

## OFFICE OF THE VICE-CHANCELLOR STAFF POLICY



Approved by Council: 26 April 2017  
Revised by Council: None

### Related documents

*Fair Work Act 2009*

*Higher Education Industry - General Staff Award 2010*

*Higher Education Industry - Academic Staff Award 2010*

#### 1. Aims and Rationale

The Office of the Vice-Chancellor aims to provide high-quality services to the Council, Academic Board, Colleges, staff, students, and Vice-Chancellor of the University to assist them to fulfil the University's Vision, Mission and Strategy. This Policy supports that aim by providing comprehensive information about the employment of staff in the Office of the Vice-Chancellor.

#### 2. Scope

This policy applies to all persons employed by the Council of the University in the Office of the Vice-Chancellor (OVC). It does not apply to the Vice-Chancellor or to persons employed by the Colleges of the University. Nothing in this Policy prevents a College of the University from making use of part or all of the Policy in establishing its own employment arrangements.

#### 3. Definitions

- 3.1 "General Staff" are persons employed under the *Higher Education Industry - General Staff Award*.
- 3.2 "Academic Staff" are persons employed under the *Higher Education Industry - Academic Staff Award*.

#### 4. Principles

- 4.1 The University supports its employees in the conduct of their responsibilities by providing a working environment, induction and training opportunities that reflect the University's values.
- 4.2 Staff in the Office of the Vice-Chancellor have opportunity to provide advice to the Vice-Chancellor on the terms and conditions of their employment arrangements.
- 4.3 No religious test is applied to the employment of staff in the Office of the Vice-Chancellor.

#### 5. Employment

- 5.1 The Vice-Chancellor is responsible for the employment of staff in the Office of the Vice-Chancellor and is the sole person authorised by the Council to sign employment

documentation including letters of offer, employment agreements and performance reviews.

- 5.2 The Vice-Chancellor may delegate responsibility for undertaking employment procedures to other members of the Office of the Vice Chancellor.
- 5.3 The Vice-Chancellor may engage members of the Council or its Committees, Colleges, or external consultants to assist with any employment procedure.
- 5.4 All staff in the Office of the Vice-Chancellor are employed under either the *Higher Education Industry General Staff Award (2010)* or the *Higher Education Academic Staff Award (2010)*.
- 5.5 An employee of the Office of the Vice-Chancellor may only be employed outside of either of the awards in clause 5.4 with approval of the Chancellor.
- 5.6 The Vice-Chancellor must ensure a Position Description exists that describes the duties and responsibilities of each particular position and assigns an appropriate classification to it.

## **6. Classification**

- 6.1 The classification of a position (whether vacant or occupied) determines the point on the salary scale at or above which the position is remunerated, provided that:
  - a) General Staff positions are classified in accordance with the Classification Definitions in Schedule B of the *Higher Education Industry - General Staff Award*.
  - b) Academic Staff positions are classified in accordance with the Classification Definitions in Schedule B of the *Higher Education Industry - Academic Staff Award*
  - c) Positions that are governed either by another award or by an individual employment agreement without reference to an award are not required to be classified under this Policy.
- 6.2 The decision on the classification or reclassification of a position is made by the Vice-Chancellor. In making the decision, the Vice-Chancellor must ensure that due consideration has been given to the following principles and processes:
  - a) Job analysis: clarification and documentation of the role by a systematic analysis and evaluation of the knowledge and skills, task complexity, judgement, independence, problem solving and decision accountability
  - b) Relative work value: comparison of the relative worth of the position with other positions in the University, taking into account the knowledge, judgement and accountability required in performing the job.
  - c) Classification Definitions: Comparison of the duties and responsibilities of the position description with the Classification Definitions
- 6.3 The classification process may include comparison with typical duties to test that the position is recognised as being equal to the majority of positions at one work value level and that it is of a higher work value level than all positions at lower work value levels.

6.4 Employees may routinely be required to undertake some duties normally expected of positions classified at lower levels in the structure and may occasionally be required to undertake duties at a higher level in the structure.

6.5 Employees are employed to perform the duties assigned in a position description. In determining the classification or reclassification of a position, the capabilities and skills personal performance, length of service, or salary-related issues of a particular individual occupying the position, are not considered.

## **7. Review of Classification**

7.1 The duties and responsibilities assigned to a staff member are closely related to the classification of the position currently occupied by the staff member. If there is a significant increase in the work value of the position, the classification may be reviewed.

