

Human Resources Policies and Procedures

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Introduction

NCCI's Human Resources (HR) Policies and Procedures inform staff management and development.

NCCI will keep HR policies current and relevant. Therefore, from time to time it will be necessary to modify and amend some sections of the policies and procedures, or add new procedures.

Any suggestions, recommendations or feedback on the policies and procedures specified in this manual are welcome.

These policies and procedures apply to **all** employees.

Staffing

A human resources policy manual guides staff selection, management, terms of employment etc. Support from volunteers, combined with the work undertaken by the part-time and casual staff is pivotal to effective administration. Staffing levels are subject to financial and resource constraints and typically include:

Permanent part-time Coordinator
Permanent part-time Bookkeeper
Casual cleaners

Contractors are engaged to maintain grounds and infrastructure.

NCCI encourages volunteer involvement. Policy outlining responsibilities to volunteers is designed to positively influence the volunteer experience.

Personal Conduct

General policy on personal conduct

NCCI expects its employees to maintain a high standard of conduct and work performance to make sure the business maintains its good reputation with our tenants and our community. Good personal conduct contributes to a good work environment for all.

This involves all employees:

- observing all policies and procedures
- treating colleagues with courtesy and respect
- treating tenants and visitors in a professional manner at all times
- working safely at all times.

Dress code policy

As a minimum standard, dress should be clean, neat and professional. NCCI reserves the right to request an employee to dress to an appropriate standard as a condition of employment.

Personal communications policy

All personal communications during the conduct of work duties will be kept to reasonable levels and should not impinge on the work expected by the NCCI Management Committee.

Phone calls policy

It is expected private phone calls will be kept to reasonable levels.

Email policy

1. Email facilities are provided for formal business correspondence.
2. Take care to maintain the confidentiality of sensitive information. If emails need to be preserved, they should be backed up and stored offsite.
3. Limited private use of email is allowed if it doesn't interfere with or distract from an employee's work. However, management has the right to access incoming and outgoing email messages to check if an employee's usage or involvement is excessive or inappropriate.
4. Non-essential email, including personal messages, should be deleted regularly from the 'Sent Items', 'Inbox' and 'Deleted Items' folders to avoid congestion.
5. All emails sent must include the approved business disclaimer.

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To protect NCCI from the potential effects of the misuse and abuse of email, the following instructions are for all users:

1. No material is to be sent as email that is defamatory, in breach of copyright or business confidentiality, or prejudicial to the good standing of NCCI in the community or to its relationship with staff, customers, suppliers and any other person or business with whom it has a relationship.
2. Email must not contain material that amounts to gossip about colleagues or that could be offensive, demeaning, persistently irritating, threatening, discriminatory, involves the harassment of others or concerns personal relationships.
3. The email records of other persons are not to be accessed except by management (or persons authorised by management) ensuring compliance with this policy, or by authorised staff who have been requested to attend to a fault, upgrade or similar situation. Access in each case will be limited to the minimum needed for the task.
4. When using email, a person must not pretend to be another person or use another person's computer without permission.
5. Excessive private use, including mass mailing, "reply to all" etc. that are not part of the person's duties, is not permitted.
6. Failure to comply with these instructions is a performance improvement offence and will be investigated. In serious cases, the penalty for breach of policy, or repetition of an offence, may include dismissal.

Internet use policy

The internet is provided by NCCI for business use. Limited private use is permitted if the private use does not interfere with a person's work and that inappropriate sites are not accessed e.g. pornography, gambling. Management has the right to access the system to check if private use is excessive or inappropriate.

Failure to comply with these instructions is an offence and will be subject to appropriate investigation. In serious cases, the penalty for an offence, or repetition of an offence, may include dismissal. Staff need to be aware that some forms of internet conduct may lead to criminal prosecution.

Privacy & Confidentiality

The privacy and confidentiality of all must be respected. In this regard NCCI is committed to protecting personal information about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not. In general, information we may collect and hold

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includes but is not limited to names, birth dates, addresses, contact details, occupation, medical history, memberships and associations, financial and tax records, family situations.

Sensitive information subject to this policy includes information about race or ethnic origin, political affiliation, religious affiliation, mental health, disability, trade union or other professional trade association membership, sexual preferences, criminal record, and other health information.

Personal and sensitive information must be held in secure and confidential files maintained in paper and/or electronic form and must be protected from unauthorised access, modification or disclosure.

While the office coordinator/s and the committee may have access to personal information and material, this information will be handled with sensitivity and care. The information will not be shared outside the governing body unless the person whose information it is has provided approval. Any related comments must be factual only.

Recruitment

Policy

Our business always aims to employ the best candidates based on merit and competence. NCCI also recognises its responsibility to provide a safe working environment for all volunteers, tenants and their clients.

Procedure

1. Create a simple position description for the job covering key activities, tasks, skills required, expectations, deliverables and safety considerations. When advertising, avoid discriminatory language e.g. young person. Target the attribute e.g. we seek an energetic person.
2. The recruitment process may include some or all of these: an application form, interviews, practical testing, reference checks, right to work in Australia checks. All prospective employees will be required to pass standard Police and working with children checks.
3. Give the successful candidate a letter of appointment setting out clear terms and conditions. This includes the nature of employment e.g. permanent, part time, casual. The letter should include a welcome note and start details.
4. Once the candidate has accepted, contact the unsuccessful candidates as a matter of courtesy.

Induction

Under the National Employment Standards (NES), all new employees are given a copy of the Fair Work Information Statement which can be found at the Fair Work Online website: fairwork.gov.au and in our employment induction pack with other important employment policies.

Policy

NCCI will make sure all new employees feel welcome and are ready to start work safely and competently.

