

PERTH DIOCESAN TRUSTEES POLICY 1



PERSONNEL (OPERATIONAL STAFF)

Approved by: The Perth Diocesan Trustees
Next Review

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PREAMBLE

The Perth Diocesan Trustees (PDT) acts as the designated employer of lay people working for the Diocese and its parishes, organisations and institutions which are not separately incorporated. This policy sets out the minimum employment standards and entitlements for lay employees, noting that there may be some variation for those employees covered specifically under modern awards.

No person will be placed on the payroll of PDT unless approval is given by the Diocesan Secretary who will require the employee to sign an approved employment agreement setting out the terms and conditions of employment of that person.

Applications for all types of leave are to be approved by the relevant Manager and forwarded to the Diocesan Secretary located in Diocesan Office. Any type of leave for which notice could be given should be approved prior to leave being taken.

For the purposes of this document, the manager of a parish is the Rector.

1. JOB DESCRIPTIONS

- 1.1 A job description shall be prepared for all positions. The template for these forms will be managed by the Diocesan Secretary.
- 1.2 A copy of the relevant job description shall be issued to all new employees and a copy held on their personnel file which is to be maintained by the Diocesan Secretary.
- 1.3 Where minor changes of a permanent nature occur to the duties of a position, an amended job description shall be prepared and issued to the incumbent.
- 1.4 The job descriptions should contain as a minimum:
 - Position title
 - Reporting relationship
 - Position purpose
 - Key responsibilities
 - Key Performance Indicators

2. CREATION OF POSITIONS

- 2.1 The Diocesan Secretary and Diocesan Registrar are to ensure that all positions can be funded within approved budgets. If it is necessary to create a new, unbudgeted position, the Diocesan Secretary shall seek the approval of Diocesan Council and/or The Perth Diocesan Trustees.
- 2.2 Parishes and Diocesan organisations and institutions which are not separately incorporated will need to ensure that relevant approvals are in place and that salary and associated employment costs can be met from the relevant budget before an Employment Agreement is issued which must be signed by the Diocesan Secretary.
- 2.3 Positions which are created for specific tasks and/or are funded from a finite source of funding are to have a set term stipulated in the employee's contract.



3. RECRUITMENT PROCEDURES

3.1 Advertising

Advertisements to fill vacant positions shall be prepared by the Manager/Supervisor concerned in consultation with the Diocesan Secretary. The use of recruitment agencies is to be approved by the Diocesan Secretary and will be dependent on the job market at the time.

3.2 Interviews

The relevant Manger/Supervisor is responsible for the arrangement of interviews and the checking of references and will be responsible for conducting interviews in consultation with the Diocesan Secretary.

3.3 Orientation

It is the responsibility of Manager/Supervisors to ensure that new employees are given a proper orientation/induction. The Diocesan Secretary will provide an appropriate orientation pack and checklist created for that purpose.

This checklist and any relevant forms are to be signed off by the employee and forwarded to the Diocesan Secretary prior to the commencement of employment and will be filed on the employee's personnel file.

3.4 Candidate Information

Information relating to the recruitment and selection process is to be filed and in the case of unsuccessful applicants held for no longer than 12 months. Information about unsuccessful applicants will be shredded before disposal.

4. CONDITIONS FOR APPOINTMENT

4.1 The Perth Diocesan Trustees is a constitutional entity and as such is bound by Federal employment and industrial relations legislation.

4.2 Every person shall before commencing duties

- provide a current Police Clearance
- if working with children, provide a Working with Children Check

4.3 All employees must agree to be subject to a Computer Usage Code, a copy of which will be provided to all employees upon commencement of employment.

5. APPOINTMENTS

5.1 Employees will be provided with a Fair Work Information Statement as per the national employment standards and be provided with an Employment Agreement which outlines the terms and conditions of employment which is to be approved by the Diocesan Secretary.

5.2 The Employment Agreement shall be accompanied by the relevant job description (see Section 1 of this policy). The Employment Agreement shall be signed by the Diocesan Secretary. The employee shall counter-sign the Employment Agreement to signify acceptance of the terms and conditions.

5.3 All employees will be subject to a probationary employment period of no less than 3 months.

5.4 All full-time employees shall work 37.5 hours per week. Working hours for full time employees are generally 8.30am to 5.00pm.