7.2 A position is reclassified in recognition of a significant change in work value of the position, not as a reward to which an incumbent is entitled after a given period in a particular grade.

7.3 An employee may submit an application for reclassification to their Supervisor. It is the employee's responsibility to ensure that the application addresses the criteria of this Policy in relation to classification of positions.

7.4 A staff member may only submit an application for reclassification once in every 12 month period unless extraordinary conditions have impacted their position and significantly changed its work value.

7.5 The Supervisor reviews the application to ensure that the staff member's description of his or her duties is an accurate representation of what is required of the position. The Supervisor must complete this review within 14 days of receipt of the application.

7.6 If the Supervisor endorses the application, the Supervisor refers the application to the Chief Financial Officer who assesses the budgetary implications of a potential reclassification and provides a report to the Vice-Chancellor.

7.7 The Vice-Chancellor reviews the application and assesses it against the criteria of this Policy and determines whether to approve or reject the application and advises the applicant within 14 days of receipt of the application.

7.8 If a staff member's position is reclassified through this process, the reclassification takes effect from the date of the Vice-Chancellor's decision.

7.9 An applicant may lodge an appeal in accordance with the Appeals Policy for a review of a decision on the grounds that the process of this Policy was not observed. If the staff member's position is reclassified following an Appeal, the reclassification is back-dated to the date of the Vice-Chancellor's initial decision on the application, or three months from the date of the initial application, whichever is the earlier.

## **8. Salary scales**

8.1 Schedule B: Salary Scale to this Policy sets out the minimum salary scales applied under this Policy to meet the minimum terms and conditions specified by the *Fair Work Act* and the applicable award as follows:

- a) General staff positions are paid according to the salary scale, or at a higher rate as determined by the Vice-Chancellor.
- b) Academic staff positions are paid according to the salary scale, or at a higher rate as determined by the Vice-Chancellor; terms and conditions specific to an academic appointment such as research leave are negotiated on an individual basis and inserted in individual employment agreements.
- c) Casual staff are paid at the base salary of the appropriate classification level plus casual loading of 25% as stipulated in the relevant award.

8.2 The salary scale must ensure that pay points within a level correspond with the Position Classification Standards Schedule contained in the relevant award.

8.3 The Vice-Chancellor is responsible for approval or amendment of Schedule B: Salary Scale, and may increase the Salary Scale at any time. Any increases to the Salary Scale apply automatically to all staff employed under this Policy.

8.4 The Vice-Chancellor must review Schedule B: Salary Scale annually no earlier than 1 August and no later than 31 October each year. The review must:

- a) consider any changes to the Awards made on 1 July each year;
- b) review changes to the cost of living and relevant benchmarks such as salaries at comparable organisations;
- c) incorporate consultation with staff employed under this Policy, including an opportunity for staff representatives to meet with the Vice-Chancellor and submit any request in relation to the Salary Scale.

8.5 The outcome of the annual review is that the Vice-Chancellor must publish Schedule B: Salary Scale with any revisions to be implemented on 1 January of the following year.

## **9. Performance review**

9.1 Performance reviews are conducted annually for all employees in the Office of the Vice-Chancellor using the template authorised by the Vice-Chancellor.

9.2 Performance reviews must include an opportunity for a face-to-face meeting between the employee and the employee's supervisor for the purpose of reviewing the employee's performance against the position description and key performance indicators for the period of time since the last performance review was conducted, and to agree key performance indicators for the next year.

9.3 A performance review may include a recommendation to the Vice-Chancellor for review of the classification of a position or the promotion of an employee as provided for by this Policy.

9.4 At the conclusion of the performance review the performance review template must be signed by the employee's supervisor and the Vice-Chancellor. The employee must have an opportunity to sign the template but is not compelled to do so.

## **10. Promotion**

- 10.1 Promotion is movement of an employee to a higher salary increment within an existing classification level. An employee may only be moved to the next classification level when a review of classification results in the employee's position being assigned a higher classification level.
- 10.2 Promotion is the result of an assessment of an employee's performance in relation to the key responsibilities in a position description, key performance indicators, and other criteria used in performance reviews.
- 10.3 Promotion may only be approved by the Vice-Chancellor when an employee has, over the preceding twelve months:
- a) demonstrated satisfactory performance; and
  - b) acquired and utilised additional skills, experience and competencies within the ambit of the classification and in accordance with the priorities of the wider University and their specific department or area of work.

