

NORTHERN MIDLANDS COUNCIL
HUMAN RESOURCES POLICIES & PROCEDURES



Policy Name: Employee Assistance Policy

Policy Owner: People & Culture Business Partner

Originated Date: April 2017

Amended Date/s:

Review Date: December 2018

Applicable Legislation: *Age Discrimination Act 2004 (Cth)*
Anti-Discrimination Act 1998 (TAS)
Australian Human Rights Commission Act 1986 (Cth)
Disability Discrimination Act 1992 (Cth)
Fair Work Act 2009 (Cth)
Local Government Act 1993 (TAS)
Racial Discrimination Act 1975 (Cth)
Sex Discrimination Act 1984 (Cth)
Work Health & Safety Act 2012 (TAS)
Workers Rehabilitation & Compensation Act 1988 (TAS)

Publication Sources: 15/013 - Human Resources Policies & Procedures
 02/03/01/01 – Human Resources – Employee
 Infonet / Documents / HR – Policies
 Works Depot, Childcare Facility and Pool Locations

1. AUTHORITY & APPLICATION:

This Policy should be considered in conjunction with the following policies and procedures:

- Disciplinary
- Employee Code of Conduct
- Fitness for Work
- Issue Resolution
- Performance Management
- Workplace Behaviour

Definitions

Council - Northern Midlands Council.

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Councillor - an elected member of Council known as a Councillor or Alderman or otherwise meeting the definition of a Councillor as defined under section 3 of the *Local Government Act 1993 (TAS)*.

EAP – Employee Assistance Program offered by Council to its employees.

Employee - a person who carries out work for Council as an employee of Council.

General Manager - the General Manager of Council as appointed under section 61 of the *Local Government Act 1993 (TAS)*.

Industrial Instrument – an instrument that has legal application with respect to minimum entitlements to those employees covered within its scope (e.g. Award or Enterprise Agreement).

Infringing Workplace Behaviour - any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.

Manager/Supervisor - a person at the workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.

Policy - this Policy including the Authority and Application.

Service Providers – Newport Wildman, who can be contacted on 1800 650 204

Workplace - a place where work is carried out for Council.

Training

Council will provide all persons covered by this Policy with the appropriate training so they are made aware of their responsibilities and obligations under the Policy.

Amendment

Council retains the sole discretion to reasonably vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.

Interpretation of Policy

The singular includes the plural and vice versa.

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A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacement or re-enactments of any of them.

A reference to a Policy or Procedure means any approved policies or procedures of Council unless otherwise stated.

'Including' and similar expressions are not words of limitation.

A reference to a document (including this document) is to that document as amended, novated or replaced unless otherwise stated.

Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.

Examples used in this Policy are for illustrative purposes only and are not intended to be exhaustive.

Unless expressly provided for, this Policy is not in any way incorporated as part of any enterprise agreement and does not form part of any employee's contract of employment and any applicable enterprise agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.

It is not intended that this Policy impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation of applicable laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant applicable laws, operational and personal circumstances.

Questions relating to the interpretation, application or enforcement of this Policy should be directed to the person's manager or the People & Culture Business Partner.

Reporting of Breaches

Persons covered under the paragraph 'Coverage' must reasonably report any breaches to this Policy to their Manager/Supervisor and/or the People & Culture Business Partner.

Breach of this Policy

Persons covered under the paragraph 'Coverage' who engage in Infringing Workplace Behaviour may (as is appropriate) be subject to appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure.

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2. PURPOSE:

The aims of this Policy are as far as is reasonably practicable to:

- promote the health, safety and wellbeing of employees at work
- offer professional and confidential counselling assistance to employees who may need support to manage issues affecting their wellbeing both personally and in the workplace

3. COVERAGE:

This policy covers and applies to all employees of Council.

For the avoidance of doubt this Policy does not cover or apply to a Councillor.

4. REQUIREMENTS:

Employees are required to comply with this Policy and any applicable laws.

Managers/Supervisors are required to reasonably promote this Policy within their area of responsibility and take reasonable steps to ensure that any breaches or potential breaches of this Policy are identified, taken seriously and acted upon appropriately.

5. EAP PROVIDERS:

Council has engaged the service providers to provide EAP.

The service providers are independent companies employing counsellors and/or psychologists who provide support and advice on a wide range of personal and/or work related issues.

