



# EMERGENCY SERVICES LEAVE POLICY 5.18

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# EMERGENCY SERVICES LEAVE

**DIVISION:** GOVERNANCE

**PILLAR:** GOVERNANCE

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**FILE / BINDER:**

## **1.0 OBJECTIVE**

- 1.1 Camden Council recognises that during times of emergency there may be occasions where Council's support could significantly improve the ability of emergency services to provide assistance to the community.
- 1.2 This policy is to provide guidelines for the granting of leave to Council employees, who are voluntary members of Emergency Services, in the event of a recognised emergency.

## **2.0 SCOPE**

- 2.1 This policy applies to all permanent full-time and part-time employees who are volunteer members of the Rural Fire Service (RFS) or the State Emergency Services (SES).
- 2.2 Permanent full-time and part-time employees of other voluntary services who may offer assistance to recognised emergencies, may be considered on a case by case basis.
- 2.3 Permanent full-time and part-time employees of the Defence Force Reserves may also be considered for leave relating to their service obligations on a case by case basis.
- 2.4 Retained fire fighters with the NSW Fire Brigade will not receive special leave under this policy as they receive payment for their service. However they will be able to use other forms of leave such as annual, flex or long service leave to cover their absence from the workplace.

## **3.0 PROCEDURES**

- 3.1 To apply for Emergency Services Leave where the following criteria must be met;;
  - a) There is a recognised emergency situation such as fire and flood etc,
  - b) The emergency is within the Camden Local Government Area (LGA) or the LGA in which the employee resides;
  - c) The employee is a volunteer member of the RFS or the SES and their assistance has been requested from the relevant Emergency Service;
  - d) The relevant Manager has approved the special leave before ceasing work;

- e) The employee reports immediately to the Manager on resumption of duty and provides proof of attendance at an emergency for the period of leave requested in accordance with Clauses 3.3 and 3.4.
- 3.2 An employee may also apply for Emergency Services leave on the day immediately following an emergency, where attendance at an emergency impacts on their ability to report for duty, or where reporting for duty may impact on the employees ability to fulfil their obligation under the OH&S Act. If there is any uncertainty regarding an employee's ability to report for duty on the day immediately following an emergency, leave will be granted at the discretion of the Manager.
- 3.3 An employee shall, where practicable, give Council prior notice of the intention to take Emergency Services Leave and have this leave approved. If this is not practicable, the employee is required to notify their supervisor or Manager by telephone of their absence at the first opportunity on the day of the absence. Leave will be granted at the discretion of the Manager if there is any uncertainty.
- 3.4 All applications for Emergency Services Leave will be completed on the standard leave application form as soon as practical. Proof of attendance at emergency duty for the period of leave requested is to be attached. Where the leave is requested for the day immediately following an emergency, the same shall apply. A notation will be made on the respective employee's timesheet to reflect the period of absence as emergency special leave.
- 3.5 Attendance at emergencies, and the duration of attendance at emergencies in LGA's other than Camden or the LGA where the employee resides is subject to the discretion of the Branch Manager.
- 3.6 Should disputes arise in respect to the implementation of this policy; the matter will be dealt firstly with the appropriate Manager, followed by Council's Grievance Procedure.

#### **4.0 REFUSAL OF ATTENDANCE**

- 4.1 Council may choose not to grant leave if an employee's absence will cause operational difficulties, hardship in the workplace, or jeopardise the safety and security of Council operations, other employees or the public.
- 4.2 Staff who are on sick leave, have active workers compensation claims and participating in a workplace rehabilitation program or who are otherwise declared fit for selective / suitable / light duties are not permitted to attend emergencies in working hours. This is to avoid risk to the health and safety of emergency service organisation's staff and members of the public.

#### **5.0 WAGES**

- 5.1 Wages of employees released under this Policy will be paid in accordance the employee's normal working hours at Camden Council and will be subject to the submission of an application for Emergency Service Leave, which is certified by the relevant emergency service organisation as being correct.

5.2 An employee will not be granted Emergency Services Leave for leave taken during Council's shutdown periods or where an employee is currently taking approved leave from Council.

## **6.0 INSURANCE**

6.1 Employees absent on Emergency Service Leave who undertake volunteer emergency duty will not be covered by Council's Workers Compensation insurance and should ensure coverage by the insurance of the relevant emergency service.

## **7.0 RETURNING TO WORK**

7.1 Council under section 8 of the OH&S Act has an obligation to protect employees at work. Council needs to be satisfied that an employee returning from a civil emergency is fit for work. In order for Council to facilitate its obligation under the Act, 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.

7.2 The employee is to report immediately to their Manager on resumption of duty.

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### **RELEVANT LEGISLATION:**

### **RELATED POLICIES:**

**DELEGATIONS:** N

**SUSTAINABILITY ELEMENT:** N

**STAFF TRAINING REQUIRED?** N

**NEXT REVIEW DATE:** November 2011

### **PREVIOUS POLICY**

**ADOPTED:** 8/2/93, 28/8/0

**MINUTE:** 127/93, 109/00