted Procedures will apply to this Policy, which is to be read in conjunction with the Shire of Esperance Enterprise Agreement.

1. Consultation

a) The Local Government will consult employees likely to be affected by any proposed change as to the need for and/or reason for the change and no definite decision will be made until this process has been followed.

b) Where an employer has made a definite decision that the employer no longer wishes the job the employee has been doing to be done by anyone, and this is not due to the ordinary and customary turnover of labour and that decision may lead to the termination of employment, the employer shall hold discussions with the employees directly affected and with their representative.

c) The discussions shall take place as soon as is practicable after the employer has made a definite decision which will invoke the provisions of paragraph (b) hereof, and shall cover, inter alia, any reasons for the proposed terminations, measures to
avoid or minimise the terminations and measures to mitigate any adverse effects of any terminations on the employees concerned.

d) For the purposes of the discussion the employer shall as soon as practicable provide in writing to the employees concerned and their representative, all relevant information about the proposed terminations including the reasons for the proposed terminations, the number and categories of employees likely to be affected and the number of workers normally employed and the period over which the terminations are likely to be carried out.

e) Provided that any employer shall not be required to disclose confidential information, the disclosure of which would be inimical to the employer’s interests.

2. Transfers Within the Organisation

a) Wherever possible and practical, appropriate employees should be offered a transfer to other positions within the enterprise and also offered the necessary and reasonable training to effect a successful transition.

b) Where an employee is transferred to other duties for the purpose of avoiding retrenchment and those duties attract a lesser rate of pay than the incumbents previous position, the Local Government will make up the difference between the two rates of pay for a period of twelve months (or 2 years in the case of employees covered by Clause 4 below). After this time, the lesser rate will apply.

3. Redundancy Benefits

Where a position has been made redundant and a suitable transfer has not been possible, an employee may be retrenched on the following basis:

a) A maximum period of notice possible but in any event no less than 4 weeks or payment in lieu of notice to a maximum of 4 weeks.

b) Payment of 2 weeks pay.

c) Redundancy provisions in accordance with the Shire of Esperance Enterprise Agreement

d) All other prorata entitlements payable under the appropriate award or agreement to a terminating employee will be paid.

e) During the notice period the employee shall be allowed reasonable time off from the job without loss of pay to attend employment interviews or other similar activities to assist the employee find employment.

f) Where the employee was originally engaged from a distant location, reasonable relocation assistance may be provided to the place of engagement or another place (at a cost no more than relocation to original point of hire). Relocation assistance will be at Council’s discretion and considered according to circumstances.

g) Where the circumstances of a retrenched employee are such that it will be extremely difficult for that employee to find another job, Council may exercise its discretion to provide additional benefits to such employees. In this event, details of the total redundancy package for such an employee shall be published in accordance with Section 5.50(2) of the Local Government Act.

h) The term "weeks pay" means the normal weekly salary or wage payable to the employee including any penalty rates normally paid but excluding overtime or intermittent payments. The term also includes salary or wages specifically sacrificed
for additional non-award benefits but does not include the value of any non-award benefit normally provided for the employee’s position (such as a vehicle in the case of a senior position, the normal superannuation contribution provided to all employees etc.).

4. Local Government Boundary Changes, Amalgamations and Break-ups

   a) Where a restructuring of Local Government boundaries (such as a break up of a Local Government or an amalgamation of Local Governments) results in a surplus of employees, Schedule 2.1 clause 11(4) of the Local Government Act provides for two years guaranteed employment except where employer and employee are able to agree to a mutually acceptable severance package.

   b) Where a transfer is not possible, retrenchment will be offered on the basis of Clause 3 above. Additional benefits may be offered in accordance with Clause 3 in an endeavour to reach a mutually acceptable severance package.

   c) If agreement on a severance package is not possible, the employee will be offered work for two years on conditions no less favourable than the existing contract of employment.

   d) At any time during the two years additional employment the Local Government and employee may re-open negotiations in an endeavour to reach agreement on a mutually acceptable severance package.

   e) Where an employee remains in employment for two years pursuant to Schedule 2.1 of the Local Government Act and is then made redundant, there will be no entitlement to the redundancy benefits provided in Clause 3. Redundancy benefits in accordance with the appropriate award will still apply.

5. Counselling

   a) Counselling by a professional counselling service shall be available for any employee who has been or is to be retrenched.

   b) In appropriate circumstances an outplacement service may also be offered. In this event no payment in lieu of such service will be made.

6. Termination During Notice

   An employee who has been given notice of retrenchment in accordance with Clause 3 may terminate during the period of notice and shall be entitled to the same benefits and payments as if he/she had remained until the expiry of the notice. Provided that in such circumstances, the employee shall not be entitled to payments in lieu of notice.

7. Alternative Work

   a) Should the Local Government have made suitable arrangements for alternative employment and the employee is not consequently unduly prejudiced, the additional benefits over and above the appropriate award arising from this Policy shall not apply.

   b) In addition the Local Government may make application to the Commission to have the award severance pay prescription varied in the case of such an employee according to the particular circumstances.

8. Exclusions
a) Benefits provided under this Policy, which go beyond the appropriate award, shall not apply where employment is terminated as a consequence of conduct that justifies instant dismissal, including malingering, inefficiency or neglect of duty.

b) This Policy does not apply in the case of casual or temporary employees who were engaged for a specific time period or for a specific reason or specific task, project or program.

c) This Policy also does not apply to an employee engaged on a fixed term contract where the term of the contract expires.