Procedure

Complete an induction plan for each new starter with details of:

- introductions
- welcome tea
- workplace tour
- OH&S procedures and evacuation
- business overview
- who's who
- nominated buddy
- a working safely plan
- training plan
- IT system orientation
- copy of the Fair Work Information Statement
- policy and procedural requirements, e.g. equal employment opportunity

Training

Policy

NCCI will give employees adequate training to do their job safely and competently. NCCI believes training is a two-way process. We encourage employees to participate and to highlight any gaps in their own skills or knowledge they believe they have.

Training includes internal on-the-job training, written instructions such as standard operating procedures, coaching, external training and courses. Safety training takes precedence.

Probation

The Fair Work Act 2009 provides for a minimum qualifying period of six months in businesses of 15 employees and over or 12 months for small businesses under 15 employees, before an employee is protected from unfair dismissal provisions. From 1 January 2011, the way the number of employees are counted changes from full-time equivalent to a simple headcount (excluding irregular casuals).

Policy

Probation is a period of review and appraisal to make sure both the business and the employee are satisfied the role is as advertised, and is being performed satisfactorily. Ongoing permanent employment is given only when the employee satisfactorily completes their probation. NCCI provides for a probationary period of 3 months for all new employees.

Procedure

1. NCCI will give informal and formal appraisal during the probation period.
2. NCCI will give at least one formal appraisal four weeks before the end of probation.
3. At the end of the probation period, NCCI will complete a final probation appraisal and advise the employee of the result.

Work Health Safety (WHS)

refer NCCI's WHS policies

Smoking policy

NCCI has a non-smoking policy. Smoking is not permitted on NCCI property or in offices at any time.

Smokers who need to take breaks should do so in their allotted breaks (no more than 2 per day in addition to their lunch break). These breaks must be limited to 5 minutes from leaving the workplace to recommencing work. These breaks must not be taken at the entrances to NCCI property. Excessive smoking breaks will be regarded as absenteeism and performance improvement action may be taken.

Alcohol and drugs policy

NCCI is concerned by factors affecting an employee's ability to safely and effectively do their work to a satisfactory standard. The business recognises alcohol or other drug abuse can impair short-term or long-term work performance and is an occupational health and safety risk.

NCCI will do its utmost to create and maintain a safe, healthy and productive workplace for all employees. NCCI has a zero tolerance policy in regards to the use of illicit drugs on its premises or the attending of other business related premises (e.g. clients) while under the influence of illicit drugs. Contravening either of these points may lead to instant dismissal.

NCCI does not tolerate attending work under the influence of alcohol. This may result in performance improvement action or dismissal.

NCCI, at times, makes alcohol available to staff over the age of 18 (i.e. at celebrations). Limiting the consumption of any alcohol made available is the responsibility of the employee. Driving over the legal limit or under the influence of illicit drugs is illegal.

Equal Employment Opportunity (EEO)

Equal Employment Opportunity legislation is governed by various antidiscrimination acts both Federal and State. Information about how this works is available from the Antidiscrimination Board of NSW, <http://www.antidiscrimination.justice.nsw.gov.au> and the Fairwork Commission, <http://www.fairwork.gov.au>

Policy

This policy applies to all staff including contractors and covers all work-related functions and activities including external training courses sponsored by NCCI.

It also applies for all recruitment, selection and promotion decisions.

The objective of NCCI's equal opportunity policy is to improve business success by:

- attracting and retaining the best possible employees
- providing a safe, respectful and flexible work environment
- delivering our services in a safe, respectful and reasonably flexible way.

Discrimination, Sexual Harassment and Bullying

NCCI is committed to providing a workplace free from discrimination, sexual harassment and bullying. Behaviour that constitutes discrimination, sexual harassment or bullying will not be tolerated and will lead to action being taken, which may include dismissal.

For the purposes of this policy, the following definitions apply:

Discrimination:

Direct discrimination occurs when someone is treated unfairly and is disadvantaged because of a personal characteristic that is protected under law.

Indirect Discrimination occurs when a rule seems neutral, but has a discriminatory impact on certain people. For example, a minimum height requirement of 6 foot for a particular job might be applied equally to men and women, but would indirectly discriminate on the basis of sex, as women tend to be shorter than men.

Sexual harassment includes unwelcome conduct of a sexual nature in circumstances in which a reasonable person, having regard to all the

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circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.

Workplace bullying may include behaviour that is directed toward an employee, or group of employees, that creates a risk to health and safety e.g. physical and/or verbal abuse, excluding or isolating individuals; or giving impossible tasks.

NCCI provides equal opportunity in employment to all suitably able people without discrimination based on a personal characteristic protected under state and federal Equal Opportunity legislation.

They include:

- age
- breastfeeding
- carer status
- disability/impairment
- employment activity
- gender identity
- industrial activity
- lawful sexual activity
- marital status
- parental status
- personal association with someone having any of these characteristics
- physical features
- political activity/belief
- pregnancy
- race
- religious activity/belief
- sex
- sexual orientation.

Any employee found to have contravened this policy will be subject to disciplinary action, which may include dismissal as outlined in the complaint procedure below. Employees must report any behaviour that constitutes sexual harassment, bullying or discrimination to a member of the management committee. Employees will not be victimised or treated unfairly for raising an issue or making a complaint.

Procedure: To make a complaint

If you believe you are being, or have been, discriminated against, sexually harassed or bullied, you should follow this procedure.

1. Tell the offender the behaviour is offensive, unwelcome, and against NCCI policy and should stop (only if you feel comfortable enough to approach

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them directly, otherwise speak to the Coordinator or a member of the Committee Executive). Keep a written record of the incident(s).

