

# STRATEGIC PLANNING COMMITTEE 21 AUGUST 2013

## 10.1.3 POLICY REVIEW – DEFENCE RESERVIST LEAVE

**ATTACHMENT** 

**Defence Reservist Leave Policy** 

## DEFENCE RESERVIST LEAVE

## (1) OBJECTIVE

To ensure that members of the Australian Defence Reserve Service employed by the Town of Cottesloe are able to access a reasonable amount of leave for that purpose.

## (2) PRINCIPLES

It is recognised that the Australian Defence Reserves are an important part of our national defence strategy and that support to the Australian Defence Reserves is essential to their continued effectiveness. This policy applies to all employees who are reservists and undertake training and/or military service with the Australian Defence Forces.

## (3) ISSUES

- 3.1 The Defence Reserve Service (Protection) Act 2001 (the Act) provides that:
  - "Defence Service" means service in a part of the Reserves and includes training.
  - Reserve service may be continuous full-time defence service or other defence service (e.g. short periods of defence reserve service which may include training), and must not prejudicially affect employees' entitlements or other conditions of employment.
  - The Act does not invoke any obligation on employers to pay the Reservists' remuneration in respect of the civilian employment whilst absent on defence service or to provide make-up pay in circumstances where the Defence Force pay is lower than employees' public sector pay.
  - Any entitlements relating to Reserve service (including training) and/or military service contained in industrial awards or agreements will continue to apply, subject to them satisfying the provisions of the Act.
  - There is no scope for employers to ask employees to limit the number of training courses per year or to take less reserve service leave as this is in breach of the Act. Section 17 of the Act draws no distinction between essential and non-essential training or service and specifically contemplates a reservist "volunteer(ing)" for service or training.
  - There is no discretion under the Act for employers to refuse requests for reserve service or training leave, irrespective of inconvenience to the employer or the non-essential nature of the leave. Employers are only entitled to verify that the leave request relates to the actual reserve service or training.

## 3.2 Employer Support Payment Scheme

In 2001, the Commonwealth Government introduced legislation to enhance and encourage Reserve personnel. One of the key features of the new Reserve legislation has been the introduction of the Employer Support Payment (ESP). This payment is available employers who release Reservists for more than 2 weeks per year.

The Scheme involves payment of an amount equivalent to the Average Weekly full-time Ordinary Time Earnings (AWOTE) as calculated by the Australian Bureau of Statistics, and is as recognition of the costs and/or disruption to employers caused as a consequence of releasing a reservist for a period of continuous Defence service.

Service that is considered under the Employer Support Payment is:

- Ordinary Reserve Service, and
- Voluntary continuous full-time service, if the relevant Service Chief (that
  is the Chief of Navy, Army or Air Force) of their delegates have
  designated the service as protected service.

Under the Scheme an employer is eligible to receive the ESP once a Reservist has completed 14 days continuous Reserve service in any financial year. The qualifying period can be undertaken as a single period or as multiple periods of continuous Defence service, as long as each period of continuous Defence service is a minimum of five consecutive days.

Further details of the operation of the Australian Defence Force Reserves Employer Support Payment (ESP) Scheme can be obtained from the Defence Reserve Support Council on 1800 803 485 or their website www.defence.gov.au/reserves.

## (4) POLICY

- 4.1 Employees applying for Defence Reservist Leave are required to provide evidence from the Defence Force of the extent of the leave requirement.
- 4.2 Employees wishing to take Defence Reservist Leave are to provide reasonable notification to the Organisation. Generally this should be three months prior to the period of leave required.
- 4.3 At the discretion of the Chief Executive Officer, paid leave may be granted to employees who are members of the Defence Forces Reserves for the purpose of participating in training camps, or equivalent continuous duty. This leave will be in addition to the use of annual leave entitlements, however employees electing not to use annual or long service leave credits for defence service and/or military service shall be granted leave without pay.
- 4.4 Leave for Reservists is typically 4 weeks (20 working days or 28 calendar days) leave each year although an additional 2 weeks leave to allow for a

Reservists' attendance at recruit/initial employment training will be granted where required.