**Discipline/Dismissal**

To ensure that an employee is given substantive and procedural fairness (when the need arises to discipline or terminate) the following process will be used:

1. The Manager or mediator of the conflict situation will document and record all meetings and subsequent findings.

2. Final outcomes of action taken will be at the discretion and with the full authorisation of the Chief Executive Officer.

3. All documentation relating to the investigation and meetings held should be placed on the personnel file of the employee.

**Unsatisfactory Performance**

In the case of unsatisfactory performance five (5) procedural steps will be followed firstly, the employee should be given a verbal warning in a counselling session between the Manager and the employee. During the session the Manager should:

1. clearly outline the performance problems and ensure work standards have been set and confirm conduct expected.

2. explain that the discussion may constitute a formal warning.

3. provide the employee an opportunity to respond.

4. identify, assess and analyse the problem and take appropriate action to improve work performance/conduct.

5. fix an agreed review date to re-assess the performance.

If performance has not improved at the agreed date then the Manager may give a written warning outlining the nature of the problem. If it is the intent of the Manager to forward a written warning at this stage an offer to the employee of having a representative present will be made.

Again the Manager should make the employee aware that if unsatisfactory performance continues his/her job could be in jeopardy. Once again at this stage counselling or training will be offered.

Where there is a need for performance improvement, the manager, HR and the employee may develop a Performance Improvement Plan (PIP). Should performance remain unsatisfactory after the review date then the employee should again be counselled in accordance with the above procedures. A final written warning will be issued and a date set for review.

Finally, performance should again be reviewed at the date set and if it is still unacceptable the Manager should consider whether alternatives to termination are available and if alternatives are not practicable the decision to terminate with notice may be taken.
Termination

Prior to any discussion of termination with the employee the Manager will consult and present written findings to the Chief Executive Officer. Should termination of the employee be decided then the following process will take place:

1. A meeting will be held with the employee, his/her supervisor and representative if requested.
2. Review the steps taken to counsel the employee inclusive of the documented verbal warning and/or written warnings.
3. The employee will be given an opportunity to respond to the termination proposal.
4. The CEO will determine an appropriate outcome or course of action.
5. Issue the employee with a written notice of termination explaining the reasons for dismissal and all entitlements owing.

All discussion relating to discipline or dismissal procedures will remain confidential.

............................................................ Policy Ends............................................................
HR 012: GRATUITY PAYMENTS AND FAREWELL GIFTS TO EMPLOYEES

Objective

To adopt a policy in relation to employees whose employment with the Shire of Esperance is terminated, the Shire of Esperance will provide a farewell gift to a certain value in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee.

Policy

Purpose

The objective of this policy is to ensure that the Shire of Esperance provides a farewell gift to employees who retire or resign from full-time or part-time (pro-rata) employment.

Definitions

A "farewell gift" means any payment of money in excess of any contract or award entitlement including the disposal of Shire property to any employee.

Eligibility for Gratuity Payment

A gratuity payment entitlement is subject to completed years of continuous service as per the prescribed amount detailed below and is only payable at the time an employee finishes their employment with the Shire for one of the following reasons:

- Resignation (not as a result of any performance management or investigation or disciplinary process being undertaken by the Shire)
- Retirement, or
- Redundancy

The CFO is authorised to approve expenditure for the purpose of gratuity payments in accordance with this policy.

Employees Prescribed Amounts for Gratuity Payments
The Shire may confer a farewell gift or a gratuity payment to an employee who after continuous employment with the Shire ceases employment, retires or resigns. The maximum value allowed for the gift or gratuity will accord with the length of continuous employment by the employee with the Shire as follows:

1. Between 0 and 2 years continuous service
   
   No gratuity payment or gift would be made unless exceptional circumstances apply and are reported to the Council by the Chief Executive Officer for consideration.

2. Between 2 and 10 years continuous service
   
   The Chief Executive Officer may elect to confer a farewell gift up to the value of $300 to an employee with more than 2 years and less than 10 years continuous service who has displayed exceptional performance, initiative or commitment to the Shire.

   The value of the gift will not be greater than the threshold of the minor fringe benefits tax limit as set by the Australian Taxation Office and reviewed from time to time.

3. Greater than 10 years continuous service
   
   The Chief Executive Officer may elect to confer a farewell gift or gratuity payment up to the value of $1,000 to an employee with greater than 10 years continuous service who has displayed exceptional performance, initiative or commitment to the Shire.

   Should exceptional circumstances apply, for example by the number of years of continuous service, then the Council, upon consideration of a report from the Chief Executive Officer, may authorise an amount greater than outlined in clause (c).

   NOTE: For the avoidance of doubt, any FBT payable in applying clause (c) will be at the Shire’s expense.

Determining Continuous Service

Continuous service includes —

- Any period of absence from duty on approved annual leave, long service leave, paid compassionate leave, paid personal leave or paid public holidays.
- Any period of absence that has been supported by an approved worker’s compensation claim up to a maximum absence of 12 months.