2. If the unwelcome behaviour continues, contact the Coordinator or member of the Committee Executive for support.
3. If this is inappropriate, you feel uncomfortable, or the behaviour persists, contact another relevant executive committee member. Employees may also lodge a complaint with the New South Wales Equal Opportunity & Human Rights Commission, the Australian Human Rights Commission, or take action under the *Fair Work Act 2009*.

Employees should feel confident that any complaint they make is to be treated as confidential as far as possible.

Procedure: To receive a complaint

When a Coordinator or member of the Executive Committee receives a complaint or becomes aware of an incident that may contravene NCCI EEO Policies, they should follow this procedure.

1. Listen to the complaint seriously and treat the complaint confidentially. Allow the complainant to bring another person to the interview if they choose to.
2. Ask the complainant for the full story, including what happened, step by step.
3. Take notes, using the complainant's own words.
4. Ask the complainant to check your notes to ensure your record of the conversation is accurate.
5. Explain and agree on the next action with the complainant.
6. If investigation is not requested (and the Coordinator or member of the Executive Committee is satisfied that the conduct complained is not in breach of NNIC EEO policies) then they should:
 - act promptly
 - maintain confidentiality
 - pass any notes on to the Management Committee

If an investigation is requested or is appropriate, follow the next procedure.

Procedure: To investigate a complaint

When a Coordinator or member of the Executive Committee investigates a complaint, they should follow this procedure.

1. Do not assume guilt.

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2. Advise on the potential outcomes of the investigation if the allegations are substantiated.
3. Interview all directly concerned, separately.
4. Interview witnesses, separately.
5. Keep records of interviews and the investigation.
6. Interview the alleged harasser, separately and confidentially and let the alleged harasser know exactly of what they are being accused. Give them a chance to respond to the accusation. Make it clear they do not have to answer any questions, however, the Coordinator or member of the Executive Committee will still make a decision regardless.
7. Listen carefully and record details.
8. Ensure confidentiality, minimise disclosure.
9. Decide on appropriate action based on investigation and evidence collected.
10. Check to ensure the action meets the needs of the complainant and NCCI.
11. If resolution is not immediately possible, refer the complainant to the Executive Committee.
12. Discuss any outcomes affecting the complainant with them to make sure where appropriate you meet their needs.

Possible outcomes

If after investigation management finds the complaint is justified, management will discuss with the complainant the appropriate outcomes which may include:

- disciplinary action to be taken against the perpetrator (counselling, warning or dismissal)
- staff training
- additional training for the perpetrator or all staff, as appropriate
- counselling for the complainant
- an apology (the particulars of such an apology to be agreed between all involved).

Pregnancy at Work

Entitlements listed here are based on the Fair Work Act 2009.

Advising of pregnancy

NCCI encourages employees to inform their Coordinator or member of the Executive Committee of their pregnancy as soon as possible. However, we respect that an employee may not wish to advise us of her pregnancy earlier than the minimum notice period.

We also respect an employee's wishes regarding when it is appropriate to tell colleagues about the pregnancy.

See the Parental leave policy on page 21 about requirements for taking unpaid parental leave, including notice periods.

Harassment while pregnant

NCCI is committed to ensuring the safety of pregnant employees and considers harassment, bullying and discrimination to be unacceptable behaviour. (See the Equal Employment Opportunity policy on page 11 for our general policy and procedure on harassment, bullying and discrimination).

Safety at work

NCCI understands pregnancy to be a healthy and normal process and recognises that women have different experiences. When an employee notifies the management committee that she is pregnant, the management committee will ask the employee to let them know if they experience any changes to their work capacity during the pregnancy. The employee and the management committee will then discuss what is needed to keep the employee safe at work and adjustments will be made accordingly where possible.

Options to reduce hours, change of duties, light duties, rotated tasks, provision of a chair and provision of additional breaks are common ways to ensure safety at work, and will be considered on a case-by-case basis.

Transfer to a safe job

If it's not safe (due to illness, risks or hazards) for a pregnant employee who is entitled to parental leave to continue in her usual position, she may be transferred to a 'safe job' with no change to terms and conditions.

The employee needs to provide NCCI with reasonable evidence that she is fit for work, but it would be inadvisable to continue in her present position. NCCI may insist on a medical certificate.

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If NCCI can't transfer the employee to a safe job, she may take (or be required by NCCI to take) paid 'no safe job' leave for the time stated in the medical certificate or until the pregnancy ends (either by giving birth or otherwise).

'No safe job' leave is not sick leave – it is a separate paid leave type (pregnancy-no safe job). This leave will be paid at the rate specified in the award or agreement which, at a minimum, can be no lower than the employee's base rate of pay for her ordinary hours of work. In the six weeks prior to the expected date of the birth of the child, an employer may ask an employee on safe job leave for medical certificates stating that she would be fit to perform a safe job, if one were available to her.

An employee may be required to take unpaid parental leave (instead of paid no safe job leave) if she does not provide a medical certificate within seven days or if she provides a medical certificate stating she is not fit for any work.

Working until the birth

A pregnant employee may work until the expected date of birth of her child. If she wishes to continue working in the last six weeks of her pregnancy she may be requested to provide a medical certificate within seven days confirming she is fit to work.

If the medical certificate indicates the employee is not fit for work, she may be required to start parental leave or take a period of unpaid leave as soon as practicable. (See the Parental leave policy on page 21.)

Return to work

If the employee has agreed to contact during leave, then towards the end of the leave period, the management committee should confirm the employee's intention to return on the agreed date. The employee also may want to discuss any requests for flexible work arrangements at this time (see Flexible Working Arrangements policy on page 18).

An employee must provide four weeks notice if they want to extend their leave beyond the return date that was initially advised (see the Parental leave policy on page 21.)