6. AREAS OF ASSISTANCE:

EAP services may be used by employees for support and assistance with resolving any personal problems including problems relating to the following:

- relationship and family problems
- stress and anxiety
- harassment and discrimination
- financial and legal concerns
- victims of crime and abuse
- domestic violence
- interpersonal conflicts
- alcohol and other drug related problems
- grief or loss
- concerns over work related matters

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The EAP may also be used to provide immediate assistance in the event of a traumatic or threatening incident during work time.

7. CONFIDENTIALITY:

The EAP has a high level of confidentiality and respect for an individual employee's privacy.

All personal information remains with the service provider. The service provider will not talk to anyone else regarding an employee's details unless the employee authorises them to do so in writing.

Where an employee makes a request to their Manager/Supervisor to attend an EAP appointment during normal working hours, the Manager/Supervisor must not ask the employee to explain the reason for their appointment.

8. REFERRAL:

Council encourages employees to assist each other directly by discreetly and respectfully reminding their work colleagues that they can access EAP where in circumstances that a reasonable person would consider that EAP might be able to assist another employee.

Managers/Supervisors or the People & Culture Business Partner may refer employees to the EAP where, for example:

- the employee's work performance or behavior is being affected by a personal problem or
- support may assist an employee as they move through a performance management, disciplinary or fitness for work process

9. ATTENDING EAP DURING WORK TIME:

Employees are entitled to take time off to attend an EAP appointment if it is not practicable for the appointment to be made outside work hours.

Where an appointment is during work hours the employee may access paid leave entitlements or take leave without pay to attend the appointment.

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Policy Name:	Training & Development Policy
Policy Owner:	People & Culture Business Partner
Originated Date:	April 2017
Amended Date/s:	
Review Date:	December 2018
Replaced Policy:	Policy 64 – Training & Development Policy
Applicable Legislation:	<i>Age Discrimination Act 2004 (Cth)</i> <i>Anti-Discrimination Act 1998 (TAS)</i> <i>Australian Human Rights Commission Act 1986 (Cth)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Fair Work Act 2009 (Cth)</i> <i>Local Government Act 1993 (TAS)</i> <i>Racial Discrimination Act 1975 (Cth)</i> <i>Work Health & Safety Act 2012 (TAS)</i> <i>Workers Rehabilitation & Compensation Act 1988 (TAS)</i>
Publication Sources:	15/013 - Human Resources Policies & Procedures 02/03/01/01 – Human Resources – Employee Infonet / Documents / HR – Policies Works Depot, Childcare Facility and Pool Locations

1. AUTHORITY & APPLICATION:

This Policy should be considered in conjunction with the following policies and procedures:

- Disciplinary
- Employee Code of Conduct
- Fitness for Work
- Issue Resolution
- Performance Management
- Workplace Behaviour

Definitions

Compulsory Training – training and development that the employee is directed to attend by Council.

Council - Northern Midlands Council.

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General Manager - the General Manager of Council as appointed under section 61 of the *Local Government Act 1993 (TAS)*.

Industrial Instrument - an instrument that has legal application with respect to minimum entitlements to those employees covered within its scope (e.g. Award or Enterprise Agreement).

Infringing Workplace Behaviour - any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.

Manager/Supervisor - a person at the workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.

Other Training - training outside a Council requirement that is consistent with an employee's role and career development.

Policy - this Policy including the Authority and Application.

Service Providers - an organisation or individual engaged by Council to provide training and development services.

Training and Development - The formal and ongoing efforts made within Council to improve the performance and fulfillment of employees through a variety of educational methods and programs.

Workplace - a place where work is carried out for Council.

Training

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Amendment

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Reporting of Breaches

Persons covered under the paragraph 'Coverage' must reasonably report any breaches to this Policy to their Manager/Supervisor and/or the People & Culture Business Partner.

Breach of this Policy

Persons covered under the paragraph 'Coverage' who breach this Policy may (as is appropriate) be subject to appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure.

2. PURPOSE:

The aims of this Policy are as far as is reasonably practicable to:

- recognise Council's commitment to the development of a more highly skilled and flexible workforce
- provide employees with opportunities through appropriate training and development to acquire additional skills that are relevant and of benefit to both the employee and Council
- operate in conjunction with Council's strategic plan, applicable laws, Council's Enterprise Agreement and other industrial instruments and related documents

3. COVERAGE:

This policy covers and applies to all employees of Council.