- 4.5 Where the Employer agrees to make payment for Defence Reservist Leave it will be paid on the basis of the difference between the employee's normal weekly salary (calculated on the same basis as annual leave provisions) and the remuneration received from the Armed Services. Should the amount received from the Armed Services be grater than the normal weekly salary, no additional payments will be made by the Organisation. Superannuation contributions will be based on the employee's normal weekly salary.
- 4.6 "Continuous full-time defence service" (excluding any time taken on annual or long service leave), will not count for annual leave or sick leave, as the employee's contract is temporarily suspended. These entitlements will accrue with the relevant Defence Force during the period of service. For periods of defence service other than continuous full-time defence service, employees' entitlements will continue to accrue with their employer.
- 4.7 Full time military service will count as service for long service leave purposes.
- 4.8 Unpaid Leave will be treated as leave without pay.
- 4.9 The period of military service will count as service for increment progression and increments falling due whilst the employee is absent should be processed as normal.
- 4.10 An employee's contract is suspended whilst undertaking continuous full-time defence service. In order to preserve employment entitlements, an employee must apply notify the Town to resume duty as soon as reasonably practicable and not more than 30 days after the completion of the period of military service.
- 4.11 Staff taking Defence Reservist Leave are required to pay normal rental during their absence should they have access to employee housing.
- 4.12 The Employer will keep Reservist employees who are undertaking peacetime training or deployment informed of critical developments in the workplace e.g. organisational change, salary related matters (enterprise or workplace agreement negotiations).

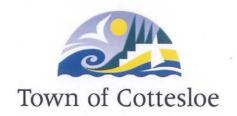
## (5) RESPONSIBILITY

The CEO is required to approve Defence Reservist Leave and ensure that appropriate documentation is supplied by the employee.

RESOLUTION NO: 12.1.7

ADOPTION: August 2005 2013

REVIEW: August 20132021



# STRATEGIC PLANNING COMMITTEE 21 AUGUST 2013

## 10.1.4 POLICY REVIEW – STAFF GIFT

**ATTACHMENT** 

**Staff Gift Policy** 

## STAFF GIFT POLICY

PAYMENTS TO EMPLOYEES WHOSE EMPLOYMENT WITH THE TOWN OF COTTESLOE IS FINISHING AND WHICH IS IN ADDITION TO CONTRACT OF EMPLOYMENT OR AWARD ENITITLEMENTS

## (1) BACKGROUND

The Local Government Act 1995 requires the Town of Cottesloe to prepare a policy in relation to employees whose employment with the local government is finishing, setting out:-

- (a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and
- (b) the manner of assessment of the additional amount.

This policy is intended to meet the requirements of the *Local Government Act* 1995.

It gives the Town of Cottesloe the option of rewarding staff with an appropriate gift with the value of the gift being determined mainly by length of service.

## (2) AIM OF THIS POLICY

To provide guidelines for circumstances where the Town of Cottesloe may consider paying a member of staff over the agreed level, according to the relevant Award and Contract of Employment, or other contractual arrangement or document, current at the time that staff members' employment with the Town of Cottesloe is finishing.

Such reasons for termination of employment include retirement, cessation of contract, termination of contract and resignation on grounds of ill health, death, redundancy and severance.

## (3) POLICY STATEMENT

(1) POLICY IN CASE OF EMPLOYEES TERMINATING DUE TO DISMISSAL

No payment to be made.

## (2) POLICY IN CASE OF EMPLOYEES TERMINATING DUE TO ORDINARY AND CUSTOMARY RETIREMENT OR RESIGNATION

## Statement

Examples are voluntary retirement due to age or sickness or a voluntary resignation due to having secured other employment, personal or family reasons etc.

Such payments are to be referred to as "gratuities".

## **Conditions**

- 1. A gratuity may be made to any retiring employee at the discretion of the CEO upon the employee's resignation due to ill health (or to the employee's beneficiaries following the employee's death) or for any other circumstances leading to retirement, under the following conditions:
  - (i) Employees who have completed up to five years' service may receive a gift up to the value of \$125\_200, on the basis of \$25\_40 for each year of service.
  - (ii) Employees who have completed over five years service may receive a gift of an additional \$50\_80 per year of service for each year of service over five years, up to a maximum of \$325\_520 (i.e. \$200 plus \$320) at the discretion of the CEO.
- In assessing the amount to be paid for a gift, consideration will also be given to the level of performance exhibited by the employee, health circumstances and/or family hardship in cases of death or retirement on grounds of ill health.
- The Council may, in special circumstances, determine that benefits additional to those described in this policy are to be paid to an employee, however, details of those additional benefits and/or payments shall be published in accordance with Section 5.50 of the Local Government Act 1995.