The employee on parental leave has the right to return to the job they held prior to going on leave, including any promotion. If that position no longer exists, the employee will be given whichever other available position is nearest in status and remuneration for which the employee is qualified and suited.

If an employee was placed in a safe work position prior to leave, the employee is entitled to return to the position they held immediately before the safe work position.

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If the pre-parental leave position no longer exists, NCCI will follow its redeployment and redundancy procedures to determine if a suitable alternative position is available.

Breastfeeding at work

NCCI aims to understand and support mothers in the workplace, including accommodating breastfeeding as much as possible e.g. providing a private space.

An employee should discuss her needs with the management committee and NCCI will endeavour to make a private space available or other arrangements made by agreement. Depending on the employee's duties this may include cover while she is away from her work environment.

Other forms of parental support

<http://www.familyassist.gov.au/payments/family-assistance-payments/paid-parental-leave-scheme/>

Within the Centre we have a number of services, they include:

Nimbin Family Centre
66 890 423
admin@nimbinfamily.ngo.org.au

Northern Rivers Family Daycare
6689 0142
nimbin@yourfamilydaycare.com.au

Nimbin Neighbourhood & Information Centre
66 891 692
nimbinnic@gmail.com

Flexible Working Arrangements

Entitlements listed here are based on National Employment Standards and the Equal Opportunity Act 1995.

Employees may request flexible working arrangements based on parental and carer responsibilities. Employees are encouraged to put the request in writing.

To comply with the *Equal Opportunity Act*, NCCI will consider this request, and consider all relevant facts and circumstances in deciding whether or not to agree to the request. Such a request will not be refused unless it is reasonable to do so.

Circumstances that may be relevant to determining whether a refusal is or is not reasonable include:

- the nature of the employee's work and parental or carer responsibilities
- the nature and cost of the arrangements required for an employee to fulfil their family or carer responsibilities
- the financial circumstances of the employer
- the size and nature of the workplace and the employer's business
- the effect of the flexible working arrangements on the workplace, including the financial impact on the business
- the consequences for the employer of having the flexible working arrangements
- the consequences for the employee of not having the flexible working arrangements

Other factors that might be relevant in a particular case include:

- when the arrangements are to commence
- how long the arrangements will last
- information that has been provided by the employee about their situation
- the accrued entitlements of the employee, such as personal, carer's or annual leave
- whether any legal or other constraints affect the feasibility of the employer accommodating the responsibilities, such as occupational health and safety laws or award penalty rates.

In addition, under the National Employment Standards, employees who have at least 12 months' continuous service, with responsibility for the care of a child under school age, or for care of a child under 18 with a disability have the right to request flexible working arrangements.

This right applies to all employees including permanent full-time and part-time employees, as well as casual employees, regardless of role of job function.

Employees must put such a request in writing.

NCCI will provide a written response granting or refusing the request within 21 days and will only refuse such requests on reasonable business grounds. These reasons will be detailed in the written refusal.

Options for flexible work practices

Flexible work options which may be considered by NCCI include:

- permanent, part-time work
- graduated return to work (for employees returning from parental leave), e.g. the employee returns part time and then builds up to full-time work flexible start and finish times for staff to accommodate child care and school pick-up requirements
- flexible rostering such as working split shifts
- job-sharing - where two or more employees share one full-time position, each working on a part-time basis
- work from home
- purchased leave (48/52 leave) – where employees take an additional four weeks leave per year by adjusting their salary to 48 weeks paid over the full 52 weeks
- compressed hours – where the employee works additional daily hours to provide for a shorter working week or fortnight

This is not an exhaustive list, and other options may be agreed.

Employees utilising flexible work practices will be treated no less favourably than any other employee. Flexible working is not a barrier to promotion or supervisory responsibilities.

Leave Policy

The standards referred to here are taken from the Fair Work Act 2009. The National Employment Standards (NES) are 10 minimum employment entitlements that have to be provided to all employees. The Fair Work web site is to be referred to for the most up to date entitlements. The current link is:

<https://www.fairwork.gov.au/employee-entitlements/national-employment-standards>

General leave policy

Unless specified otherwise, employees referred to in this policy mean permanent full-time or part-time employees.

All employees are entitled to leave in accordance with the relevant awards or agreements and statutory provisions. Where the entitlements or practices in this document conflict, the applicable award, workplace agreement, employment contract or employment law takes precedence.

All planned leave has to be mutually agreed, and take into account workloads and the employee's needs. Leave must be approved in advance, except when the employee can't anticipate the absence. Any documents regarding leave will be kept on the employee's personnel file.

Annual leave policy

Each employee is entitled to a minimum of 28 days annual leave a year (pro-rata for part-time). Leave entitlements are calculated from the date they started work and accrue in accordance with workplace relations legislation or industrial instruments. Annual leave counts towards continuous service (used when calculating long service leave). Applications for annual leave need to be lodged 4 weeks in advance.

An employee is expected to take accrued annual leave for business close down periods. If insufficient leave is accrued, NCCI may direct an employee to take unpaid leave.

NCCI will decide on a case-by-case basis whether it will agree with an employee to 'cash out' annual leave as permitted by workplace relations legislation or any industrial instrument.

In some circumstances, leave in advance of what leave has accrued may be approved. This is conditional on the employee agreeing to the business deducting any advance in the event of termination, or to the employee accepting leave without pay.

No more than 8 weeks annual leave should be allowed to accrue. An employee can either take leave or have leave paid without taking it to reduce the amount accrued.

Personal (sick) leave policy

Sick leave is part of personal/carer's leave. Personal/Carer's leave is an employee entitlement which is contained in the National Employment Standards. It is separate to workers' compensation, which is paid to compensate for an injury or illness incurred while at work.

An employee is entitled to a minimum of 10 days of personal/carer's leave every 12 months which can all be taken as carer's leave if required. Paid personal leave accrues at the rate of .8 days per month of service and is cumulative.

