

# **Pormpuraaw Aboriginal Shire Council**

## **Staff Handbook**

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# **Staff Handbook**

## **SECTION 1: Overview of this Handbook**

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## 1.1. Your Staff Handbook

### What is this Handbook for?

This Handbook:

- has been prepared for your information; and
- outlines various practices, policies and procedures that affect all staff — we believe they are fair and are necessary for our organisation to run efficiently.

You can use this Handbook to find out about the practices, policies and procedures that apply to you when you work at Mapoon Aboriginal Shire Council.

### Where is the definitive version kept?

The definitive version of this Handbook is kept in CEO's Office This means that if you are not sure whether the copy of the Handbook you have is up-to-date, then you should check with the Chief Executive Officer (CEO), who is our Handbook Manager.

### What is in the Handbook?

The Handbook is divided in to 7 Sections:

**SECTION 1:** contains an overview of this Handbook

**SECTION 2:** contains background information about Mapoon Aboriginal Shire Council

**SECTION 3:** explains a number of our working practices and rules including our code of conduct.

**SECTION 4:** explains what staff receive in the way of leave and public holidays

**SECTION 5:** sets out our procedures and policies about equal opportunity and dealing with harassment and bullying.

**SECTION 6:** sets out procedures and policies about dealing with grievances, discipline, misconduct, absence and poor performance.

**SECTION 7:** contains a set of useful forms.

### Comments, questions, improvements?

We welcome your comments and questions.

If you have any questions or comments about this Handbook or the policies or procedures in the Handbook, then please contact the Chief Executive Officer (CEO).

## 1.2. Effect of this Handbook

All employees are employed under a contract of employment. In most cases, the contract will be a written contract of employment or a set of terms and conditions of employment. In some cases, the contract may just be verbal or implied by law. Whatever the case, your contract of employment is referred to in this Handbook as "**your Contract**".

To fully understand your rights and obligations, you need to read the Handbook carefully – and alongside your Contract if it is in writing. If your Contract is in writing, then you need to keep it for future reference – and access the Handbook when you need to.

You must comply with your Contract. You also have a duty to observe the working practices set out in this Handbook as lawful and reasonable directions of your employer. If you do not comply with the working practices set out in this Handbook, then you may be subject to disciplinary action under the **Disciplinary Procedure and Sanctions Policy**.

However, neither this Handbook, nor the policies and procedures within it, are incorporated as terms of your Contract. In other words, they do not form part of your Contract.

Your terms and conditions of employment may also be set by an industrial instrument, including:

- an individual employment agreement (which could be described in several different ways),
- an enterprise agreement, transitional instrument (or something similar), or
- a Modern Award.

We reserve the right not to follow any particular provision in this Handbook — unless it is a statutory entitlement, in which case we will comply.

## 1.3. Changing this Handbook

The Handbook will be kept under review, and will be changed and updated from time to time to reflect changes in the law and best practice. Sometimes we may need to change the Handbook at short notice to comply with changes to the law.

If we do change the Handbook, then we will let you know by giving general notice to members of staff.

It is your responsibility to ensure that you are aware of your obligations as they apply from time to time.

## 1.4. Your Line Manager

The term **Line Manager** is used frequently in this Handbook. Your Line Manager is your immediate supervisor – if your Contract is in writing, then they will normally be identified in your Contract. Your Line Manager will supervise your work and manage your employment during your time with us.

You will be notified if your Line Manager changes.

If the Handbook refers to your Line Manager in any particular section, or to any other specific person, then this includes any person acting temporarily in that role because the first person is away or unavailable. However, sometimes we will identify a person other than your Line Manager:

- if that first person is not available; or
- if it would not be appropriate in the particular circumstances for your Line Manager to deal with the issue.

## 1.5. Notice board

The notice board is provided as a focal point for publishing and receiving information about our organisation — for example our newsletter, statutory notices, rules and regulations, changes to this Handbook, sports, social events, and vacancies.

It is your responsibility to make sure you are aware of the information that is published on the notice board.

If you want to put a notice or an advertisement on the notice board, then you must first have your Line Manager's permission.

Any notice you put up must have an issue and take-down date written on it. You must make sure that the notice is taken down on or before the take-down date.

# **Staff Handbook**

## **SECTION 2: About Pormpuraaw Aboriginal Shire Council**

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## **2.1. What we do**

Pormpuraaw Aboriginal Shire Council is a local government under the Queensland State legislation (Local Government Act 2009).

The Council area comprises part of the land in the Pormpuraw Deed of Grant in Trust.

### **Site from which we operate**

We operate from the Council offices situated at 24 Thinraathin St Pormpuraaw and other premises in Pormpuraaw. The Postal address is

Pormpuraaw Aboriginal Shire Council  
C/- Post Office  
PORMPURAAW QLD 4871

Tel: (07) 4060 4600

Fax: (07) 4060 4653

Email: [ceo@pormpuraaw.qld.gov.au](mailto:ceo@pormpuraaw.qld.gov.au)

We employ about 55 people working on a variety of jobs reflecting the diverse nature of local government operations.

## **2.2. Staff structures**

See the Organisation Chart held by the CEO

We wish you a happy and rewarding career with us.

# **Staff Handbook**

## **SECTION 3: Working practices**

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## 3.1. Starting employment

### A Employee induction

All new members of staff are taken through an induction program. The extent of the program varies depending on your job.

Our induction training will usually follow a systematic plan. This helps to make sure nothing is left out and that each stage can be recorded as complete. If your induction plan is written down, a record of it will be put on your personnel file.

### B Probationary period

The length of your probationary — or trial — period is set out in your Contract. But if it is not in your Contract, then your probationary period will be three months.

During your probationary period, your Line Manager will monitor your performance.

Towards the end of your probationary period, you will have a probationary review. If your performance has reached the required standard, then you will be confirmed as a permanent member of staff. If there are any concerns about your performance, then we may end your employment.

We may end your employment during your probationary period on one weeks notice or payment in lieu – unless under your Contract we need to give you more notice during probation.

## 3.2. Supporting your development

### A Learning and development

#### Our training policy

We recognise:

- the contribution employees make to our success; and
- that to maintain a committed and competent workforce, we need to ensure we provide, or arrange, adequate training for all employees.

Our training policy aims to ensure that you — like all our people:

- are properly trained in the skills you need to carry out your present job at a standard acceptable to us;

- are provided with the skills you may need for changes in the way your job is carried out;
- are as far as possible, encouraged to develop your skills and talents to help you to progress and to reach your full potential; and
- are part of a workforce that is, and will be, sufficient to enable our organisation to cope with its needs and its anticipated change or growth.

### **Your role in training**

We encourage you to take a positive interest in your own development. The responsibility for training is shared between us, your Line Manager, and you.

You should discuss your training and development needs with your Line Manager as part of your annual Appraisals.

### **External training**

It may be that external training or courses would help achieve your training goals. You should discuss with your Line Manager any opportunities for external training that you think will assist you in achieving your training goals. In certain circumstances, we may, at our discretion, agree to provide financial assistance for relevant courses. We may also agree to provide you with paid or unpaid leave for you to attend a relevant course. Please note that there is no guarantee that we will provide you with financial assistance for external training.

Any agreement we make to provide financial assistance in relation to your studies is on the basis that you agree that we may reclaim all of, or a proportion of, that financial assistance from you if:

- you leave us during your study; or
- you leave us within a set period after you complete the studies.

Any repayment will be based on a sliding scale reflecting the period of time between our provision of financial assistance to you and your departure. You should confirm these arrangements with your Line Manager.

## **B Appraisals**

Your performance will be reviewed on a regular basis throughout your employment.

Normally, our appraisal process will involve you meeting with your Line Manager each year. At that meeting:

- your Line Manager will review your performance during the preceding year;
- you and your Line Manager will discuss your future work objectives; and
- your Line Manager will then set your future work objectives.

### **Aims**

The appraisal process aims:

- to help both you and us to improve work performance, and to help our organisation achieve our objectives; and
- to identify any particular training needs that will assist your future development.

### **Process**

Before the appraisal meeting, your Line Manager will give you your **Appraisal Form** which is **Form 1** in Section 7 of this Handbook. You are expected to consider the material on the form so that you can make a useful contribution at the meeting.

You are encouraged to be open and honest at the meeting.

At the end of the meeting, your Line Manager will complete the **Appraisal Form** with a record of the discussion at the meeting. You will be shown a copy, and you will be able to add your own comments. You will then be asked to review and sign the Form once you are satisfied it accurately reflects the discussions.

We may review your pay level after an appraisal time or at any other time.

## **3.3. Changes during your employment**

### **A Changes in job details**

From time to time, you may be asked to take on additional or different duties which we believe are appropriate. If this involves a formal change of job, then normally:

- we will discuss this with you first; and
- we will send you written confirmation of any changes to the relevant terms and conditions of your employment and to your job description and duties.

### **B Change of address or personal circumstances**

You must inform us immediately of any changes in the following areas:

- Your home address and contact numbers;
- The name and contact details of the person we would need to get in touch with if you have an accident at work;
- Your qualifications; and

- The account into which your salary is paid.

If you do change any of these details, then please use **Form 2 the Personal Details form** in Section 7 of this Handbook and give the form to the Deputy CEO.

It would also help us and you if you could let us know:

- about any temporary or permanent health concerns that may affect your ability to do your work, or
- if you feel that there is something we could do for you to overcome any difficulties at work caused by those health concerns.

We will keep all information of this nature confidential.

### **C Policy on requests for flexible working arrangements**

You may be entitled to request flexible work arrangements as provided under the National Employment Standards, state legislation or an applicable industrial instrument.

You can find the National Employment Standards through this [link](#).

If you are eligible to request flexible working arrangements, then you need to request them in writing.

We may refuse a request for flexible working arrangements on reasonable business grounds.

## **3.4. Your remuneration, expenses and benefits**

### **A Payment of wages and salaries**

Details of your salary or wages are set out in your Contract.

Statutory deductions from your pay (including PAYG tax and superannuation contributions) are made automatically.

You will receive an itemised pay statement, which you should check when you receive it. You must immediately report any discrepancies to the Deputy CEO.

You should raise any pay queries with the Deputy CEO.

**Joining or leaving — part of pay period** If you joined after the normal pay day in any week (if you are paid weekly) or month (if you are paid monthly), then you will receive payment for days worked during your week or month of joining at the end of the following week or month.

If you leave during a month, then you will not receive payment until the end of the month in which you leave.

**Advance pay** Advance pay, for whatever reason, is prohibited.

**Payment methods** Your net salary will be paid directly into a bank, credit union, or building society account bearing your name.

**Overpayments** If we overpay you, then you should:

- immediately tell the Deputy CEO; and
- arrange with them to repay the overpayment.

You agree that we have the right to take any lawful action necessary to recover any overpayments made to you.

## **B Timesheets**

### **What are timesheets for?**

We use timesheets to record your hours of work, and to calculate your pay and any overtime payments. This Policy explains what you, and we, need to do when completing and checking your timesheets.

### **What do you need to do?**

If we require you to complete a timesheet, then you must:

- fill out a timesheet each Week covering the period commencing on a Wednesday and finishing on a Tuesday;
- insert the starting time in your timesheet when you start each shift,
- insert the finishing time in your timesheet when you finish your shift,
- record any meal breaks you took or absences from work, and
- present your timesheet to your Line Manager at the end of each shift, for them to sign and check.

### **What must you not do?**

You must not:

- backdate your timesheet at the end of the pay period. That is, you must not fill it out at the end. Instead, you must fill it out as you go; or
- fill in another employee's timesheet or record false shifts on the timesheet. This would be a serious breach of trust and you would be subject to the **Disciplinary Procedure and Sanctions Policy**.

### **What happens if there is a mistake on your timesheet and you are underpaid?**

If you make a mistake on your timesheet, and this causes you to be underpaid, then we will adjust your pay in the next pay period. But if we make a mistake and underpay you, then we will adjust your pay as soon as practicable.