For the avoidance of doubt this Policy does not cover or apply to a Councillor.

4. REQUIREMENTS:

Employees are required to comply with this Policy and any applicable laws.

Managers/Supervisors are required to reasonably promote this Policy within their area of responsibility and take reasonable steps to ensure that any breaches or potential breaches of this Policy are identified, taken seriously and acted upon appropriately.

5. RESPONSIBILITIES:

Council is responsible for considering all training and development requests and provide employees with training and development solutions that are relevant to their position.

Council will provide an annual training and development budget each financial year for individual training and development that is appropriate for Council employees.

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Council shall ensure equitable access for employees to training and development opportunities and measure the effectiveness of programs to promote continuous improvement in employees, service providers and processes.

Managers/Supervisors are responsible for identifying the training and development needs of employees and this is undertaken as part of the Annual Performance Appraisal and Development Program process. Managers/Supervisors must also demonstrate an ongoing commitment to supporting employees training and development at all other times throughout the year.

Managers/Supervisors are also responsible for frequently reviewing and discussing employees training and development progress, reviewing competencies on an annual basis and ensuring that employees meet statutory and certification requirements.

Employees are responsible for taking an active interest in assisting Managers/Supervisors in identifying training and development needs and attending compulsory training. Employees shall also actively and constructively participate in compulsory training and any other training that they attend.

In addition to this, employees shall contribute to the development of other employees by using and sharing the knowledge and skills gained from training and development activities.

Employees, where practicable should provide a minimum of forty-eight hour's notice to their Manager/Supervisor for changes to attendance at compulsory training or other training that they have committed to.

Upon completion of any training and development activities, employees will be asked to complete an evaluation and/or feedback form, provided by the training provider or by Council.

6. COMPULSORY TRAINING:

Employees who are absent from work to attend training and development requirements will be paid their base hourly rate where the training and development is undertaken during ordinary working hours.

Council will pay for all compulsory training that is to be provided to employees.

An employee who fails to achieve the required accreditation from compulsory training and who wants to repeat the compulsory training may be required to do so at their own expense.

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Where compulsory training is conducted outside the workplace, Council will, at the discretion of the Manager/Supervisor, either provide transport for the employee to attend course requirements or reimburse the employee for reasonable travel expenses incurred in their own private vehicle.

7. REQUESTS FOR OTHER TRAINING:

Council will not pay for training and development that is not work related.

Employees are encouraged to identify training and development opportunities and discuss these with their Manager/Supervisor. They should then complete the *Training and Development Application Form* and seek approval of the same from their Manager/Supervisor. The Manager/Supervisor, may or may not, at their discretion approve the application.

In exercising their discretion to approve training and development, the Manager/Supervisor will take into account matters which may include the following:

- relevance to the employee's role or to a higher role that the employee may be promoted to in the future
- cost of the training and development and the Council's training and development budget
- equitable distribution of training and development opportunities for employees
- time involved in the training and development
- benefit of the training and development that may be passed on to other employees
- how the employee's duties will be covered operationally while the employee attends the training and development and the impact of this on other employees
- any other relevant operational and/or personal matters

Training and development that has been approved by the employee's Manager/Supervisor is then presented to the General Manager, who is responsible for the final approval of all training and development activities.

Approved training and development may be funded by Council in one of two ways, depending on the type of training, the cost involved and Council's training and development budget. Funding may be upfront for an individual course or reimbursement to the employee per subject completed, once receipt of a pass mark or higher has been achieved.

Employees who are completing a Certificate III or higher, which is being funded by Council are required to provide a progress report of their training and development every six months. This report should contain a summary of the subjects taken in the previous six months and the results obtained, as well as a program of the subjects to be undertaken in the next six-month period. The report should be given to the employees Manager/Supervisor and a copy

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provided to the People & Culture Business Partner which will be retained on the employee's personnel file.

8. STUDY LEAVE:

Employees may be granted study leave to prepare for upcoming examinations and/or during exam periods. Study leave is capped at a maximum of two days per semester (four days per annum). A *Leave Application Form* must be completed by the employee and submitted in advance to their Manager/Supervisor for approval when study leave is needed.

The General Manager may approve additional study leave if extenuating circumstances apply. In this instance, the employee would need to apply to the General Manager in writing, with a copy to their Manager/Supervisor.

