



EMPLOYMENT POLICY

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Drafted by	Struan Ferguson	Approved by Board on	11 June 2025
Responsible person	Karen Zirkler	Scheduled review date	June 2026

Introduction

This policy is to ensure that all employees, whether permanent or casual, work within a framework that is consistent, fair and supportive of the needs of the individual and Southern New England Landcare Ltd.

Policy

This policy provides the framework for the recruitment, employment and welfare of all employees. This policy aligns with the terms and conditions provided in the National Employment Standards.

Recruitment

Southern New England Landcare Ltd endeavours to have an open and transparent decision-making process when recruiting new staff. An openly advertised recruitment process is generally preferred for filling Permanent and Permanent Fixed Term Positions. However, in some cases, it is fairer and more practical to fill positions internally and in the case of recruiting staff for a short period of casual work it may be appropriate to recruit new staff from our database of casual employees without advertising the position.

All staff selection shall be made on merit and based on the Equal Employment Opportunity (EEO) principles.

Selection based on merit shall mean that an applicant has the skill and ability to perform the job, appropriate formal qualifications and /or credentials, relevant experience or transferrable skill, and relevant personal attributes to work as an effective member of the team.

Prospective employees must be willing to subscribe to Southern New England Landcare Ltd's objects and core values.

Request for recruitment of new or unbudgeted positions must be approved by the Board.

A position may be filled by appointing, transferring or promoting an existing employee, and/or advertising externally, or engaging an individual as a contractor or temporary staff.

A clear position description must be prepared for each position to be filled. This must be provided to applicants.

Reference and background checks must be undertaken including Working with Children background check (where applicable), qualification / trade certificate verification, and eligibility to work in Australia confirmation. At least one employment-related referee shall be contacted for verbal or written reference check.

Confidentiality shall be maintained at all stages of the recruitment and selection process. Complaints regarding recruitment and selection shall be dealt with under the Southern New England Landcare Complaints Policy.

Classification of Positions

A position will be classed as a Permanent or Permanent Fixed Term Position if:

1. It is a major position under a contract where advertising is required or,
2. The employment is more than 25 days, for example, one day per week for six months.

All other positions will be classed as casual.

Procedures for Permanent Fixed Term Positions

Unless a contract states otherwise, a Permanent or Permanent Fixed Term Position may be advertised first among Permanent and Permanent Fixed Term Staff, and recruited internally providing the applicant has demonstrated they have the necessary skills.

All Permanent and Permanent Fixed Term Positions will be advertised using the appropriate media.

Procedures for Casual Positions

Staff for Casual Positions may be recruited without advertising.

A casual employee may be appointed at the discretion of the Chief Executive Officer. This appointment is to be approved and ratified by the Board.

The Casual Employee Database is encouraged to be consulted before appointing a casual employee.

Employment

Employment Contracts

Standard contracts for Casual Employees and Fixed Term Permanent Employees on the Southern New England Landcare L drive.

Probationary Period

As a general condition, all Permanent and Permanent Fixed Term employees shall be required to serve a probationary period of three months.

Standard Hours

Standard hours are 35 hours per week for Permanent and Permanent Fixed Term positions. Reasonable additional hours may be required on a regular basis. There will be no variable or overtime rates paid for weekend or evening work. If an employee is required to work on a weekend or Public Holiday, an alternative day off will be mutually agreed with their supervisor. Employees shall record their hours worked on a fortnightly timesheet. The timesheet is to be submitted to the supervisor at the end of the fortnight. Total accumulated Time in Lieu is not to exceed two weeks of the employee's standard weekly hours at any one time.

Leave

For all Permanent and Permanent Fixed Term employees, all leave shall be taken within the period of the contract.

Annual Leave

Permanent and Permanent Fixed Term employees shall be entitled to four weeks of paid annual leave for each completed year of service (pro-rata). The annual leave shall accrue on each anniversary date of employment.

Subject to agreement, an award or agreement-free employee may purchase extra annual leave in exchange for forgoing an equivalent amount of pay.

The employee will be required to take annual leave during an annual office close. Leave without pay will be taken if an employee's entitlement to leave is exhausted.

Casual employees are not entitled to accrue annual leave entitlements.