### **What will your Line Manager do with your timesheet?**

Each fortnight, before the end of the pay period, your Line Manager needs to check and sign each employee's timesheet. They do this by:

- ensuring you have marked the correct start and finishing times for each shift on your timesheet;
- marking the number of hours worked for each shift in the total hours column on the timesheet and calculating the total hours worked in the fortnight; and
- if the Line Manager is satisfied all information in the timesheet is correct, then signing and authorising the timesheet for payment.

## **C Salary sacrifice**

### **What is salary sacrifice and who is eligible?**

Salary sacrifice is an arrangement through which staff can ask us to forego part of their cash salary in return for non-cash benefits of equivalent value. It works like this: we take the amount paid by way of salary sacrifice out of your salary before we take out your PAYG tax. This reduces your taxable income so you should pay less tax.

You may only salary sacrifice if you are employed:

- on a permanent basis – that is, you are not a casual employee, or
- on a fixed term basis, and the term of your contract is more than twelve months. But even if your contract is for more than 12 months, then you may not be eligible to salary sacrifice for all the benefits that permanent employees might be eligible for. We can give you more information about this if you ask.

### **What benefits are eligible for salary sacrifice?**

Tax law allows only a few things – and a certain portion of your salary – to be paid for by salary sacrifice. If you would like to salary sacrifice a benefit, then ask us and we will let you know if it is eligible.

### **Can salary sacrifice arrangements be backdated?**

A salary sacrifice arrangement must be in place before you are paid – or are entitled to be paid – the benefit. So they cannot be backdated. Consequently, after we have paid you, it is too late to salary sacrifice from that payment.

### **What are the administrative costs of salary sacrifice, and who meets them?**

There may be administrative costs and fringe benefits tax as a result of a salary sacrifice arrangement. You will be responsible for any administrative costs and fringe benefit tax resulting from your salary sacrificing arrangements. We will deduct any of those amounts payable from your salary.

### **Should you seek independent advice before entering into a salary sacrifice arrangement?**

You should seek independent financial or legal advice before entering into a salary sacrifice arrangement. This is particularly important because salary sacrifice of superannuation contributions may affect your retirement benefits.

### **Is salary sacrifice only beneficial to high income earners?**

Salary sacrifice is not just for high income earners – although usually the more you earn the more benefit you receive from the arrangement, because you will be on a higher marginal tax rate. But because the benefits of salary sacrifice will vary with each individual, you should seek independent advice before considering it.

### **How does salary sacrificing affect your leave calculations?**

Salary sacrificing doesn't affect the calculation of your leave entitlements, such as annual or long service leave, or payments in lieu of notice of termination. All these payments continue to be based on your gross salary before salary sacrifice.

## **D Expenses**

### **Forms to use**

In Section 7 of this Handbook, there are two forms to use when you claim reimbursement of any expense incurred in connection with the organisation:

- **Form 3 the Vehicle Reimbursement Claim form:** Use this form if you have driven your own vehicle for work purposes and you want to claim reimbursement for the costs of doing so. Please also read the policy on **Insurance when using your own vehicle**, and
- **Form 4 the Expense Claim form:** Use this form to claim reimbursement of any other expense which you incur in connection with our organisation.

### **How to claim reimbursement**

To claim reimbursement of any expenses which you incur in connection with our organisation, you must:

- complete, date and sign the appropriate form; and
- submit the form to your Line Manager together with all relevant tax invoices for authorisation and payment (if the expense claim is accepted).

Submitting any fraudulent expense claims amounts to serious misconduct under the **Disciplinary Procedure and Sanctions Policy**.

## **3.5. Code of conduct**

### **A Your behaviour**

At all times, you are expected to perform your duties efficiently and diligently and to behave courteously and considerately towards your fellow employees, managers, directors, customers and all other people you deal with in the course of your duties.

You are expected to act wholeheartedly in our interests at all times. Any conduct — whether during or outside working hours — which appears to us to be detrimental to our interests, including our relationships with people who have dealings with us, will not be tolerated.

### **B Lateness**

You are responsible for being punctual and for being ready to start work in accordance with your working hours. This is a matter of courtesy to us and your colleagues.

If you are persistently late, then we may take disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

Lateness for work is treated as unauthorised absence. If you miss time at work as a result of lateness, then you may not be paid for the time you miss.

### **C Fitness to start work**

We need our employees to present themselves for work fully competent and alert and in a fully sober state.

If you present yourself for work in a condition in which you are unfit for work for any reason including being under the influence of alcohol or drugs (whether prescribed or not), then you will be sent home. Also we may take disciplinary

action against you under the **Disciplinary Procedure and Sanctions Policy** or the **Alcohol and Drug Abuse Policy**.

## **D Smoking**

Smoking is prohibited on all of our premises — apart from any designated 'smoking areas'. A breach of this rule may result in us taking disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

It is against the law to smoke in any enclosed spaces or in company vehicles.

## **E Private telephone calls**

Our telephone system is for the benefit of our organisation and the needs and requirements of our customers.

However, we recognise that from time to time you may need to make or receive personal calls when you are at work — for example, when there is an emergency, or when you need to ring home, or when it is impossible to make or receive the call outside business hours.

We therefore allow reasonable use of our telephone system for personal calls. Abuse of that permission will be regarded as misconduct and may result in disciplinary action being taken against you under the **Disciplinary Procedure and Sanctions Policy**. Examples of abuse include if an employee makes excessive personal calls, or makes a long-distance or international call at work, or calling any premium rate number (for example a number that starts with "19"). Calling a pornographic line will be considered as serious misconduct.

## **F Mobile phones**

If we provide you with a mobile telephone, then the rules about private telephone calls also apply to your use of the mobile.

Normally, you are required to switch off any personal mobile while you are at work. However, we recognise that from time to time you may need to make or receive personal calls and text messages when you are at work — for example, when there is an emergency. If this is the case, then:

- you will be allowed to leave your mobile switched on to receive calls — as long as it is switched to "silent" or "vibrate";
- you may make calls using your mobile — as long as the number and duration of calls is reasonable and does not interfere with your working day or our organisational needs; and
- you must comply with our rules on **mobile phones when driving**.

Breach or abuse of these rules will be regarded as misconduct and may result in us taking disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

## **G Use of mobile phones when driving**

You are not allowed to use a hand-held mobile at any time when driving. It is illegal. If you are found at any time driving and using a mobile without a hands-free kit, then we may take disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

Even when you are using a hands-free kit, you should pull over to make or take calls if possible.

## **H Use of vehicles**

If you are provided with a vehicle for use in your duties, then you need to read the relevant terms of your Contract.

If you drive for work reasons — whether in your own or our vehicle — then:

- you must show us your driving licence whenever we ask;
- you are reminded to take regular breaks when driving;
- you must not drink alcohol when driving a company vehicle at any time; and
- you must not drink alcohol driving your own car for work reasons.

If you are found driving for work reasons after drinking alcohol (even if you are below the legal limit), then we may take disciplinary action against you under the Disciplinary Procedure and Sanctions. You must also comply with our Alcohol and Drug Abuse Policy.

Remember, you may be under the influence of alcohol if you were drinking the previous evening.

**Insurance when using your own vehicle** If you use your own vehicles for travelling on business, then you must give your Line Manager a copy of your car insurance policy, confirming cover for the use of that vehicle on our business, and evidence of renewal of cover.

We will not pay your travelling expenses until we receive up to date copies of your insurance documents.

### **Reimbursement for the costs of using your own vehicle**

As just mentioned, if you drive your own vehicle for work purposes and you want to claim reimbursement for the costs of doing so, then you need to provide up to date copies of your insurance documents.

You can then use **Form 3 the Vehicle Reimbursement Claim** form in Section 7 of this Handbook to claim the costs.

### **Accidents and motoring offences**

If you drive for work reasons — whether in your own or our vehicle — then you must also tell us:

- about any accidents you are involved in when driving for work reasons;
- about any accidents involving one of our vehicles; and
- if you have been, or are being, prosecuted for any motoring offence that may result in a fine, points on your licence or disqualification.

### **Fines**

If either you or we receive a fine associated with a motoring offence or any traffic or parking infringement that you commit when driving for work reasons, then you are responsible for paying the fine.

## **I Statements to the media**

You must refer to your Line Manager any request you receive for a statement from newspapers, radio, television or any other media about anything to do with us.

You must never give any such statement yourself unless you have been specifically authorised to do so in advance.

Any breach of these rules will be considered a serious breach of the terms of your employment and may result in us taking disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

## **J Your responsibilities regarding our property, equipment etc**

You are responsible for all of our property, equipment (including vehicles, laptops and mobile phones etc.), materials, or written information:

- issued to you; or
- in your possession or control.

You agree to take all reasonable steps:

- to maintain in good condition all of our equipment or property; and
- to ensure that all reasonable steps are taken to prevent its loss or theft.

You must not do either of the following without first getting the permission of your Line Manager:

- remove our property or equipment from our premises or any other place of work; or
- use any of our property, equipment or materials for any purposes other than for our organisation.

You will be held responsible for any avoidable damage, theft or loss, to our property which results from your actions.

If you do not meet any of the standards set out in this Section, then it will be considered misconduct and may result in disciplinary action being taken against you under the **Disciplinary Procedure and Sanctions Policy**.

## **K Our premises**

You are expected to contribute towards keeping our premises clean and tidy — particularly those areas to which visitors have access.

You must comply with all safety regulations that relate to our premises. If when at work you do anything which endangers the health or safety of any other person, then that will be regarded as serious misconduct under the **Disciplinary Procedure and Sanctions Policy**.

Any allegation that an employee has endangered the health or safety of a colleague or any other visitor to our premises will be dealt with seriously.

If you have any health & safety concerns, then you should report them to your Line Manager. You should also refer to our **Health & Safety Policy**.

## **L Uniforms**

You must wear the uniform we provide at all times you are on duty.

You are responsible for keeping your uniform clean, neat and tidy, and in good repair.

You must return your uniforms on the day that your employment ends, or whenever you are asked to do so. If you do not return them or if you return them in a poor state of repair, then we may charge you for the cost of any repair or replacement.

## **M Personal hygiene**

In the interests of your colleagues, you are expected to take care of your personal hygiene. You should also not wear excessive amounts of scent or aftershave.

## **N Medical records**

If we have any concerns about your ability to perform your duties because of a health problem, then we may ask you to provide information about your medical capacity.

You must provide this information promptly and it must be true and accurate to the best of your knowledge. If you provide false or misleading information, then this will be considered misconduct and we may take disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

## **O Cash handling**

Only those employees who are specifically authorised by us to do so may:

- handle cash;
- receive payments on our behalf;
- have access to, or use, cash tills; or
- give discounts on any goods or services.

If you breach this rule, then we may take disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

If you are specifically authorised to use cash tills in the performance of your duties, then you must make sure that:

- receipts are issued for all transactions;
- all transactions are recorded on the till roll; and
- the signature on all credit card receipts matches the signature on the card – unless the PIN system is being used with a credit card.

You are not allowed to do either of the following — unless you first obtain the permission of your Line Manager:

- Buy goods for personal use during working hours; or
- Serve or sell goods to your families, friends or colleagues.

## **P Acceptance of gifts**

You must not receive gifts and favours from others in relation to your work — unless you have the express written consent of your Line Manager. However, you may accept small, inexpensive, gifts — for example, diaries and calendars.

If you have any doubt as to what type of gifts are acceptable, then you should speak to your Line Manager before you accept them.

## **Q Personal deliveries at work**

You may not use our address for personal deliveries — unless you first obtain the specific permission of your Line Manager each time you are expecting a delivery.

If you are already using our address for personal deliveries, then you may only continue to do so with the permission of your Line Manager.

We reserve the right to refuse, or withdraw, permission for you to use our address for personal deliveries if, for example:

- we consider that our credit rating could be at risk; or
- the permission is being abused in any way.

We will not grant permission for deliveries of any materials or objects which could offend any other members of staff.

Any breach of these rules may result in us taking disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

## **R Right to search**

It is a condition of your employment that, in exceptional circumstances, you submit when reasonably requested to do so, to your Line Manager or another member of the management team, searching your desk, locker, personal property, clothing and effects (including motor vehicles).

If we have reasonable grounds for believing that a search is necessary, then we will ask you to consent to the search. If you unreasonably refuse to give that consent, then it may result in us taking disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

Searches will be conducted only if we have a reasonable suspicion that there has been a serious breach of our rules, or that a crime has been committed.