An employee should notify the management committee as soon as possible if they are unable to attend work due to illness or injury. Management, at its discretion, may request evidence such as a medical certificate showing that the employee was entitled to take personal leave during the relevant period.

Carer's leave policy

Carer's leave is available to an employee for the care or support of an ill family or household member or if an unexpected emergency affects a family or household member. It is typically part of personal (sick) leave and is dealt with similarly to above.

Employees including casual employees are entitled to take up to two days' unpaid carer's leave for each occasion of family or household member illness or unexpected emergency. An employee cannot take unpaid carer's leave if they could instead take paid carer's leave.

Compassionate leave policy

Compassionate leave is paid leave taken by an employee to spend time with a family member/member of the employee's household, who has a personal illness, or injury, that poses a serious threat to his/her life, or after the death of a family member/member of the employee's household.

Each employee is entitled to a period of two days paid compassionate leave for each occasion where a family member has died, or the employee needs to spend time with a seriously ill family member. Additional unpaid leave maybe granted at management discretion.

Casual employees are entitled to two days' unpaid compassionate leave for each occasion.

Long service leave policy

Employees are entitled to long service leave in line with Federal long service leave laws (or per a relevant Award or Agreement).

Parental leave policy

There are many aspects to this type of leave. Please refer to the NES for up to date details:

<https://www.fairwork.gov.au/employee-entitlements/national-employment-standards>

Time in lieu policy

NCCI will grant time in lieu to an employee who is required to work outside their normal hours. Time worked towards time in lieu must be approved in advance unless exceptional circumstances exist, in which case management will consider granting approval after the time is worked.

Time in lieu will be added to the employee's annual leave. NCCI will record time-in-lieu credits and debits. Generally, an employee should take time in lieu in the same financial year within which they accrue it. The management committee must approve time-in-lieu leave. A full-time employee cannot accrue more than 60 hours of time in lieu (or equivalent part-time).

Leave without pay policy

The management committee has the discretion to approve leave without pay that an employee is not otherwise entitled to.

Jury duty policy

An employee is entitled to paid leave for jury duty in accordance with legislation. An employee on jury service should supply the official request to attend, the details of attendance and the amount the court has paid them. NCCI will reimburse the employee the difference between this amount and their base salary. If an employee is absent because of jury service of more than 10 days in total, the employer is only required to pay the employee for the first ten days of absence.

Emergency services leave policy

If an employee needs to take temporary absence from work because of voluntary emergency management activities (for example, as a volunteer dealing with an emergency or natural disaster as a member of SES, CFA or Army Reserve) then they should ask management for leave as soon as possible after they become aware of the need to take leave.

NCCI will support such activities wherever possible, as an important community service.

NCCI may require evidence of these activities, at its discretion.

Performance Management

Policy

The purpose of performance management is to improve performance. It is an ongoing process. It should include informal and formal review. We encourage a two-way process, that is, employees can also give management feedback on performance.

All employees will undergo a formal performance review with the management committee annually. The management committee may select a representative/s to undertake this process. The coordinator will facilitate this process for all employees, including him/herself.

Procedure

1. The management committee and the employee agree on the date for a performance appraisal meeting to allow time to prepare.
2. The management committee and employee will meet and openly and constructively discuss performance over the period.
3. The management committee and the employee will agree any objectives and outcomes for the next appraisal period.
4. Training and development will be considered as part of the process.
5. Notes should be taken of the meeting and copies kept.
6. Position descriptions will be amended as required, agreed to by both parties, and employment conditions may be varied.
7. Outside of this formal process, employees are encouraged to raise any issues they have when they arise.

Performance Improvement

Policy

Where warranted NCCI will use improvement processes to improve performance. Should such improvement processes be unsuccessful in improving an employee's performance, NCCI may decide to end an employee's employment. Depending on the circumstances, performance improvement action may include verbal or written warnings, counselling or retraining.

NCCI requires a minimum standard of conduct and performance which will be made clear to employees in management appraisals. If an employee does not meet this standard, NCCI will take appropriate corrective action, such as training. Formal performance improvement procedures will generally only start when other corrective action fails.

If an employee deliberately breaches business policy or procedure, or engages in misconduct, NCCI may start improvement procedures, or, in cases of serious misconduct or breach of policy, may dismiss an employee.

Each employee must understand their responsibilities, be counselled and given the opportunity to reach the standards expected of them. NCCI will give an employee the opportunity to defend themselves before management takes further action.

The Small Business Fair Dismissal Code applies to all businesses with fewer than 15 employees (excluding irregular casuals). If a small business follows this code, a dismissal will not be unfair. Although not legally required, the Small Business Fair Dismissal Code Checklist is a guide to correct procedure. The management committee will keep completed copies and records of meetings and discussions as a record that the correct process has been followed.

<https://www.fairwork.gov.au/ending-employment/notice-and-final-pay/dismissal-how-much-notice>

Procedure

1. NCCI will advise the employee of any shortfall in their performance, and give them an opportunity to respond.
2. Once they respond, the NCCI management committee will consider their response and decide if performance improvement action should be taken. NCCI will provide support such as training where appropriate.