## (3) POLICY IN CASE OF EMPLOYEES TERMINATING DUE TO ORGANISATIONAL REDUNDANCY/SEVERANCE

## Statement

This policy applies where the Town of Cottesloe has chosen to offer severance or redundancy payments in the context of an organisational restructure and in particular where the employer no longer wishes requires the job the employee has been doing done by anyone and to continue and where this is not due to the ordinary and customary turnover of labour.

Such payments are to be referred to as "organisational redundancy or severance payments".

It is understood at all times that any payment is not seen as a right, but either as a reward to those staff members who have demonstrated high levels of service and/or a reward to staff members who have positively and constructively assisted with any relevant organisational restructuring process.

## Conditions

- 1. Subject to any regulation made under Section 5.50(3) of the Local Government Act 1995, any offer of additional payment will be limited to a maximum of an additional 100% based on the total severance pay entitlement, with each case to be considered on its individual merits
- Such consideration will take into account the relevant objectives of any prevailing organisational restructure, the employee's length of service, the level of performance exhibited by the employee and any current or likely family hardship caused by the termination.
- In all other cases involving a payment over the value of \$2,000 the CEO must seek the express approval of Council prior to any payment being made.

RESOLUTION NO: 41.1.5

ADOPTION: August, 200713

REVIEW: August, 201018



# STRATEGIC PLANNING COMMITTEE 21 AUGUST 2013

# 10.1.5 2013 NATIONAL LOCAL GOVERNMENT HUMAN RESOURCE CONFERENCE

**ATTACHMENT** 

2013 National HR Conference



## NATIONAL LOCAL GOVERNMENT















HR and Workforce Challenges - "Getting the Job Done" 6 - 8 November 2013

**SPONSOR** 







## DAY ONE - Wednesday, 6 November 2013 SETTING THE SCENE

Time	Session
12.00pm	Registration - Trade Expo
12.00pm	Lunch
12.45pm	Welcoming and Opening
1.00pm	Keynote Presentation – Local Government into the Future  Mayor Felicity-ann Lewis – President ALGA (invited)
	An insight into issues of national significance for local government with a particular emphasis on the financial challenges ("doing more with less") facing Councils across Australia and the expectations of the corporate arm of Councils during this time.
2.00pm	Meeting Business Challenges in Today's Environment – A Workforce Management Perspective Ms Sue Bussell, Executive Manager, Industrial Relations – Qantas Group
	Qantas has undergone a series of challenges in recent times – its transformation from a government-owned entity, its own financial sustainability and that of the airline sector generally, amalgamations and alliances. How did these challenges impact their workforce and what strategies were implemented to address the employee relations ramifications.
3.00pm	Afternoon Tea
3.30pm	HR Transformation in an Ever-changing Environment  Mr Trent Pawsey, Head of Organisational Change Management - National  Australia Bank
	With job roles changing in line with talent requirements and on – boarding a new generation of workers, HR in its current state is in grave danger of underdelivering – or worse – becoming irrelevant. Integrating the HR function into the business and up skilling staff to have in depth knowledge of business unit needs is imperative if delivery standards are going to be met:
4.15pm	Expectations of the HR Function
- 1 N	A presentation of a CEOs expectations from the Human Resource function and the person responsible for the function. How is the performance of the function judged and what key ingredients make up a respected and valued HR service.
6.00pm	Optional Dinner – Outback Spectacular