You will be dealt with seriously if you are found to be:

- in unauthorised possession of our property or of property belonging to a third party (whether a fellow employee, or our customers); or
- in possession of unlawful substances or other unlawful items.

## **S Engaging contractors and consultants**

### **What are contractors and consultants?**

A contractor or consultant is a person whom we sometimes engage to provide services to us, but who is not our employee.

### **How do we engage contractors and consultants?**

Only employees with specific authority to engage contractors and consultants may do so.

You should speak to your Line Manager if you need to engage a contractor or consultant.

## **3.6. Alcohol and Drug Abuse Policy**

### **A Policy statement**

For the following reasons, we have introduced this **Policy on Alcohol and Drug Abuse**:

- We take our responsibility to provide a safe and healthy working environment very seriously.
- Part of our responsibility includes ensuring, within reason, that the people who work for us are competent to perform their duties.
- You also have a duty to take care of your own health and safety, that of your colleagues, and that of anyone else who is affected by the way we operate our business.
- Consuming alcohol or drugs — whether during or outside normal working hours — can impact on how you perform your duties. Therefore, it may affect your health and safety and the health and safety of others. This is of particular concern if you are driving, or if you are using potentially dangerous equipment or substances.

The following rules apply to all members of staff. If anyone breaks any of the rules, then they will be subject to disciplinary action under the **Disciplinary Procedure and Sanctions Policy**.

**Any questions?** You should speak in confidence to your Line Manager if:

- you have any queries or concerns about the operation of the Policy, or
- you are concerned that you may be dependent on either alcohol or drugs.

### **B General rule**

We may take disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy** if during working hours you are found to have consumed, or to have been under the influence of:

- any intoxicating liquor, any illegal or other drugs, or

- any substance that may affect your performance, or the health and safety of yourself or others.

## **C Alcohol**

You must not consume any alcoholic drinks during any meal breaks or rest breaks or when waiting to come on duty.

Under no circumstances may you bring any alcohol to your place of work or to our vehicles.

It will be regarded as serious misconduct if you are drunk when working one of our vehicles.

It is strictly forbidden to come to work under the influence of alcohol.

## **D Drugs**

It is a criminal offence to use, possess or deal in any illegal drugs or other controlled substances.

Normally, anyone involved in any of those activities when on duty will be dismissed for serious misconduct. We also reserve the right to call in the police.

You also need to read the rules on searching employees.

## **E Use of prescribed drugs**

If you are taking prescribed medication, then you must ask the person who prescribes the drugs whether there are any side effects to taking the drug.

You should let your Line Manager know if those side effects will, or are likely to, have an effect on your ability to do your job.

If we have any concerns for your health and safety while you are taking the prescribed drugs, or for the health and safety of colleagues, then your Line Manager will consider whether it is possible to assign you to alternative duties.

You should of course continue to take any medication prescribed by your doctor.

## **F Screening for alcohol and drugs**

It may be necessary for you to undergo screening for alcohol and drugs if there is reasonable cause. This would include:

- any accident at work in which we suspect alcohol or drugs played a part;
- any other case in which we have reasonable grounds for suspecting that you may be under the influence of alcohol or illicit drugs; or

- if we suspect that because of alcohol or drugs you are not fit to perform your duties, or that allowing you to perform your duties may constitute a risk to safety.

You will be expected to comply with all reasonable requests:

- to undergo a breath test, or any blood or urine tests as we regard are reasonably necessary; and
- to authorise disclosure of the test results to us.

If, without good reason, you do not comply with a request to be breathalysed or to undergo a blood or urine test, then we will treat this as a refusal to comply with a reasonable request. This may result in us taking disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

## **G Unfitness for work**

If we consider you unfit for work due to alcohol or illicit drugs, then you will be required to return home. You will not be paid for this absence.

When you are in a fit state to return to work, your Line Manager will conduct a counselling interview with you. In the interview, you will be asked to give your own account. In appropriate circumstances, we may reinstate your salary for the period you were absent.

We may take disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy** in these circumstances.

## **3.7. Health & Safety Policy**

### **A Policy statement**

Ensuring health and safety is everyone's responsibility. We recognise that we have a responsibility to ensure that all reasonable precautions are taken to provide and maintain working conditions that are safe, that are healthy, and that comply with all statutory requirements.

Other specific rules relating to health and safety matters may be issued to employees from time to time. You must always follow them.

The management team is responsible for understanding and complying with our **Health and Safety Policy**, its procedures and the relevant legislative requirements. The management team is also responsible for:

- communicating with employees, contractors and visitors and health and safety representatives about hazards in the workplace;

- arranging, and participating in, programs to improve risk management including health and safety in the workplace;
- engaging appropriate resources to enable all relevant legislation to be complied with and to minimise risk exposure;
- causing the review of any serious or fatal accidents or near misses and to support remedial actions; and
- responding in a timely manner to any risk to health or safety brought to their attention.

## **B Your duties**

You — and all our employees — have a legal responsibility to work safely and to co-operate with the management team to ensure your own health and safety and the health and safety of others in the workplace.

You are expected to understand and comply with our occupational health and safety policies and procedures — and in particular, to report any incidents that have, or that may have, led to injury or damage.

You must take reasonable care for the health and safety of people who are at your place of work and who may be affected by your acts or omissions at work.

You have a duty to co-operate so far as is necessary to enable us to comply with any requirement under this Policy, or under applicable legislation, or imposed on us or any other person in the interests of health and safety. As part of that co-operation, you need to:

- help identify hazards in the workplace;
- help assess the risks of health safety and welfare;
- suggest, and help implement, control measures to minimise or eliminate risks; and
- help review control measures.

You must:

- communicate with the management team regarding any risks to health or safety in the workplace,
- participate in all training and risk assessments in the workplace regarding occupational health and safety, and
- cooperate with any action taken by us to comply with our obligations to ensure health and safety.

If you are faced with a conflict between the demands of safety and your job, then you must raise the matter immediately with your Line Manager.

If you have reason to doubt your capability to deal with or undertake a task, then you must raise the matter immediately with your Line Manager.

## **C Accidents at work and first aid**

If you witness an accident at work, then you should refer the matter to your Line Manager and to the relevant First Aid Officer.

**First aid officer** You need to know who your First Aid Officer is. You can find out who your First Aid Officer is by asking your Line Manager.

**Equipment** First Aid equipment is provided on all vehicles and on our premises.

## **D Fire**

You need to know:

- the identity of the Fire Warden for your area. You can find out who your Fire Warden is by asking your Line Manager, and
- your evacuation route and assembly point in case of fire. Your Fire Warden will give you this information.

Fire exits must be kept clear from obstructions.

If there is a fire, then you must comply with all reasonable directions of your Fire Warden and the Fire Brigade.

If you discover a fire, then you should:

- isolate the area (shut doors etc.);
- advise the Fire Warden for the area; and
- sound the alarm by calling 000, and by triggering any nearby fire alarm.

You must respond appropriately if the fire alarm system is operated. Tests will be carried out on the fire alarm system from time to time on a random basis.

## **E Security**

If you are at work outside normal office hours — for example, early mornings, late evenings or at night — or if you are working alone, then you need to take reasonable measures to ensure the safety of yourself, your fellow employees and the security of our premises. From time to time we may publish security rules which you must comply with.

## **F Working at heights and reaching**

Do not attempt to obtain items that are beyond your reach.

If you cannot reach something, you should get a ladder or stepping stool. Before you use it, you should make sure it is in a safe condition to use. You should never overreach on the ladder or stepping stool. It is safer to get down and move the ladder.

You should not under any circumstances use chairs, open drawers or any makeshift device for climbing, or climb up the shelves themselves.

## **3.8. Computer Use Policy**

### **A Introduction**

**The technology** The Internet is a world-wide communications network linking together thousands of computer networks and many millions of users through public and private telecommunications lines.

We provide access to the vast information resources and facilities of the Internet to help you do your job faster, more efficiently and to assist you in ensuring that you are using the latest available data and technology.

The facilities represent a considerable commitment of our resources in respect of telecommunications, networking, security and software — as well as significant costs.

### **B Potential problems**

**Our image** We must all take special care to maintain the clarity, consistency and integrity of our image. Anything any employee writes in an email from our system could be construed as representing us. This presents some significant risks to us and to you.

**The law** There is also a danger that, if our email system or Internet access is abused, we may be found to have broken the law. That could result in criminal penalties or our having to pay damages (for example in respect of harassment).

**Viruses** Other problems that might arise include importing viruses onto our systems or hardware.

### **C Our approach**

We would like to clarify our position in connection with access to, and downloading from, the Internet on our computers.

Security must be a key concern for everyone. As use of the Internet and email expands within our organisation, it is essential that you are fully aware of your responsibilities and what restrictions are placed on you using our technology etc.

This Policy is intended to clearly define the conditions of use of the Internet and email. All employees authorised for Internet or email access (or both) will be provided with a copy of this Policy and, before they are allowed access to our IT systems must sign a statement to confirm that they received and understood this Policy.

This Policy may be changed and updated in response to changing circumstances as Internet and email facilities develop, whether operational or legislative. As with all of this Handbook, it is your responsibility at all times to ensure that you are aware of your obligations under the Computer Use Policy.

If you breach any of the provisions of this Policy, then we may take disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

If you have any queries regarding access to the Internet, then please contact your Line Manager.

## **D Emails**

### **General standards**

Messages sent on the email system are to be written in accordance with the standards of any other form of written communication. The content and language used in the message must be consistent with our best practice.

You should always retain hard copies of important emails relating to our organisation.

Always remember that your emails could be read out in court as part of court proceedings. Therefore, you should write them as carefully as if you were writing a letter. Also, you should avoid obscene or defamatory language.

The printing or forwarding of any emails which breach any of the standards set out in this Policy is a breach of these rules.

### **Defamation and libel**

For many purposes, emails have the same effect as if they had been typed on our letterhead. This means that you should never under any circumstances make derogatory comments about anyone in any email that you send, whether internally or externally.

### **Harassment and bullying**

We will not tolerate the use of our email system for the harassment or bullying of any person. Any allegations of such harassment or bullying will be dealt with

under our **Policy on the avoidance of harassment** or our **Policy on workplace bullying**.

Harassment may include sending emails to unwilling recipients.

#### **Unacceptable use of the email system**

Abuse of the email system by sending any unsuitable material is likely to be serious misconduct under the **Disciplinary Procedure and Sanctions Policy**.

Unsuitable material includes but is not limited to material which is:

- defamatory.
- offensive or obscene.
- untrue or malicious.
- of a political nature.
- in breach of copyright.

#### **Internal emails**

You should use the internal email system for the purposes of our organisation only.

You must not send or distribute jokes, comic material or material of an offensive, obscene or malicious nature to colleagues — as you risk offending colleagues and wasting your and their time during business hours.

If you break this rule, then we may take disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

#### **Opening and downloading emails and attachments**

We want to keep a tight control over all emails and attachments received by our systems. This is because:

- opening or downloading emails or attachments may place us in breach of the copyright laws.
- the emails or attachments may contain viruses that could corrupt our computers and computer systems.

To prevent these risks from happening, you should never open or download any email or document received by your computer unless you recognise the sender and are expecting to receive the email or document.

You should also never open any email attachments with any of the suffixes **.exe** or **.bat** or **.com** unless:

- you have the permission of your Line Manager; and

- you are satisfied that the opening of that attachment will not breach any of the other provisions of this Policy.

As a general rule, if you receive an unsolicited email from an organisation that you do not recognise, then before you open or read it or any attachments to it you should first make sure that it has been virus-checked. If you are in any doubt, then you should contact your Line Manager for guidance.

You must not forward or send material that would place our organisation at risk of breaching relevant copyright laws.

You are also not allowed under any circumstances to import onto our machines or systems any programs or other software that have not first been approved in advance by your Line Manager.

### **Sending external emails**

Whenever you send an external email, you should insert the following wording at the end of the email:

This message contains confidential information. It is intended only for the individual named. If you are not the named addressee, then you should not disseminate, distribute or copy this email.

