

**Report from General Manager**Attachments:
Nil**SUBJECT:** Confidential Report - Staff Conditions and Management During COVID-19**AUTHOR:** Ken Gouldthorp, General Manager**EXECUTIVE SUMMARY:**

On 14 April 2020 a variation to the NSW Local Government Award was made to help manage workplace arrangements associated with COVID-19. The variation, called The Splinter Award, applies to over 100 councils (out of 124) including North Sydney Council. The Splinter Award therefore provides a level of consistency across councils including flexibility in dealing with changes to workloads, cessation of services when necessary and facilitating staff to stay safe at home in some instances including where there is no useful work to do.

Management of staff resources during the COVID-19 needs to be undertaken in a manner that recognises Local Government revenue is not isolated from the economic impacts occurring in tandem with COVID-19 and that Local Government has deliberately been excluded from the majority of Federal and State financial relief measures. The “Splinter Award” was developed with, and agreed by, all of the Unions representing Local Government employees in NSW and LGNSW representing councils. Linda Scott, the President of LGNSW has given a simple explanation of the key features of the Award:

*“The **Local Government (COVID-19) Splinter Award 2020** is designed to help preserve jobs and gives NSW councils and county greater flexibility to provide suitable alternative duties for employees unable to perform their regular duties due to COVID-19 orders by the State or Commonwealth Governments. The Splinter Award also contains close-down procedures at Part 6, which commence with a “**Duty to Explore Suitable Alternative Duties**”. Where the employer has exhausted all reasonable attempts to find suitable alternative duties and has no useful work for affected employees, the employer may temporarily stand down (or partially stand down) employees in accordance with the staged stand down procedures under the award.*

Under stage 1, employees are entitled to up to four weeks of paid COVID-19 special leave at their salary system rate of pay (of which up to 2 weeks may be absorbed by paid special leave already received by the employee from their employer in relation to COVID-19).

*At stage 2, an employee who has exhausted their entitlement to paid COVID-19 special leave is entitled to be paid a Job Retention Allowance at the Band 1 / Level 2 rate of pay under the **Local Government (State) Award** (currently \$858.20/week) for up to three (3) months. During stage 2, employees may supplement the Job Retention Allowance by accessing their accrued leave entitlements.*

At stage 3, employees who have exhausted their entitlement to paid COVID-19 special leave and the Job Retention Allowance are placed on leave without pay until the employer is able to provide the employee with useful work, unless the employee elects to utilise any available accrued leave entitlements.”

The Splinter Award operates in conjunction with the existing Local Government Award and the provisions covering other employment conditions will continue to apply. Ultimately how this new agreement will apply to individual staff will largely depend on the measures put into place by the Federal and State health authorities and the duration they are in place for. It is already being applied to many library staff who are no longer at work following the closure of the Library.

The associated Confidential Report to this item addresses staff and employment conditions in further detail including personnel matters concerning particular individuals. If the Council wishes to discuss the report, the meeting should be closed to the public to do so in accordance with s10A(2)(a) of the Local Government Act (LGA).

FINANCIAL IMPLICATIONS:

North Sydney Council’s employee benefits and on-cost budget for 2019/20 is \$44.83M. It is the single largest expense and comprises 49% of total expenses from continuing operations excluding depreciation and amortisation.

RECOMMENDATION:

- 1. THAT** the meeting be closed to the public in accordance with s10A(2)(a) to discuss personnel matters concerning particular individuals (other than Councillors).
 - 2. THAT** the report be treated as confidential and remain confidential until Council determines otherwise.
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