

**REGISTER OF  
ENTERPRISE AGREEMENTS**

**ENTERPRISE AGREEMENT NO:** EA15/8

**TITLE:** Marrickville Council Section Managers Agreement 2015 - 2018

**I.R.C. NO:** 15/191

**DATE APPROVED/COMMENCEMENT:** 21 April 2015 / 21 April 2015

**TERM:** 36 months

**NEW AGREEMENT OR  
VARIATION:** New.

**GAZETTAL REFERENCE:** 8 May 2015

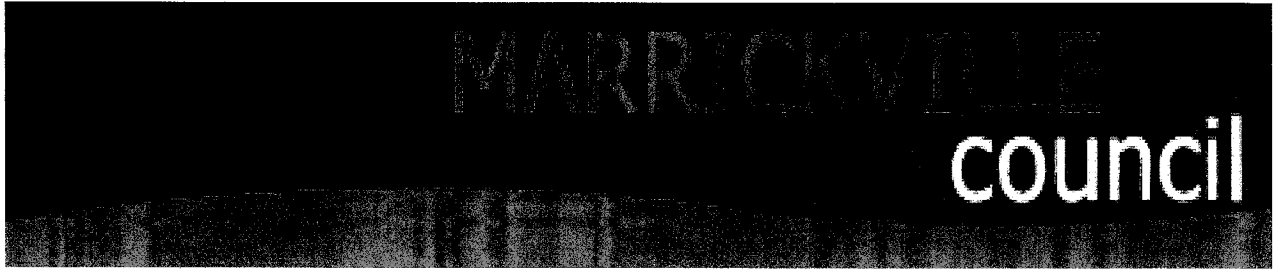
**DATE TERMINATED:**

**NUMBER OF PAGES:** 8

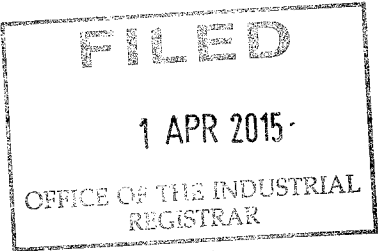
**COVERAGE/DESCRIPTION OF**

**EMPLOYEES:** The agreement applies to employees employed by Marrickville Council located at 2-14 Fisher St. Petersham, classified as Managers as listed in Appendix A, who fall within the coverage of the Local Government (State) Award 2014.

**PARTIES:** Marrickville Council -&- Stephen Reginald Adams, Josephine Mary Bennett, Mary Louise Brennan, Judith Rosemary Clark, James Leslie Fraser, Lynne Anne George, Simon John Grierson, Denny Yvonne Groth, Lawrence Lynette Hennessy, Pavle Kuzmanovski, Carlos Jose Loureiro, Brooke Louise Martin, Caroline McLeod, Jan Orton, Walter George Petschler, Marcus Phillip Rowan, Joe Anthony Strati, Jeffrey David Swilks



Marrickville Council



Section Managers Agreement

2015-2018

# TABLE OF CONTENTS

1.	TITLE AND INTENTION OF THE PARTIES .....	3
2.	PARTIES TO THE AGREEMENT .....	3
3.	NOMINAL TERM .....	3
4.	RELATIONSHIP WITH THE AWARD .....	3
5.	OBJECTIVES OF THE AGREEMENT .....	3
6.	HOURS OF WORK – ORDINARY HOURS.....	4
7.	MANAGERS’ LEAVE.....	4
8	LEAVE ENTITLEMENTS.....	5
9	RATES OF PAY .....	5
10	REMUNERATION.....	5
10	SALARY PACKAGING .....	5
11	JOB EVALUATION.....	6
12	MOTOR VEHICLES.....	6
13	PERFORMANCE DEVELOPMENT GUIDELINES .....	6
14	TECHNOLOGY .....	6
15	NO FURTHER CLAIMS .....	7
16	ANTI-DISCRIMINATION.....	7
17	DISPUTE SETTLEMENT PROCEDURES .....	7
18.	TRANSITIONAL PROVISIONS .....	7
	Signatories .....	7

## **1. TITLE AND INTENTION OF THE PARTIES**

This Enterprise Agreement is made in accordance with the provisions of sections 29 to 47 of the Industrial Relations Act 1996 (NSW) (the Act). This Enterprise Agreement will be known as the Marrickville Council Section Managers Agreement 2015-2018 ("the Agreement"). The Agreement covers employees employed by Marrickville Council and classified as Managers ("Managers") as listed in Appendix A or amended from time to time by the General Manager of Marrickville Council.

## **2. PARTIES TO THE AGREEMENT**

The parties to this Agreement are Marrickville Council (the employer), the Managers listed in Appendix A and the Local Government Engineers Association.

## **3. NOMINAL TERM**

3.1 This Agreement will operate from the date approved by the Commission and will remain in force for a period of 3 years.

3.2 The parties to this Agreement will meet to renegotiate the provisions of this Agreement six months before its expiry date. If there is no agreement between the parties to negotiate a new Agreement, either party may rescind the Agreement within three months' notice and revert to the provisions of the Local Government (State) Award 2014 (the Award), as varied from time to time.

## **4. RELATIONSHIP WITH THE AWARD**

4.1 This Agreement will be read and interpreted wholly in conjunction with the Local Government (State) Award 2014, or its successor ("The Award").

4.2 In the event of any inconsistency between the Award and the Agreement, the Agreement will prevail.

4.3 Where the Agreement is silent, the Award will prevail.

4.4 This agreement rescinds and replaces any previous agreements that affect employees engaged and classified as Managers at Marrickville Council.

