

## Clause 28. Health and Wellbeing from The Hills Shire Council 2017 EA

**From:** Steve Dobis [<mailto:sdobis@thehills.nsw.gov.au>]  
**Sent:** Wednesday, 19 April 2017 11:26 AM  
**To:** Ian Robertson <[ian@depa.net.au](mailto:ian@depa.net.au)>  
**Subject:** RE: Health and Wellbeing

This section replaces section 24 of the Award.

To support health and wellbeing, Council will offer health and wellbeing leave as a trial for this agreement, with no obligation to extend beyond this period.

The parties to this EA accept the evidence that employees with higher levels of health and well-being are more productive, take fewer sick days and provide benefits to the employer out of proportion to the employer-supported initiatives to encourage health and wellbeing. This initiative is aimed at building on the minimum provisions of the Award and developing a broad and inclusive approach to allow employees to make application for health and well-being leave which they believe will improve their levels of health and wellbeing.

Employees can apply for up to 2 days leave in a financial year for health and wellbeing purposes. This leave is deducted from the Employee's Award sick leave entitlements.

Reasons for health and wellbeing days would fit generally within concepts of health, fitness, exercise, improved health benefits, as well as mental health in times of stress.

Health and wellbeing leave will need to be requested at least 1 week in advance of the proposed date of leave. When applying for health and wellbeing leave, the Employee will need to explain in writing the nature of the health and wellbeing activity and what health and wellbeing benefits it will bring. The Manager will have discretion whether or not to approve health and wellbeing leave. Factors that may lead to health and wellbeing leave being refused include:

- (a) The Employee has received a letter from the Manager requesting that sick leave certificates are required;
- (b) the Employee has not been able to establish reasonable health and wellbeing benefits;
- (c) The request does not appear genuine;
- (d) The requested leave date will not adversely affect business needs, applying the same approach as requests for annual leave and long service leave;
- (e) The taking of paid leave under this clause must not result in the employee having an accumulated sick leave balance of less than three (3) weeks;

Employees are encouraged to embrace fair and reasonable treatment of health and wellbeing leave, not make spurious or unacceptable applications and should not use the leave for purposes other than that approved. Inappropriate behaviour in relation to using health and wellbeing leave will be treated as any other inappropriate behaviour with other forms of leave.

Council may require proof of participation in the health and/or wellbeing activity to justify payment under this clause.

Reasons for health and wellbeing leave will be subject to audit internally and by unions.

Health and wellbeing leave taken is included in the calculation of group and individual sick leave bonuses.

The health and wellbeing trial is also conditional to organisation sick leave taken not exceeding an organisational average of 7 days in any 12 month period.

Council reserves the right to revert to the Award if future Award changes to health and wellbeing occur in the Award.

Council commits to providing Employees with the opportunity to attend annual skin cancer screening with an approved provider. The initial consultation can be claimed on Medicare, however any additional treatment will be at a cost to the Employee.

Flu vaccinations will continue to be offered to Employees at the Council's expense.

Council also commits to providing an Employee Assistance Scheme, to all Employees who need professional counselling and assistance, to a reasonable level of assistance, to address their personal challenges which may be affecting their performance.

To support the wellbeing of our employees, Council will commit to contracting the services of a professional counsellor to provide all employees and their immediate families with access to a confidential Employee Assistance Program.