

1. POLICY CERTIFICATION

Policy title:	Higher Duties Policy
Policy number:	HR016
Category:	Policy
Classification:	HR
Status:	Approved

2. PURPOSE

The purpose of this policy is to ensure Higher Duties are awarded in a fair, equitable and reasonable manner and in accordance with the appropriate award or agreement.

3. ORGANISATIONAL SCOPE

This policy applies to all staff employed by Roper Gulf Regional Council across the Roper Gulf Region.

4. POLICY STATEMENT

Higher Duties are awarded to compensate employees for performing duties classified about those in their appointed position.

“Higher Duties” means remuneration paid to an employee for performing duties classified higher than their appointed position.

This policy applies whenever a vacancy of absence occurs that the Chief Executive Officer or Director required another employee to perform the whole, or a component of the daily duties of the vacant position, for a stated period of time.

An employee is not automatically entitled to higher duties.

The following standards and requirements apply:

1. Higher Duties are to be paid in accordance with the Local Government Industry Award 2010 and only at the specific direction of the relevant Directors or the Chief Executive Officer.
2. Extra duties should not be confused with Higher Duties.
3. The selection of an employee for Higher Duties is to be based on their qualifications and/or experience. Where two or more employees have the same credentials, the awarding of Higher Duties should be rotated in a fair, equitable and reasonable manner.

HR016 – Higher Duties Policy

4. Subject to policy provisions, where an employee is directed to perform duties of a position classified higher than that of their appointed position, the employee will be paid not less than the base salary for the higher position for the whole period that they are acting in that capacity.
5. Employees should not be directed to perform duties of a higher position until such time as the higher position has been or will be vacant for five (5) or more days. Where the higher position is one that performs a singular service to the public or organisation (e.g.: IT Officer), the five day provision may not be applicable, as determined by the Director or Chief Executive Officer.
6. Higher Duties are not payable when duties are not performed due to the permanent incumbent taking a leave of five (5) working days or less. Managers/Directors should use their discretion to submit Higher Duties for the approval of the Chief Executive Officer or relevant Director in the event of five (5) or more days of leave being taken.
7. If the incumbent of the higher position is paid at the top incremental scale or receives an over award payment, the acting incumbent should only be compensated at the appropriate base rate. In the event of an employee performing the higher duties of an incumbent who has a negotiated salary, the Manager/Director should use their discretion to recommend an appropriate hourly rate.
8. An employee directed or appointed to relieve in a higher level position where the employee is not required to perform the substantive functions of the role shall be paid a percentage of the base rate of the higher position, as approved by the Director or Chief Executive Officer. A review of the duties of the higher position should determine the percentage to be paid.
9. Where an employee acts in the position of Manager:
 - (a) The employee will not be required to perform all the duties of that position and will be paid a percentage of the base salary applicable to the higher position in accordance with the duties being undertaken or to a maximum of \$250 (increased annually by CPI).

The following can also be used when determining the percentage of higher duties to be awarded:

*% of the Higher Position Salary	Max Amount to be Awarded per week	Higher Duties Period
70%	\$250.00	1 - 2 Weeks
75%	\$250.00	3 - 5 Weeks
85%	\$250.00	6 - 13 Weeks

(*increased annually by CPI – Darwin)

- (b) Notwithstanding (a) above, if an employee is required to act in the position of Manager for a period of 13 weeks or more then that employee will be expected to carry out the full range of duties relevant to the position and will be paid up to 100% of the base salary applicable to the higher position.

HR016 – Higher Duties Policy

Consideration will also be given where an employee has acted in the position on a number of occasions previously and the current remuneration of the employee undertaking the higher position.

10.

- a. Where an employee acts in the position of Director, the employee will be paid a flat rate of \$250 per week. This amount will be incremented by the Consumer Price Index annually on 1 July.
- b. Where a Director acting in the role of Chief Executive Officer will be paid a percentage of the base salary applicable to the higher position in accordance with the duties being undertaken.

11. The following conditions will apply to all employees:

- Any sick leave that occurs while a person is acting in the higher position will be paid at the higher rate.
- Higher Duties will not be paid when the relieving employee is absent on a public holiday.
- Annual leave will only be paid at the higher rate if the person is acting in the position for longer than 3 months and is acting both before and after the period of leave.
- Overtime will be paid at the higher duty rate only if associated with the higher position function.
- An employee, whilst acting in a Higher Duties Position cannot act in a position which is higher than the one that they are currently acting in.

12. In accordance with Equal Opportunity legislation, no employee shall receive less favourable treatment on the grounds of sex, marital status, pregnancy, race, age, gender history, family responsibilities, religious or political conviction or disability when Higher Duties are awarded.

Approval

- Manager Human Resources is authorised to approve higher duties for periods of two (2) weeks or less.
- The CEO is to approve higher duties for employees acting in the role of Manager or Director.
- The Council is to approve higher duties for employees acting in the role of CEO.

5. REFERENCES

Acknowledgements author/source documents)	(original	Human Resources Unit
Related Policies		
Related Publications		

6. DOCUMENT CONTROL

Policy number	HR016
Policy Owner	Human Resources
Endorsed by	Finance Committee Meeting
Date approved	24 February 2016
Revisions	
Amendments	
Next revision due	February 2017

7. CONTACT PERSON

Position	Manager Governance, Corporate Planning & Compliance
Contact number	89 729 000