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- 5.5 Within operational requirements the Diocese will work with employees to achieve flexible working arrangements wherever possible.
- 5.6 Employees where relevant may be asked to enter into a confidentiality agreement.

6. SALARY

- 6.1 The Diocesan Secretary in conjunction with Managers/Supervisors shall review annually the salaries of all lay employees taking into account the appropriate legislation, pay standards and consumer indices as well as performance.
- 6.2 The salary of the Diocesan Secretary shall be reviewed on an annual basis by a committee comprised of the Diocesan Treasurer and the Chair of the PDT.
- 6.3 Employees may be eligible to sacrifice part of their salaries for electronic devices/computers to be used primarily for work purposes in accordance with ATO requirements and where approved by the Diocesan Secretary. Salary sacrifice of motor vehicles is subject to the approval of the Diocesan Secretary, be in accordance with ATO requirements and on condition that all fringe benefit tax liabilities are met by the employee.

7. TERMINATIONS

- 7.1 The PDT will give notice in writing in accordance with the following periods of notice based on length of service, as stipulated in s117 of the Fair Work Act or as otherwise agreed by both parties:

Employee Length of Service:	Minimum Notice required:
Not more than one year:	1 week
More than one year but not more than three years:	2 weeks
More than three years but no more than five years:	3 weeks
More than five years:	4 weeks

An employee over 45 years of age with two or more years' service with the Diocese will be entitled to an additional weeks' notice if the Trustees terminates the contract.

- 7.2 The PDT reserves the right of payment in lieu of notice.
- 7.3 Where an employee has been guilty of 'serious misconduct', minimum notice periods do not apply, and employees may be dismissed without notice.

8. REDUNDANCY

- 8.1 A redundancy occurs when the Trustees either:
- decides they no longer want an employee's job to be done by anyone and terminates their employment (except in cases of ordinary and customary turnover of labour), or
 - becomes insolvent.
- 8.2 Redundancy may occur when:
- the employee's job is replaced due to the Trustees introducing new technology.
 - business activities slow down
 - the business relocates
 - the business restructures or reorganises.

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- 8.2 An employee is eligible for a redundancy payment if they have been employed for a continuous period of more than 12 months.

Redundancy payments are made in accordance with the Fair Work Act, which provides a payment based on the following formula:

Employee's period of continuous service with the employer on termination		Redundancy pay period
At least	But less than	
1 year	2 years	4 weeks
2 years	3 years	6 weeks
3 years	4 years	7 weeks
4 years	5 years	8 weeks
5 years	6 years	10 weeks
6 years	7 years	11 weeks
7 years	8 years	13 weeks
8 years	9 years	14 weeks
9 years	10 years	16 weeks
10 years		18 weeks

- 8.3 During the notice period, an employee whose employment has been terminated, may take up to one-day time off without loss of pay during each week of the notice period (which need not be consecutive), to seek other employment.

If more than one day per week has been granted, the PDT reserves the right to request the employee produce evidence of attendance at an interview or they will not be entitled to payment for the time absent. For this purpose, a statutory declaration is sufficient.

9. ANNUAL LEAVE

- 9.1 Full-time employees are entitled to four weeks paid annual leave per year, accrued on a continuous basis. Part-time employees are entitled to paid annual leave on a pro rata basis, proportionate to the usual hours worked.
- 9.2 Leave loading where applicable under a Modern Award will be incorporated into the employee's salary package.
- 9.3 Where an employee is sick or injured for 4 or more consecutive working days during a period of annual leave or long service leave and provides a medical certificate to the Trustees, the employer shall grant sick leave for the period of sickness or injury and reinstate the equivalent amount of annual leave or long service leave.
- 9.4 Accrued leave must be cleared within 1 year from the date that it is credited unless otherwise approved by the Diocesan Secretary. If not cleared within 1 year, the employee will be required to submit a plan to clear the leave within an agreed timeframe.

While an employee will generally have discretion in nominating when he/she takes annual leave, the PDT may request that an employee take annual leave at a time more convenient to the operations of the parish or relevant department.

PDT may direct the employee to take annual leave upon PDT providing 4 weeks' notice to the employee.



- 9.5 Untaken annual leave will be paid out upon termination of an employment relationship.
- 9.6 Award free employees may agree to cash out leave at any time – but must maintain a balance of at least four weeks’ untaken leave.
- 9.7 For employees covered by a modern award, cashing out annual leave is permitted if the relevant award allows the practice. In order for this to occur a separate agreement must be created in writing on each occasion between the employee and approved by the Diocesan Secretary.

10. PUBLIC HOLIDAYS

10.1 A full or part time employee will be entitled to paid holidays on the following days, or days observed in lieu, provided that they fall on a day that the employee would normally have worked:

- New Year’s Day
- Australia Day
- Labour Day
- Good Friday
- Easter Monday
- ANZAC Day
- Western Australia Day
- Sovereign’s Birthday
- Christmas Day
- Boxing Day

11. PERSON/CARER’S LEAVE

11.1 Personal/Carer’s leave can be taken either when an employee is unfit for work because of their own illness or injury, or to provide care or support for a member of the employee’s immediate family or household, due to illness or unexpected injury.

Employees are entitled to 10 days paid personal/carers leave per year.

In addition, an employee who has exhausted their paid leave entitlement is entitled to two extra days’ unpaid carer’s leave on each occasion it is needed.

11.2 An employee applying for any type of personal/carers leave must give notice to the relevant Manager/Supervisor as soon as practicable, advising them of the period or expected period of the leave.

An employee must provide reasonable evidence to the Diocesan Secretary for periods of absence of three or more consecutive working days. The PDT considers a medical certificate from a registered health practitioner to be reasonable evidence.

11.3 Personal/Carers leave can be accrued; however unused leave is not paid out on cessation of employment.

12. COMPASSIONATE LEAVE

12.1 Paid Compassionate leave will be given for a period up to 3 days (per occasion) for the purpose of:

- Spending time with a member of the employee’s immediate family or household, who has sustained a life-threatening injury or illness.
- Upon the death of a member of the employee’s immediate family or household.

12.2 For the purpose of compassionate leave, a member of an employee’s immediate family or household is:

- A spouse, child, parent, grandparent, grandchild or sibling of the employee,



- A child, parent, grandparent, grandchild or sibling of a spouse of the employee,
- Any other person who immediately before that person's death lived with the employee as a member of the employee's family.

12.3 Claims for compassionate leave in excess of 5 days per year may, with approval, be taken as another form of paid or unpaid leave. Compassionate leave is not cumulative.

12.4 The three days' compassionate leave need not be consecutive.

13 LONG SERVICE LEAVE

13.1 Employees are provided 8 and 2/3 long service weeks leave after the completion of 10 years' continuous service, in accordance with the *Long Service Leave Act 1958*.

13.2 Payment in lieu of long service leave is available on a pro-rata basis upon the termination of employment by death or any circumstances other than serious misconduct after seven years' continuous service.

14. PARENTAL LEAVE

The provision of unpaid parental leave is in accordance with the Fair Work Act 2009 (Cth) and is separate from entitlements under the Paid Parental Leave Act 2010 and Paid Parental Leave (Consequential) Amendment Act 2010.

14.1 **Unpaid Parental Leave.** A full time or part time employee, with at least 12 months' continuous service, is entitled to take up to 52 consecutive weeks of unpaid leave that is associated either with the birth of a child to the employee or their partner, or with the placement of a child under 16 with the employee for adoption.

14.2 In either case, the employee must have a responsibility for the care of the child (FW Act s70). The employee must inform their Manager/Supervisor of their intention to take leave, giving at least 10 weeks' notice unless it is not practicable to do so.

14.3 An employee who has already taken 12 months' leave can request up to an extra year's leave, provided their partner has not already taken that amount of leave.

14.4 In the case of a pregnant employee, an employee may be requested to commence unpaid parental leave up to 6 weeks before the expected date of birth if it is believed that there is a risk to the employee in working in their present circumstances. If an employee chooses to continue working during those 6 weeks, a medical certificate may be required to demonstrate evidence of fitness for work. If no such evidence is supplied, and no safe alternative is available, the employee can be forced to start her leave.

14.5 On completing a period of unpaid parental leave, an employee is entitled to return to their pre-parental leave position. If that position no longer exists, the employee is entitled to return to an available position for which the employee is qualified and suited which is nearest in status and remuneration to the employee's pre-parental leave position.

14.6 **Parental Leave Pay.** The PDT recognises the right to unpaid parental leave under the Fair Work Act 2009 (Cth).

14.7 The Paid Parental Leave Act 2010 provides that eligible care-givers of a child born or adopted and placed after 1 January 2011 will be entitled to Parental Leave Pay (as adjusted from time to time in line with National Minimum Wage orders) for a period of up to 18 weeks during the first year of the child's life or the first year after placement of the adopted child.



14.8 Employees for whom this is relevant may consult with the Diocesan Secretary about how to access this entitlement as there are numerous rules around applying for and making a claim entitlement/eligibility to a payment, the payment of a benefit, and cessation of such payment.

15. LEAVE WITHOUT PAY

15.1 The PDT may grant a full time or part time employee leave of absence without pay for a period of up to 12 months provided that:

- All other leave credits are exhausted.
- Leave is deemed possible with regard to business and operational requirements.

16. COMMUNITY LEAVE (INCLUDING JURY SERVICE/DUTY)

16.1 An Employee may be entitled to

- Unpaid leave for any reasonable absence associated with voluntary emergency management activities or services; and,
- Leave for jury service/duty.

16.2 A full time or part time employee who is required to serve on a jury during his/her ordinary working hours shall, on presentation to the employer of the summons to serve, be granted leave of absence on full pay for the period that the employee is empanelled as a member of a jury or is required to attend at court in the response to the summons to serve.

16.3 Any payment received by an employee for jury duty shall be paid to the employer or deducted from the employee's salary.

17. STUDY LEAVE

17.1 An employee, with 12 months or more continuous service, may apply for up to 5 hours paid study leave a week (up to 200 hours per year) to study for a Diploma, Degree or Post Graduate qualification conducted by a university, TAFE college, professional association or other recognised training provider.

17.2 Approval will be subject to:

- The course being judged relevant to the employee's own area of work
- The employee undertaking an equivalent formal study load in the employee's own time;
- The employee providing proof of satisfactory academic progress.

18. SUPERANNUATION

18.1 The PDT will make superannuation contributions on behalf of the employee in accordance with the Superannuation Guarantee (Administration) Act 1992 (Cth). The PDT default fund is AustralianSuper.

19. LAY EMPLOYEES PERFORMANCE APPRAISAL

This organisation believes that the maintenance of effective staff relations and communication channels is vitally important if its goals and objectives are to be achieved.

The aims of the appraisal scheme are as follows:

- to allow free and confidential discussions about work between employee and Manager or Supervisor;



- to discuss the employee's progress and review job performance, in comparison with set job standards;
- to discuss any work problems which have arisen, and search for a solution; and
- to offer and discuss means of improving work performance, such as training or development needs, to enable all employees to make full use of their potential and keep the organisation informed of their needs and aspirations.

The overall goal is an effective co-ordination of employee needs with those of the Church. It is believed that increased job satisfaction can result from this policy. This will only be achieved, however, if everyone supports the aims of the scheme.

In the interests of uniformity, this procedure will apply to all lay employees of the PDT.

The Manager or Supervisor is required to complete an appraisal form for each employee before completion of initial 6 months' service and thereafter in November of each year. After discussion with the employee, who is invited to make any comments he/she wishes, the form is forwarded to the Diocesan Secretary who will place it on file, and where confidentiality is guaranteed.

Should there be issues which require further action out of this discussion, such as aspects of job description or training and development. In such cases, the Manager or Supervisor will investigate and review the matter and liaise with/raise with the employee concerned. Forms are to be obtained from the Diocesan Secretary who will assist with any enquiries or problems with the scheme (all of which should be referred to that person) which Supervisors may encounter.

The Diocesan Secretary will also discuss the scheme with all new Managers or Supervisors, to advise them what is required.

20. HOME-BASED WORK

20.1 Purpose of this Policy

The PDT supports flexible work practices to assist employees to balance their work and personal lives.

This Policy contains the PDT position on home-based work and to outline the underlying principles of home-based work, setting out entitlements, eligibility criteria, how applications for home-based work will be dealt with, and other conditions that apply.

20.2 Definitions

"Home-based work" is an arrangement that allows employees to regularly perform ordinary hours of duty at their home-based work site.

"Home-based work site" is the employee's private dwelling.

"Office based site" is the location where the employee would ordinarily work if there were no home-based work arrangement.

"Employee" means a person, employed on a permanent part-time or full-time basis by the PDT.

"PDT" means Perth Diocesan Trustees.

20.3 Making a Request for a Home-based Work Arrangement

Employees who wish to request a home-based work arrangement are required to submit a written request to the Diocesan Secretary, outlining:

- The reason(s) for requesting a home-based work arrangement;
- The proposed days and hours per week to be worked at the home-based work site;



- The proposed duration of the home-based work arrangement;
- The suitability of the employee's personal computer/laptop for remote access work, including the adequacy of virus protection, firewall protection and speed of internet service provider;
- The personal characteristics that the employee possesses which would allow them to work productively in a home-based work arrangement.

20.4 Eligibility

Requests for home-based work arrangements are considered on a case by case basis. Requests to enter into a home-based work arrangement will be considered on their merit, taking into account the needs of the PDT and the employee.

Some of the matters that will be take into account when considering an employee's request to conduct home-based work include (but are not limited to):

- The nature of the work and its suitability to a home-based work arrangement;
- The employee's reasons for requesting a home-based work arrangement;
- The characteristics of the employee and whether they would be suitable for a home-based work arrangement (e.g., ability to work autonomously, time management skills, motivation levels);
- Impact on other colleagues, particularly on workloads;
- Potential positive and/or negative effects on the quality of the PDT's processes, practices and outcomes;
- The employee's level of direct client face to face contact; and
- The suitability of the employee's personal computer/laptop for remote access work, including the adequacy of virus protection, firewall protection and speed of internet service provider.

It should be noted that an employee's personal reasons for requesting a home-based work arrangement will not be grounds in themselves for either approving or rejecting a home-based work request.

Once the Diocesan Secretary has considered the merits of an employee's home-based work request, they will provide a written response to the employee stating if the request has been successful and the reasons for their decision.

If the home-based work request has been approved, a Home-based Work Deed will be provided to the employee outlining:

- The duration of the home-based work arrangement and date that the agreement will be reviewed;
- Nominated days and hours per week to be worked at the home-based work site; and
- The agreed work plan, expected level of productivity and associated performance indicators.

20.5 Work Plan

An appropriate work plan will be agreed with the employee in advance of the commencement of a home-based work arrangement. This work plan will include details of:

- The work that will be completed;
- The expected standards of work and performance indicators; and
- The time frames in which work should be completed at the home-based work site.



20.6 Communication Requirements

Good communication is an essential part of any successful home-based work arrangement.

Each party has specific requirements when it comes to ensuring appropriate levels of communication are maintained throughout the duration of the home-based work arrangement.

It is the responsibility of the employee's Manager to:

- Ensure that the employee knows and understands the expectations and required standard of work;
- Meet with the employee at regular intervals (at least fortnightly) to provide/gain regular feedback and to discuss and evaluate the home-based work arrangement; and
- Provide the employee with all information concerning internal meetings, training and other career development opportunities available to other employees.

It is the responsibility of the employee to:

- Remain contactable at all times during the periods in which home-based work is carried out and available for communication with the other employees as agreed;
- Communicate any problems or issues to their manager as soon as possible; and
- Ensure that they have completed the required hours of work each day.

20.7 Security

All Information Technology and computer use policies which apply at the employee's usual place of work shall, as far as practicable, apply in carrying out home-based work at the home-based work site.

In particular, the employee engaged in a home-based work arrangement is responsible for:

- Ensuring that anti-virus controls are in place, up to date, configured properly and operating (the PDT's IT provider may provide advice on setting up firewalls and anti-virus software, however, it is the responsibility of the user to ensure this is done properly);
- Ensuring that equipment and media is not left unattended in public places;
- Ensuring portable computers contain appropriate forms of protection such as passwords;
- Storing information and documents related to their work with the PDT directly on the PDT server and not on a personal computer;
- Reporting security breaches to the PDT's IT provider as soon as possible; and
- Using work e-mail address and not communicating via private e-mail etc.

20.8 Equipment and Supplies

The PDT will provide the employee with equipment and supplies essential to performing the agreed duties at the home-based work site (e.g., paper, pens, etc), or will reimburse the employee for such purchases.

The PDT will not provide furniture such as a bookcase, desk, lamp, chair, etc or meet the costs of installing an additional phone line/internet. The PDT expects an employee requesting a home-based work arrangement to provide such furniture, lighting, etc. to ensure an ergonomically safe work environment at the home-based work site.

It is the employee's responsibility to assess the personal implications of commencing home-based work with respect to taxation, insurance or leasing arrangements.

20.9 Telephone Calls and Other Expenses

Where employees have PDT provided mobile phones they are encouraged to use their PDT provided mobile phone for all work related telephone calls made at the home-based work site.



The PDT will not pay for costs such as heating, lighting, electricity, gas, water, rent or wear and tear or to pay telephone, internet or other home office costs.

20.10 Modifying or Terminating a Work at Home Arrangement

A home-based work arrangement may be modified at the request of the employee's Manager, the Diocesan Secretary or an employee. Any modifications to the home-based work arrangement must be recorded in writing and agreed to by the other party.

A review of the home-based work arrangement will be undertaken on a regular basis by the employee's Manager and the employee on the review date indicated in the home-based work agreement.

The home-based work arrangement may be terminated at the request of the manager, Diocesan Secretary or an employee. The arrangement may be terminated due to:

- Operational requirements with reasonable notice;
- Grounds of inefficiency of the arrangements;
- Failure to comply with Occupational Safety and Health or security arrangements;
- Any other grounds deemed necessary or appropriate.

20.11 Consequences of Breach of the Policy

Disciplinary action, including termination of employment, may be taken against an employee if he/she breach any aspect of this Policy.

20.12 Review

This Policy and its implementation will be reviewed on an ongoing basis in terms of its suitability and effectiveness. Internal control systems and procedures will be audited regularly to ensure that they are effective in minimising the risk of non-compliance with this Policy.

All employees are required to understand and comply with this Policy and to follow the requirements set out in this Policy.

20.13 Further Information

Employees may seek further information regarding this policy from their Manager or the Diocesan Secretary.

20.14 Working from Home Self-Assessment Checklist

This Checklist is to assess and certify that the home-based work site conforms to acceptable occupational health and safety standards, is kept in a clean, professional and safe condition, and has a suitable first aid kit. See **Appendix 1**

21. VOLUNTEERS

Most arrangements for voluntary or unpaid work will not be regarded as contractual in nature. That means that the workers concerned cannot be regarded as employees at common law, which in turn prevents most employment laws from applying.

Voluntary work is, however, still regulated in some important ways:

- The Occupational Health and Safety Act 1984 imposes a penalty on employers that breach their duty of care to non-employees, including volunteers.
- Under common law, civil damage claims can also be made by, or on behalf of, a volunteer who is injured or killed as a result of the employer breaching its common law duty of care.

The Volunteer (Protection from Liability) Act 2002 ensures that volunteers are not personally responsible for an act or omission done or made in good faith and without recklessness in the



course of carrying out community work for a community organisation. The personal liability is transferred instead, to the organisation.

22. ALCOHOL AND DRUGS

- 22.1 PDT Is committed to providing a safe work place.
- 22.2 You must ensure that you are not, by the consumption of alcohol or any drug, affected to any degree which may affect job performance or endanger your own safety or the safety of any other person.
- 22.3 You are responsible for informing your Line Manager if you are adversely affected by drug or alcohol use before commencing work.
- 22.4 You are responsible for informing your Line Manager if you are taking prescription medication that may affect your work performance.
- 22.5 If you are found to be affected by alcohol or any drug in the workplace you will face disciplinary action that may lead to the termination of employment.
- 22.6 Smoking is not permitted on Diocesan property.

23. DISCRIMINATION, HARASSMENT AND BULLYING

- 23.1 Discrimination, harassment and bullying are not permitted in the workplace pursuant to the *Occupational Health & Safety Act 1984* and any other relevant Diocesan Policy.
- 23.2 Any matter or instance of inappropriate behavior undertaken by, or directed to an employee will be taken very seriously, and in the first instance should be raised with an employee's Department Head, or alternatively reported to the Diocesan Secretary.
- 23.3 Workplace Bullying is a health and safety issue and is unacceptable. Workplace bullying is any repeated unreasonable behavior that could reasonably be considered to be humiliating, intimidating, threatening or demeaning to an employee, group of employees or contractor which creates a risk to health and safety.
- 23.4 Forms of bullying can be overt, obvious and/or covert, more subtle behavior that undermines, treats less favorably or disempowers others.
- 23.5 Examples of these types of bullying include:
 - Loud verbal criticism.
 - Behaviour or language that frightens, humiliates, belittles or degrades.
 - Offensive jokes whether by spoken word or email.
 - Inappropriate comments about a person's appearance, gender, sexuality, education, economic background, lifestyle or their family.
 - Sexual and physical harassment
 - Being given impossible tasks that can't be done in the given time with the resources provided.
 - Isolating or ignoring a worker from normal workplace activities.
 - Unfair treatment in relation to accessing entitlements such as leave or training.
 - Sabotaging someone's work.
 - Utilising social networking sites as a means to intimidate or demean another individual.



23.6 Bullying is NOT:

- Reasonable actions taken in accordance with policies and procedures to discipline, transfer or deploy an employee.
- Reasonable and constructive actions taken to manage employee performance or provide feedback on work performance.
- Allocation of work in accordance with agreed standards and work systems.
- Setting performance goals, standards and deadlines.
- Deciding not to select an employee for promotion.
- A single incident of bullying-style behaviour (however, single incidents of bullying-style behaviour must not be ignored)

23.7 Complaints Procedure

If an employee feels that they have been the victim of bullying and feel that they cannot or have been unable to informally resolve the matter directly with the person who has behaved in this way they may:

- Discuss the problem with their Line Manager/Supervisor, assuming he/she is not involved.
- Approach the Diocesan Secretary, who will either assist or refer them to someone in a position to help.
- Utilise the formal grievance procedure. See section 27

23.8 It is recognised that bullying is a difficult issue to deal with and that no single approach suits every case. If an employee is uncertain who to approach they should contact the Diocesan Secretary for advice.

23.9 All the individuals mentioned above have some responsibility to deal with bullying complaints in a confidential and sympathetic manner. An employee can be assured that complaints will be dealt with promptly and that no retaliatory action will be taken against the employee. The person who has bullied the employee will not be informed of the complaints without the employee's authority.

23.10 The Diocese will always seek to provide a harassment free workplace. The employee, equally, has a responsibility to bring instances of bullying to the attention of the Diocesan Secretary so that the employee can be protected from bullying and action can be taken to correct inappropriate behaviour.

23.11 Any employee who, after proper investigation, is found to have harassed or victimised a fellow employee will be subject to disciplinary action. Such action could range from counselling, written warnings, transfer or summary dismissal depending on the seriousness, intent and consequences of the harassment.

24. SERIOUS MISCONDUCT

24.1 For the purpose of this policy, serious misconduct includes the following:

- Wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment.
- Conduct that causes serious and imminent risk to:
 - The health or safety of a person, or
 - The reputation, viability or profitability of the PDT's business

24.2 Conduct which constitutes serious misconduct includes:

- Theft



- Fraud
- Intoxication at work
- Assault
- Refusing to carry out lawful and reasonable instruction that is consistent with the employee's contract of employment.
- Discrimination Harassment and Bullying (see Section 22 above)

25. WORK HEALTH AND SAFETY

- 25.1 The PDT will so far as is practicable provide and maintain a safe work environment for all employees.
- 25.2 It is expected employees of the PDT take reasonable care for their own safety and health at work and avoid harming the safety and health of other people through any act or omission at work.

26. GRIEVANCE AND DISPUTE RESOLUTION

The Perth Diocesan Trustees believe that to achieve satisfactory service levels and personal job satisfaction any grievances or complaints held by an employee should be reconciled as soon as practicable.

Employees are encouraged to resolve minor conflicts between themselves.

- 26.1 Employees should first raise grievances or disputes directly with their relevant Manager/Supervisor/Rector (Manager). If grievances cannot be resolved at Manager level, or the grievance relates to the employee's immediate Manager, they may also be raised with the Diocesan Secretary.

PROCEDURE

- 1 Report grievance or complaint to a Manager and discuss the matter openly with the complainant and work together to achieve a desired outcome.
- 2 If the matter is going to progress beyond the initial meeting, the complainant should document the grievance or complaint. The Manager should check for clarification of the issue to ensure they fully understand the complainant's concern.
- 3 The Manager must outline the process that will be followed and inform the complainant that any information obtained in the conduct of the review is confidential.
- 4 The Manager will contact the other party/ies (contacting the other's Manager, if necessary) to discuss the matter openly and work together to achieve a desired outcome.
- 5 The Manager investigating the complaint must have an independent witness present to record the discussion.
- 6 The respondent must be provided the opportunity to have a support person at the meeting.
- 7 In the meeting, the Manager must establish the role of each person, outline the process that is to be followed, and inform the parties that any information obtained in the conduct of the review is confidential.
- 8 All parties to the meeting should provide honest and truthful information.
- 9 Accurate and detailed notes of all conversations, including dates and people involved, and any supporting documentation should be kept by the Manager.
- 10 If deemed necessary, employees should be provided with a written summary of the meeting and clarification of the next steps to be taken.
- 11 All parties are to maintain complete confidentiality at all times.

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- 12 Managers must provide a fair, objective and independent analysis of the situation and decide on an appropriate course of action.
- 13 Outcomes from the grievance process can include, but are not limited to:
- A written apology;
 - A written warning;
 - Counselling through Working Relationships (Anglicare) through the Employee Assistance Program *;
 - Dismissal;
 - Training;
 - Monitoring behaviour; and/or
 - Monitoring performance,
 - At no stage during or after the grievance procedure must employees aggravate the situation by inciting other employees through discussion or actions.
 - Employees interfering in grievance issues to the detriment of a reconciliation or compromising a solution will be given a written warning. Continued misconduct in these circumstances will result in a further warning and may result in dismissal.
- * The Employee Assistance Program, in relation to counseling, is available free of charge for all employees and family members. Working Relationships may be contacted directly on 08 9263 2050 for any work or non-work-related problems.

- 26.2 If the dispute is about a matter under the award or relating to the National Employment Standards (NES) and is unable to be resolved at the workplace and all appropriate steps have been taken, a party to the dispute may refer the dispute to the Fair Work Commission (FWC).

The parties may agree on the process to be utilised by the FWC including mediation, conciliation and consent arbitration.

The FWC may exercise any method of dispute resolution permitted by the Act that it considers appropriate to ensure the settlement of the dispute.

27. OWNERSHIP OF PRODUCTS AND COPYRIGHT

- 27.1 Subject to the Copyright Act 1968 (Cth), the original work process, design or other material produced in the course of employment remains the property of the PDT. This includes copyright in any material such as computer programs.
- 27.2 Whether or not copyright exists, the personal ownership of all materials created for the purpose of or in the course of employment rests with the PDT and should not be used other than for the purpose of the PDT's business.

28. CONFIDENTIALITY

- 28.1 During the course of employment, employees may obtain or have access to confidential information concerning the PDT or its business affairs. Under no circumstances (during or after cessation of employment) is any use to be made of this information except:
- for the purposes directly related to furthering the business objectives of the PDT: and,
 - in accordance with this Contract.
- 28.2 Employees will not disclose the terms and conditions of their Employment Contract to any other person without the prior written consent of the PDT.

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28.3 Any information provided by employees for employment purposes will not be used for any other purpose, nor will any such information be forwarded to any other persons or organisations without their permission unless allowed by legislation.

29 PROFESSIONAL STANDARDS

29.1 It is expected that employees will conduct themselves in accordance with the highest personal standards at all times in a way which is consistent with the values of the Anglican Church.



APPENDIX 1

WORKING FROM HOME SELF-ASSESSMENT CHECKLIST

EMPLOYEE DETAILS

Name: _____

Address of home-based work site:

Description of the workspace in the home-based work site:

CHECKLIST

Is the work space free from potential hazards that could cause physical harm (eg: frayed wires, bare conductors, loose wires, exposed wires to the ceiling, uneven floor surfaces, etc)?

YES NO

Do chairs have any loose wheels and are the rungs and legs of the chairs sturdy?

YES NO

Are the phone lines, electrical cords, and extension wires secured?

YES NO

Is the office space neat, clean, and free from obstructions and excessive amounts of combustibles?

YES NO

Do the desk, chair, computer and peripherals meet ergonomic requirements?

YES NO

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Are large or heavy items stored within close reach and not above shoulder height, or nearby where you have to stand to access them?

YES NO

Is there enough light for reading?

YES NO

Is there adequate ventilation?

YES NO

Is a fire extinguisher easily accessible from the office space?

YES NO

Is there a working (test) smoke detector within hearing distance of the workspace?

YES NO

Is the noise level of the area not distracting from task concentration?

YES NO

Is there a first aid kit in the workspace?

YES NO

If you have been issued PDT equipment, have you been briefed on the care of the equipment?

YES NO

ACKNOWLEDGEMENT

I certify that all information contained in this Checklist is true and complete to the best of my knowledge. I understand that any erroneous, misleading or fraudulent information is sufficient grounds for termination of the Home-Based Work Agreement and/or disciplinary action.

Name:

Signature: _____ **Date:** _____