If you have received this email by mistake, then:

- please notify the sender immediately; and
- delete this email from your system.

Email transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability:

- for any errors or omissions in the contents of this message or attached documents; or
- for any damage suffered by your computer system caused by any errors or viruses contained in the email message or any attached documents.

### **Confidential information**

Much of the information that you have about us is confidential. Under the terms of your Contract, you are required to keep that information confidential and not to pass it on to third parties. We wish to make it clear that these requirements extend to the use of emails. Therefore, you must not email confidential information to any third party — unless you first have the permission of your Line Manager.

## **Security**

You are personally responsible for the security of your terminal. You must not allow the terminal to be used by any person — unless you have expressly authorised them to use it.

You must keep your password confidential and must not shared it with, or disclose it to, anyone else.

To help prevent unauthorised users from using your PC or laptop, network connections must not be left unattended for any length of time.

## **Management of your inbox**

You should make sure that you regularly delete from your Inbox all emails that you no longer need to retain. If you do not, then our servers will soon become overloaded with messages that are no longer required. Training on how to do this can be arranged by your Line Manager.

Stand-alone PC users must manage their email accounts to the same standards.

## **E Virus protection**

Email attachments, files downloaded from the internet and other files introduced onto your computer may be scanned by our virus-scanning software. In some circumstances you may not have access to the file in question if the virus-scan detects a problem.

Only your Line Manager may insert disks, memory sticks etc. into our PCs or laptops, so that they can be virus scanned.

All files, programs and email attachments which are to be downloaded must be virus scanned.

Any incidents regarding the detection of viruses in Internet files or email attachments (or both) must be reported immediately to your Line Manager.

We require all users of stand-alone PCs and laptop computers to operate virus checks on the computers under their control on a regular basis. For advice as to how to run a virus check, please contact your Line Manager.

If you discover a virus on your computer, then you should contact your Line Manager immediately. They will arrange for the appropriate action to take place.

## **F The internet**

### **General**

We provide Internet access for employees on PCs and laptops. This is for the sole purpose of allowing employees to use the Internet as a research tool, and to provide services to our customers.

### **Internet access**

Normally, we provide Internet facilities only to workstations attached to our network and connected to our Internet Service Provider via a leased line through the proxy server.

In some circumstances we may provide remote access to our systems. Approval for all connections will require personal authorisation from your Line Manager.

If we grant approval for an Internet connection from a stand-alone PC, then you must arrange for approved corporate access control software and virus scanning software to be installed on that PC. The connection will be made from a separate dedicated telephone line.

We do not allow modem connections from networked workstations.

### **Restrictions on access to certain websites**

Use of the Internet via our IT system, or use of our systems or machines, to access pornographic, illegal, offensive or obscene materials, or interactive sites or television radio or satellite broadcasts, will in most circumstances be serious misconduct under the **Disciplinary Procedure and Sanctions Policy**.

"Offensive materials" include any material that may offend or embarrass any person who might see or be confronted with that material.

If you accidentally access unsuitable material, then you must disconnect from that site immediately and inform your Line Manager. We will not take action against you for genuine accidental access of this material. We will take steps to out the relevant sites in our excluded lists as soon as possible.

If you use a stand-alone connection, then you must be aware of your responsibilities not to access such sites and must acquire additional Web site control software for your PCs if this is appropriate.

### **Social networking sites**

If you are a member of a social networking site, then you are not permitted to include any details of our organisation, including any logos.

If you enter personal information on to social networking sites, you need to ensure that you do not include any information or photographs which could bring our organisation into disrepute. For example, you:

- must not post discriminatory or libellous remarks about the organisation or work colleagues;
- must not post inappropriate information and photographs of your activities either inside or outside work; and
- must not access social networking sites while at work.

## **G Our rights about your use of our systems**

All use of the Internet through our network connections will be monitored, logged and retained by our systems. They record Internet sites visited (or attempted to be visited), pages accessed, files downloaded, graphic images examined and all email correspondence.

If we have reasonable grounds for believing that you have broken any of the rules in this Policy, then we reserve the right to do any or all of the following:

- monitor your email traffic;
- retrieve and consider the contents of messages sent or received by you for the purpose of determining whether the use of the email system is legitimate, to assist in the investigations of wrongful acts, or to comply with any legal obligation; and
- find lost messages or retrieve messages lost due to computer failure.

We may from time to time randomly monitor message traffic to ensure that the rules in this Policy are being followed. This monitoring may occur for a limited period or be ongoing. The confidentiality of any personal message seen by us when carrying out that monitoring exercise will be maintained — unless we reasonably believe that the message contains evidence that the rules in this Policy may have been breached. In that case, we reserve the right to use that message as part of an investigatory or disciplinary procedure.

## **H Breaches of these rules**

Any suspected breach of the rules that we discover will be investigated. If they are substantiated, then we may take disciplinary action against you under the **Disciplinary Procedure and Sanctions**.

## **3.9. Confidentiality, intellectual property, moral rights and privacy**

### **A When does this section of the Handbook apply?**

This section of the Handbook – entitled Confidentiality, intellectual property and moral rights – only applies to you if:

- you don't have a written employment contract or agreement; or
- you do have a written employment agreement but it is silent on the topics of confidentiality, intellectual property and moral rights.

## **B What kinds of information are confidential?**

Confidential information includes any confidential information relating to our business that comes to your knowledge and is not in the public domain and includes:

- the work performed by you as an employee, including work performed on computer programs,
- matters not generally known outside our organisation – for example: financial, budgetary, marketing, research and business plan information, and developments relating to existing and future products and services marketed or used by us, that are to be marketed or used by us in the future, or that have been considered but rejected by us;
- client, supplier and distributor lists and information;
- information relating to our general business operations – for example, sales, costs, profits, staff names and contact details, business plans and ideas, organisation details, customer names and lists, pricing methods, the terms of any contract, agreement or business arrangement with third parties, and information relating to companies that are either partners or associates of ours;
- trade secrets, licences, know-how, intellectual property and related information;
- third party information disclosed in confidence; and
- any other information we consider to be confidential.

## **C Confidentiality**

Other than as required by law and in the proper course of performing the duties of your employment, you must not use or disclose to any person, organisation or company any confidential information belonging to us which you may learn in the course of your employment with us.

This obligation applies both during your employment and after the expiry or termination of your employment.

It does not matter whether the information was produced by your own efforts or not.

Also, during and after your employment with us, you are to use your best endeavours to prevent the use or disclosure of such confidential information by third parties.

## **D Intellectual property**

**Intellectual Property** means all intellectual property and proprietary rights (whether registered or unregistered) that are owned or used by us or necessary for the conduct of our business including:

- any of our Confidential Information; and
- any processes, formulae, technology, systems, reports, drawings, specifications, software, blue-prints, patents, patent applications, discoveries, inventions, improvements, trade secrets, technical data, research data, software, know-how, logos, registered and unregistered trademarks and service marks, registered and unregistered designs, design rights, copyright and similar industrial or intellectual property rights.

You assign to us all right, title and interest in, or derived from, any Intellectual Property you create during your employment or in connection with or related to the performance of your duties. It does not matter whether or not you created the Intellectual Property during normal business hours or using our premises or equipment.

You agree that you have no interest whatsoever in any of the Intellectual Property you create during your employment.

You agree to execute any, and all, documents and to do all acts and things necessary to give effect to the assignment in this Policy — including after the end of your employment.

## **E Moral rights**

Moral rights are defined in the *Copyright Act* 1968. To the fullest extent permitted by law, you consent to us – and all persons authorised by us – doing any act or thing, or omitting to do any act or thing, which may otherwise infringe your moral rights.

This consent is given in relation to all Works, as defined under the Copyright Act that you make in the course of your employment.

## **F Your obligations of privacy**

In this section of the Policy, the term "personal information" means any information or opinion about an individual whose identity is apparent – or can reasonably be ascertained – from the information or opinion and:

- which may be true or untrue;
- which may be recorded in a material form or otherwise; and

- which you receive, create, hold or otherwise handle during the course of, or in connection with, your employment by us.

You must not collect, use or disclose personal information about other people unless it is necessary to do so in accordance with your employment duties, as authorised by us or in accordance with applicable privacy laws.

You agree that if you collect or handle any personal information then you must do so in a way that complies with:

- all laws regulating privacy and confidentiality which apply to us; and
- all of our policies and all of our reasonable directions to you.

### **3.10. Whistleblowing Policy**

#### **A Introduction**

We conduct our business with the highest standards of integrity and honesty. We expect all employees to maintain the same standards. We therefore encourage an open culture in our dealings between our managers, employees and all people with whom we engage in the course of our business.

You are encouraged to report any wrongdoing by us or our employees that falls short of our business principles. However, we recognise that you may not always feel comfortable about discussing your concerns internally — especially if you believe we are responsible for the wrongdoing.

The aim of this Policy is to ensure that:

- you feel confident that you can raise any matter that concerns you;
- you know that if you do, then it will be taken seriously and treated as confidential; and
- you know that no action will be taken against you as a result.

You are encouraged to use the procedure set out below if you have any concerns at all about wrongdoing at work — including: any criminal offence, a failure to comply with legal obligations, a miscarriage of justice, a health and safety danger, an environmental risk or a concealment of any of these.

#### **B Who should use this procedure?**

Any person who works with us, or for us, should use this Procedure. This includes anyone:

- employed directly by us;

- staff supplied by an employment agency; and
- individuals who work for us in the capacity of independent contractors.

### **C Subject matter of disclosures**

You are encouraged to disclose any matter concerning the conduct of our business which leads you to believe that malpractice is occurring, may occur, or has occurred. In particular, you should disclose the occurrence or likely occurrence of any of the following:

- The commission of a criminal offence;
- Any failure to comply with a legal obligation or regulatory requirement applicable to the business;
- Any risk to health and safety;
- Any damage to the environment; and
- The concealment of information that reveals any of the above matters.

### **D Procedure**

**Who** Normally, you should raise your concerns with your Line Manager. However, if the activity you wish to report involves your Line Manager, or you think that it is inappropriate to disclose your information directly to your Line Manager for any reason, then you should raise your concerns with the CEO.

**Confidential** Any disclosure under this procedure will be treated as completely confidential and will not result in any report to anyone within our organisation unless you agree to the contrary or it is required by law.

**Anonymous** You may raise any concerns under the procedure anonymously, in writing, to the appropriate person. However, if you remain anonymous, then this may hamper our ability to investigate your concerns.

**Investigation** We will try to investigate the matter you have raised as soon as is reasonably practicable. You will normally be contacted to confirm that this investigation is taking place. You may be requested to put your concerns in writing or to attend as a witness during any stage of the investigation. If you are requested to attend, then you will normally be permitted to be accompanied by an appropriate support person.

**Outcome** If possible, you will be informed of the outcome of the investigation and of any action that is proposed to rectify any established malpractice.

**Dissatisfied** If you are unhappy about the speed or conduct of the investigation or the way in which the matter has been resolved, then you should confirm your concerns in writing.

**Protecting you** If you believe you are being subjected to a detriment by any person within our organisation as a result of you raising concerns under this procedure, then you must immediately inform your Line Manager or the CEO. We will then take appropriate action.

**External authorities** There may be matters that cannot be dealt with internally. In that case, external authorities will need to become involved. If this is necessary, then we reserve the right to involve them without your consent. We will not disclose you as the source of the information — unless you agree otherwise.

**Good faith** If we have good reason to believe that when you invoked this procedure you did not do so in good faith (for example, for malicious reasons or to pursue a personal grudge against another employee), then this will constitute misconduct and may result in us taking disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

### 3.11. Recruitment Policy

#### A What this policy is for

This Recruitment Policy is to help managers who wish to recruit a new employee.

#### B Reference checks for job candidates

Before you offer employment to anyone, it is always prudent to do a reference check on the job candidate, with an independent person. **Form 5 the Reference Checklist** in Section 7 of this Handbook contains some useful questions to ask a referee.

If you are doing a reference check on a candidate, then please complete the **Reference Checklist** and place it on the candidate's file.

#### C Position descriptions

If you offer employment to any candidate, then you must complete **Form 6 the Position Description form** in Section 7 of this and provide it to the candidate with their contract of employment or terms and conditions of employment.