For the purpose of this policy, unless otherwise determined by Council resolution, continuous service does not include —

- Any period of unauthorised absence from duty.
- Any period of unpaid leave.
- Any period of absence from duty on unpaid parental leave.
HR 013: UV, PPE & CLOTHING

Objective

To protect the health, safety and welfare of all Shire employees. To reduce the incidence of skin cancer amongst workers who are exposed to UV rays by providing adequate protection.

Policy

Introduction

Australia has the highest rate of skin cancer in the world with at least 1 in every 2 Australians diagnosed with skin cancer in their lifetime. Western Australia has the second highest rate of skin cancer in Australia. Although skin cancer is a serious public health issue it is one which can largely be prevented (Cancer Council WA).

Exposure to Ultraviolet Radiation (UVR) from the sun has been identified as the major cause of skin cancer. Outdoor workers are at risk of getting skin cancer because of their high exposure to UV rays over extended periods of time. Most skin cancers can be prevented and when detected early can be successfully treated in 95-99% of cases.

Responsibilities

All Shire employees are responsible for their own personal health, safety and welfare. In addition they must avoid adversely affecting the safety or health of any other person through any act or omission. They are required to co-operate with their employer in the interest of health, safety and welfare in accordance with Occupational Safety and Health Act of WA (1984).

Scope

This policy applies to all Shire of Esperance employees, contractors, volunteers and work experience students who work in an environment where they are exposed to UV rays. Shire employees shall be provided with personal protective equipment and clothing to reduce the risk of exposure to UV rays. Employees of contractors, volunteers, and work experience students are to comply with this policy and are to wear suitable protective clothing, either supplied by their employer or personally.

Employer Responsibilities

The Occupational Safety & Health Act 1984 - WA states that employers must as far as practicable provide and maintain a working environment in which employees are not exposed to hazards.

- Provide and maintain equipment needed to protect outdoor workers from the sun.
- Set up systems of work to reduce the amount of time employees spend in the sun.
Council Policy
HR 013: UV, PPE & Clothing

- Provide information, instruction, training and supervision.

The employer must also ensure that employees comply with Occupational Safety and Health (OSH) requirements through supervision.

Supervisor/Manager Responsibilities

Responsible for ensuring the health, safety and welfare of field employees under their control and to ensure compliance with the Shire’s UV Policy.

Employee Responsibilities

An employee must, while at work, co-operate with his or her employer or other person so far as is necessary to enable compliance with the Occupational Safety & Health Act 1984 – WA, the OSH Regulations WA 2009 and the Shire’s OSH policies and procedures.

For example, an employee must wear protective equipment/clothing issued for their health and safety.

Under Section 20(2)(c) of the Occupational Safety & Health Act 1984 - WA an employee who damages or misuses PPE provided in the interests of safety or health, commits an offence. Shire of Esperance employees who misuse or damage PPE will face disciplinary action that may include placing their employment in jeopardy. For example employees must not modify any PPE issued to them.

Clothing Protection

Shire outside employees working in an environment exposed to UV rays will wear the following protective clothing and personal protective equipment at all times, when working during daylight hours:

- Long sleeved Shirts (50+UPF).
- Long trousers or long shorts.
- Sun protective hats.
- Wrap sunglasses (dark safety glasses AS1337).
- Broad spectrum Sunscreen SPF 30+ or above.

Long Sleeve Shirts/Long Trousers

Shirts worn by employees deemed to be conducting tasks predominantly outdoors shall be high visibility, close weave and loose fitting to allow for air circulation and comfort. Shirts must have long sleeves and collars, and shall include Shire identification.

Long trousers worn by employees shall be loose fitting, made from at least 50% cotton or natural fibre and of close weave.

NOTE: Staff who are predominately based indoors that are required to work outdoors whilst conducting specific tasks such as supervising, inspection and other activities determined from time to time as outdoor work, may be permitted to wear short sleeved shirts at the discretion of their Director. Outside staff permitted to wear short sleeve shirts or long shorts are required to apply SPF30+ or above sunscreen to areas exposed to the sun i.e. arms and legs.

Sun Protective Hats
A sun protective hat is one that shades the face, head, ears and neck. Broad brimmed hats, bucket hats or legionnaire style hats provide the best protection and must be worn. A hat with a wide brim reduces the amount of UV radiation reaching the face by 50%.

Bucket hats should have a deep crown, sit low on the head and have an angled brim of at least 6 cm.

Broad brimmed hats are required to have a broad brim measuring no less than 7.5 cm in width as recommended by the WA Cancer Council.

Legionnaire hats should have a flap that covers the ears and back of the neck to the collarbone/shoulder. The side flap and front peak should overlap to protect the side of the face.

**Sun glasses (dark safety glasses)**

Dark safety glasses shall conform to Australian Standard AS/NZS 1337 and offer 99% protection from ultraviolet rays.

Employees that wear prescription glasses can be provided with a pair of over-glasses which will protect their prescription glasses. The Shire will only provide prescription safety glasses in special circumstances.

The Shire will provide up to one replacement pair of dark safety glasses in a calendar year. Replacement of safety glasses will only be provided when the broken pair is returned to the Purchasing Officer. If additional replacement glasses are required, it will be at the discretion of the Director Asset Management who will take into account whether the previous glasses had been fairly treated.

**Sunscreen**

No sunscreen can provide 100% protection. Always use sunscreen in conjunction with clothing, hats, sunglasses and shade.

