



S25/37

POLICY REGISTER

Subject: STAFF - Secondary Employment

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
Minute No:	195	597		
Meeting Date Adopted:	20/06/2005	11/02/2002		

Review Date:	May 2007
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PRIMARY RESPONSIBILITY: Management and all Staff

DEFINITION

“Secondary Employment” is defined as remunerated activity undertaken by a Council employee outside the service of Council in private employment or contract work. It includes “second” jobs or “private business”.

POLICY STATEMENT

Muswellbrook Shire Council is committed to ensuring that all remunerated activity outside Council work by its employees or potential employees presents no conflict of interests.

(Council reserves the right to review, vary or revoke this policy)

PRINCIPLES

That the General Manager prohibits any employment that constitutes a conflict of interest;

That all staff are made aware of their conditions of employment regarding secondary employment.

PROCEDURE

Responsibility of employees:

Muswellbrook Shire Council

Employees are not to engage in secondary employment which relates to the business of Council or which might conflict with their Council duties unless they have notified the General Manager in writing and the General Manager has given approval.

Factors to be considered by the employees:

Before you engage in outside employment or business you must ensure that it will not:

- conflict with your official duties
- interfere with your council work
- involve using confidential information or council resources obtained through your work with the council
- require you to work while on council duty
- discredit or disadvantage the council
- create O H & S issues

On termination from Council's employment, employees must not make public or otherwise use any information obtained in the course of their official duties. Further, employees must not use Council's intellectual property once the employee ceases to work for the Council.

Statutory responsibility of the General Manager:

The General Manager may prohibit an employee from engaging in secondary employment where it presents a conflict with their Council duties.

The General Manager may make the termination of secondary employment a condition of commencement or continuation of employment of Council.

An employee who engages or continues to engage in secondary employment after being prohibited from doing so by the General Manager may be subject to disciplinary action.

Factors to be considered by the General Manager:

The General Manager may prohibit employees from engaging in secondary employment if their hours of work, work arrangements or nature of duties jeopardise, in the General Manager's opinion, the employee's fitness for duty. Fit for duty means that a person is in a state (physically, mentally and emotionally) which enables them to perform assigned tasks competently and in a manner which does not compromise or threaten their own safety or health or that of others.

The General Manager may also prohibit employees from engaging in secondary employment if that work directly or indirectly conflicts or potentially conflicts with the business of Council or with the employee's function, duties or responsibilities at Council.

Notification to staff and potential staff:

The General Manager will initiate the requirements of this policy to be conveyed to the attention of staff, or potential staff, on the following occasions:

- Upon adoption of this policy,
- At all recruitment selection interviews, notwithstanding the fact that the applicant may be an existing employee of Council,
- On an annual basis - in December

The requirements of this policy are to be incorporated into Council's "Employee Induction Procedures"

RELEVANT LEGISLATION

Local Government Act (Sections 353 (1) (2) (3) and (4)).

RELATED POLICIES

Recruitment Policy
EEO Policy

EVALUATION

The effectiveness of this policy will be measured by no complaints regarding conflicts of interest.

RESOURCE IMPLICATIONS

Resource implications are:

- documentation/materials recruitment/induction
- Code of Conduct Training for all employees

FURTHER INFORMATION

Council's Code of Conduct
Contact: Human Resources