

11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.

11.B. OFFICERS

11. B. (i) EMPLOYMENT CONTRACT – WORKS & SERVICES MANAGER

SUBMISSION TO: Meeting of Council
Meeting Date: 19th November 2019

AGENDA REFERENCE: 11.0 (B)(i) NOV 19

SUBJECT: Employment Contract – Works & Services Manager

LOCATION / ADDRESS: Leonora

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: Employee File

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: James Gregory Epis

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 15th November 2019

BACKGROUND

Following the resignation of Mr Dan Yates, the previous Works & Services Manager, in March 2019, the Works Supervisor, Mr John Oxley, was appointed in a temporary acting role whilst an assessment of the position description was made by the Chief Executive Officer and the Deputy Chief Executive Officer. It was also noted that at that time there were numerous similar positions being advertised across local government in regional Western Australia and it was felt that this may impact on demand might outweigh supply. For these reasons, and to ensure that the Shire's works program was completed without further interruption, John Oxley has held the position of Acting Works and Services Manager since Dan Yates's resignation.

In October 2019, the position was advertised extensively in both the Kalgoorlie Miner and the West Australian newspaper. In total, five (5) new applications were received. Four out of the five applications received were considered suitable for assessment.

It was agreed by both the Chief Executive Officer and the Deputy Chief Executive Officer that the weighting of the applications would be dependent upon the Shire's prioritisation of the essential selection criteria. This was done and is listed below:

- experience in civil construction
- local government knowledge
- airport management
- waste systems management
- leadership

and most importantly, the ability to "hit the ground running" so that the Shire was able to meet its strategic objectives in the current financial year.

Using this selection criteria, the applicants were assessed and rated accordingly.

It was the opinion of the Chief Executive Officer and the Deputy Chief Executive Officer that the application submitted by Mr John Oxley was the most satisfactory against the selection criteria.

STATUTORY ENVIRONMENT

Section 5.37 (1) of the Local Government Act 1995 states that a local government may designate employees or persons belonging to a class of employee to be senior employees.

The Shire of Leonora has three positions designated as senior employees, namely

- Chief Executive Officer
- Deputy Chief Executive Officer
- Works and Services Manager

Section 5.37 (2) of the Local Government Act 1995 states that the Chief Executive Officer (CEO) is to inform the Council of each proposal to employ or dismiss a senior employee, and the Council may except or reject the CEO's recommendation but if the Council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.

Section 5.39 (1) of the Local Government Act 1995 states that the employment of a person who is a CEO or a senior employee is to be governed by a written contract.

The model contract for senior employees available through Corporate Council Membership of LG Professionals WA will be utilised for the contract of employment between the Shire of Leonora and Mr John Oxley.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from the recommendation of this report. Provision for salary and other items within the remuneration package are included within the 2019/20 budget, as well as provision for consultants (i.e. recruitment agent).

STRATEGIC IMPLICATIONS

There are no strategic implications resulting from the recommendation of this report.

RECOMMENDATIONS

That Council resolve to endorse the CEO's decision to offer the Manager of Works & Services' position to Mr John Oxley.

VOTING REQUIREMENT

Simple majority required.

SIGNATURE

Chief Executive Officer