## DAY TWO - Thursday, 7 November 2013 GETTING THE JOB DONE

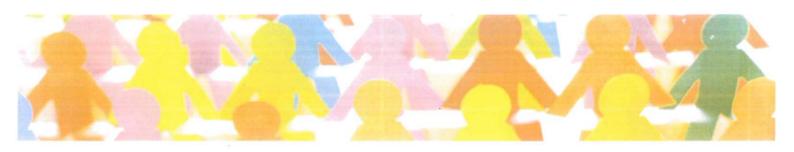
Time	Session
8.00am	Registration and Trade
WORKSHOPS	- (Please choose one from each time slot)
8.30am	How to Achieve an 80 Per Cent or Better Success Rate in All Your WH&S Safety Business Cases Before Your Council Management  Mr Wayne Patterson – Safety Concepts
	What if you understood how the CEO thinks? What if you knew the secrets to getting your boss to tick off that new investment or business case in safety compliance?
	Wayne Patterson brings a unique understanding to how decisions at the highest level are made about safety and what you can do to influence the outcome. Wayne reveals the key factors that rank highest in any decision making at the board or executive level. You can put those tips into practice to win your next proposal.
	Shared Services – Are They More Pain Than Gain?  Mr Steve Crowe, CEO – Propel
	This session will explore the value of shared services – the myths, the promises, the experiences. It will examine what makes one work and another not. Why do so many organisations fear them? Are they the way of the future or will they go the same way as have many "internal commercialised business units of councils of the past go and be eventually re-absorbed into Council proper?"
	Social Media and the Law Mr Craig Johnstone, Media Executivé – LGAQ
	This session will explore the reality of business today and social media as well as provide a legal overview to rights, obligations and risks for Councils posed by Councils' and employee's use of this medium.
	Leadership - The Case for an Effective Leadership Team Or "The Hidden Truths of Effective Leadership Teams" Mr Edwin Trevor-Roberts - Trevor-Roberts Associates
	Local government is constantly challenged to improve the leadership within their councils. Yet once team members are recruited, we often fail to invest in the development of the team. This session will explore the hidden truths of effective leadership teams and propose a case for an equal investment in the team itself as well as individual members.
	The Case for Individual Flexibility Arrangements
	The liabilities and legal considerations need to be understood when implementing individual flexibility arrangements in the workplace. How do we meet the needs of our employees while maintaining a motivated workforce and at the same time protect our council from challenges.
	Productivity Through Innovation Mr Craig Nicholls – WRS Centre
	What role does HR play in looking for new ways of doing Council business? Are they passive observers to adjust the workforce after the innovation has been introduced or are they at the forefront of designing how business might be done?



Time	Session
8.30am (continued)	Using iPads and Other Technology to Get the Job Done Mr Darryl Rubiolo, Manager, LGNSW Learning Solutions and Mr Stewart Dawes, Facilitator, Atomic Social Media
	iPads have become the technology of choice for many busy local government professionals. But do you know how to get the most out of your iPad technology?
	In this workshop you will learn:
	<ul> <li>How innovative councils are currently using iPads?</li> <li>iPad settings and battery saving techniques you need to know about.</li> <li>iPad accessories and Apps that will help you in your work.</li> <li>How to copy and paste to save time and take meeting notes.</li> <li>Screen shots and other camera applications.</li> <li>Using maps. FaceTime and Dropbox for work</li> <li>Social media technology to enhance the productivity of your day.</li> </ul>
	Managing an Ageing Workforce Superannuation – the impact of recent legislative changes and what employers need to know for their employees.  Mr Narayan Van de Graaff and LG Super
	The workforce demographics are constantly changing as the impacts of the Global Financial Crisis and longer life expectancy see employees reviewing retirement planning and remaining in employment. Many of these employees require additional support – what strategies should be considered in managing these employees and what is the financial outlook for their future retirement.
9.30am	How to Achieve an 80 Per Cent or Better Success Rate in All Your WH&S Safety Business Cases Before Your Council Management Mr Wayne Patterson – Safety Concepts
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0.30am	Morning Tea



Time	Session
11.00am	Facilitated Break Out Sessions
	Session 1: Workforce Challenges in Rural, Remote and Indigenous Councils  Mr Scott Blacklock
	Session 2: Workforce Challenges in Regional Councils  Mr Andrew Haste
	Session 3: Workforce Challenges in Large/Urban Councils  Mr Narayan Van de Graaff
	These facilitated breakout sessions will enable delegates from "like" Councils meeting to identify and discuss their current or emerging contemporary workforce issues.
12.00pm	Lunch
WORKSHOPS -	- (Please choose one from each time slot)
1.00pm	Managing Mental Illness and Return to Work from a Practical Perspective TBA
	This session will discuss managing people with injuries and illnesses including mental illnesses and stress with a particular emphasis on returning to work from absence due to illness.
	Enterprise Bargaining. After 20 years, what is left in it for Councils  Ms Lindy Richardson – Maddocks Lawyers
	Lindy will discuss the real value, if any, that enterprise bargaining has brought to employers by way of gains, in general, and local government in particular. This 20 minute presentation will be followed by representatives of LGAs on their local experience followed by general discussion.
	LGA Panel
	- Mr Shaun Blaney LGAQ - Mr Adam Dansie LGNSW - Mr Scott Roffey WALGA
2.00pm	Employment Law Trends Ms Lindy Richardson, Maddocks Lawyers
	This session examines recent trends and contemporary legal cases that have implications for workforce management in local government.
	HR in 3 Conversations Mr Mark Shaw, CEO – NEOS HR
	A human resources management framework which places the conversation, not the bureaucracy, at the centre of managing people.
3.15pm	Afternoon Tea