Sunscreen will be provided to all staff that are required to work outdoors. To provide the best protection a sunscreen that is at least 30+ SPF, broad spectrum and water resistant will be provided.

To be effective, sunscreen should be applied 20 minutes before going out in the sun, and be applied generously so that it goes on easily and evenly and be reapplied every two hours to replace sunscreen which has been wiped, perspired, washed off or otherwise removed.

Sunscreen should be kept in a cool place. Do not keep in glove box of vehicles. If sunscreen is to be kept in a vehicle, place in a most suitable place such as an esky or lunch box.

Do not use expired sunscreen. Discard and replace any sunscreen that has passed its expiry date. Provision of low allergy sunscreen will be made available to individuals who are allergic to certain sunscreens.

**Supply of Personal Protective Equipment (PPE)**

The following items will be supplied on an individual needs basis:

- Safety Glasses/Over glasses/Goggles;
- Sun protective hats;
- Hard Hats;
- Hearing Protective Muffs;
Council Policy
HR 013: UV, PPE & Clothing

- Hearing Protective Plugs;
- Dust Masks;
- Gloves;
- Safety Footwear;

and any other safety equipment recommended by WorkSafe WA.

Clothing - Replacements on a ‘Fair Wear & Tear’ Basis

The Shire of Esperance will provide clothing and equipment to all permanent employees of the Shire in the form of the following:

- One sun protective hat for employees working outside. To be replaced when deemed unserviceable.
- Four fluorescent shirts with a minimum of 50+ UPF rating (when new). Top half high visibility fluorescent yellow with bottom half dark blue in colour. To be replaced when deemed unserviceable. Shire identification will be included.
- Four pairs of trousers dark blue in colour. To be replaced when deemed unserviceable. Staff may elect to be provided with long shorts instead of trousers, but the total number of trousers/long shorts per staff member per year will not exceed four pairs.
- One water and wind resistant jacket with top half high visibility fluorescent yellow and the bottom dark blue.
- Jumper – top half fluorescent yellow, bottom half dark blue in colour. To be replaced when deemed unserviceable. Shire identification will be included.
- Casual employees will receive a Shire of Esperance Hi-Viz vest, dark safety glasses, hat and sun screen.

1. Replacement Items

   Items will be replaced only if the unserviceable items are returned to the Purchasing Officer.

2. Responsibility

   The employee will be responsible to notify the Purchasing Officer of any lost, damaged or stolen items

3. Maintenance

   The employee will be responsible for the maintenance and safe keeping of all personal protective equipment at all times.

4. Property Ownership

   At all times personal protective equipment remains the property of the Shire of Esperance.

5. Termination of Employment

   Employees upon termination will be required, to return all items of personal protective equipment to the Purchasing Officer.
6. Exemption

As a Shire employee there will be no exemptions to the wearing of personal protective clothing and equipment as well as other safety equipment.

7. Grievance Procedure

Any employee, for which this policy applies, who fails to wear any of the personal protective equipment shall be stood down without pay until such time that they are prepared to wear the personal protective equipment. The incident will be reported and the disciplinary procedures as stated in the WA Local Government Award or any other relevant Award will be applied.

8. Contractors

Contractors and their employees are required to meet the minimum PPE requirements as set out in the clause on clothing protection at their own cost. There will be no exemptions to this requirement. Contractors working for the Shire of Esperance will be given a copy of the Shire’s UV Policy and be expected to comply with it.
HR 014: WORKPLACE DRUG & ALCOHOL USE

Objective
To ensure a safe workplace free from the effects of drugs and alcohol and that people are fit for work whilst performing duties at the Shire of Esperance.

Policy
Purpose
This Policy applies to all Shire employees, Councillors, contractors, employees of contractors and volunteers at all Shire of Esperance workplaces. The aim of this policy is to ensure a safe workplace free from the effects of drugs and alcohol.

The policy is directed towards the welfare of the individual and the safety and health of other people. Although disciplinary action may be necessary, the focus is on preventative measures. The use of drugs or alcohol in the workplace is forbidden. An employee being under the influence of alcohol, drugs or illegal substances is not acceptable.

The Chief Executive Officer may waive this requirement for minor consumption of alcohol where circumstances warrant e.g., during a social event.

Employees are personally responsible for any civil or criminal penalty which results from being under the influence of drugs or alcohol in the workplace.

Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impaired Work Performance</td>
<td>Sudden or gradual deterioration in a person’s ability to function appropriately at work.</td>
</tr>
<tr>
<td>Untimely For Work</td>
<td>Being impaired for work and therefore unable to perform duties in a safe manner.</td>
</tr>
<tr>
<td>Use</td>
<td>Eating, drinking, inhaling, injecting or dermal absorption of any substance or drug.</td>
</tr>
<tr>
<td>Misuse</td>
<td>Inappropriate use of a substance on the Shire of Esperance promise or property, including overdose of a drug or the failure to take a drug in accordance with medical advice.</td>
</tr>
<tr>
<td>Alcohol</td>
<td>Any beverage containing alcohol.</td>
</tr>
</tbody>
</table>
### Control Policy