If the candidate accepts employment with us, then their Line Manager must obtain the candidate's signature on the **Position Description form** and place it on the employee's personnel file.

## **D Personal details form**

When an employee starts employment with us, their Line Manager must:

- complete all of **Form 2 the Personal Details form** in Section 7 of this Handbook – except for the bank account details and superannuation sections;
- give the form to the employee to complete the bank account details and superannuation sections; and
- place the completed form on the employee's personnel file or give the form to the appropriate person to do this.

## **3.12. Ending employment**

### **A References for you**

If your employment with us ends or you intend to look for another job, then we may, at our discretion, provide a reference for you to a prospective employer – if you or they ask us for one.

The reference will usually follow the wording in **Form 7 the Certificate of service** in Section 7 of this Handbook, and may be limited to issues of fact only — your start date, your termination date (if appropriate) and your job title.

Only your Line Manager is able to provide a reference for you in our name.

The reference may contain the following wording at the end:

"As a matter of policy Mapoon Aboriginal Shire Council does not provide references expressing views or opinions as to:

- the performance or abilities of its former employees; or
- their suitability or otherwise for the post with your organisation for which they have applied.

Nothing in this reference should be taken as expressing such an opinion."

### **B Returning property at the end of your employment**

On or before your last day of work, and whenever else we ask, you must:

- return all of our property to us; and
- provide written confirmation of any passwords for access to any mobile telephone, PDA, laptop computer or any other electronic device.

If you do not, then we may take all action we consider appropriate to recover or protect our property.

### **C Line Managers may conduct exit interview and complete Exit Checklist**

On or before the last day of an employee's work for the organisation, their Line Manager:

- may hold an exit interview with the employee using **Form 8 the Exit Interview form** in Section 7 of this Handbook; and
- must ensure that the employee has returned all property belonging to the organisation and then complete **Form 9 the Exit Checklist** in Section 7 of this Handbook.

The Line Manager must give those completed forms to the appropriate person to place on the employee's personnel file.

# **Staff handbook**

## **SECTION 4: Leave and public holidays**

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## 4.1. Annual leave – taking holidays

### A Your leave entitlement

Full-time and part-time staff are entitled to annual leave as set out in the National Employment Standards. Casual staff are not entitled to annual leave.

In summary, the National Employment Standards provide 4 weeks of paid annual leave for full time employees for each year of service with us. Part time employees receive a pro rata entitlement.

You can find the National Employment Standards through this [link](#).

However, your entitlement to annual leave might be different to, but at least as beneficial as, the National Employment Standards if your employment is governed by an industrial instrument, including:

- an individual employment agreement (which could be described in several different ways),
- an enterprise agreement (or something similar),
- a Modern Award; or
- a transitional instrument.

If you are covered by an industrial instrument, then to find out your annual leave entitlement, you need to speak to the Deputy CEO.

### B You should take all your annual leave

It is in your own, and our, interests for you to take your full annual leave entitlement.

### C When we can require you take annual leave

We may require you to take annual leave:

- as allowed under the terms of any award or agreement that covers you; or
- if you are not covered by an award or agreement and our request is reasonable, including
  - if you have accrued an excessive amount of annual leave; or
  - if our business is being shut down for a specified period, such as between Christmas and New Year.

## D How to apply for annual leave

If you would like to apply to take annual leave, then please use **Form 10 the Leave Application form** in Section 7 of this Handbook and give it to your Line Manager.

We require that you give us at least four weeks notice of your intention to take annual leave.

When we are deciding whether to grant your request to take annual leave, we will consider both your needs – for example, your family commitments – and the needs of our organisation.

## 4.2. Personal/carer's leave

### A Your leave entitlement

Full-time and part-time staff are entitled to paid personal/carer's leave and unpaid carer's leave as set out in the National Employment Standards. Casual staff are not entitled to paid personal/carer's leave.

In summary, this leave provides 10 days of paid personal/carer's leave for a full time employee for each year of service. Part time employees receive a pro rata entitlement. You may take the leave:

- if you are unfit for work because of a personal illness, or personal injury, or
- to provide care or support to a member of your immediate family, or a member of your household, who requires care or support because of:
  - a personal illness, or personal injury, affecting them; or
  - an unexpected emergency affecting them.

Also, casual employees and employees who have exhausted their paid personal/carer's leave entitlement are entitled to 2 days of unpaid carer's leave for each occasion where they are required to provide care and support to a member of their immediate family or household for the reasons outlined above.

You can find the National Employment Standards through this [link](#).

However, your entitlement to personal/carer's leave might be different to, but at least as beneficial as, the National Employment Standards if your employment is governed by an industrial instrument, including:

- an individual employment agreement (which could be described in several different ways);
- an enterprise agreement (or something similar);
- a Modern Award; or

- a transitional instrument.

If you are covered by an industrial instrument, then to find out your entitlement to personal/carer's leave, you need to speak to the Deputy CEO.

## **A What you need to do if you are unable to come to work due to illness or injury**

You must keep us informed as follows:

- If you are unable to come to work due to illness or injury, then you or another person on your behalf must tell your Line Manager that you cannot come into work. You or they must do that:
  - as soon as is reasonably practicable on the first day of absence; and
  - on every day of absence, until you are covered by a doctor's medical certificate.

If your Line Manager is unavailable, then you or they should speak to the Deputy CEO.

You must:

- give us enough information to show us that you are genuinely sick; and
- tell us when your sickness began, and how long you think it will last.

## **B Leave application form**

Once you return to work after taking sick leave, you need to complete **Form 10** the **Leave Application** form in Section 7 of this Handbook and give it to your Line Manager.

## **C Evidence of incapacity**

If you are absent from work for more than one day, then you must give us a medical certificate from your doctor relating to the entire period of your absence. If we ask you to, then you must also give us a doctor's medical certificate if you are absent from work for one day.

You need to arrange for your medical certificates to be sent to your Line Manager within three business days of the start of your absence, or as soon as reasonably practicable.

## **D Breach of the notification and evidence rules**

You will not be entitled to take personal/carer's leave unless you comply with the requirements of this section.

If you provide false or misleading information regarding your absence from work on sick leave or carer's leave, then this will be considered misconduct and may result in us taking disciplinary action against you under the **Disciplinary Procedure and Sanctions Policy**.

## **E Return to work**

When you return to work after an extended absence from work on sick leave, you may be asked to attend a Return to Work Interview with your Line Manager.

## **4.3. Compassionate leave**

### **A Your leave entitlement**

You are entitled to compassionate leave as set out in the National Employment Standards.

In summary, this provides two days of compassionate leave – which is paid for full time and part time employees and unpaid for casual employees – for each occasion when a member of your immediate family, or a member of your household:

- contracts or develops a personal illness that poses a serious threat to his or her life;
- sustains a personal injury that poses a serious threat to his or her life; or
- dies.

You can find the National Employment Standards through this [link](#).

However, your entitlement to compassionate leave might be different to, but at least as beneficial as, the National Employment Standards if your employment is governed by an industrial instrument, including:

- an individual employment agreement (which could be described in several different ways);
- an enterprise agreement (or something similar);
- a Modern Award, or
- a transitional instrument.

If you are covered by an industrial instrument, then to find out your entitlement to compassionate leave, you need to speak to the Deputy CEO.

## **B Leave application form**

When you return to work after taking Compassionate Leave, you need to complete **Form 10 the Leave Application form** in Section 7 of this Handbook and give it to your Line Manager.

## **4.4. Community service leave including jury service leave**

### **A Your leave entitlement**

You are entitled to community service leave, including jury service leave, as set out in the National Employment Standards.

You can find the National Employment Standards through this [link](#).

However, your entitlement to community service leave might be different to, but at least as beneficial as, the National Employment Standards if your employment is governed by an industrial instrument, including:

- an individual employment agreement (which could be described in several different ways),
- an enterprise agreement (or something similar), or
- a Modern Award, or
- a transitional instrument.

If you are covered by an industrial instrument, then to find out your entitlement to community service leave, you need to speak to the Deputy CEO.

### **B How to apply for community service leave**

If you would like to apply to take community service leave, please use **Form 10 the Leave Application form** in Section 7 of this Handbook and give it to your Line Manager.

## **4.5. Long service leave**

### **A Your leave entitlement**

You are entitled to long service leave under the law of the state or territory in which you are employed.

However, your entitlement to long service leave might be different to the state or territory laws if your employment is covered by an industrial instrument, including:

- an individual employment agreement (which could be described in several different ways),

- an enterprise agreement (or something similar),
- a Modern Award,
- a transitional instrument, or
- any award or agreement-derived long service leave terms that apply to your employment.

If you are covered by an industrial instrument, then to find out your entitlement to long service leave, you need to speak to the Deputy CEO.

## **B Long service leave laws**

You can find the long service leave laws for all the states and territories through this [link](#).

## **C How to apply for long service leave**

If you would like to apply to take long service leave, please use **Form 10 the Leave Application form** in Section 7 of this Handbook and give it to your Line Manager.

## **4.6. Other unpaid leave**

In some circumstances, it may be possible for you to take other unpaid leave. But we have an absolute discretion as to whether or not to grant you unpaid leave.

If you wish to take unpaid leave for any other reason, then you should discuss this with your Line Manager.

If you want to take other unpaid leave, then it is important for you apply in writing using **Form 10 the Leave Application form** in Section 7 of this Handbook, and give it to your Line Manager as far in advance as possible.

If we grant unpaid leave, then during your leave:

- you need to keep in touch with your Line Manager in so far as possible; and
- you must tell your Line Manager if you would like to change your return date.

Any other unpaid leave taken will not count as service when we calculate your leave entitlements. But it will not break the continuity of your service with us.

## 4.7. Parental leave

### A Your leave entitlement

You are entitled to parental leave (which includes maternity, paternity, adoption and parental leave) as set out in the National Employment Standards.

You can find the National Employment Standards through this [link](#).

However, your entitlement to parental leave might be different to, but at least as beneficial as, the National Employment Standards if your employment is covered by an industrial instrument, including:

- an individual employment agreement (which could be described in several different ways);
- an enterprise agreement (or something similar);
- a Modern Award; or
- a transitional instrument.

If you are covered by an industrial instrument, then to find out your entitlement to parental leave, you need to speak to the Deputy CEO.

### B How to apply for parental leave

If you would like to apply to take parental leave, please use **Form 11 the Parental Leave Application form** in Section 7 of this Handbook and give it to your Line Manager.

## 4.8. Public holidays

You are entitled to public holidays set out in the National Employment Standards.

You can find the National Employment Standards through this [link](#).

However, your entitlement to public holidays might be different to, but at least as beneficial as, the National Employment Standards if your employment is covered by an industrial instrument, including:

- an individual employment agreement (which could be described in several different ways);
- an enterprise agreement (or something similar);
- a Modern Award or
- a transitional instrument.

If you are covered by an industrial instrument, then to find out your entitlement to public holidays, you need to speak to the Deputy CEO.



# **Staff handbook**

## **SECTION 5: Equal Opportunity Policy**

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## 5.1. Equal Opportunity Policy

### A We are an equal opportunity employer

We are an equal opportunity employer:

- We endeavour to provide equal opportunities to all employees throughout their employment, and base decisions that affect your employment on merit and competency.
- We are committed to doing what we reasonably can to eliminate unlawful discrimination in the workplace.

If we receive any allegations of discrimination on any of those grounds, then we will treat them seriously, and deal with them confidentially and speedily.

### B What is unlawful discrimination?

It is important for us to be clear what we mean by discrimination here.

Unlawful discrimination under federal, state and territory laws covers discrimination on the grounds of a range of personal characteristics and personal beliefs which are called "attributes". The definition of "attribute" varies from state to state, and includes:

- sex
- marital status
- pregnancy
- race, nationality, ethnic or national origin
- impairment/disability
- parental status or status as a carer
- lawful religious belief or activity
- lawful political belief or activity
- age
- industrial activity
- lawful sexual activity
- physical features
- breastfeeding
- sexual orientation

- personal association with person identified by reference to one of the above attributes.