## **5. OBJECTIVES OF THE AGREEMENT**

The objectives of this agreement are to provide:

5.1 Fair and equitable conditions of employment, and

5.2 High quality management and leadership to Marrickville Council.

## **6. HOURS OF WORK – ORDINARY HOURS**

6.1 The ordinary hours for a full-time Manager will be 35 hours per week, averaged over a 12 month period.

6.2 The ordinary hours for all Managers will be between Monday and Friday.

6.3 A Manager's commencement and finishing times may be varied by agreement, or failing agreement, by the provision of one month's notice in writing by Council to the Manager.

6.4 Ordinary hours of work will not exceed 12 hours in any one day, not including unpaid meal breaks, excluding days on which meetings of Council Committees or Council meeting are held.

6.5 It is acknowledged that to fulfil the responsibilities of the position, additional hours are required outside of ordinary hours. In view of this, additional paid leave is provided in Clause 7.

## **7. MANAGERS' LEAVE**

7.1 Managers' Leave is intended to recognise that additional hours are required over the average of 35 hours a week; that occasional work is required on Saturday or Sunday, and that ordinary hours can occasionally exceed 12 hours in any one day (see Clause 6.4), and therefore it is appropriate that additional paid leave is available to be taken each quarter. Managers' Leave is provided in lieu of overtime, penalty rates and shift loadings.

7.2 Managers are entitled to take 12 days paid leave, known as Managers' Leave, each year. The leave is designed to be taken each quarter but 3 days may be accrued and taken at a later date in the year at a time acceptable to the Director or General Manager in the case of Managers in the General Manager's Office.

7.3 This leave is made up of 9 days paid leave designed to be taken throughout the year and 3 days Leave between Christmas and New Year.

7.4 If it is agreed by the Director, or General Manager in the case of Managers in the General Manager's Office, Managers may work between Christmas and New Year and take up to 3 days leave at another time.

7.5 Any Managers' Leave untaken at the end of the calendar year will expire unless otherwise approved in writing by the Director or General Manager in the case of Managers in the General Manager's Office.

## **8 LEAVE ENTITLEMENTS**

Apart from Managers' Leave, all other leave entitlements are in accordance with the provisions of the Award.

## **9 RATES OF PAY**

9.1 Salaries will be set for commencing Managers according to Job Evaluation results and other relevant factors such as market rates.

9.2 A Recruitment or Retention Allowance may be approved by the General Manager on the basis of a Business Case addressing factors such as skills, knowledge, and experience and market rates.

9.3 Managers' salaries will be adjusted annually in line with wage increases under the Local Government (State) Award 2014.

## **10 REMUNERATION**

Managers' remuneration will comprise:

- 10.1 Salary
- 10.2 Motor Vehicle or salary in lieu of a Motor Vehicle or salary in lieu of taking a car of a lower value (refer 12.2).
- 10.3 Superannuation which will be calculated as either 9.5% of salary or the figure payable under Council's obligations under the Superannuation Guarantee Levy or the applicable figure in accordance with the Local Government Superannuation Defined Benefits Scheme as determined by the employee's entitlement and status.
- 10.4 Civil Liability Allowance where payable in accordance with the Award.

## **10 SALARY PACKAGING**

Salary Packaging will be available as provided for by Australian Taxation Office regulations.

## **11 JOB EVALUATION**

- 11.1 Managers' positions will be evaluated under the Marrickville Council Managers' Job Evaluation System.
- 11.2 Managers' positions will be evaluated before the commencement of this Agreement and as required including when a vacancy occurs or when a change in duties or responsibilities occurs as a result of a restructure or new or changed functions being undertaken.

## **12 MOTOR VEHICLES**

- 12.1 Managers are entitled to a fully serviced motor vehicle, at no cost, to a value of \$38,650 (as at December 2014) determined under an approved government procurement contract. The value of the vehicle entitlement will be adjusted once a year in January/February in accordance with the December ABS Sydney (All Groups) Consumer Price Index. The vehicle is to be used for personal and business use according to the *Motor Vehicle Guidelines for Mayor, General Manager, Directors and Managers* as amended from time to time.
- 12.2 Managers may choose a motor vehicle up to the value of \$26,560 in line with the *Motor Vehicle Guidelines* and receive additional annual salary of \$3,050.
- 12.3 Managers may choose to receive \$18,300 additional salary in lieu of a motor vehicle and will have access to the use of pool cars for business use.

## **13 PERFORMANCE DEVELOPMENT GUIDELINES**

- 13.1 Managers' performance will be reviewed according to the Marrickville Council Managers' and Directors' Performance Development Guidelines.
- 13.2 The Guidelines may be amended after consultation with Managers and Directors.

## **14 TECHNOLOGY**

- 14.1 Managers will be provided with appropriate technology to undertake their responsibilities.

- 14.2 Technology requirements will be reviewed annually by the Manager Information and Communications Technology in consultation with the Managers.

## **15 NO FURTHER CLAIMS**

During the period beginning on the date this Agreement is lodged with the Commission and ending on the nominal expiry date, no further claims may be pursued in respect of terms and conditions of employment by a party to the Agreement or a Manager whose employment is subject to the Agreement, whether or not these terms and conditions relate to a matter that is expressly covered in this Agreement.

## **16 ANTI-DISCRIMINATION**

The provisions of the Award apply.

## **17 DISPUTE SETTLEMENT PROCEDURES**

The provisions of the Award apply.

## **18. TRANSITIONAL PROVISIONS**

- 18.1 All Managers employed by Marrickville Council as a Manager on the Executive Band will be appointed, on the date this Agreement commences, to the top of their previous salary range or to a higher salary, if appropriate, with reference to Job Evaluation results and market rates as a guide.
- 18.2 For Managers with an existing entitlement for reimbursement of telephone line rental and limited call costs, an additional \$800 annual salary will be paid. This represents the gross value of the allowance previously paid.

### Signatories

General Manager  
Marrickville Council