## **11. Overtime**

- 11.1 Overtime may be requested by an employee or a Supervisor as determined by the employee's employment agreement.
- 11.2 Overtime may only be undertaken and remunerated if the overtime was approved in advance of the hours worked:
- a) by the employee's Supervisor for up to twenty hours in a calendar month; or
  - b) by the Vice-Chancellor for over twenty hours in a calendar month.
- 11.3 Approval for overtime must specify whether the overtime worked is to be remunerated by a payment or by time off in lieu of hours worked. If the remuneration is to be time off, the approval must specify when the time off is to be taken.
- 11.4 The Chief Financial Officer must keep a record of overtime worked by all employees and report a summary of overtime worked to each meeting of the Finance and Investment Committee of the Council.
- 11.5 Where repeated applications for overtime are made by an individual or approved by a Supervisor the Chief Financial Officer must report this to the Vice-Chancellor and recommend action to address underlying issues necessitating the use of overtime.

## **12. Leave**

### **12.1 General leave provisions**

- 12.1.1 All employees in the Office of the Vice-Chancellor are entitled to access leave in accordance with the terms of their employment agreements and relevant industrial instruments.
- 12.1.2 All applications for leave must be submitted on the Staff Leave Form as authorised by the Vice-Chancellor and published on the University website.
- 12.1.3 Leave may only be taken if approved by the Vice-Chancellor or approved by a person delegated by the Vice-Chancellor.

12.1.4 Employees (other than casual staff) are paid for University holidays. If a period of leave includes a University holiday then the absence is treated as a University holiday and is not deducted from an employee's leave entitlements.

12.1.5 An employee may request and have approved leave without pay. Any period of leave without pay:

- a) must be approved in advance of the leave period commencing;
- b) must not be taken where an employee has an existing balance of annual or long service available to be taken or may reasonably be expected to accrue leave amounts between the date of request and the requested commencement date of leave;
- c) is not included in the calculation of an employee's period of employment or of any benefits such as annual leave or long service leave that are accrued when in paid employment.

## **12.2 Annual leave**

12.2.1 Annual leave must be applied for and approved in advance of the leave being taken by the employee.

12.2.2 Annual leave may only be taken up to the balance expected to be available at the time the period of leave commences.

12.2.3 The Vice-Chancellor may place an employee on annual leave immediately if:

- a) the employee accrues a balance of 40 days or greater of unused annual leave; or
- b) the employee has not taken any leave for a period of 12 months or greater.

## **12.3 Personal or Carer's Leave**

12.3.1 Personal or carer's leave covers absences from work for the purposes of supporting an employee's immediate family due to

- a) personal illness or injury;
- b) medical or therapeutic appointments;
- c) an emergency situation; or
- d) an observance of recognised religious or culturally significant days.

12.3.2 Personal or carer's leave may be approved either prior to or subsequent to leave being taken by the employee. Where approval is sought subsequent to the leave being taken, the period of leave must be notified to the employee's direct supervisor or the Vice-Chancellor at the employee's earliest reasonable convenience.

12.3.3 Personal or carer's leave may only be taken up to the balance expected to be available at the time the period of leave commences.

12.3.4 Personal or carer's leave may be approved as unpaid leave up to a maximum of two days if an employee has exhausted the employee's personal leave balance.

## **12.4 Long service leave**

- 12.4.1 Long service leave must be approved by the Vice-Chancellor no later than three months prior to the commencement of the period of leave.
- 12.4.2 Long service leave must be supported by a plan prepared in consultation with the employee's supervisor that details how the employee's duties are to be covered during the period of leave, including any proposed employment of temporary staff.
- 12.4.3 The Vice-Chancellor may direct an employee to take long service leave immediately if the employee has not taken any leave for a period of 12 months or greater.