Cashing out of annual leave is permitted if the agreement allows the practice. Subject to agreement, an award or agreement-free employee may cash out annual leave at any time. However, in all cases, the employee must retain an entitlement to at least four weeks paid annual leave and there must be a separate agreement in writing on each occasion. A maximum of two weeks in a 12-month period may be cashed out.

Employees shall not accrue more than eight weeks of annual leave.

A leave application form must be completed and approved by the CEO before commencing the leave. In normal circumstances, at least four weeks' notice should be given prior to commencement of the leave.

Unpaid Parental Leave

Unpaid parental leave is available to all employees having or adopting a child if they have completed at least 12 months of continuous service.

The leave must be associated with:

- a) The birth of a child to the employee, the employee's spouse, or the employee's de facto partner, or
- b) The placement of a child under 16 years of age with the employee for adoption.

A casual employee qualifies for Unpaid Parental Leave after working on a regular and systematic basis for at least 12 months, with a reasonable expectation of ongoing employment. Other casual employees are not eligible.

Once an employee has completed 12 months of continuous service, he or she is entitled to a separate period of parental leave for each future child.

An employee should give at least 10 weeks of written notice of intent to take parental leave. In addition, the employee must give at least four weeks of written notice of the start and end dates before the anticipated commencement of the parental leave.

A leave application form must be completed and approved by the CEO before commencing the leave.

Paid Parental Leave

An employee may be entitled to government-funded paid parental leave of up to 18 weeks. The parental leave will be paid at the National Minimum Wage.

Some of the eligibility criteria include that the child must be born or adopted from 1 July 2011 and the employee must have worked for at least 12 months before the expected date of birth or adoption.

A leave application form must be completed and approved by the CEO before commencing the leave.

Personal / Carer's Leave

The leave covers both sick leave and carer's leave.

Permanent employees are entitled to 10 days paid personal/carers leave per annum. This leave accrues monthly and from year to year.

A medical certificate may be required where an employee has:

- a) Two or more consecutive days' absence due to illness; or
- b) Taken one or more consecutive days' absence prior to or following a Public Holiday.

A casual employee is not entitled to paid personal/carers leave.

Permanent and casual employees are entitled to two days of unpaid carer's leave on each occasion when a member of the employee's immediate family or household requires care or support because of a personal illness, injury or emergency.

If an award or agreement allows it, the practice of cashing out of paid personal/carers leave is permitted. However, the employee must retain an entitlement to at least 15 days of untaken paid personal/carers leave and there must be a separate agreement in writing on each occasion.

An award or agreement-free employee cannot cash out paid personal/carers leave.

A leave application form must be completed and approved by the CEO before commencing the leave.

Compassionate Leave

A permanent employee is entitled to two days of paid compassionate leave per occasion for the purpose of attending the funeral of a member of an immediate family or household or for spending time with a member of the immediate family or household who has sustained a life-threatening injury or illness.

A casual employee is not entitled to paid compassionate leave.

A leave application form must be completed and approved by the CEO before commencing the leave.

Community / Jury Service Leave

Permanent and casual employees are entitled to unpaid community leave and 10 days' jury service leave. For jury service leave, the employee is entitled to 'make up pay' for the first 10 days that the employee is absent for a period of jury service. Make-up pay is the difference between jury service pay and the employee's base pay.

The employee may be required to provide evidence of the need for the leave.

A leave application form must be completed and approved by the CEO before commencing the leave.

Long Service Leave

Under the NSW *Long Service Leave Act 1955*, permanent and casual employees are entitled to Long Service Leave after working for an unbroken period of 10 years.

Long Service Leave is two months of paid leave after 10 years of service and one month for each additional five years of service.

An employee who has completed five years, but less than 10 years of service is entitled to pro-rata payment if the employee:

- a) Dies
- b) Resigns because of illness, incapacity, domestic or other pressing necessity; or
- c) Terminated for any reasons other than serious and wilful misconduct.

Employees cannot accept payment for Long Service Leave in lieu of actually taking the leave accrued.

A leave application form must be completed and approved by the CEO before commencing the leave.

If an employee on Long Service Leave needs to use another leave type, they may convert the Long Service Leave, keeping in accordance with the requirements of the converted leave type.

Absence Without Leave

An employee who does not report for work at the usual time and does not provide notification and explanation for that absence may be considered as being absent without leave and may be liable for loss of pay.