**HR 012: Workplace Drug & Alcohol Use**

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Substance</td>
<td>Any drug that may have adverse effects causing impaired work performance.</td>
</tr>
<tr>
<td>Fit for Work</td>
<td>Not being under the influence of or affected by the adverse effects of drugs, alcohol or any other substance, or not being fatigued.</td>
</tr>
<tr>
<td>Contractor</td>
<td>A contractor includes any employee or subcontractor of any company who has been engaged by the Shire to perform services.</td>
</tr>
<tr>
<td>Volunteer</td>
<td>A Volunteer is a person who performs a service willingly and without pay.</td>
</tr>
<tr>
<td>Visitor</td>
<td>For the purpose of this policy any reference to a visitor will include any individual who attends the workplace and is not included in any other category.</td>
</tr>
<tr>
<td>Managers</td>
<td>Includes Managers as well as the Executive Management Team.</td>
</tr>
<tr>
<td>Employee</td>
<td>For the purpose of this policy, the term employee shall include Councillors, contractors, employees of contractors and volunteers.</td>
</tr>
</tbody>
</table>

### Confidentiality

All results and information in relation to drug and alcohol testing will be dealt with in the strictest confidence. The privacy and dignity of employees tested as part of this process will be protected.

### Responsibilities

The Shire of Esperance believes that the health and wellbeing of an employee is of great importance to the organisation. An employee assistance program will be offered in order to support the affected or affected employee.

All matters pertaining to usage of alcohol and drugs will be treated with the utmost confidentiality and any employee of the Shire of Esperance who is interested in receiving counselling services should seek approval from their Manager or Human Resources.

### Managers

Managers are responsible for ensuring adoption, implementation and application of the alcohol and drug policy:

- Managers are expected to lead by example as this is essential to the Policy’s success and credibility.
- Managers will provide adequate resources, education, training, counselling and other requirements for employees to apply and comply with this Policy.
Managers are responsible for fair and consistent application of this policy, importantly for individuals who seek assistance will not be disadvantaged and their employment rights will be safeguarded.

Managers are responsible for the procedures and facilities so that sensitive medical and other personal information is safeguarded.

Managers will review this Policy from time to time to determine its fairness and appropriateness for the Site's requirements.

Managers are responsible for the assessment of the effects of drug and alcohol on an employee with the cooperation of the supervisor/director.

Managers are responsible to act promptly and confidentially whenever they believe that any individual is not capable of working in a safe and effective manner.

Managers will liaise with HR for advice on the application of the policy.

Managers will maintain strict confidentiality in relation to the application of this policy to any employee.

Managers and/or HR to provide training to supervisors in the application of this policy.

Supervisors

Supervisors are responsible for leading the effectiveness of this Policy.

Supervisors are expected to lead by example as this is essential to the Policy’s success and credibility.

Supervisors are responsible for fostering active cooperation with Managers, employees, contractors and other individuals under this policy.

Supervisors should manage this Policy in a way which encourages employees and individuals to raise concerns about their own or other individuals' fitness for work.

Supervisors are responsible for the assessment of drug and alcohol with the cooperation of the manager/director.

Supervisors are responsible to act promptly and confidentially whenever they believe that any individual is not capable of working in a safe and effective manner.

Employee, Individuals and Contractors

Each individual is responsible for their own health and safety at work and must avoid affecting the safety and health of any other individual.

Employees and individuals must be fit for work when they present for work and must be able to carry out their duties without risk to themselves or others.

Employees and individuals must be able to satisfactorily demonstrate fitness for work if requested by a Supervisor or Manager.

Employees and individuals must immediately notify their Supervisor of any actual or potential impairment of fitness for work, or if they have a medical condition that could affect their fitness for work.

Employees and individuals must provide a medical certificate when appropriate, or as requested.
Employees and individuals must immediately notify their Supervisor of any situation in which they might breach this Policy, including:

- Any situation in which other individuals may be unfit for work;
- The unauthorised possession or consumption of drugs or alcohol on site or during working hours by another individual;
- Any loss or suspension of of drivers licenses, or legal licenses/certificates required to carry out their duties;
- Any other apparent breach of this Policy.

**Application**

**Alcohol**

Being under the influence of alcohol will not be permitted whilst working on the premises or property of the Shire of Esperance. Employees who commence work whilst under the influence of alcohol including, working under the adverse effects of alcohol, will be stood down from their duties. If a blood alcohol level is deemed to be over 0.02 or over the legal limit for operating the particular plant (ie where the legal blood alcohol level for operation of the plant is lower than 0.02), employees will be sent home without pay for the remainder of the day. As the employee will be over the legal limit to drive, alternative transport will be required.

There may be occasions when alcohol may be included as part of a work function or other recognised work event. Where the CEO has approved the consumption of alcohol, employees must continue to behave in a sensible and responsible manner with due care for their own and other people’s safety and wellbeing. Failure to behave in a sensible and responsible manner with due care, or any failure to follow any directions given by management with regard to the consumption of alcohol may result in disciplinary action. It is a condition of the Shire of Esperance that employees make alternative arrangements to get home. The Shire of Esperance accepts no responsibility for employees during travel to and from the function.

**Drugs and Prescription Medication - Illicit Drugs and Other Substances**

Being under the influence of, suffering adverse effects of, in possession of, or found to be cultivating, selling or supplying drugs or other substances on the Shire of Esperance property or premises or whilst in the employment of the Shire of Esperance is strictly prohibited and will result in disciplinary action and potential (possibly) instant dismissal.