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3. If the employee is given a verbal warning, the management committee or their representative should make a note of it, date it and sign it.
4. The management committee will advise the employee in clear terms what they see as the performance problem or the unacceptable conduct. To highlight the deficiency, they should use specific examples, and refer to the correct policy or procedure.
5. The management committee will allow the employee to respond before making a decision and consider the employee's responses. The employee may have a support person present at such meetings.
6. The management committee will decide if more action is needed.
7. If a written warning is to follow, the management committee is to:
 - document it and give the employee a copy
 - give the employee the opportunity (and their support person the opportunity) to sign the warning
 - keep a copy on file
8. The warning must clearly define:
 - the deficiency
 - a clear explanation of the expected standard
 - by when the employee needs to achieve it
 - how the business will help the employee achieve the improvement required
 - consequences of failing to improve
9. The management committee will keep a record of all meetings, training and/or coaching given and a summary of discussions, and put a copy on the employee's personnel file. This should include date, location and time of discussion.
10. They will continue to support the employee and note the support they give, for example, training or counselling.
11. If the employee's performance or conduct doesn't improve, the management committee will give the employee a final written warning and follow steps 4–10 above. This document needs to warn the employee in clear terms NCCI will terminate their employment if there is not enough improvement, and a sustained improvement in, their performance.

Note: some circumstances justify going straight to a second or final warning.

Gross or serious misconduct policy

Summary (instant) dismissal for gross or very serious misconduct is possible (depending on the facts involved). The management committee should seek advice before taking this step.

Procedure

1. The management committee is to investigate the alleged offence thoroughly, including talking to witnesses, if any.
2. The management committee should ask the employee for their response to the allegation (taking notes of this discussion) and allow them to have representation. The management committee should also have a witness present. The management committee shall give genuine consideration to the employee's response and circumstances.
3. If still appropriate, following a thorough investigation, the management committee can terminate/dismiss the employee.
4. The management committee should keep a file of all evidence collected and action taken in these circumstances.
5. NCCI will send the employee a letter of termination noting brief details.

Grievances

Policy

NCCI supports the right of every employee to lodge a grievance with the management committee if they believe a decision, behaviour or action affecting their employment is unfair. An employee may raise a grievance about any performance improvement action taken against them.

NCCI aims to resolve problems and grievances promptly and as close to the source as possible. The purpose of this policy is to ensure that disputes and concerns relating to effective functioning of the work environment do not go unresolved, affecting workplace productivity and relationships. The policy is designed to assist aggrieved parties to positively settle their grievance, complaint, or dispute with a view to ensuring services are maintained without interruption or detriment, and a healthy, safe work environment is maintained.

NCCI is committed to handling all complaints promptly and with transparency. When necessary, NCCI will escalate a grievance to the next higher level of authority for more discussion and resolution and continue escalating it to the level above until it is resolved.

A workplace grievance may involve any act, omission, situation, or decision, related to the work environment, that an individual believes is unfair, unlawful, unjust or discriminatory. It may also include acts of workplace harassment, bullying, and occupational violence. Grievances that are misconceived, vexatious, and lacking substance may result in disciplinary action being taken against the employee lodging the grievance.

Procedure

1. The employee should try to resolve the grievance as close to the source as possible. This can be informal and verbal. At this stage, every possible effort should be made to settle a grievance before the formal grievance process starts. If the matter still can't be resolved, the process continues and becomes formal.
2. To start the formal grievance, the complainants must fully describe their grievance in writing to the President of the management committee (or the Vice-President if the President is directly involved), with dates and locations wherever possible and how they have already tried to settle the grievance.
3. The person(s) against whom the grievance/complaint is made should be given the full details of the allegation(s) against them. They should have the opportunity and a reasonable time to respond before the process continues.
4. No person should have access to information on the grievance, other than those directly involved or those handling the grievance.
5. All parties must be given the opportunity to present information directly related to the grievance, and no decisions or judgements will be made until all information has been carefully and impartially considered by those responsible for resolving the grievance.
6. All people handling the grievance must be sensitive to the needs of those directly involved, and to others who may be indirectly affected by the grievance.

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7. All grievances must be dealt with promptly, and time limits should be formally agreed to at all stages of the process. Whilst each situation varies, NCCI aims to complete all steps within the grievance procedure within a 12-week period.
8. No form of persecution, harassment or discrimination will be tolerated because of a person notifying a grievance, or because of the outcome of the grievance process.
9. The President (or Vice-President) will convene a meeting of the Management Committee within seven days of receipt of the grievance notification. The President will advise all members that a grievance has been received and will be investigated by a sub-committee of at least two members of the Management Committee. Where the grievance is with someone on the Management Committee, that person will be asked to temporarily step aside from the Committee while the complaint is under investigation.
10. The details of the grievance will only be available to the two members of this sub-committee to ensure confidentiality. The sub-committee will have the delegated authority to investigate the issues and report back to the Management Committee within four weeks.
11. The President (or Vice President) will notify the person lodging the formal grievance, in writing, of the timeframes and composition of the sub-committee. If there is any objection raised to the composition of the sub-committee, this will be considered by the Management Committee and, if justified, necessary changes made.
12. The sub-committee will interview the person lodging the grievance and may also interview other persons directly involved in the grievance. All persons interviewed will be given the opportunity of having a witness of their choosing throughout the interview process. The sub-committee will examine and consider all information necessary to bring about a fair and just resolution of the grievance.
13. Following the investigation process, the sub-committee will report its findings and recommendations to the Management Committee, after which the aggrieved person, and other person(s) directly affected by the grievance, will be notified, in writing, of the outcome of the investigation, within two days of the Management Committee meeting. This notification will include detail of the strategies and actions taken to resolve the conflict.
14. Documentation relevant to the grievance will be placed on file and treated with strict confidence, available only to management and the complainant concerned. This documentation will be destroyed after a 5-year period.

The outcomes of a formal grievance process may include (but not be limited to):

- a verbal or written apology
- a change in policy or procedure
- changes in work practices
- training, and
- counselling.

Conflict of Interest

Policy

Conflict of interest arises whenever the personal, professional or business interests of an employee are potentially at odds with the best interests of NCCI. All employees are required to act in good faith towards NCCI. Employees need to be aware of the potential for a conflict of interest to arise and should always act in the best interests of their employer.