Unlawful discrimination can come in two forms:

- "Direct discrimination". This occurs when a person with an attribute is treated less favourably than other persons without that attribute in the same or similar circumstances.

Examples include deciding not to promote an employee on the basis that she is pregnant, or not offering training to an employee because they have an impairment.

- The other form of discrimination is called "Indirect discrimination". This occurs where there is a requirement, condition or practice that has the effect of, or is likely to, disadvantage persons with that attribute, unless the condition or requirement is reasonable in the circumstances.

## **C Response to discriminatory behaviour**

If you are in a management or supervisory role and you become aware that unlawful discrimination has occurred, then you are responsible for responding appropriately and in accordance with our procedure. If you are unable to deal with the matter for any reason, then you should refer the matter to your Line Manager, who will take steps to implement the procedure.

Discriminatory behaviour is never to be ignored or trivialised. All complaints must be treated seriously and responded to in accordance with our procedure. If you are in a management or supervisory role and you do not carry out your duties in respect of equal opportunity, then this may result in disciplinary action being taken against you.

Any breach of this Policy will place a person at risk of disciplinary action under the **Disciplinary Procedure and Sanctions**.

## **D Complaints procedure**

If you feel you are or have been the victim of unlawful discrimination, then you should follow the complaints procedure in clause 5.5 below.

## **E Promotion, transfer and training**

We will take appropriate steps to ensure the proper training, supervision and instruction of staff in management or supervisory roles to:

- familiarise them with our **Equal Opportunity Policy**;
- help them identify discriminatory acts or practices; and

- ensure that they promote equal opportunity within the areas of the organisation for which they are responsible.

All people responsible for selecting employees for training of any type, or for transfer to other jobs, will be instructed not to unlawfully discriminate on any grounds.

If a promotional system operates, then the assessment criteria will be examined to ensure that they do not discriminate against a particular group.

If general ability and personal qualities are the main requirements for promotion to a post, then care will be taken to consider favourable candidates of all types with different career patterns and general experience.

The **Appraisals process** will be reviewed from time to time to assess how it is working in practice.

## 5.2. Policy on the avoidance of harassment

### A Policy statement

Harassment of any form, including sexual harassment, will not be tolerated in the workplace. Conduct of this type may breach federal and state anti-discrimination and occupational health and safety laws. It is the responsibility of all employees and contractors engaged by us to comply with this legislation.

You have a duty to co-operate with us to ensure:

- that this Policy is effectively implemented;
- that your colleagues are treated with respect and dignity; and
- that your colleagues are free from harassment, intimidation and other forms of bullying at work.

You should discourage harassment in the workplace:

- by making it clear to a perpetrator of harassment – wherever possible – that their discriminatory or harassing behaviour unacceptable; and
- by supporting colleagues who suffer harassment.

Harassment pollutes the working environment and can have a devastating effect on the health, confidence, morale and performance of those affected by it. It may also have a damaging effect on other staff who are not the object of unwanted behaviour.

All staff are entitled to a working environment which respects their personal dignity and which is free from such objectionable conduct.

Harassment is a disciplinary offence and incidents may result in disciplinary action under the **Disciplinary Procedure and Sanctions**.

We aim to deal with all complaints seriously, promptly and confidentially. But complaints that are made in bad faith may result in disciplinary action under the **Disciplinary Procedure and Sanctions**.

A breach of this Policy will place a person at risk of disciplinary action under the **Disciplinary Procedure and Sanctions**.

## **B What is sexual harassment?**

A person sexually harasses someone if they:

- engage in any unwelcome conduct of a sexual nature, including unwelcome sexual advances or unwelcome requests for sexual favours;
- in circumstances in which a reasonable person would anticipate that the person harassed would be offended, humiliated or intimidated.

Sexual harassment can happen among peers or co-workers, and in subordinate-supervisor, supervisor-subordinate situations. It might occur as a single incident or a series of incidents.

Examples of sexual harassment include:

- personally offensive comments
- sexual or smutty jokes
- comments or teasing about a person's alleged sexual activities or private life
- persistent unwelcome invitations, telephone calls or emails at home
- being followed home from work
- offensive hand or body gestures
- physical contact such as patting, pinching, touching or putting an arm around another person
- the display of sexually-suggestive material
- unwanted declarations of affection
- sexual assault and rape, and
- use of work computer systems for the retention and distribution of sexually explicit material.

## **C When else can harassment happen?**

Harassment need not be of a sexual nature to be unlawful. Harassment can also happen if there is unwanted conduct — whether physical, verbal or non-verbal — that:

- is on the grounds of any of: race, colour, nationality, ethnic or national origin, impairment or disability, religious or political belief or activity, age, sexual orientation or any of the other grounds for unlawful discrimination listed above
- which has the effect, or purpose, of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Examples of other harassment include:

- physical conduct — ranging from touching to serious assault
- verbal and written harassment — for example, through jokes, remarks, offensive language, gossip or threats
- visual displays — for example, posters, graffiti, obscene gestures, emblems, emails and materials downloaded from the Internet
- isolation or non-co-operation at work, including social and other events away from our premises
- exclusion from social activities, and
- intrusion — pestering or spying.

## **D Complaints procedure**

If you are the victim of harassment, then you should follow the complaints procedure in clause 5.5 below.

## **5.3. Policy on workplace bullying**

### **A What is workplace bullying?**

Workplace bullying is a health and safety issue. It is unacceptable.

Workplace bullying is any repeated unreasonable behaviour directed towards an employee that creates a risk to health and safety.

Examples of bullying include:

- humiliating putdowns
- unreasonable rudeness
- systematic targeting, and
- scapegoating of employees.

## **B What is not workplace bullying?**

The following are not bullying: any legitimate or reasonable use of performance management processes, disciplinary action, allocation of work, implementation of organisational change or downsizing, action taken to transfer or redeploy an employee or a decision not to promote an employee.

## **C Complaints procedure**

If you are the victim of bullying, then you should follow the complaints procedure in clause 5.5 below.

## **5.4. Our social functions**

Our social functions are designed to be for the enjoyment and benefit of all members of staff.

You should remember that these social functions are work events. This means that any drunkenness, violence or harassment of colleagues or guests may result in us taking disciplinary action against you under the **Disciplinary Procedure and Sanctions**.

After the end of a work social function, you are responsible for your own conduct and safety. We do not accept responsibility for any conduct after the published finishing time of a work social function.

Drunkenness is not an acceptable excuse for misconduct.

## **5.5. Complaints procedure**

### **A Informal approach**

If you feel you are or have been the victim of unlawful discrimination, harassment or bullying then – if you feel it is possible – you should consider whether you can resolve the problem informally. This can be worth doing — sometimes the person concerned may be unaware that their behaviour is unacceptable to you or that it is creating a risk to your health and safety.

For example, it might be possible – and sufficient – to explain clearly and unambiguously to the person concerned:

- in the case of harassment, that the behaviour in question is not welcome, that it is offensive, makes you feel uncomfortable or interferes with your work; or
- in the case of bullying, that the behaviour in question is creating a risk to your health and safety.

If this is pointed out at an early stage, then the problem may be resolved.

If you feel it is too difficult or embarrassing to speak to the person concerned, then you might consider asking a sympathetic friend or work colleague to speak with the person concerned, or ask them to support you when you speak to the person.

However, if these informal approaches are not possible or effective, then you should follow the formal procedure set out below. Every effort will be made to resolve the complaint speedily.

## **B Formal approach**

**Written complaint** You should make a formal complaint in writing to your Line Manager setting out the details of the discrimination, unwanted conduct or bullying. However, you may make the complaint to the Deputy CEO if either:

- you do not feel it is appropriate to go to your Line Manager; or
- you feel that it would be difficult to discuss the matter with them.

**Investigation** After you have made your complaint in writing, we will arrange for it to be investigated. Even though we understand that it may be difficult for you to help us deal with your concerns, you should be prepared to give us enough information so that the alleged incidents can be fully investigated.

The investigation will be carried out with all due respect for the rights of both you and the alleged discriminator, harasser or bully.

**Confidentiality** Confidentiality will be maintained throughout the investigation. If it is necessary to interview witnesses, then the importance of confidentiality will be emphasised to them.

**Possible outcome** If, after the investigation, we consider that unlawful discrimination, harassment or bullying has occurred, then we will take all reasonable steps to:

- eliminate the discriminatory behaviour or practice; or
- stop the harassment or bullying from continuing.

**Possible disciplinary action** If your complaint is found to be valid, then we will take the disciplinary action that is appropriate in the circumstances.

**Relocation or transfer** If it is necessary to relocate or transfer one party, then we will consider allowing you to choose whether you wish to remain in your post or be transferred to another location.

**Monitoring** If appropriate, then we will monitor the situation to ensure that the discrimination, harassment or bullying has stopped.

**Other possible outcomes** In the case of harassment or bullying (even if your complaint is found to be not valid), then we will consider possible arrangements

which mean that you and the alleged harasser or bully do not have to continue to work together. This might include transferring either you or the alleged harasser or bully, or rescheduling work.

# **Staff handbook**

## **SECTION 6: Grievance, discipline, misconduct, absence and poor performance**

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## 6.1. Overview and general principles

### A Understand the processes

These procedures aim to give you a clear understanding of the steps that you can expect us to take:

- if you have any concerns about your treatment at work; or
- if we have concerns about your conduct, performance or attendance.

### B We can change these processes

We reserve the right to change any of these rules and procedures at any time at our discretion.

### C Who will conduct the process

If it would not be appropriate for the person identified in this Section to conduct a particular procedure, then the procedure will be conducted:

- by another member of our management team nominated by us; or
- if that is not possible, by an appropriate external person nominated by us.

If you object to the person we identify, then you must have reasonable grounds for doing so and must state them clearly to us before the meeting in question.

## 6.2. Grievance procedure

### A Introduction

We recognise that misunderstandings or grievances may sometimes arise between members of staff or between members of staff and managers or directors. It is important that these grievances are brought out into the open and resolved as quickly and as fairly as possible.

If you have a grievance, then we will make every reasonable effort to try to redress it.

In most cases, this can be done informally. However, a more formal approach may sometimes be needed. Let us know if you would prefer a formal process.

If you have a personal grievance or a complaint about any work-related matter, and you have not been able to resolve it informally, then you should follow the formal procedure set out below.

## **B Procedure**

If you have a grievance with another member of staff, then you should first discuss the matter with your Line Manager who will try to settle the matter promptly.

Your Line Manager will discuss the grievance with you fully and then consider the grievance to try to help you to find a solution.

If the grievance is with your Line Manager, then we suggest you speak to the Deputy CEO.

If you discuss the matter with your Line Manager or the Deputy CEO, then they will take all reasonable steps to help you to resolve the issue as soon as practicable.

If the grievance is not resolved by your Line Manager or the Deputy CEO to your satisfaction within a reasonable period, then you may request a meeting with the Deputy CEO, and any person directly involved. This meeting will be held as soon as is reasonably practicable.

If the grievance still has not been resolved to your satisfaction within a reasonable period after the request for a meeting with the Deputy CEO, then you may refer your grievance to the CEO for advice on the next stage of the procedure and other options available to you.

At any stage of the process, we may ask you to put your grievance in writing.

## **6.3. Disciplinary Procedure and Sanctions Policy**

### **A Meeting**

If we have evidence that you may have engaged in unacceptable conduct, then you will initially meet with your Line Manager.

At this meeting, your Line Manager will:

- describe the allegations against you;
- give you the opportunity to respond to the allegations against you; and
- if applicable, give you steps and timeframes for you to remedy the situation.

You may invite a support person to be present at the meeting.

## **B Disciplinary sanctions**

### **Serious misconduct**

If we reasonable believe that you have engaged in serious misconduct, then you may be dismissed without notice or pay in lieu of notice. Conduct that will usually be regarded as serious misconduct is described in clause 6.4.

### **Misconduct falling short of serious misconduct**

If we reasonably believe that you are guilty of misconduct that is not serious misconduct, then the disciplinary action will vary from case to case depending on the particular facts and circumstances. However, the disciplinary action may include:

- verbal warnings;
- counselling sessions;
- written warnings – both formal warnings and final warnings;
- a transfer to other duties;
- demotion;
- suspension; or
- termination of employment.