Synthetic drugs such as Cannabinoids are not intended for human consumption as they can produce elevated heart rate, elevated blood pressure, anxiety and hallucinations. It is highly likely that these products will impair an individual’s capacity to perform the duties of their role and therefore put themselves and or others at risk.

Synthetic Cannabinoids, which have been reported to be five (5) to ten (10) times more potent than THC (the active component of Marijuana), can, and will, directly compromise your fitness for duty and dramatically impair your ability to operate machinery. As these products adversely affect an individual’s fitness for work, a sample of urine may be taken and sent for analysis. If the returned results are confirmed as being positive they will be treated in the same way as illicit drugs tested for under the Shire of Esperance Fitness for Work Policy. If suspected of the above, an employee must undergo a drug screen (paid by the Shire of Esperance.) Refusal to a drug screen may result in instant dismissal.

If the drug screen provides a positive result on the first offence, the employee will receive a written warning as per the disciplinary action section of this policy. If an employee is found to give a positive result on the second offence, they will receive a second written warning. On the second offence, the employee must agree to submit for consequent drug testing for a period as
determined by the Shire. The employee will be instantly dismissed if a subsequent test is undertaken with a positive result.

Any third offence will also result in instant dismissal as per the disciplinary action section of this policy.

Threshold Levels

A cut-off level is the value at or above which the drug or alcohol is deemed to be 'detected' and below which the drug is deemed to be 'not detected'. All testing for drugs and alcohol will be according to the levels indicated below adapted from the Australian Standards.

<table>
<thead>
<tr>
<th>Class of Substance</th>
<th>Cut-off Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol</td>
<td>0.02 mg/ml</td>
</tr>
<tr>
<td>Opiates</td>
<td>100 ug/l</td>
</tr>
<tr>
<td>Cannabis</td>
<td>50 ug/L</td>
</tr>
<tr>
<td>Cocaine</td>
<td>100 ug/L</td>
</tr>
<tr>
<td>Benzodiazepines</td>
<td>200 ug/l</td>
</tr>
<tr>
<td>Sympathomimetic Amines by Screening test</td>
<td></td>
</tr>
<tr>
<td>Amphetamine</td>
<td>100 ug/l</td>
</tr>
<tr>
<td>Methamphetamine</td>
<td>100 ug/l</td>
</tr>
</tbody>
</table>

Prescription and Other Medication

It is an employee's responsibility to inform their supervisor of any medication they are taking. It is also a requirement of employees to advise their supervisor of any adverse effects that may occur whilst taking such medication, including the amount of times that the medication is taken per day. This information is to be recorded on their personnel file for reference in the event of an emergency.

Any prescription and other medication must be used in accordance with medical advice. Any non-prescription or other medication must be used in accordance with the manufacturer's recommendations.

Failure to follow these requirements will result in disciplinary action, or instant dismissal.

Drug & Alcohol Testing

In the interests of workplace safety, the Shire believes that the following measures are appropriate for the Esperance Shire Council workplace.

The Shire of Esperance may undertake regular random testing, without notice of all employees for alcohol and other drugs that could affect workplace safety. The Shire, will administer at it’s cost (through such a provider nominated by the Shire from time to time) on site random testing of personnel for drugs and alcohol.

Testing may be carried out due to:

1. Random drug and alcohol testing. An employee or group of employees may at any time and without notice be requested to undergo a random drug and alcohol test.
2. Cause Testing.

3. Employee involved in a significant incident or a near miss whilst at work shall be, where practical, tested.

4. Where persons behaviour raises concern that he or she may have been influenced by alcohol and or other drugs upon the request of any other person in the workplace, with support from the supervisor/manager.

5. If evidence is found of possible drug or alcohol use (e.g., drug paraphernalia or alcohol containers).

6. Pre-Employment Testing – all persons appointed to the Shire will be required to undergo drug and alcohol testing to commence duties with the Shire. Individuals who refuse to undertake the test or who do not satisfy the requirements of the test will not be offered employment.

Testing may be undertaken by an external party or Shire employee, trained and certified in the use of a breathalyser or a Drug Detection System. Testing is to identify work-related issues, particularly safety.

Refusal to Test – Refusal to undertake and fully co-operate with the administration of a drug / alcohol test will be deemed as a positive result. Continued refusal may result in further disciplinary action and instant dismissal.

The testing will be carried out in compliance with the Australian Standard AS/NZS 4800: "Procedures for Specimen, the Collection, and the Detection and Quantification of Drugs of Abuse in Urine", or Australian Standard AS 4760:2006 "Procedures for Specimen Collection and Detection and Quantification of Drugs in Oral Fluid including GC-MS (Gas Chromatography – Mass Spectrometry) confirmation testing facilities available in a secure, dedicated laboratory. This service will be used to confirm all positive screen results to ensure maximum legal protection for both employee and employer.

DISCIPLINARY ACTION
If this procedure is in anyway contravened by an employee the following will result.

General Guidelines
Any employee who tests positive to an alcohol screening or positive confirmation results are received following a drug screening will be stood down from their work without pay for a minimum of one day and will not be permitted to resume work until such time as they have proven they are fit for work. It should be noted that the Shire will pay for the original drug and alcohol test as well as one test for clearance to return to work. If the test for clearance returns a positive reading greater than the permitted levels, the employee will be required to pay for any subsequent tests required to obtain clearance to return to work.