As individuals, employees may have private interests that from time to time conflict, or appear to conflict, with their employment with NCCI. Employees should aim to avoid being put in a situation where there may be a conflict between the interests of the NCCI and their own personal or professional interests, or those of relatives or friends. Where such a conflict occurs (or is perceived to occur), the interests of NCCI will be balanced against the interests of the staff member and, unless exceptional circumstances exist, resolved in favour of the NCCI.

It is impossible to define all potential areas of conflict of interest. If an employee is in doubt if a conflict exists, they should raise the matter with the management committee.

Procedure

Employees must:

- declare any potential, actual or perceived conflicts of interest that exist on becoming employed by NCCI to management
- declare any potential, actual or perceived conflicts of interest that arise or are likely to arise during employment by NCCI to management
- avoid being placed in a situation where there is potential, actual or perceived conflict of interest if at all possible.

If an employee declares such an interest, NCCI will review the potential areas of conflict with the employee and mutually agree on practical arrangements to resolve the situation.

Employees must disclose any other employment that might cause a conflict of interest with NCCI to the management committee. Where there are external involvements that do not represent a conflict of interest, these must not affect performance or attendance whilst working for NCCI. If such involvement does affect performance or attendance, it will be considered a conflict of interest.

Employees must not set up or engage in private business or undertake other employment in direct or indirect competition with NCCI using knowledge and/or materials gained during the course of employment with NCCI.

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Engaging in other business interests during work hours will result in strong performance improvement action.

Failure to declare a potential, actual or perceived conflict of interest or to take remedial action agreed with NCCI, in a timely manner, may result in performance improvement proceedings including dismissal.

Social media

Nimbin Community Centre recognizes blogs, networking sites, and other social media (collectively referred to as “social media”, defined below) as possible tools to support the organisation’s operational goals.

Social media definition

Online, electronic, or Internet media, tools, communities, and spaces for social interaction, sharing user generated content, or public or semi-public communication. Social media typically uses web-based technologies to turn communication into interactive dialogues. Social media can take many different forms, including internet forums, blogs & microblogs, online profiles, wikis, podcasts, pictures and video, email, text, instant messaging, music- sharing, and chat, to name just a few. Examples of social media include but are not limited to the following: LinkedIn, Facebook, Instagram, Wikipedia, YouTube, Twitter, Pinterest, and blogs.

This policy provides guidance for employee use of social media, which should be broadly understood for purposes of this policy to include all social media as defined and other sites and services that permit users to share information with others in a contemporaneous manner. This policy applies to employees when they participate in social media as part of their job duties. It also applies to staff employees’ participation in social media at any time that they give the appearance of speaking on behalf of the Organisation or its affiliates; identify themselves as NCCI employees or as affiliated with NCCI; or discuss NCCI or its affiliates.

Representing NCCI

Some employees represent our community by handling social media accounts or speak on our community’s behalf. We expect them to act carefully and responsibly to protect NCCI’s image and reputation.

Employees should:

Be responsible for the content they publish on social media and should use good judgment.

Be mindful that the things they say or do on social media are publicly available and searchable and may be forever accessible, which can be then associated to NCCI.

Be honest, respectful, polite and patient when engaging in conversations on NCCI’s behalf. Employees, those engaged as contractors, and NCCI volunteers should exercise caution when making declarations or promises towards customers and stakeholders on

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behalf of NCCI. All should respect confidential, personal, and proprietary information; and comply with applicable local, state, and federal laws and NCCI policies.

Avoid speaking on matters outside their field of expertise when possible. Everyone should be careful not to answer questions or make statements that fall under somebody else's responsibility

Avoid deleting or ignoring comments for no reason. Listen and respond to criticism.

Never post discriminatory, offensive or libellous content and commentary

Correct or remove any misleading or false content as quickly as possible.

Social media principles

The following principles apply to professional use of social media by staff and management on behalf of NCCI, as well as personal use of social media when referencing NCCI:

- Be familiar with and adhere to the NCCI's Code of Conduct, Employee Handbook, and other organisational policies when using social media in reference to NCCI.
- All should be aware of the effect their actions may have on their image, as well as NCCI's image. The information that employees post or publish may be public information for a long time.
- Employees should be aware that members of management may observe content and information made available by employees through social media. Employees should use their best judgment when posting material to ensure it is neither inappropriate nor harmful to NCCI, other employees, or customers.
- Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libellous, or that can create a hostile work environment.
- Employees are not to publish, post or release any information that is considered confidential or not public. If there are questions about what is considered confidential, employees should check with the President.
- Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to authorized NCCI spokespeople.
- If employees encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice of management.
- Employees should get appropriate permission before referring to or posting images of current or former employees, members, vendors or suppliers. Additionally, employees should get appropriate permission to use a third party's copyright, copyrighted material, trademarks, service marks or other intellectual property.

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- Social media use shouldn't interfere with employee responsibilities to NCCI. NCCI's computer systems are to be used for business purposes only. Use of social media during working hours to conduct NCCI business is allowed (e.g. Facebook, Twitter, Instagram, Nimbin Community Centre blogs and LinkedIn), but personal use of social media networks or personal blogging of online content is discouraged and could result in disciplinary action. Being on social media on your cell phone or computer while on NCCI time, including but not limited to Facebook Messenger, Twitter, Instagram, or Pinterest, is also akin to being on a personal call while at work. Please do your best to focus during your work hours and check these applications during personal time like lunch breaks or at the end of the day.
- Subject to applicable law, after-hours online activity that violates the Nimbin Community Centre's Code of Conduct or any other policy may subject an employee to disciplinary action or termination.
- If employees publish content after-hours that involves work or subjects associated with Nimbin Community Centre, a disclaimer should be used, eg.: "The postings on this site are my own and may not represent Nimbin Community Centre's positions, strategies or opinions."
- It is highly recommended that employees keep Nimbin Community Centre related social media accounts separate from personal accounts, if practical. (Facebook requires any business page to be attached to a personal account.)
- Violation(s) of the social media policy will be subjective to progressive discipline, up to and including termination of employment.