Not all of these steps need to occur or, if they do, need not necessarily occur in any particular order.

## **6.4. Serious misconduct**

### **A Why serious misconduct is so serious**

As mentioned, if we reasonably believe that you are guilty of serious misconduct, then you will be dismissed without notice or pay in lieu of notice.

### **B Conduct that will usually be regarded as serious misconduct**

Serious misconduct includes:

- theft or other dishonesty;
- any act or omission for which you are charged with, or convicted of, a criminal offence — other than a minor road traffic offence;
- repeated or serious acts of negligence in performing duties of employment;

- insulting or using objectionable or offensive language to colleagues, to customers, or to other third parties;
- serious or persistent breaches of your employment contract;
- failure to obey any reasonable and lawful instruction regarding performance of your employment duties;
- unauthorised absence from duty;
- gross insubordination;
- careless or deliberate damage to our property;
- careless or deliberate breaking of any rule or regulation — whether statutory or ours — which is capable of injuring or endangering anybody, or of leaving us open to prosecution or censure;
- any conduct — whether at or outside work — which in our reasonable view may jeopardise our good reputation or the success of our organisation;
- serious breach of any of our rules, regulations or procedures, such as those relating to occupational health and safety, privacy or equal opportunity;
- assault, fighting, harassment on any grounds;
- misusing our property or information systems, associated data, copyright, software or the telecommunications network. This includes (but is not limited to) sending offensive or inappropriate email or accessing, downloading, viewing or distributing offensive, unsuitable, obscene or pornographic web-pages or material from the Internet — or links to any of them — or accessing pornographic telephone services. It can also include for example: accessing social networking websites in breach of our policies and rules; making unprofessional or inappropriate comments on that site about our organisation; etc.
- being under the influence of alcohol or drugs at work.

This list is not exhaustive. It only sets out examples of the types of behaviour that we consider to be serious misconduct.

## **6.5. Absence – short and long-term absences, unauthorised absences and abandonment**

### **A Introduction**

Many of the policies and rules in this Handbook cover absence from work for a variety of reasons — including: annual leave, sick leave, parental and other types

of leave. This Section of the Handbook covers all other absences because they are not covered by those specific policies and rules.

The important thing always is to keep in touch, so that we know what is going on.

## **B Telling us about your absence**

If you cannot attend work for any reason, then you must notify your Line Manager as early as possible on that day. It is important that you keep us informed about the circumstances which are preventing you from attending work, and your likely return date.

## **C Appointments**

You should arrange hospital, dental and other medical appointments outside normal working hours, if possible.

If you need to take time off for medical appointments during working hours, you first need to make arrangements with your Line Manager — except of course in emergencies, when you or another person should let your Line Manager know what is happening as soon as possible.

You must notify your Line Manager about any regular visits to specialists.

You must show your Line Manager your appointment cards for hospital, doctor and dental visits, if they ask to see them.

We may deduct from your personal/carer's leave entitlement any time that you take to attend medical appointments during working hours.

## **D Unauthorised absence**

If you do not come to work at the appropriate time, and your absence is not authorised by us or otherwise covered by other provisions of this **Handbook**, then we will treat you as being absent without permission.

You will not be paid when you are absent without permission.

## **E Abandonment of employment**

"Abandonment of employment" happens if an employee is deemed to have repudiated their contract of employment by not attending work and not notifying their employer as required.

If you are absent from work without permission for more than three consecutive working days, then this will be evidence that – on the face of it – you have abandoned your employment. However, before we treat you as having

abandoned your employment, we will make all reasonable attempts to contact you, which may include:

- attempting to find out whether you have contacted anyone in the organisation – other than your Line Manager – about your absence;
- attempting to contact you by telephone; or
- writing to you at the address we have on record as your current address.

If you are absent from work without permission for more than 14 days, and cannot be reached after we have made all reasonable attempts to contact you, then you will be treated as having abandoned your employment and your employment with us will end.

## **F Extended absences from work on medical grounds**

### **Medical report**

If, for medical reasons, you are absent from work for an extended period or periods, then we will ask your medical practitioner, or a medical practitioner chosen by us, to advise us as to your ongoing capacity to perform the requirements of your role.

We will ask you to consent in writing to any medical information being disclosed to us.

If you do not expressly give that consent, then we may direct you to attend an appointment with a medical practitioner of our choosing.

Any failure to follow such a lawful and reasonable direction may lead to disciplinary action being taken against you under the Disciplinary Procedure and Sanctions Policy.

### **Writing to doctors**

When we write to the doctor, we will tell the doctor:

- about the requirements of your job; and
- that we are considering your future continued employment, including any adjustments we could make to your role or your working arrangements or working environment to help you return to work.

We will ask the doctor to provide:

- a diagnosis;
- a prognosis;
- their view as to when you might be able to return to work; and

- advice about any adjustments to your role or your working arrangements that we might make to help you to return to work.

We will also consider obtaining a report from other medical practitioners including an Occupational Health Specialist or the like.

### **Meeting**

Once we have obtained that medical evidence, we will invite you to a meeting with your Line Manager or another member of the management team. At the meeting:

- the Manager will discuss with you your medical condition; your prospects of resuming work; the situation generally; and any adjustments we could make to help you return to work; and
- you will be given an opportunity to set out what you feel you need to say about your future prospects.

You will have the right to invite a support person to accompany you to that meeting.

### **Considerations**

The matters the Manager will take into account in deciding what decision to make about your future with us after that meeting will include:

- the nature of your condition;
- the likely length of your continuing absence;
- our need to have the work done;
- any adjustments to your role or your working arrangements or working environment that we are able to make; and
- the particular circumstances of the case.

After considering these issues, your employment may, in some circumstances, be terminated if you have been absent for more than three months in any 12 month period (aside from absences on paid personal/carer's leave) and the medical evidence indicates that you are unable to perform the inherent requirements of your job, even if reasonable adjustments are made.

## **6.6. Poor performance**

### **A Informal approach**

Your Line Manager will aim to resolve any performance problems through informal discussions with you during the normal course of work. These

discussions should identify any problem areas and, if appropriate, result in an agreement as to next steps.

Poor performance issues may also be identified during your **Appraisals process**.

You will be expected:

- to participate actively in these performance-related processes; and
- to commit to following any reasonable suggestions your Line Manager makes to you about how you can improve your performance.

## **B Formal approach**

If we think you are performing poorly in your role, then we may also ask you to attend a more formal meeting with your Line Manager. At this meeting, your Line Manager will:

- describe how it is that you appear to be performing poorly, including what is expected of you and how you are falling short of those expectations;
- give you the opportunity to respond to allegations of poor performance against you; and
- if applicable, give you steps and timeframes for the performance issues to be remedied.

You may invite a support person to be present at the meeting.

## **C Consequences**

If your performance does not improve as required, then you may be subject to the **Disciplinary Procedure and Sanctions Policy**.

# Staff handbook

## SECTION 7: Forms

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### Form 1 – Appraisal form

Pormpuraaw Aboriginal Shire Council Staff Appraisal Form - Strictly Confidential		
Name:	Office:	Date:
Department:	Appraisal carried out by:	

Competency	Greatly exceeds this standard	Exceeds this standard	Meets this standard	Further development needed to meet this standard	Training or development identified?	Comments
<b>Attitude and Teamwork:</b> Has effective and supportive relationships with colleagues. Works well with colleagues in support of joint objectives						
<b>Communication:</b> Speaks confidently and fluently on the telephone and in person; listens attentively and expresses self clearly. Writes in a clear and concise manner; produces documents which achieve their purpose.						
<b>Knowledge:</b> Understands impact of own role/work on the success of the Company. Continually updates job knowledge						
<b>Information Technology:</b> Demonstrates the ability to operate the Company computer systems successfully and uses relevant software applications effectively.						

Competency	Greatly exceeds this standard	Exceeds this standard	Meets this standard	Further development needed to meet this standard	Training or development identified?	Comments
<b>Flexibility:</b> Willing to undertake new and different tasks to support the team and develop own skills. Adapts successfully to changing demands and conditions.						
<b>Initiative:</b> Makes suggestions for improvement, takes responsibility, is pro-active and originates action.						
<b>Analytical Skills:</b> Analyses issues and breaks down problems.						
<b>Decision making:</b> Identifies the relevant information. Confident making decisions and takes responsibility. Appreciates where decisions should be referred to others.						
<b>Quality approach to work and accuracy:</b> Produces quality work, which is accurate and is of a good standard. Makes commitment to try to get work right first time						
<b>Motivation:</b> Works hard towards goals. Shows enthusiasm and commitment						
<b>Resilience:</b> Maintains effective work behaviour in the face of pressure. Remains calm, stable and in control.						
<b>Timekeeping and reliability:</b> Always punctual. Can be relied upon. Minimal absence rate.						

Competency	Greatly exceeds this standard	Exceeds this standard	Meets this standard	Further development needed to meet this standard	Training or development identified?	Comments
<b>Interpersonal sensitivity:</b> Awareness of other people and own impact on them. Actions indicate a consideration for the feelings and needs of others.						
<b>Delegation:</b> Effective use of subordinates and other resources available. Knowledge of when, how and whom to delegate. Effective allocation of responsibilities.						
<b>Leadership:</b> Ability to develop teamwork and maximise resources within a group to give most effective achievement of group objectives.						
Here you need to add a row for any other competencies that are relevant to your organisation.						

Appraisee Comments:	
Signature of Appraisee:	Date:
Appraiser Comments:	
Signature of Appraiser:	Date:

Please pass completed form to the appropriate person marked Private and Confidential and take a copy for appraisee and appraiser

Please make a diary note to review objectives at the review dates agreed with appraisee.

**Form 2 – Personal Details form**

Pormpuraaw Aboriginal Shire Council		<b>Personal Details</b>	
<p><b>Line Manager: Please complete all sections – except the Bank Account Details section – before having the employee complete the Bank Account Details section.</b>  <b>Employee: Please complete the Bank Account Details section and check all other information and check all other information within this form to ensure that your details are correct.</b></p>			
Title (please circle):			
Mr	Ms	Mrs	Miss
Other	Given Name:		
Preferred Name:		Surname:	
D.O.B:		Employee Number:	
New Position Title:			
Commencement/Change Date:			
Cost Centre:		Line Manager:	
Department:		Location:	
Home Address:			
Suburb:		State:	Postcode:
<b>Employment Status</b>			
<input type="checkbox"/> Full time		<input type="checkbox"/> Part Time	
		<input type="checkbox"/> Casual	
<input type="checkbox"/> Limited Tenure Agreement		From / / to / /	
Standard Hours:		per	Week Fortnight Month Please circle pay period
Award/agreement covered position:		<input type="checkbox"/> No <input type="checkbox"/> Yes	
If yes; Award/agreement title:			
Classification/Grade:			
<b>BANK ACCOUNT DETAILS</b>			
<b>Bank Account 1</b>			
Bank Name:		Branch Location:	
Account Name:			
BSB (6 digits):		Account Number:	
Full time and part time employees may split their earnings between 2 different bank accounts on a regular basis. If you would like part of your earnings to be paid into a second account please complete the details below.			
<b>Bank Account 2</b>			
Bank Name:		Branch Location:	
Account Name:			
BSB (6 digits):		Account Number:	
Amount of: \$	To be paid per:	Week	Fortnight Month Please circle pay period

<b>Pay Details continued</b>			
<b>Salary/Wage details</b>			
Component	Amount	Period	Comments
Base Salary	\$		
Wage Rate	\$		
Superannuation	%		
Allowances			(List type)
<b>Total Package</b>			
<b>Additional Comments</b>			
<b>Superannuation</b>			
Name of Fund selected:			
<b>Confirming Signatures:</b>			
	<b>Employee</b>	<b>Line Manager/Supervisor</b>	<b>HR</b>
<b>Name:</b>			
<b>Signature:</b>			
<b>Date:</b>			
Please hand this completed form to your Line Manager/Supervisor so that it can be processed by Payroll and stored on your personnel file.			