## **12.5 Parental Leave**

- 12.5.1 Parental leave is available to employees for the purpose of support of the birth of an employee's or an employee's partner's child or for the adoption of children under 16 years of age by the employee or the employee's partner.
- 12.5.2 An employee's entitlement to parental leave is based on the length of the employee's continuous paid service to the University at the time the employee commences to take leave.
- 12.5.3 Application for parental leave must be made no later than three months prior to the expected date of birth or adoption and must be supported by a plan prepared in consultation with the employee's supervisor that details how the employee's duties are to be covered during the period of leave, including any proposed employment of temporary staff.
- 12.5.4 The Vice-Chancellor may request a medical certificate or other legal documentation to support an employee's application for parental leave.
- 12.5.5 Parental leave for a primary care giver:
  - a) may be granted for a period commencing 6 weeks prior to an expected birth date or 2 weeks prior to an expected adoption date, or earlier should it be deemed medically necessary;
  - b) is provided for a period up to of 12 months inclusive of any paid or unpaid parental leave;
  - c) is provided as paid leave for a period of up to 10 weeks for employees who have completed at least 12 months' continuous service prior to the expected birth date or adoption date.
  - d) must not disadvantage the employee who is entitled to resume employment upon return to work under the same conditions and benefits as immediately prior to commencing leave.
  - e) may include a period of annual or long service leave to be taken in addition to the maximum period of 12 months parental leave or instead of a period of unpaid parental leave within the 12 months.
- 12.5.6 Parental leave for a secondary care giver:

- a) may be granted for a period from the expected birth date or the expected adoption date.
- b) is provided for a minimum of 2 weeks inclusive of any paid or unpaid parental leave.
- c) is provided as paid leave for up to 5 days for employees who have completed at least 12 months' continuous service prior to the expected birth date or adoption date.
- e) An employee may request approval of the Vice-Chancellor to append any accrued annual or long service leave on top of the 2 weeks parental leave or use instead of unpaid parental leave within the 2 weeks as part of their individual parental leave agreement.

12.5.7 Employees on parental leave must commence discussions with the Vice-Chancellor about returning to work or requesting an extension of leave no later than three months prior to the agreed date of return.

### **13. Recognition of Prior Service**

13.1 An employee, whether part-time or full-time, may apply for recognition of prior service undertaken at another institution provided application is made to the Vice-Chancellor within twelve months of the commencement date of employment at the Office of the Vice-Chancellor.

13.2 Recognition of prior service with another institution is at the discretion of the Vice-Chancellor. Recognition may only be granted if:

- a) there was no break in employment between the other institution and the University or a break of no more than four weeks for general staff or two months for academic staff; and
- b) the employee did not receive a redundancy payment from the other institution.

13.3 The Vice-Chancellor may only recognise service from the most recent employer. Any prior service which was previously recognised by the most recent employer is excluded.

13.4 The Vice-Chancellor may determine the long service leave entitlements of employees whose prior service with another institution is recognised by the Vice-Chancellor, even if these entitlements differ from those of the other institution.

13.5 Service which has been paid out by another institution is recognised but accrued entitlements from this service are not credited towards the employee's leave balance. Only accrued entitlements from this service that have not been paid out may be credited towards the employee's leave balance.

13.6 Full particulars of all service and any long service leave or pay in lieu taken or received must be disclosed before appointment to the University, and particulars are subject to verification by the other institution.

13.7 Employees with recognised service for long service leave purposes from another institution may not take their accrued long service leave until they have completed three years of service with the University of Divinity and a total of ten years of

continuous service. This does not affect the employee's right to payment in lieu of long service leave on termination.

**14. Staff Conduct**

- 14.1 All employees of the Office of the Vice-Chancellor must abide by the Code of Conduct outlined in Schedule A of this policy by signing a copy of the Code of Conduct both at the time of appointment and annually at the conclusion of the performance review.
- 14.2 The Code of Conduct is approved by the Vice-Chancellor who is responsible for its implementation, assessment and response to any breaches of the code.
- 14.3 Breaches of the Code of Conduct may result in disciplinary action.
- 14.4 Complaints in relation to breaches of the Code of Conduct are managed in accordance with the Grievance Policy.

**15. Date of next review**

- 15.1 This Policy must be reviewed annually by the Vice-Chancellor in consultation with persons employed under this Policy. This requirement may be fulfilled by a meeting of the Vice-Chancellor with employee representatives for the purposes of:
  - a) raising any issues with the application of the Policy;
  - b) identifying any areas requiring review;
  - c) any additions or changes sought by staff.

## **Schedule A: Office of the Vice-Chancellor Staff Code of Conduct**

Approved by Vice-Chancellor: 27 April 2017

### **Purpose**

The Code of Conduct (the Code) outlines the standard of behaviour expected of persons employed by the University under the Office of the Vice-Chancellor Staff Policy. It is designed to assist employees to understand their responsibilities and obligations and to provide guidance on expected behaviour in the workplace, including situations where an employee is faced with an ethical dilemma or conflict of interest in their work involving colleagues, students, the University and the local, national and international communities.