Continuous absence without notification for three or more working days may be regarded as an abandonment of employment. This may lead to dismissal.

Flexible Working Arrangements

An employee who is a parent or has responsibility for the care of a child may submit a written request for flexible working arrangements once the employee has completed 12 months of continuous service.

Public Holidays

An employee is entitled to all gazetted public holidays without loss of pay, provided the public holiday falls on a day on which the employee ordinarily works.

An employee may be requested to work on a particular public holiday and will be entitled to one-day's leave in lieu or the public holiday on a mutually agreeable day. However, such as request may be refused by the employee on reasonable grounds, e.g. family responsibilities, etc.

New Staff Induction

We induct new staff into our organisation through a formal induction procedure during the first days and weeks of their employment. Staff inductions should follow the Staff Induction Checklist and includes the following categories:

1. Prior to commencement
2. Reception
3. Familiarisation
4. Safety and Emergency Procedures
5. Conditions of employment.

The Staff Induction Checklist is to be signed by the new Staff member and the CEO upon completion.

Performance Reviews

Performance reviews shall be undertaken for all employees before the conclusion of a probationary period and on an annual basis in accordance with the Staff Performance Reviews Policy.

Conflict of Interest

An employee must not engage in any conduct that conflicts (or appears to conflict) with the objects, activities, or business of Southern New England Landcare Ltd and/or duties and responsibilities of the employee including, but not limited to, accepting any benefit, in money or otherwise, as an inducement or reward for any act or conduct in connection with any matter or business in relation to the group or the employee's duties and responsibilities in accordance with Southern New England Landcare Ltd's Conflict of Interest Policy.

If there is any dispute about whether a conduct conflicts (or appears to) with the objects, activities or business of Southern New England Landcare Ltd and/or duties and responsibilities of the employee, the decision of the Board will be determinative.

Policies and Procedures

All employees are required to become familiar and comply with all Southern New England Landcare Ltd's policies, procedures and practices as prescribed and amended from time to time.

Confidentiality

An employee may only use confidential information solely for the purpose of performing duties and not for the benefit of the employee or any third party in accordance with Southern New England Landcare Ltd's Privacy Policy.

An employee must not disclose confidential information except where the disclosure is:

- a) Necessary while performing the duties
- b) To another employee for the purposes of that employee undertaking their work with Southern New England Landcare Ltd
- c) Made with the prior written consent of the Board or CEO
- d) Required by law.

Where an employee is permitted to disclose confidential information, the employee must disclose such information only to persons who:

- a) Are aware and agree that the confidential information must be kept confidential; or
- b) Have signed a confidentiality agreement; and
- c) Have a need to know (and only to the extent that each has a need to know).

NB: The employee's obligations under this clause continue after the termination of employment.

Intellectual Property

Any intellectual or industrial property that a staff member creates, procures or acquires during the currency of his or her employment and during his or her employment shall belong to Southern New England Landcare Ltd. Staff members agree to do any act or thing and execute any document required to fulfil his or her obligations pursuant to this requirement without further consideration.

The termination of an employee's contract shall not put an end to the obligations imposed on the employee under this policy.

Termination of Employment

Non-summary Dismissal

Except in the case of casual employees, either party may terminate the employment by giving the other party the following period of notice in writing:

- a) One week where the employee's period of continuous service is one year or less;
- b) Two weeks, where the employee's period of continuous service is more than one year but not more than three years;
- c) Three weeks where the employee's period of continuous service is over three years but not more than five years; and
- d) Four weeks where the employee's period of continuous service is more than five years.

An additional one week's notice will be given where the employee is over 45 years of age and had completed at least two years of continuous service.

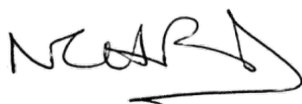
Payment in lieu of part or all of the notice period may be made by Southern New England Landcare.

The period of notice shall not apply if an employee is summarily dismissed.

Summary Dismissal

An employee may be terminated immediately, without payment for any notice, in the event of any dishonest act, serious misconduct or other act that justifies immediate dismissal at common law or if an employee is precluded from performing the duties of the employment for a significant period.

Authorisation



Em Prof Nick Reid

Chair, Southern New England Landcare Ltd

Date approved: 11 June 2025