First Offence
(i) The employee will be immediately suspended from duty without pay, for a minimum of one day, if found unfit to work.
(ii) The employee will not be permitted to return to work until they have been tested again and returns a result below the limits for all prescribed substances.
(iii) The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
(iv) The employee will be counselled by their supervisor/Manager/HR staff that will focus on;
12.3.1 Attachment A: Human Resources Policies

Control Policy
HR 018: Workplace Drug & Alcohol Use

(a) the unacceptability of the employee’s behaviour;
(b) the risk that such behaviour creates for the safety of the individual and other employees or members of the public;
(c) the employee’s responsibility to demonstrate that the problem is being effectively addressed;
(d) that any future breach of the policy will result in second offence or instant dismissal;
(e) A first written warning will be given.

(v) The employee will be formally offered counselling through the Shire’s Employee Assistance Program. The decision to undertake counselling or other treatment for alcohol or other drug or substance problem is the responsibility of the employee and cannot be made mandatory. However, if the employee refuses the offer of counselling for a second offence, instant dismissal will result. The Shire of Esperance will insist that the employee provide satisfactory evidence that the effect of work performance and/or safety has been addressed before they are permitted to return to work.

Second Offence:
(i) The employee will be immediately suspended from duty without pay if found until for work.
(ii) The employee will not be permitted to return to work until they have been tested again and proved negative for all prescribed substances.
(iii) The employees will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
(iv) The employee will be counselled by their supervisor/Manager/HR staff that will focus on;
(a) the unacceptability of the employee’s behaviour;
(b) the risk that such behaviour creates for the safety of the individual and other employees or members of the public;
(c) the employee’s responsibility to demonstrate that the problem is being effectively addressed;
(d) that any future breach of the policy will result in instant dismissal.
(v) Counselling will be offered, refer to First Offence (v), if counselling was not used in the first offence.
(vi) The employee will be instantly dismissed without notice if offer of counselling is refused on second offence.
(vii) The employee will be submitted for (randomly or randomly) for alcohol and/or drug screening for a period as determined by the Shire and paid for by the Shire of Esperance. If tests confirm positive, instant dismissal will follow. If the employee refuses to comply, instant dismissal will follow.

Third Offence:
(i) The employee will be given the opportunity to state their case. Unless there are convincing arguments to the contrary, this procedure will continue.
(ii) The employee will be immediately dismissed from duty without notice.
Instant Dismissal:
The following are guidelines to circumstances that will result in dismissal without notice:

(i) Any attempt to falsify the drug and alcohol screen
(ii) Unauthorised consumption of illicit drugs or alcohol whilst on the work site or during the working period.
(iii) Unlawful behaviour.

Contractors

(i) Contractors found with levels exceeding permissible levels for drugs and/or alcohol will be removed from the worksite immediately. The Shire of Esperance will insist that the contractor provide satisfactory evidence that the effect of work performance and/or safety has been addressed before they are permitted to return to the worksite.
(ii) Three offences for levels exceeding permissible levels for drugs and/or alcohol will result in the termination of the contract in accordance with contract conditions.

Other

If an employee is found to be heavily intoxicated, above the legal limit to drive, or extremely fatigued and they are to be sent home without pay, it is a requirement of the supervisor to contact the employee's next of kin to arrange pick up. If no contact is made then arrangements are to be made for the employee to be transported home.

Employee Assistance Program (EAP)
The Shire of Esperance understands employees may be experiencing difficulties external to work that may influence their behaviour and health whilst at work. To assist with the recovery of the employee, the Shire of Esperance has in place a confidential employee assistance program. For the purpose of this procedure, this program may be offered to first offence employees. Otherwise this program will be offered on the second affirmed screening. The Shire of Esperance will offer a total of 3 counselling sessions.

If an EAP is offered as a result of a first offence and the employee declines the offer, they risk the consequence of instant dismissal on second offence.

Pre-Employment Testing

A job applicant for a position will be required to undergo drug and alcohol testing prior to being offered employment with the Shire of Esperance. This may involve analysis of a urine sample by a medical practitioner.

Individuals who refuse to undertake the test or who do not satisfy the requirements of the test will not be offered employment.

Reference

- Occupational Safety and Health Act 1984;
HR 015: CEO PERFORMANCE REVIEW

Objective
This policy is to provide a consistent, transparent and accountable performance review process for the Chief Executive Officer (CEO) of the Shire of Esperance.

Policy

Rationale
This process is documented and adopted by Council to ensure a consistent approach to the Shire of Esperance CEO review.

The review process must be a collaborative, constructive process that is designed to enhance performance and provide guidance for the ensuing twelve months, considering:

1. The CEO’s Statutory Role and Responsibilities under the Local Government Act 1995 and other relevant legislation;
2. General Probity and Integrity requirements and expectations associated with the position of CEO;
3. Implementation of the Shire’s Strategic and Corporate Business Plans, subject to resource capacity and allocations; and
4. Any specific focus areas or key performance indicators previously agreed between the Council and CEO.