The Code does not seek to encompass all possible scenarios arising in employment with the University. It does, however, provide a set of principles to guide staff on acceptable and unacceptable behaviour.

The Code should be read in conjunction with University policies, procedures and workplace agreements and relevant industrial instruments.

### **Scope**

This policy applies to all employees of the University's Office of the Vice-Chancellor. Volunteers, contractors and sub-contractors are expected to comply with the Code as a condition of their engagement with the University and while on the premises of the Office of the Vice-Chancellor.

### **Statements of Conduct**

1. Employees are expected to undertake their duties in accordance with their position description or as reasonably directed by the Vice-Chancellor or delegate.
2. Employees are to perform any duties associated with their position diligently, impartially and conscientiously, to the best of their ability.
3. Employees are expected to adhere to all policies of the University and relevant Australian legislation in carrying out their duties.
4. Employees act to create a fair, respectful, inclusive and safe University environment, where diversity is valued and where unlawful discrimination, violence (or threats of violence), bullying, harassment and victimisation in any form are unacceptable.
5. Employees do not seek personal gain from activities of the University and declare to the Vice-Chancellor where a decision or activity of the University is likely to provide (or be perceived to provide) personal benefit.
6. Employees are not permitted to make public comment about the University without prior approval of the Vice-Chancellor. This requirement does not, however, limit the academic freedom of employees to comment on the University's activities where such comment is based on scholarly expertise.
7. Employees must be mindful of their use of social media and ensure their iterations are respectful to the University and members of the University community and in accordance with regulations and policies of the University.
8. Employees must immediately declare confidentially to the Vice-Chancellor any accusation of academic misconduct or contravention of Australian law that may carry a conviction.

**Declaration**

I agree to abide by the Office of the Vice-Chancellor Staff Code of Conduct.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Schedule B: OVC Staff Salary Scales**  
**Effective as at 1 January 2019**

Approved by the Vice-Chancellor, 25 November 2018



<b>Higher Education Industry Award - General Staff</b>					
Base Salary rates (not including superannuation, paid at 15%)					
	Step 1	Step 2	Step 3	Step 4	Step 5
HEW 1	49,972	50,978	51,992	-	-
HEW 2	54,228	55,312	-	-	-
HEW 3	56,726	57,859	59,014	60,197	61,404
HEW 4	65,569	66,882	68,221	-	-
HEW 5	70,905	72,318	73,765	75,239	76,745
HEW 6	82,246	83,894	85,564	87,280	-
HEW 7	90,750	92,569	94,418	96,304	-
HEW 8	102,100	104,140	106,219	108,344	-
HEW 9	119,112	121,489	123,926	-	-
<b>Higher Education Industry Award - Academic Staff</b>					
The gross annual remuneration package is 12% above the award (as published on 1 July 2018)					
Level	Gross annual remuneration package (including superannuation)		Casual Hourly Rate		
A	74,720		45.25		
B	82,014		49.67		
C	96,289		58.31		
D	112,152		67.92		
E	139,117		84.25		
<b>Higher Education Industry Award - Academic Staff Notes</b>					
<ol style="list-style-type: none"> <li>1. The academic staff salary scale is neither determinative of nor determined by a staff member's academic classification under the Academic Staff Policy</li> <li>2. The Vice-Chancellor has discretion to remunerate staff above the minimum level where considered appropriate.</li> <li>3. Levels for UD are benchmarked against Levels A6, B1, C1, D1 and E in the award.</li> <li>4. Total remuneration package is inclusive of superannuation guarantee. Academic staff are permitted to elect the rate of superannuation guarantee contributions from the minimum 9.5% up to a maximum of 15% within the total remuneration package. Staff are responsible for ensuring total contributions to superannuation are within legislated limits.</li> <li>5. Casual Hourly rates are calculated using the formula (Net Annual Remuneration Package/52)/36.25 + 25%, where the "Net Annual Remuneration Package" is equal to the "Gross Annual Remuneration Package" excluding the superannuation guarantee at a rate of 9.5%. Superannuation guarantee is paid on Casual Rates at 9.5%.</li> <li>6. Leave loading (applicable to permanent staff only) is paid at a rate of 17.5%.</li> </ol>					