Time	Session Session
3.45pm	Council Showcases
	A selection of councils will present innovative workplace solutions they have implemented within their own councils and will provide an overview of the initiative, the challenges they faced and the resultant cost savings and benefits to council and the workforce.
5.15pm	Close of day 2
6.00pm	Conference Dinner – RACV Royal Pines Resort.  Dress Code: Smart Casual

## DAY THREE - FRIDAY, 8 November 2013

Time	Session
8.15am	Registration and Trade
8.45am	Presentation on Latest Topics and research findings relevant to the Workforce ACELG
	An update on the latest local government review and reform processes across Australia, report on findings of the Workforce and Employment Census and implications for local government and progress of the National Local Government Workforce Strategy 2013-2020.
9.30am	Around the States
	LGAs will give an overview of their Workforce Development Priorities and the biggest Workforce challenge for their state. Purpose is to inform delegates on progress nationally who in turn may request their LGA for further consideration of the application of an interstate intervention for their jurisdiction
10.15am	Morning Tea
10.45am	Keynote Speaker Creativity and Innovation - How to Harness them in your People and Organisation Tania de Jong - AM
	Tania de Jong AM is a leading Australian soprano, social entrepreneur and international keynote speaker on leadership, creativity and innovation who founded the well-known organisations Creativity Australia and Creative Universe. Tania presents keynote speeches and leadership programs for major organisations and performs internationally with her group Pot-Pourri who have toured overseas on over 40 occasions and released 7 CDs. Tania works on the philosophy that every organisation needs to develop a culture where people's unique "voices" are heard and that an individual needs to understand and adopt internal thinking processes that increase the potential for new thinking. With the view that creativity will be the strategic tool for the 21st Century for sustainable organisations, Tania works with organisations to develop new thinking, create ultimate brainstorming power, improve wellbeing and engagement and unlock leadership, productivity and innovation.
11.45am	Wrap-up
12.00pm	CONFERENCE CLOSE



## VENUE AND DATES:

6 – 8 November 2013 RACV Royal Pines Resort, Ross Street BENOWA GOLD COAST

## ACCOMMODATION (INCLUDES BREAKFAST): (GST INCLUSIVE)

BACV Resorts will look after your accommodation needs. The room rates are as follows:

Mount View Room\$197.00 Breakfast for one\$219.00 Breakfast for twoPool/Park View Room\$207.00 Breakfast for one\$229.00 Breakfast for twoCoastal View Room\$217.00 Breakfast for one\$239.00 Breakfast for twoSpa Suite\$257.00 Breakfast for one\$279.00 Breakfast for two

d date \$201.00 Broadlade for the \$210.00 Broadlade for two

## HLEASE CLICK HERE TO SECURE YOUR ACCOMMODATION

## FORUM REGISTRATION: (GST INCLUSIVE)

Early Bird Registration - Prior to and including 30 September 2013

Council or State Government \$ 990.00 Corporate (Private Sector) \$1980.00

After 30 September 2013 Full Registration

Council or State Government \$1265.00 Corporate (Private Sector) \$2530.00

Includes; Presentations and workshop papers, delegate satchel, use of iPad pre loaded with Forum Program

### Outback Spectacular (Optional Dinner, limited tickets available)

Wednesday 6th November 2013

\$85.00

(Thursday 7th November 2013 - included in Registration Price)

Please refer to registration cancellation policies on www.lgag.asn.au when making your registration

## SINGLE REGISTRATION PLEASE CLICK HERE

or Register online at www.lgaq.asn.au under Events on the home page.

## FORUM ENQUIRIES:

Members Hotline - 1300 542 700 or email ashartana ashar

#### EXHIBITION ENQUIRIES

Carolyn McSweeney, Trade and Liaison (LGAQ)

by mobile: 0437 822 142, fax (07) 3252 4473 or email: