

## **EMERGENCY SERVICES LEAVE**

### *Objective*

As a community based organisation Council recognises the benefit to the community brought about by Council employees participating in emergency service units. As such Council will support employees required to respond as part of an emergency service units.

### *Scope*

This policy applies to all full-time and part-time employees of Gilgandra Shire Council provided they have a minimum of **one year's** continuous service. Casual employees are excluded from this policy due to the nature of their employment.

### *Policy*

Employees of Gilgandra Shire Council may apply for leave for the purpose of attending a civil emergency under the following circumstances:

#### **1. Emergency Service Organisation Membership**

- 1.1 The employee is a volunteer member of the State Emergency Service or Rural Fire Service or similar emergency service organisation.
- 1.2 The employee is also engaged as a retained employee with NSW Fire & Rescue.
- 1.3 Written notification to GSC General Manager must be supplied by the emergency services organisation confirming membership or employment. Paid employment will also be subject to Council's secondary employment policy.

#### **2. Purpose**

Leave used under this policy is only to attend a civil emergency including emergency call outs - not training or other similar activity. An employee may use other types of approved leave for training or similar activity conducted by an emergency organisation.

#### **3. Notification**

Employees must notify their supervisor as soon as possible when called upon to assist at a bush fire, other civil emergency or emergency call out. Council reserves the right not to grant leave if an employee's absence will cause operational problems in the workplace.

#### 4. Operational Considerations.

An employee must assess current work commitments before responding to an emergency. A decision to respond to an emergency must not impinge on the safety of Council workers who remain at work or the safety of Shire residents. Allowing for the severity of the emergency and the level of alternative response, task completion should also be considered such that there is no re-work or significant cost incurred. Council may refuse to grant leave if an employee's absence will cause exceptional inconvenience or hardship in the workplace, or jeopardise the safety or security of council operations, other employees or the public.

#### 5. Quantum – Incidents within Gilgandra Shire Council Area

##### 5.1 Volunteers (SES, RFS)

For incidents that happen within Gilgandra Shire, full pay is paid for the entire period of interruption to an employee's working day (special leave). Employees will be granted a maximum of 10 days per year as special paid leave.

##### 5.2 Retained Fire Fighters

For emergency call out incidents which require response by the NSW Fire & Rescue, employees shall be able to access leave entitlements (annual leave, accrued flexi or time in lieu) for the period they are away from work. Should the employee have insufficient paid leave entitlements, leave without pay may be granted but only on approval from the relevant director

#### 6. Quantum – Incidents outside GSC

##### 6.1 Volunteers (SES, RFS)

Where the emergency incident occurs outside Gilgandra Shire, Council will pay the employee for the period of the interruption to working hours as per the relevant Award. In instances where an employee's response to an incident involves an absence for a period longer than the Award provision, Council will support the employee by allowing access to annual leave, long service leave or accrued flexi or time-in-lieu. In such instances Council will not pay the employee wages but will provide paid leave under this policy.

##### 6.2 Retained Fire Fighters

For emergency call out incidents which require response by the NSW Fire & Rescue where the emergency incident occurs outside GSC, the employees shall be able to access leave entitlements (annual leave, accrued flexi or time in lieu) for the period they are away from work. Should the employee have insufficient paid leave entitlements, leave without pay may be granted but only on approval from the relevant director.

#### 7. Payment - Volunteers

Council will continue to pay the employee their ordinary time salary or wage through the payroll system for the time they are required to attend an emergency incident to the maximum period provided in Clause 5 above. There will be no payment for allowances or overtime not worked.

**8. Proof of Attendance**

Council may require proof of attendance at the civil emergency which must be supplied with a leave application as soon as possible upon return to work.

**9. WH&S and Rest Break**

An employee who attends an emergency incident is expected to take a reasonable break between the completion of or ordinary duties the previous day and the resumption of their normal Council duties the next day.

**10. Proof of fitness**

Council may require an employee who has taken leave for a civil emergency to provide proof of fitness to return to work before resuming normal duties

**11. Non-Emergency Duties**

The leave available under this policy or any other financial assistance does not extend to non-emergency related duties. Non-emergency related duties include activities such as training, seminars, planned hazard-reduction or providing standby support out-of-town (see point 2 above).

In these cases however an employee may apply to access their standard leave benefits in accordance with Council policy and procedure. That is to say whilst such leave is usually granted without difficulty it must be subject to the operational needs of Council (see point 5 above).

*Relevant Legislation*

Local Government (State) Award 2020

*Associated Documents*

Nil

<b>Responsible Officer:</b>	Director Growth and Liveability		
<b>Date Adopted:</b>	19/5/11, 18/2/15 17/2/16, 20/3/18 16/2/21,21/02/23, 18/02/25	<b>Resolution No:</b>	184/11, 15/15 18/16, 48/18 15/21, 11/23 13/25
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