Councillors must be prepared to take a corporate view of this process. The performance review process should be regarded as an opportunity to build relationships and to increase the effectiveness of individuals, systems and processes which will improve the performance and the profile of the Shire of Esperance. Councillors and the CEO participating in the review process must:

- Be fair and objective;
- Use good communication skills;
- Act in good faith;
- Be prepared and actively participate in the process;
- Avoid bias;
- Base conclusions on relevant and substantiated information and/or facts;
Council Policy
HR 015: CEO Performance Review

- Be able to concentrate on outcomes;
- Ensure procedural fairness for all parties involved;

Independent Facilitator

Unless resolved differently by absolute majority, the CEO review process will be coordinated and overseen by an independent facilitator, endorsed by Council. The Shire will utilise its normal procurement process, in sourcing an appropriately experienced and qualified facilitator, in consultation with the Shire President. The Council will endorse the appointment prior to the Review process commencing. If the CEO has any concerns regarding the appointed Independent Facilitator, the CEO will provide the Shire President a written explanation of said concerns, which will be presented to Council when it considers endorsing said appointment.

Review Period

At the very minimum, the CEO performance is to be reviewed annually, in accordance with the requirements of Local Government Act 1995.

- The Review period will correspond with the Shire’s financial year.
- For planning purposes the review should be undertaken within a month of the anniversary of the CEO’s contract, with Key Result Areas to be set at this time.
- An informal interim review may be undertaken during the year at the request of the CEO or Council, to ascertain progress during the relevant review period.
- In the event that Council has concerns about the performance of the CEO, the Shire President will, at the request of Council, undertake an additional interim performance review.
- The Shire President must write to the CEO if Council has requested an interim performance review, outlining the areas of concern to allow the CEO the opportunity to prepare.
- The Shire President must allow the CEO a minimum of one week’s notice prior to the commencement of an interim performance review.
- Any changes to the CEO’s employment remuneration package determined from the review will take effect at the CEO’s employment anniversary date.

Review Process

The following process is utilised as the basis of the CEO Performance Review

1. Independent Facilitator appointed;
2. CEO performance assessment survey issued to all Councillors and CEO to complete, which includes questions on:
   a) Performance related to CEO’s Statutory Role
   b) Performance related to General probity and integrity requirements
   c) Performance related to achieving Shire’s Strategic and Corporate Business Plans
   d) Performance related to achieving any specific focus areas or key performance indicators (KPIs/RA’s) identified in the previous performance review.
3. Independent Facilitator to develop an assessment report on completed surveys for consideration of Council;

4. Independent Facilitator to investigate or research any significant negative survey result(s) to determine substance and/or reasonableness;

5. Assessment report presented to CEO for response;

6. Assessment report (including CEO response) considered by Council to determine satisfactory or unsatisfactory performance;

7. Council and CEO meet to determine:
   a) agreed specific focus areas or KRA’s for next 12 month Review Period; and
   b) subject to outcome of the CEO performance review, any amendments of the CEO’s employment remuneration package.

.............................................................................................................. Policy Ends..........................................................................................................................
HR 016: VOLUNTEER MANAGEMENT

<table>
<thead>
<tr>
<th>Objective</th>
<th>This policy outlines the Shire of Esperance’s commitment to and management of Shire volunteers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scope</td>
<td>The Shire is committed to the vision of volunteering within our region, recognising that volunteers are essential to many of the Shire’s programs.</td>
</tr>
<tr>
<td>Policy</td>
<td>1. Shire Volunteers play an integral role supporting the delivery of services to those who live in or visit the Shire. It is important that volunteer roles are clearly defined, volunteers are well managed and volunteer management practices are continually reviewed and improved.</td>
</tr>
<tr>
<td></td>
<td>2. Volunteer involvement should be a considered and planned part of the Shire’s strategic development, aligning with the Shire’s strategic aims and incorporated into its evaluation framework.</td>
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<tr>
<td></td>
<td>3. Volunteering is defined for the purpose of this policy as work which is –</td>
</tr>
<tr>
<td></td>
<td>• Of benefit to the community</td>
</tr>
<tr>
<td></td>
<td>• Of the volunteer’s own free will and</td>
</tr>
<tr>
<td></td>
<td>• Done without monetary reward</td>
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<tr>
<td></td>
<td>4. Volunteering should provide benefits to both the volunteer and the Shire, through enhanced services offered to the community.</td>
</tr>
<tr>
<td></td>
<td>5. The Shire and its officers are committed to the principles of volunteering -</td>
</tr>
<tr>
<td></td>
<td>• Benefits the community and the volunteer</td>
</tr>
<tr>
<td></td>
<td>• Work is unpaid</td>
</tr>
</tbody>
</table>
Council Policy
HR 018: Volunteer Management

- Is always a matter of choice
- Is a legitimate way in which citizens can participate in community activities
- Is a vehicle for individuals to address human, environmental and social needs
- Is an activity performed in the not for profit sector only
- Is not a substitute for paid work
- Respects the rights, dignity and culture of others and
- Promotes human rights and equality.

6. Designated volunteer roles cannot replace paid Shire staff positions or pose a threat to the job security of paid Shire staff.

7. All Volunteers for the Shire of Esperance must be formally registered as a Shire of Esperance Volunteer, and accepted as a volunteer by the Chief Executive Officer and/or his authorised delegates. Age limitations, in relation to insurance coverage, may apply as determined by the Shire's Voluntary Workers Insurance Policy.

...........................................................................................................Policy Ends...........................................................................................................