Volunteers

Preamble

This policy addresses the principle that NCCI strives to provide whatever support and resources are required to enable volunteers, including people under Work Placement Schemes & Community Service Orders, to fulfil their role whilst volunteering within for NCCI. Successful volunteer programs extend and reinforce the work of paid staff, and should be differentiated by levels of responsibility, accountability, and continuity.

- NCCI recognises the valuable contribution volunteers make to the organisation.
- NCCI provides an opportunity for work experience and the development of new skills and allows for wider community participation in NCCI.
- Volunteers will receive meaningful support and recognition for their effort such as a reference or certificate of recognition.
- NCCI also recognises its responsibility to provide a safe working environment for all of our volunteers, tenants and their clients.

NCCI Responsibilities

- Meet and interview all prospective volunteers and participants prior to engagement.
- Perform the necessary checks (Police checks and working with Children Checks) for volunteers who arrive without an agency recommendation. For those volunteers referred by a service agency, the agency will be instructed that Police Checks and Working with Children checks are a requirement for volunteering with NCCI.
- Maintain a register of current volunteers; including hours worked, project details and related correspondence/contracts.
- Ensure adequate orientation/safety induction and supervision is received by volunteers.
- Assess the need to restrict the activities of volunteers with consideration to type of activity/materials/tool handling and, in some cases, height restrictions.
- Ensure any NCCI electrical or mechanical tools available for use in grounds maintenance is only used by volunteers who have received training from the Maintenance Coordinator and been identified by the maintenance Coordinator as competent to operate the tool.
- Undertake a risk assessment of projects prior to engaging volunteers if deemed necessary.
- Recognise that volunteers may incur expenses when providing their service. Volunteers shall only be reimbursed if expenses have been discussed and agreed to by the

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Coordinator, prior to any reasonable expenditure.

- Provide insurance cover for volunteers under a current NCCI insurance policy.
- Provide volunteers with appropriate PPE and safety equipment.
- Regularly review volunteer activity.

NCCI staff and Management Committee may exercise a right to release a volunteer from an activity on property managed by NCCI, subject to the outcome of any review or grievance process involving misconduct or failure to maintain the responsibilities/expectations detailed in a contractual arrangement.

Volunteer/Participant Responsibilities

- Advise NCCI staff of any illness/injuries that may be exacerbated by the nature of work.
- Participate in Safety Induction/orientation
- Where directed, restrict activities/materials/tool handling and in some cases height restrictions.
- Sign a contractual arrangement if requested by NCCI.
- Sign a confidentiality agreement if requested by NCCI.
- Read and apply all NCCI WHS Policies.
- Use appropriate PPE and safety equipment.
- Advise NCC of changes to availability.
- Sign attendance record. Volunteers are only insured whilst they are engaged in approved activities of NCCI.
- Accept direction from NCCI staff, approved contractors and the Management Committee
- Undertake only those works discussed and approved by NCCI staff & Management Committee.
- Refer any 'on site' grievance or conflict to NCCI staff or Management Committee persons.
- Exercise common sense during all activities and do not place yourself or other persons in risk of injury.

NCCI Wages Policy

The purpose of this policy is to set out the acceptable method for the payment of employee wages to meet the requirements of all Statutory Authorities and NCCI. NCCI is committed to meeting the conditions of relevant Employment Awards and the negotiated terms of employment set out within agreed contracts between NCCI & its staff.

Procedure

The person (bookkeeper) determining the wages to be paid shall take the following steps:

- Observe the terms of the relevant award and/or employment contract.
- Enter the appropriate week ending date, daily start/stop times, hours worked, total hours for week, rate of pay, gross wages, PAYG withholding tax at the appropriate rate, net wages and Superannuation Guarantee Contributions (if applicable) in the relevant computer software ie. "QuickBooks".
- Organise a weekly/fortnightly direct debit of the determined net wage (using required bank form and obtaining a second signature from an authorised signatory) and/or pay contractor invoices promptly using online internet banking.
- Keep a record of accrued time in lieu.
- Undertake appropriate bookkeeping entries.

The Treasurer is responsible for checking the monthly financial reports to make sure that the wages being paid are consistent with the employee's conditions of employment and the annual budget set for wages, and that the number of hours and rate of pay does not exceed that approved by the NCCI Management Committee. Pay slips will be provided to the Treasurer to support this process. Accumulated leave will not exceed the full-time or part-time equivalent of 8 weeks.

Intellectual Property and Security

All intellectual property developed by employees during their employment with NCCI, including discoveries or inventions made in the performance of their duties related in any way to the business of NCCI, will remain the property of the NCCI.

Employees may be given access to confidential information, data, business property, keys to premises or any other business related property/information in the performance of their duties. This must be protected and used only in the interests of NCCI.

Employees must not:

- disclose or use any part of any confidential information outside of the performance of their duties and in the interests of NCCI; or
- authorise or be involved in the improper use or disclosure of confidential information during or after their employment without the Employer's written consent, other than as required by law.

'Confidential information' includes any information in any form relating to NCCI and related bodies, clients or businesses, which is not in the public domain.

Employees must act in good faith towards NCCI and must prevent (or if impractical, report) the unauthorised disclosure of any confidential information. Failure to comply with this policy may result in performance improvement proceedings including dismissal, and NCCI may also pursue monetary damages or other remedies.