



## **Some proposed changes to the employment-related provisions of the Local Government Act 1993**

- 1 Review value and effectiveness of “senior staff” positions and implications of S340.
- 2 Repeal section 340. This section is now largely ineffective giving the finding of the Industrial Relations Commission (Haylen J) that section 340 does not prevent the Industrial Relations Commission making orders under the unfair contracts provision of the Industrial Relations Act.
- 3 Review section 344(a) and update to reflect expanded areas of prohibited discrimination in the Anti-Discrimination Act since 1993 – which will also remove the current awkwardness and apparent inconsistency between 344(a) and 346 and 347.
- 4 Review section 351 to provide a new 351(3) to provide that a person who a Council allows to remain appointed to a position beyond the 12 months prescribed in 351(2) is appointed permanently to that position.
- 5 Review section 352 to provide a new 352 (3) to prohibit direction of any employee, by any employee, “as to the content of any advice or recommendation”.
- 6 Review section 353 to clarify that employees are not obliged to declare any work which does not “relate to or conflict with” the business of the Council or the employees duties.
- 7 Review section 445 to require proper record-keeping by a Council of those interested parties seeking access to the pecuniary interest register.
- 8 Repeal the requirement for the Minister’s approval of payments beyond 12 months in section 354A.
- 9 (Incidentally, review the need for a “standard contract”).)
- 10 Prohibit Councils dealing with staff matters in open council.
- 11 Prohibit comments of an adverse nature against staff by councillors in public and at council meetings.

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