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Policy Name: Working in Remote and Isolated Areas
 Policy Owner: Work Health & Safety Officer
 and People & Culture Business Partner
 Originated Date: March 2017
 Amended Date/s:
 Review Date: December 2018
 Applicable Legislation: *Work Health and Safety Act 2012 (TAS)*
Workers Rehabilitation & Compensation Act 1988 (TAS)
 Publication Sources: 15/013 - Human Resources Policies & Procedures
 02/03/01/01 – Human Resources – Employee
 Infonet / Documents / HR – Policies
 Works Depot

1. PURPOSE:

The purpose of this policy is to outline the framework and guidelines for employees of Northern Midlands Council when working in remote and/or isolated areas.

Employees should familiarise themselves with this policy and procedure and ensure they understand and agree to the guidelines provided within.

2. COVERAGE:

This policy and procedure applies to all employees when undertaking work after hours, where there is limited phone, UHF or two-way coverage.

3. GENERAL OPERATING SAFETY GUIDELINES:

Remote Areas Include

- Sites geographically remote from populated areas
- Sites where it is difficult to obtain help because of hills or dense vegetation interfering with available communication systems (otherwise known as black spots)
- Off road sites with little traffic
- Areas where there is no mobile phone coverage

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Employees Must Always

- Check communications
- Have access to a first aid kit
- Have an adequate supply of drinking water
- Work in groups of two or more where practicable and possible
- If working alone, inform Manager/Supervisor before going to a remote area and provide an estimated time of return. Employee should contact Manager/Supervisor upon their return
- Ensure vehicle is fit for purpose and maintained (including has adequate fuel)
- Check weather conditions (snow, fire etc.)
- Refer to Incident Reporting Procedure for requirements on reporting accidents and emergencies

Employees Must Never

- Operate high risk plant and equipment or conduct other high risk activities when working alone, unless a risk assessment has been undertaken (refer to relevant SWMS for workplace operation or activity)

4. PRE-START CHECKS:

Employees should ensure that they:

- Check working condition of communications and radio equipment prior to leaving workplace or departing remote or isolated work sit
- Check mobile phones are charged and working
- Check radios will turn on, can pick up channels and can send/receive information
- Check communication black spot list for known poor communication areas before starting work
- Plan the easiest route out of the area in case of an emergency
- Manager/Supervisor/WHS Officer should have already conducted a risk assessment of the area, including:
 - Working alone or in isolated areas must be risk assessed to identify and quantify areas and activities of high risk
 - In some cases, the risk in identified areas or activities may be unacceptable and working alone may not be an option
 - In other areas, controls may be applied to mitigate the risk

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5. WORKING IN REMOTE AREAS:

Employees must:

- Report location to Supervisor and arrange a regular call in routine as practicable. This can be done using Locator or by contacting the office with the exact location (street address) and contact person name and phone (landline and mobile where possible)
- Advise their partner at home of the location where they will be working and approximate timeframes of how long they will be
- When out of two-way radio/UHF/mobile phone reception, employees must also make their way to a reception area or use a landline (if available) to:
 - Report to a Supervisor any change of locations before leaving and upon arrival and possibly at regular intervals as identified and agreed in the risk assessment for the site/task
- Take note that this procedure also applies when travelling in extreme conditions (i.e. snow)

6. WORKING ALONE AT LOCAL SITES:

Employees are only permitted to work alone at local sites if they are working within communication reception and arrange regular call ins to their Supervisor as identified and agreed.

Employees must always report their location to a Supervisor/Leading Hand before leaving and upon arrival at a new location and at regular intervals as agreed. Some employees will be provided with a personal locator device and in these instances, reporting a change in location may not be necessary.

7. MONITORING REMOTE OR ISOLATED WORKS:

Supervisors have a responsibility to confirm that all employees are accounted for at the end of the day's work.

Supervisory employees also have a responsibility to ensure employees have made contact. If this does not happen, they must attempt to contact the employee immediately.

If contact is not made, **Emergency Services are to be notified immediately by calling 000 and rescue/emergency procedures actioned.**

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Appendix A: Black Spot List

- Avoca to Rossarden
- Avoca to Old Coach Road boundary
- Tooms Lake Road from Mount Moriston to Tooms Lake
- Limited service at Tooms Lake
- Honeysuckle Road, Mount Moriston to boundary