<i>Payroll use only:</i>	
<input type="checkbox"/> Employee Details entered onto Payroll system	
<input type="checkbox"/> Employee file created	
<input type="checkbox"/> Superannuation forms received	
<i>Office Signature:</i>	<i>Date:</i>

### Form 3 – Vehicle Reimbursement Claim

Pormpuraaw Aboriginal Shire Council		<b>Vehicle Reimbursement Claim</b>				
<p>Under the <b>Insurance when using your own vehicle policy</b>, if you use your own vehicles for travelling on business, then you must give your Line Manager a copy of your car insurance policy, confirming cover for the use of that vehicle on our business, and evidence of renewal of cover. We will not pay your travelling expenses until we receive up to date copies of your insurance documents.</p>						
<b>Employee Name:</b>			<b>Employee Number:</b>			
<b>Department:</b>			<b>Cost Centre:</b>			
<b>Claim for Pay Period ending:</b> /            /						
<b>Engine Capacity:</b>		1600cc (1.6 litre or less)	49.3 cents per kilometre			
		1601cc-2600cc (1.601 litre- 2.6 litre)	59 cents			
		2601cc (2.601 litre) & over	60 cents			
Travel Details						
Date	Details of Trip		Speedometer reading		Rate	Kilometres
	From	To	Start	Finish		
<b>Total Kilometres</b>						
<b>Total Allowance to Employee</b>						<b>\$</b>
Out of Pocket Expenses – tax invoices must be attached						
Date	Type				Amount	
Total out of pocket amount to be reimbursed						\$
CLAIM MADE BY:						
Signature:		Name:		Date:		
AUTHORISED BY:						
Signature:		Name:		Date:		

### Form 4 – Expense Claim Form

Pormpuraaw Aboriginal Shire Council			<b>Expense Claim Form</b>		
<b>Employee Name:</b>		<b>ID Number:</b>			
<b>Department:</b>			<b>Date of claim:</b>		
<b>Business expense claim – Tax Invoices must be attached</b>					
Date of Purchase	Place of Purchase (Supplier)	Item (Describe the goods or services)	Budget line (Account #)	Payment method	Amount being claimed
<b>Total amount being claimed:</b>					
<b>Claim made by:</b>					
Employee signature:			Date:		
<b>Claim authorised by:</b>					
Signature:			Date:		
Name:					
<i>Office use only:</i>					
<i>Reimbursement Details:</i>					
<i>Cash</i>			<i>\$</i>		
<i>Cheque</i>		<i>Cheque Number:</i>		<i>\$</i>	
<b>TOTAL</b>				<b>\$</b>	
<b>Signature of Payee:</b>			<b>Date Paid:</b>		

### Form 5 – Reference checklist

Pormpuraaw Aboriginal Shire Council		<b>Reference Check</b>
Please refer to the Staff Handbook for guidelines on Reference checking		
Candidate's Name:		
Referee's Name:		
Referee's telephone number:		
Company:		
Referee's current position:		
Working relationship:		
<p>Recommended opening:                      Good &lt;morning/afternoon/evening&gt;, my name is &lt; full name &gt; and I am calling from Mapoon Aboriginal Shire Council. My role here is &lt;Position&gt; and I am ringing regarding &lt;Name of Candidate&gt; who was previously employed by you, and who we are considering for a position in our business. Would it be convenient for you to discuss &lt;Name of Candidate&gt; with me?                      Thank you.                      (If no ask if you may telephone again at another time.)</p>		
How long did <the candidate> work for your organisation?		
How long did <the candidate> work with you?		
In what capacity did <the candidate> work with you?		
What positions did <the candidate> hold at your organisation?		
What was <the candidate's> reason for leaving?		
What is your opinion of <the candidate's> ability?		
Did you need to supervise <the candidate> closely?		
How would you describe <the candidate's> performance?		
How well did <the candidate> get on with other people?		

What are <the candidate's> outstanding strong points?	
What would you say are <the candidate's> shortcomings?	
Did <the candidate> display initiative?	
How do you rate <the candidate's> attendance, punctuality and general health?	
The position <the candidate> has applied for requires: ( <i>outline competencies</i> ); were these competencies demonstrated to you during his/her employment?	
Would you re-employ <the candidate>? <input type="checkbox"/> Yes <input type="checkbox"/> No. If No, "Could you say why you would not re-employ him/her"?	
Is there anything we should be aware of regarding <the candidate>?	
If required, insert other questions specific to this candidate's application in the spaces below:	
Other referee comments of note:	
Name of person checking the reference:	
Position Title:	Date reference check completed:
Comments:	





## Form 7 – Certificate of service

<Date>

Certificate of service

Pormpuraaw Aboriginal Shire Council confirms that <Employee full name> was employed by Pormpuraaw Aboriginal Shire Council in the position of <Position Title>. His/Her <delete as appropriate> main duties in this position where: <list main duties>.

<Employee first name> commenced employment with the Company on <Date> and ceased employment with the Company on <Date>.

(Optional paragraph only to be included if it is accurate)

<Employee full name> ceased employment with Pormpuraaw Aboriginal Shire Council of his/her own volition.

As a matter of policy Pormpuraaw Aboriginal Shire Council does not provide references expressing views or opinions as to:

the performance or abilities of its former employees; or

their suitability or otherwise for the post with your organisation for which they have applied.

Nothing in this reference should be taken as expressing such an opinion.

Yours sincerely

<Name>

<Title>

**Form 8 – Exit Interview form**

Pompuraaw Aboriginal Shire Council		<b>Exit Interview Form</b>	
<b>Please refer to the Company’s Staff Handbook for guidelines on Exit Interview processes</b>			
Employee Name:		Date of Interview:	
Position title:		Employee’s Termination date:	
Department:		Employee’s Commencement date:	
Line Manager:		Interviewer:	
<b>Termination Details: Please tick as appropriate</b>			
<b>Type</b>	<b>Reason (if voluntary departure)</b>		<b>Next Move</b>
Resignation	Job Security		External Job Offer
Internal Transfer	Job Duties		New Internal Position
End of Limited Tenure Contract	Environment		Own/Family Business
Retirement	Career Prospects		Primary Family Caregiver
Retrenchment	Work Hours		Study
Dismissal	Pay		Travel
Deceased	Health		Retirement
Other (specify):	Family Reasons		Unsure
	Unspecified		Unspecified
<b>Employee Feedback</b>			
<b>1. Terms and Conditions of Employment</b>			
<b>Was the employee satisfied with the following:</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
Salary			
Superannuation			
Hours of Work			
Working Environment			
Other benefits/conditions (please specify)			
<b>2. Organisational Relationships</b>			
What feedback did the employee offer about the organisation?			
What feedback did the employee offer about their Line Manager/Supervisor?			
What feedback did the employee offer about his/her team?			

**Exit Interview Form (continued)**

**3. Job Satisfaction**

How did the employee view the following statements?	Yes	No	Comments
He/She was part of a good quality team			
His/Her job was interesting			
His/Her work objectives were clear and well understood			
He/She was able to influence and to have ideas accepted			

**4. Overall**

How did the employee view the following statements?	Yes	No	Comments
Employees have a clear understanding of the organisation's objectives			
Mapoon Aboriginal Shire Council is a good Company to work for			
Mapoon Aboriginal Shire Council provides sufficient training opportunities			
Mapoon Aboriginal Shire Council provides sufficient opportunities for career development			

Please list any constructive suggestions the employee may have offered to improve the organisation.

Interviewer's Name:	Interviewer's Signature:	Date:
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Forward to Human Resources/the Executive responsible for HR for action and filing.

**Form 9 – Exit Checklist**

<b>Pormpuraaw Aboriginal Shire Council</b>		<b>Exit Checklist</b>
Please refer to the Company's HR Policy Manual for guidelines on Termination processes		
<b>This section to be completed by the Employee's Line Manager/Supervisor</b>		
Employee Name:	ID Number:	
Position title:	Department:	
Termination date:	Last day at work:	
Line Manager Name:		
<b>Return of Company Property</b>		
<i><b>Item</b></i>	<i><b>Department</b></i>	<i><b>Department to initial to confirm return</b></i>
Identification Badge		
Proximity Card		
Uniform		
Office Keys (eg desk, drawers, filing cabinets etc)		
Mobile Phone		
Laptop and Computer Equipment		
Company Credit Card		
Company Car and Keys		
Novated Lease (Lease company notified of termination)		
Fuel Card		
Company Books/Resources		
Facsimile		
Other items as per Asset Register (copy held on employee's personnel file)		
Line Manager's Name:	Line Manager's Signature:	Date:
Completed Checklist to be forwarded to Payroll department for action.		

**Form 10 – Leave Application form**

Pormpuraaw Aboriginal Shire Council		<b>Leave Application</b>	
Please refer to the Staff Handbook for guidelines on leave entitlements and application requirements.			
<b>Name:</b>		<b>Employee Number:</b>	
<b>Department/Business Unit:</b>		<b>Location:</b>	
<b>Leave Details</b>			
Type of Leave	✓	First Date of Leave	Last Date of Leave
Annual Leave			
Personal Leave			
- Sick Leave			
- Carer's Leave			
Compassionate Leave			
Community service leave including jury service leave			
Long Service Leave			
Leave Without Pay			
Other, please specify			
Please note applications for Parental Leave should be made using the Parental Leave Application form.			
If this leave is approved, I will resume work on:			
Date of Application:		Employee's Signature:	
This form must be authorised by the applicant's Line Manager and given to Payroll at least three weeks before the start of leave.			
<b>AUTHORISED BY:</b>			
Name:	Signature:	Date:	
<b>Office use only:</b>			
Number of hours debited against employee entitlement:		Date:	
✂			
Line Manager notification			
To:<Manager> _____			
Approval for _____ Leave type has been granted to Mr/Ms _____			
For the period    /    /    to    /    /			
✂ Please give the following notification to the employee.			
Employee Notification			
To: <Employee> _____			
Regarding your request for _____ Leave for the period    /    /    to    /    /			
<input type="checkbox"/> Your application has been approved			
<input type="checkbox"/> Your application has been denied; please refer any queries to your Line Manager.			

**Form 11 – Parental Leave Application form**

Pormpuraaw Aboriginal Shire Council				
<b>Parental Leave Application</b>				
<b>Please refer to the Staff Handbook for guidelines on parental leave entitlements and application requirements</b>				
Name:		Employee Number:		
Position Title:		Hired Date:		
Location:		Manager's Name:		
Expected Date of Confinement:		Department:		
Expected Date of Return to Work:				
<b>Leave Details</b>				
Type of Leave	<input checked="" type="checkbox"/>	First Date of Leave	Last Date of Leave	Weeks
<b>Parental Leave</b>	<input checked="" type="checkbox"/>			
Please indicate whether you will also be taking another form of leave during your absence				
<b>Annual Leave</b>	<input type="checkbox"/>			
<b>Long Service Leave</b>	<input type="checkbox"/>			
<b>Other, please specify</b>	<input type="checkbox"/>			
Total absence (not to exceed 52 weeks)				
<b>I have attached the following documentation as outlined in the Company's Parental Leave policy.</b>				
<b>Maternity and Paternity Leave</b>				
<input type="checkbox"/> Medical Certificate stating expected date of confinement.				
<input type="checkbox"/> Statutory Declaration declaring any period of leave to be taken by the employee's partner.				
<b>Adoption Leave</b>				
<input type="checkbox"/> Official government confirmation of the expected date of placement.				
<input type="checkbox"/> Statutory Declaration declaring any period of leave to be taken by the employee's partner.				
<b>Date of Application:</b>		<b>Employee's Signature:</b>		
This form must be authorised by the applicant's Line Manager and given to payroll at least four weeks before the start leave or ten weeks before the expected date of confinement.				
<b>AUTHORISED BY:</b>				
Name:	Signature:	Date:		
<i>Office use only:</i>				
<i>Annual Leave at start of Parental Leave</i>		HOURS	WEEKS	
<i>Long Service Leave at start of Parental Leave</i>		HOURS	WEEKS	
<i>Sick Leave at start of Parental Leave</i>		HOURS	WEEKS	
<input type="checkbox"/> <i>Leave details processed</i>				
<input type="checkbox"/> <i>Parental Leave Confirmation Memo generated</i>				
<i>Office Signature:</i>			<i>Date:</i>	